

Supporting Decentralisation in Fragile States - A View from Burundi

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I would like to acknowledge the support provided by Trócaire-Burundi for the field research on which this article is based. This support notwithstanding, the analysis presented is my own and in no way reflects the views of Trócaire or any of its partners or affiliates.

Bringing the Citizen Back In: Supporting Decentralisation in Fragile States - A View from Burundi

Abstract

While, in theory, decentralisation offers many benefits – increased efficiency and effectiveness of public service provision, reduced horizontal inequalities, and an associated consolidation of the social contract between states and their citizens, empirical evidence of these benefits remains limited. Drawing on fieldwork conducted in Burundi in 2011, this paper argues that the current donor emphasis on institution building alone as a support to the Burundian process proves insufficient. Evidence is presented to show that current support, while consolidating the authority of local political elites, reinforces political and horizontal inequalities thereby paving the way for further disaffection and conflict. Reflecting back to the initial aims of the process, a re-orientation in support is proposed, moving the focus beyond elite state actors and institutions and bringing citizens back into the process of state building and transformation.

1. Introduction

Widespread international support for decentralised governance since the late 1980s has resulted in its adoption in over 80 per cent of developing countries to date (Crawford and Hartmann, 2008). The advantages are, from a public administration perspective, increased efficiency and effectiveness of public service provision through increased responsiveness, flexibility and innovativeness in responding to local demands, reduced corruption and overall enhanced service delivery. From a political perspective, advantages seen to lie in increasing state legitimacy, stability and support, together with democracy more broadly. (Crook, 2003; Smoke, 2003; Devas and Delay, 2006).

More recently, as the interconnections between security and development studies become more pronounced, decentralisation has come to be seen as an increasingly important part of conflict resolution and/or conflict mitigation strategies within fragile states (Cammack et al, 2006; DfID, 2006; Brinkerhoff, 2007, 2011; World Bank, 2011). It has also been argued that decentralisation can increase social capital across local societies, enhancing the social contract between citizens and the state (Brinkerhoff, 2011). Contributions at this level often highlight the key inter-related elements of downward accountability and citizen participation in decentralised structures and processes.

Much of these normative attributes are premised on two assumptions however. First, that public officials work for the common good and, therefore, that downward accountability will be relatively unproblematic, and second, that an appetite for citizen participation (among public officials and citizens alike) exists. Yet decentralised institutions and practices are often introduced into neo-patrimonial contexts characterised by client-patron relations where the danger of elite capture is high (Cammack et al, 2006; Chanie, 2007; UNDP, 2009). Indeed, research findings reveal that the jury is still out on the effectiveness or otherwise of decentralisation experiments, policies and programmes to date. A number of studies reveal that decentralised governance does not necessarily lead to improved services

(Conyers, 2007; Booth, 2010) and that it can lead to increased corruption (Treisman, 2000). Moreover, focusing particularly on post-conflict situations, a number of large N-studies show that decentralisation can lead to increased conflict (Lake and Rothchild, 2005; Schou and Haug, 2005; Siegle and O'Mahoney, 2008) while others (Ogbahara, 2008; Trócaire, 2008; Gubser, 2011) argue that decentralisation fails when it ignores both the history of state formation and existing forms of governance and politics.

The question therefore of interest to policy makers and programme implementers is what form of support to decentralisation is most appropriate and effective in a given context. This question is addressed here in the context of Burundi's decentralisation programme. Adopting a historicised, political economy approach and drawing on fieldwork conducted at both national level and within eight communes distributed across five of Burundi's seventeen provinces^[1], the paper highlights a fundamental tension between the normative objectives of international support – building institutions which are accountable and responsive to citizens, and the practice – building political authority among a narrow group of local elites thereby consolidating traditional power relations and reinforcing horizontal inequalities. Arguing that both the national and international community need to contribute toward the rebuilding of politics and not just institutions, a re-orientation in support is proposed, moving the focus beyond elite state actors and institutions and bringing citizens back into the process of state building and transformation.

This argument is developed as follows. The following section provides a brief account of Burundi's political history, providing an overview of the context into which decentralisation was introduced following the peace accord signed in Arusha in 2000 and focusing on the key drivers of conflict up to and following this time. This account highlights the neo-patrimonial nature of social and political life in Burundi and the central role played by political elites in both past and current conflicts. The principle steps in developing and consolidating the policy and institutions of decentralisation are then outlined in the third section where it is seen that while the country's decentralisation policy may be regarded as far-reaching –

advocating deep and broad-based political reform – international and national support in its implementation remains largely restricted to institution building in the form of capacity building among narrow groups of political elites. Examining the implications of this support for decentralisation on the ground, section four turns to findings regarding the actions and motivations of local state officials and reveals that, intensive capacity building measures notwithstanding, upward accountability remains the norm with political promotion and advancement the key motivations at commune level while traditional hierarchies dominate at more local levels also. The fifth section, examining citizen engagement and participation in local structures, reveals low levels of participation and goes on to explain this policy-practice gap as emanating from a widespread public distaste for political engagement rooted in state-sponsored intimidation and violence. The findings highlight the importance of history and politics and form the basis for the proposed re-orientation in support to the process. The paper concludes with a discussion of the implications of the findings more broadly.

2. Burundi – the political context

Since attaining independence in 1962, Burundi has been plagued by internal conflict and violence, most recently a civil war which, breaking out in 1993, lasted over ten years. Involving widespread human rights violations, political manipulation and intimidation, this has resulted in the social, economic and political exclusion of wide swathes of the country's population.

A peace agreement signed in 2000 was followed by new constitution in 2005 and, with one rebel movement (FNL-Palipehutu) continuing to fight, elections were held in 2005 leading to a new power-sharing executive with both ethnic^[2] and gender-based^[3] quotas. As we see in the following section, this constitution included provisions for decentralised governance at both commune and hill level^[4]. While there was hope and stability for a short time, the 2010 elections were marred by intimidation and violence by all contesting parties (Human Rights Watch, 2009, 2010; Sentamba, 2010; Vandeginste, 2011). At the time of writing, unrest

continues, with ongoing reports of political intimidation, repression and extra-judicial political assassinations.

While, in the shadow of its neighbour Rwanda, there is a popular tendency to attribute this conflict to ethnic grievances^[5], more systematic analyses within the literature argue that the causes of Burundi's conflict are more complex than ethnic grievances alone (Hammouda, 1995; Lemarchand, 2006; Ndikumana, 2000; Ngaruko and Nkurunziza, 2000; Reyntjens, 2005; Uvin, 2008, 2009, 2010). For these analysts, the roots and ongoing drivers of conflict lie in the state apparatus itself – both the “*predatory bureaucracy which cares only for its own interests*” (Ngaruko and Nkurunziza, 2000: 370) and the struggles for resources among and across different groups of the political elite. Peter Uvin expresses this succinctly...

This system is at the core of Burundi's problems. It is an institutionalized system of corruption, social exclusion, impunity, unpredictability, a total lack of accountability and clientelism. It has gorged itself for decades on aid money. Every Burundian knows this system, in which small groups of people use the state to advance their personal interests. It is the key problem and the main cause of war, not ethnicity or poverty.

(Uvin, 2008: 109-110)

This system both relies on and has resulted in a citizenry which is easily manipulated for support for different political leaderships, either through poverty or through intimidation. Where people are poor, they may be more easily bought. Where they are fearful, they are more easily intimidated. The degree to which such manipulation is a feature of social life in Burundi is borne out by the findings of a survey of 400 people nationwide conducted in 2010 which, *inter alia*, reveal that 29 per cent of respondents feel it is acceptable to either be paid for or receive favours for political support, 22 per cent feel obliged, when asked, to join local “*groupe de jeunes*” – armed militia groups, and 9 per cent feel people who vote for the ‘wrong’ party should be excluded from access to basic social services thereafter (La Bénévolencija/SFCG, 2011: 67).

Thus, the principal drivers of Burundi's past and ongoing conflicts appear to be two-fold – a predatory, neo-patrimonial state giving rise to an institutionalised system of corruption and manipulation, and a fearful, marginalised and intimidated population struggling to survive within this. The key to peace and stability therefore appears to lie in reform – or indeed a wholesale transformation – of the system, reducing the systematic exclusion and exploitation of vast swathes of the country's population and promoting greater equality – in access to resources, services and opportunities - across society broadly rather than just for the elite few. The critical question is where the demand for such transformation can come from. In a system benefiting the select few a lot of the time, many some of the time, and the majority none of the time, it can only come from those marginalised citizens who have been systematically exploited and excluded from social and political life. The recently introduced system of decentralised governance which affords a central place to citizens within this system appears to present a real opportunity for such reform. It is in this context that the present research was carried out.

3. (Re)Introducing decentralisation

Although introduced in its current form in 2005, decentralisation is not new to Burundi, having been first introduced during the colonial period in 1959. As the Burundian political scientist Sentamba (2011: 4) has written, the experience was not positive with “*commune councillors and burgomasters/administrators acting like the chiefs and sub-chiefs of long ago, notably depleting communal resources*”^[6]. Sentamba describes the system of decentralisation from the 1960s forward as serving as a system of political and social control, with authority exercised in a rigidly hierarchical top-down manner, with accountability running upward to the Provincial Governor and central administration^[7]. It was into this context that the current decentralised structures were introduced. First introduced during the peace negotiations in Arusha, a new form of decentralisation was written into the new Constitution of March 18th, 2005. A Local Government Law was adopted that same year and commune levels elections were held in 2005 with the first hill level elections taking place in 2010^[8].

3.1 Decentralisation in theory: current policy and procedures

The publication of a comprehensive policy on decentralisation in 2009 represented a significant milestone in the evolution of the process as it was here that the broad principles and objectives of the process were set out. Recalling the spirit of the peace negotiations in which decentralisation was first mooted, the policy emphasises the political nature of the process and its role in state building more broadly.

... the actors of the Arusha Accord, departing from the position that deficits in governance formed the essential basis of the successive crises that the country has suffered, pronounced themselves in favour of an effective Decentralisation within the country. A Decentralisation wherein the principle challenges are the introduction of a democracy at the base, and the promotion of participative and sustainable socio-economic development.

(Gouvernement de Burundi, 2009: 10)

Two key aspects in particular stand out within this policy, reflecting those within decentralisation policies more broadly. The first is the shift from upward to downward accountability, while the second is the move toward active citizen participation within local structures and processes. The radical change in political culture required in bringing about such change is described within the policy as necessitating nothing less than a “*silent revolution*”.

[Decentralisation] favours a ‘silent revolution’ which brings about a qualitative change in society. Decentralisation demands a new state culture, a new politico-administrative spirit within the state... Everybody, not just locally elected leaders as we all are inclined to think, is an actor within Decentralisation.

(Gouvernement de Burundi, 2009: 56)

And so, in a radical break with the past, citizens now have a role to play in both determining development priorities and overseeing initiatives to address these priorities. This is emphasised repeatedly within the policy.

...Decentralisation aims at the active participation of all the population in defining and implementing economic and social development policies in their localities. The envisaged outcomes from a process of Decentralisation are, on the one hand, local and community development and, on the other, local democracy and good governance.

(Gouvernement de Burundi, 2009: 10)

Elsewhere, it is noted that citizen participation goes beyond merely consulting local citizens on their views and ideas to their involvement with state officials in shared decision-making.

The Government of the Republic of Burundi has taken the political option of bringing public services closer to the people and of involving the people in decision-making and choice in relation to development programmes and projects in their localities.

(Gouvernement de Burundi, 2009: 61)

These broad aims and objectives find more concrete expression in a number of texts developed with the support of the European Union's *Gutwara Neza* programme^[9] (notably the Local Government Law and the Manual of Administrative and Financial Procedures (Gouvernement de Burundi, 2005, 2011)) which set out the role and operational procedures of both commune and hill councils. While the role of the commune council is to ensure that public services respond to the needs of the population (Article 5^[10]), the role of the hill council is four-fold - to propose to the commune councils actions leading to development and the preservation of peace; to mediate / arbitrate on conflicts between neighbours; to advise the commune council on possible projects for the hills; and to monitor the implementation of commune activities on the hills (Article 16).

A range of provisions for downward accountability and active citizen participation are set out for both structures. At commune level, council meetings, held three times a year, are open to the public and minutes and decisions reached are posted on the notice board outside the commune offices (Articles 10, 19 and Gouvernement de Burundi, 2011: 15). In addition, the annual progress report prepared by the Administrator is made publicly available following validation by the commune council (Article 31) and, twice a year, the commune council holds

public information sessions with hill council members and members of local associations wherein participants may pose questions and propose ideas to commune council members (Article 15). At hill level, the head of the hill council organises a public meeting for all hill residents at least three times a year to collectively analyse local issues (Article 37).

Following these policies and procedures therefore, the decentralisation process in Burundi offers numerous opportunities for downward accountability and citizen oversight and participation.

3.2 International and national support to the process

As we have seen above, these new structures and procedures require radical shifts in political culture and relations – for state officials they require a move from upward to downward accountability and, for people in general, a move from being passive subjects of the state to active citizens. To assist in this transformation, a number of supports have been offered by international agencies – often working through local non-governmental organisations (NGOs). With a low level of capacity among decentralised state officials consistently highlighted by a number of commentators (Sentamba, 2005; OAG, 2007, 2010; ABELO, 2009), this support has taken the form of capacity building workshops for local officials and select numbers of citizens. These have been designed and delivered by both international agencies^[11] and local NGOs.

Administrators and local officials interviewed for this research reported that they participate in, on average, two workshops of between three and five days a month. This amounts to between a third and a half of officials' total working hours and is certainly significant. In addition to this, a number of technical manuals on financial and administrative procedures have been produced by the *Gutwara Neza* programme. These have been distributed throughout the country with training provided in their use^[12]. A recent comprehensive evaluation on training carried out (Baltissan and Sentamba, 2011) finds little or no

coordination of this training across the country however and is strongly critical of the top-down pedagogical style which serves to reinforce local hierarchies rather than transform them. Questions are also raised in relation to the criteria used for citizen selection with the researchers suggesting that *per diems* and political loyalties play a more significant role in this selection process than the criteria set out by workshop sponsors. Thus, it appears that these capacity building workshops reinforce rather than transform traditional power relations and hierarchies with neo-patrimonial relations also appearing to dictate their citizen selection procedures. The following two sections go on to examine if this is indeed the case.

4. Decentralisation in practice: State engagement

Having examined both the legal and policy context and the nature of supports currently provided to the process, the following two sections set out to explore how this is translated into practice on the ground. This section focuses on state engagement with the process while the following section focuses on citizen engagement.

4.1 Requirements for Decentralisation

Scholars and analysts of decentralisation highlight four fundamental requirements for decentralisation to work in practice – a clear and unambiguous separation of powers between local and national levels; a transfer of resources from the national to the local; downward accountability from local state officials to local citizens; and active citizen participation in planning and implementation at local level (Smoke, 2003; Devas and Delay, 2006; Crawford and Hartmann, 2008). As the findings presented in both this and the following section demonstrate, despite the policy and supports outlined in the previous section, each of these remains extremely limited or non-existent in the Burundian case.

As Smoke (2003) outlines, the absence of a clear division of responsibilities between local and central government can equate to a lack of local government autonomy and discretionary

powers. Moreover it can mean, on the one hand, that central authorities maintain a relatively high degree of control over local development priorities, or, on the other, that central authorities abdicate their responsibilities for local development altogether. Either way in the absence of clarity over the division of responsibilities, confusion reigns over the roles and responsibilities of the different layers of administration, and accountability for key administrative functions remains blurred. A number of researchers have already highlighted this problem within the Burundian context (ABELO, 2009; OAG, 2007, 2010) with the OAG (2010: 70) describing this as a ‘*remarkable gap*’ given its importance to the success of the process. The findings from this research support this. The problem was repeatedly raised by representatives of donor agencies interviewed while Administrators and officials within the communes investigated routinely responded to the question as to their core role and responsibilities with the response that everything that happened within the commune was their responsibility. This is questionable given the presence of multiple state agencies and institutions at provincial level^[13]. Moreover, the policing and judicial system, together with public sector wages (for teachers, healthcare staff etc...) are administered centrally while a primary school building project underway throughout the country is widely promoted as a project of the state President^[14]. What the widespread assertion that commune officials ‘do everything’ does appear to indicate is that many issues are left to the Administrator and his/her team. However, it remains unclear which of these issues officially fall under their remit and which are the official responsibility of other state agencies. While confusing and frustrating for all officials involved, this lack of clarity is also a concern in that it undermines any basis for public accountability with citizens remaining very unclear as to who is accountable for what.

An allied issue is that of financial autonomy of local levels from the centre. Articles 71 and 77 of the Local Government Law refer to the necessity for a transfer of financial resources from the centre to communes (Gouvernement de Burundi, 2005). As other researchers and commentators have noted – and as repeatedly pointed out by national level stakeholders in interviews – this has not yet happened in Burundi. In the absence of a transfer of resources from the central budget, local communes rely on two principle sources for their

budgets. First, revenue is raised through local taxation. Given the significant disparities in wealth between different communes and indeed different provinces, revenues raised in this manner differ greatly. For example, figures collated by ABELO relating to the years 2006 and 2007 show a mean income of US\$ 50,088 and US\$ 57,664 for these years respectively with huge disparities between communes (US\$8,101 in one commune to US\$ 1,767,483 in another (2006 figures) and US\$ 9,321 in one commune to US\$ 2,364,158 in another (2007 figures)) (see ABELO, 2010: 52-54). The second principle source of funds is donors and NGOs. Both the EU's *Gutwara Neza* and the World Bank's *PRADECS* programmes provide funding for micro-projects in the areas of health, education and local infrastructure. The *PRADECS* programme provides funding for projects up to US\$ 100,000 with approx. 3 per cent counterpart funding required. 1.5 per cent of this comes from local communities and between 0.5 and 2 per cent from commune budgets^[15]. Communes can apply to an additional fund, the FONIC – a public investment fund, for their commune contribution or indeed for additional projects. It remains somewhat unclear on what basis FONIC funds are allocated however^[16] and the national Head of Decentralisation reports that this fund is now to be allocated on a 'performance' basis, although again the precise performance rating criteria remain to be elaborated^[17]. Commune officials state that they apply for FONIC funds for particular projects but are unaware of the criteria on which their applications are judged or the basis on which funds are allocated. Additionally, commune officials and Administrators seek funds from other international NGOs that may operate in their commune. This, however, officials report, is necessarily on a somewhat *ad hoc* basis and projects funded are often determined by funders own priorities and interests rather than priorities set out in commune development plans.

Evidently, as reported by other commentators heretofore and as noted by many interviewees, many communes are severely short of funds and much of the projects and activities set out in commune development plans remain unaddressed. A strong case can certainly be made, as it has been by ABELO (2010) and others, for a devolution of funds from central to local level as set out in the Law of 2005. However, in this regard it is worth a reminder that studies elsewhere show that a devolution of funds with insufficient or ineffective public

accountability and transparency mechanisms can result in exacerbated local tensions and conflicts (Conyers, 2007; UNDP, 2009). In this respect it is noteworthy that all commune council members interviewed professed to being unaware and uninformed as to how priorities in budget expenditure are determined within their commune currently. The provisions of the legislative and policy framework notwithstanding, there remains therefore an absence of clarity and transparency in respect of both administrative accountability and decision-making in relation to resource allocation.

This brings us to the third related issue of downward accountability. As noted in Section 3.1, commune councils are obliged to display both the content of deliberations and details of decisions reached at council meetings on public notice boards outside the council offices. Of the eight commune offices visited, just two had any relevant information posted on their notice boards. One had posted a notice (in French which is not widely spoken) of an upcoming meeting, while the other had, in line with the procedures set out, posted a record of deliberations and decisions taken from their last meeting. None of the eight communes visited had disseminated information on their annual budgets and none had carried out the required public consultations, with the exception of specific public meetings organised and attended by the Administrator alone to collect revenue for specific projects. This pattern is mirrored again at hill level where, of the 22 hill councils examined, council committee meetings, as set out in Article 37 of the Local Government Law, were reported to be sporadic and no hill councils had held public meetings (as set out in Article 35) with, once again, the exception being meetings held to collect revenue and organise community work for specific projects.

The evidence reveals a lack of downward accountability therefore, suggesting that local officials remain unaware of the changes needed to traditional administrative and political practices as set out in the original policy. Yet, paradoxically, commune council officials interviewed demonstrated a high level of awareness of their responsibilities in this regard. Indeed, discussing what they had learned from the many workshops attended, all

interviewed emphasised the importance of downward accountability. This is apparent from statements such as “*the commune serves the population*”^[18]; “*what we do comes from them [the people]*”^[19]; “*decentralisation is a process giving people a voice*”^[20]; “*we must work for the people*”^[21]; “*our role is to go with the people’s needs*”^[22]. Despite this awareness however, local government accountability remains low. Given the relatively high level of local officials’ awareness and understanding of the principle tenets of accountability to their citizens, the question remains as to why there is little or none in evidence.

Drawing from interviews with officials exploring their motivations and deeper understandings of their role, two principal reasons for this policy-practice gap are proposed. First, the continued partisanship of the local election process whereby candidates are elected in a block from party lists rather than individually reinforces traditional upward accountability and loyalty. As others have pointed out (Ahamad et al, 2005, Yilmiz et al, 2010), such arrangements leave local candidates more concerned with their promotion and advancement within internal party structures than in promoting policies and initiatives that benefit the local community at large. Although executive positions in Burundi’s local communes are full-time, all Administrators interviewed revealed that they had held better paid positions in the past but admitted accepting their current post with an eye to their political futures. As one Administrator noted^[23], he has been nominated by Presidential decree (albeit having been selected by his commune council). This brings officials – Administrators and council members alike – to the attention of senior party officials and there can be no doubt that council membership represents a strategic political move as much as anything else. In a system where, historically, material gains have depended on strategic political alignment, such a rationale makes perfect sense.

The second explanation for this policy-practice gap is the legacy of old hierarchies and the persistence of cultures and practices of upward accountability. At commune level, despite the provisions set out in various legislative and policy texts, the Administrator continues to report to the commune council and the provincial Governor, but not the local

community. The annual budget, once adopted by the commune council, is transmitted to the Governor for approval. This is despite the fact that a significant proportion of the revenue (both financial and in terms of collective community works/counterpart funding) for this budget comes from local citizens. Hill council members, when defining their role, repeatedly used the phrase “*the eyes and ears of the Administrator*” - a characterisation suggesting more of a surveillance / control role as in the past than a role as a conduit for the views and proposals of local residents, as set out in current texts and policy. Indeed, each Monday morning, in all communes, hill council leaders come together to meet with the Administrator and report on security and development issues on their hills. This meeting is described by hill council leaders as a reporting structure rather than an opportunity to put forward proposals or suggestions^[24]. Reinforcing this, both commune and hill council members, when asked to describe what is meant by the concept of community participation, consistently describe it in terms of revenue collection and/or brick building or other organised community works rather than in terms of citizen voice and influence as set out in the official texts. Thus, for commune and hill level leaders alike, citizens continue to be viewed as subjects of the state – to be called on for material and financial supports for developmental activities decided upon elsewhere – rather than the active citizens envisaged within the decentralisation laws and policy.

5. Decentralisation in practice: Public engagement

As noted above, the fourth key requirement for decentralisation to work effectively is for an active citizen engagement and participation. As we have seen in Section 3, Burundi’s decentralisation policy is clear and unambiguous in this regard, according citizens a central role in decision-making and choice in relation to development initiatives and service provision in their localities. Yet, mirroring the findings reported above, public engagement in practice remains extremely low. None of the 162 hill residents involved in the research have ever attended a commune council meeting. Indeed, just 12 per cent of residents professed to any knowledge as to what the commune council does – and this was a rather vague response in the areas of development and the maintenance of peace and order. There is a clear gender

divide in terms of both knowledge of the council's role and activities and in terms of access to the council members and/or the Administrator (whose role is slightly better known). There is also a rural/urban divide in this regard. Thus, of the 162 hill residents involved in the research, more men (four) than women (one – consulting a female Administrator) have consulted with their Administrator over particular matters and each of these live in or in the vicinity of the commune centre. For many others, in the words of one resident, “*it [the commune council] is for people at a higher level*”^[25], and many noted that it is not possible to personally access commune council members as only heads of the hill council can do this.

However, as Uvin (2008, 2009) in particular has highlighted, the hill councils – five member councils elected as individual rather than party candidates for the first time in 2010 – represent a real opportunity for citizen participation in local economic and social affairs. Among the hill residents participating in this research, there is a much greater awareness of the existence and the role of local hill councils. Most respondents are aware of who their council representatives are. Eighty per cent of respondents (two-thirds male, one third female) identified a role for the council. It is important to note however that the role identified – arbitration and resolution of local conflicts – represents just one of the four roles envisaged within the local government law and neither residents themselves nor hill council members made any reference to a role in proposing activities to the commune council or monitoring local developmental activities.

Although local conflict resolution was identified as the main role of the hill council by 80 per cent of respondents, only six out of the 162 residents consulted (four male, two female) stated that they have gone to their hill council with issues to be resolved (the issues were disputes with neighbours over land boundaries (three male); theft in the home (one male, one female); and family disputes arising from the widespread practice of ‘polygamy’^[26] (one female)). For those that have not approached their hill council, when asked why not, some noted that they have not yet had issues which needed resolution, while others (predominantly women) pointed out that the issues they face are of no

interest to (predominantly male) council members. For others, a sense of resignation with the hand they are dealt is palpable. As one (female) respondent notes “*everything is God’s word/will*”^[27].

The overall picture therefore, is one of an extremely low level of citizen participation, either at commune or hill level. Again, drawing from discussions with hill residents, the principal reason for this points to continuities with the past and the widespread view that nothing has changed in relation to how politics is conducted and how the system operates. Three key findings support this argument. First, the qualities sought by hill residents in their elected leaders; second, the ongoing systematic exclusion (by both state officials and local residents themselves) of certain groups and individuals from political engagement; and third, the widespread distaste for politics which is associated with intimidation, insecurity and conflict.

In relation to the first point, in terms of the qualities sought (and voted for) in an effective hill council member, there is remarkable consensus across all research sites, and between women and men. Across all sample areas, people identified local ‘notables’ / people who are well known with integrity, an ability to listen, a sense of fairness, and a ‘bon comportement’. Repeatedly respondents noted that a good track record as an effective community leader is important. These findings indicate that, while election of hill council members is a relatively new phenomenon, the people elected are not necessarily new to the role of community leaders. It may therefore be difficult for new entrants to gain a foothold in this new institution (most notably women who have not enjoyed political prestige or leadership roles at a local level in the past and who face formidable obstacles in attempting to enter what is widely seen as a male arena). It may also mean that these fora are captured by local elites. Moreover, despite this introduction of a new local institution, continuities with the past in terms of relations with commune authorities are extremely apparent as evidenced in both the weekly reporting to the Administrator and in hill council members self characterisation as “*the eyes and ears of the Administrator on the hill*”, a characterisation more redolent of surveillance structures from the past rather than the representative structures set out in current policy and legislation.

A second, related point is the fact that a significant proportion of the population have been – and continue to be – repeatedly and systematically excluded from political life. Specific groups in this regard include most women and the Batwa minority group, although many others have also been systematically excluded from active engagement in public life. Moreover, this exclusion is actively exercised not exclusively by formal political authorities but, most strikingly, by communities, neighbours, individuals and family members themselves^[28].

The third critical point is the fact that the egregious abuse of power by political authorities in the past coupled with current politically motivated insecurity and violence (see Human Rights Watch, 2009, 2010; Sentamba, 2010, Uvin, 2010 and Vandeginste, 2011) has resulted in a widespread distaste for and disaffection from politics among ordinary citizens across the communes visited (and reportedly, more broadly). Politics is popularly viewed as the principle source of insecurity and conflict. Citizens are tired of violence, insecurity and unrest and, when asked about their views on politics and the role of political leaders, many, recalling the intimidation surrounding the 2010 elections coupled with ongoing reports of politically motivated violence, express the wish to be just left alone – wanting nothing to do with politics or politicians, including local commune structures.

6. Conclusions, Lessons and Recommendations

While the findings might seem to indicate that, despite considerable financial investment, little has changed since the re-introduction of decentralisation in Burundi in 2005, it is important to remember that decentralisation is a process rather than a product and, as such, takes time. Indeed, according to one view (OECD, 2004), it takes well over ten years to reap tangible benefits for local communities and this happens only when accompanied by significant political investments from state and civic actors alike. The analysis presented above demonstrates that Burundi has a strong legislative and policy framework in

place. However, this framework alone is insufficient. Moreover, the findings demonstrate that a restricted emphasis on technical capacity building among local elites and their institutions alone carry several real risks to the stability of the process and to the country more broadly.

Specifically, the historicised, political economy approach employed in this study reveals three principle constraints to an effective, transformative evolution of the process moving forward. First, there is evidence that the predatory, neo-patrimonial state of the past lives on and may indeed extend its power through the process. The state continues to be viewed – by officials and citizens alike – as the principle source of wealth, status and prestige in society. This is evidenced, *inter alia*, in the motivations of commune administrators and officials within their posts; in the selection criteria employed for citizen involvement in capacity building workshops; and in the lack of transparency and downward accountability in relation to decision-making on resource allocations. In this context, the implicit assumption that state officials work for the common good and that all that is required is some capacity building in relation to administrative and financial procedures for the process to succeed needs to be re-visited. Moreover, with the newly elected hill councils functioning as the self-professed “*eyes and ears of the administrator on the hills*”, overseeing, reporting on and controlling rather than responding to residents’ views and actions, and with citizen participation reduced to revenue generation and community works for pre-defined activities, decentralisation, in its current guise, risks consolidating an extension of this predatory state into each hill and community across the country. Second, the differential access afforded citizens to key officials reinforces the traditional hierarchies and patron-client relations of the past. As we have seen, typically only the well connected (male, urban and non-Batwa) gain access to the corridors of power and influence at both hill, but particularly at commune level. Combining this with the lack of public meetings and the dearth of mechanisms for downward transparency and accountability, the radical changes in political culture envisaged within the decentralisation policy remain distant and the risks of increasing political and horizontal inequalities grow. And third, widespread public apathy toward and distaste for politics, as articulated by citizens across all research sites, means that the appetite for citizen

participation within these structures, even if the opportunities for such participation exist, is weak.

The key lesson from all of this is that a focus on formal institutions alone is insufficient. It is important not to confuse means with ends. As the architects of the process envisaged at the outset, Burundi's decentralisation process is about creating institutions as a means toward an even more ambitious end – the transformation of political culture and the promotion of local democracy and inclusive governance. Thus, institutions need to be accountable, responsive and inclusive. For both scholars and policy makers alike, this problematises the tendency within recent development and state-building literature to separate institutions from society and to largely ignore the place of citizens within these. While much policy-relevant research on decentralisation in post-conflict contexts focuses on the sequencing of reforms (see for example Treisman, 2000; Lake and Rothchild, 2005; Schou and Haug, 2005; Siegle and O'Mahoney, 2008), it is often very unclear where citizens are located within these schema or indeed if they have a place at all. While concerns about legitimacy are rightly raised, the literature has little to say about how such legitimacy might be built. In highlighting the significant constraints to a successful roll-out of the process in Burundi, this study draws attention to the obstacles to citizen engagement and highlights the importance of supports which aim at bringing citizens back in. Bringing citizens back in and shifting the focus of support from institution-building *per se* to institution-building which is more inclusive, responsive and accountable will go some way toward building the trust, confidence and legitimacy highlighted by proponents of decentralisation, hopefully paving the way for greater peace and stability into the future.

Bibliography

ABELO (2009) *L'état de la décentralisation et la situation des Communes au Burundi : Etude de base, 2009*, Bujumbura: Association Burundaise des Elus Locaux.

Ahmad, J., Devarajan, K. Shantayanan, S. Stuti and S. Shah (2005) "Decentralisation and Service Delivery", *Policy Research Working Paper 3603*, Washington, DC: World Bank.

Baltissen, G. and E. Sentamba (2011) *Programme et Plan d'action opérationnel de renforcement des capacités des acteurs en charge de la mise en œuvre de la politique de la décentralisation et du développement communautaire*, Evaluation indépendante du PRADECS, Bujumbura : PRADECS.

Booth, D. (2010) "Towards a theory of local governance and public goods' provision in sub-Saharan Africa", *Africa power and politics working paper No. 13*, August, 2010, London: Overseas Development Institute.

Brinkerhoff, D.W. (2011) "State Fragility and Governance: Conflict Mitigation and Subnational Perspectives", *Development Policy Review*, 29(2), 131-153.

Brinkerhoff, D.W. (2007) *Governance in Post-Conflict Societies: Rebuilding Fragile States* London, UK: Routledge.

Cammack, D, D. McLeod, A.R. Menocal and K. Christiansen (2006) *Donors and the 'Fragile States' Agenda: A Survey of Current Thinking and Practice*, Report submitted to the Japan International Cooperation Agency, London: Overseas Development Institute.

Chanie, P. (2007) "Clientelism and Ethiopia's post-1991 decentralisation", *Journal of Modern African Studies*, 45(3), pp. 355-384.

Conyers, D. (2007) "Decentralisation and Service Delivery: Lessons from Sub-Saharan Africa", *IDS Bulletin*, 3(1). pp. 18-32.

Crawford, G. and C. Hartmann (eds) (2008) *Decentralisation in Africa: A Pathway out of Poverty and Conflict?*, Amsterdam: Amsterdam University Press.

Crook, R.C. (2003) “Decentralisation and Poverty Reduction in Africa: The Politics of Local-Central Relations”, *Public Administration and Development*, 23(1), pp. 77-88.

Devas, N. and S. Delay (2006) “Local Democracy and the Challenges of Decentralising the State”, *Local Government Studies*, 32(5), pp. 677-695.

DfID (2006) *Eliminating World Poverty: Making Governance Work for the Poor*: White Paper on International Development, London: Department for International Development.

Gouvernement de Burundi (2005) *Loi no. 1/016 du 20 avril 2005 portant organisation de l'administration communale*, Bujumbura.

Gouvernement de Burundi (2009) *Document de Politique Nationale de Décentralisation au Burundi*, Bujumbura.

Gouvernement de Burundi (2011) *Manuel de Procédures Administratives et Financières*, Bujumbura.

Gubser, M. (2011) “The View from Le Château: USAID’s Recent Decentralisation Programming in Uganda”, *Development Policy Review*, 29(1), pp. 23-46.

Hammouda, B. (1995) *Burundi: Histoire Economique et Politique d'un Conflit*, Paris: l'Harmattan.

Human Rights Watch (2009) *Pursuit of Power: Political Violence and Repression in Burundi*, Geneva and New York: Human Rights Watch.

Human Rights Watch (2010) *We'll Tie You Up and Shoot You: Lack of Accountability for Political Violence in Burundi*”, Geneva and New York: Human Rights Watch.

La Bénévolencija/SFCG (2011) *Médias pour une Responsabilité citoyenne: Utilité, efficacité et impact*: Bujumbura: La Bénévolencija/Search for Common Ground,

Lake, D.A. and D. Rothchild (2005) “Territorial decentralisation and civil war settlements”, in *Sustainable peace: Power and democracy after civil wars*. P.G. Roeder and D. Rothchild, Ithaca, New York: Cornell University Press.

Lemarchand, R. (2006) “Consociationalism and Power-Sharing in Africa: Rwanda, Burundi and the Democratic Republic of the Congo”, *African Affairs*, 106/422, pp. 1-20.

Manirakiza, Z. (2009) *Organisation Administrative de la République de Burundi*, Bujumbura: Programme Gutwara Neza / World Bank.

Ndikimana, L. (2000) “Towards a solution to violence in Burundi: A case for political and economic liberalisation”, *The Journal of Modern African Studies*, 38(3), pp. 431-459.

Ngaruko, F. and Nkurunziza, J.D. (2000) “An Economic Interpretation of Conflict in Burundi”, *Journal of African Economies*, 9(3), pp. 370-409.

OAG (2007) *Analyse de processus de décentralisation au Burundi*, Bujumbura : Observatoire de l’Actions Gouvernementale.

OAG (2010) *Evaluation du processus de Décentralisation au Burundi*, Bujumbura : Observatoire de l’Actions Gouvernementale.

OECD (2004) *Lessons learned on Donor Support to Decentralisation and Local Governance: DAC Evaluation Series*, Paris: Organisation for Economic Co-operation and Development.

Ogbaharya, D. (2008) “(Re-)building governance in post-conflict Africa: the role of the state and informal institutions”, *Development in Practice*, 18(3), pp. 395-402.

Reyntjens, F. (2005) “Burundi: A Peaceful Transition after a Decade of War?”, *African Affairs*, 105(418), pp. 117-135.

Schou, A. and M. Haug (2005) *Decentralisation in conflict and post-conflict situations*, Working Paper 139, Oslo: Norwegian Institute for Urban and Regional Research.

Sentamba, E. (2011) “Pour réussir la décentralisation au Burundi : s’attaquer frontalement aux obstacles systémiques”, *Cahier de l’IDEC*, 3(8).

Sentamba, E. (2010) “Les élections de 2010 au Burundi : pari pour la démocratie ou pour le recul dans les affaires du conflit”, *Cahier de l’IDEC*, 3(6).

Sentamba, E. (2005) *Etude sur la Gouvernance au Burundi : Rapport définitif*, Bujumbura: IDEC.

Siegle, J. and P. O’Mahony (2008) “Assessing the Merits of Decentralisation as a Conflict Mitigation Strategy”, Paper prepared as part of USAID’s study to the revision of the *Decentralisation and Democratic Local Governance Programming Handbook*, Washington: USAID.

Smoke, P. (2003) “Decentralisation in Africa: Goals, Dimensions, Myths and Challenges”, *Public Administration and Development*, 23(1), pp. 7-16.

Treisman, D. (2000) *Decentralisation and the quality of government*, Los Angeles: University of California.

Trócaire (2008) *Decentralisation in Southern Africa: Opportunities and Challenges for Trócaire and partners*, Maynooth: Trócaire.

UNDP (2009) *Governance in Conflict Prevention and Recovery: A Guidance Note*, New York: United Nations Development Programme.

Uvin, P. (2008) “Local Governance After War: Some Reflections on Donor Behaviour in Burundi”, *Praxis: The Fletcher Journal of Human Security*, 23, pp. 109-122.

Uvin, P. (2009) *Life After Violence: A People’s Story of Burundi*, London and New York: Zed Books.

Uvin, P. (2010) “Structural causes, development co-operation and conflict prevention in Burundi and Rwanda”, *Conflict, Security and Development*, 10(1), pp. 161-179.

Vandeginste, S. (2011) “Power-sharing as a fragile safety valve in times of electoral turmoil: the costs and benefits of Burundi’s 2010 elections”, *Journal of Modern African Studies*, 49(2), pp. 315-335.

World Bank (2011) *Conflict, Security and Development*, Washington: World Bank.

Yilmaz, S., Y. Berdis and R. Serrano-Berthet (2010) “Linking Local Government Discretion and Accountability in Decentralisation”, *Development Policy Review*, 28(3), pp. 259-293.

^[1] This research was carried out in association with Trócaire-Burundi. The overall aim was to identify opportunities for citizen engagement in local structures and to make recommendations to Trócaire-Burundi’s local NGO partners for support to this. The full research report is available at <http://doras.dcu.ie/16691/>. Fieldwork was carried out in January, August and September of 2011 and consisted of both individual interviews (9 at national level, 4 within communes and 27 at hill level) and focus groups (16) at hill level (gender disaggregated and each comprising between 6 and 10 people).

^[2] National and commune level political institutional quotas are 60% (Hutu); 40% (Tutsi) with three places reserved in the national assembly and in the Senate for the ethnic minority Batwa.

^[3] There is a 30% quota for female representation in national and commune level institutions.

^[4] Burundi is made up of 17 provinces, subdivided into communes (129 in total) which, in turn, are subdivided into ‘collines’ or hills (2,910 in total).

^[5] Rwanda and Burundi share a similar colonial heritage and ethnic composition.

^[6] All translations of articles, legislative texts and interview transcripts are my own.

^[7] Interview with Elias Sentamba, August 19th.

^[8] Commune councils are made up of 15 elected members (of which at least five are women) and hill councils are made up of five members.

^[9] Interview Eric Charvet, EU Mission in Burundi, August 10th. See also <http://www.gutwaraneza.bi/>

^[10] All Articles cited refer to Articles from the Local Government Law (Gouvernement de Burundi, 2005).

^[11] The principle international agencies involved in capacity building training are the World Bank (through its *PRADECS* programme), the EU (through its *Gutwara Neza* programme), and Co-Operation Suisse which provides an intensive support to the process in Ngozi province in the north of the country. A wide range of local NGOs – some contracted by international agencies – have carried out training also.

^[12] Interview Eric Charvet, EU Mission in Burundi, August 10th.

^[13] For example, each province has offices of health, education, agriculture and livestock development.

^[14] This emanates from an electoral promise. A building programme is underway with the aim being to furnish all hills with a primary school. Local communities provide bricks and labour and ‘the President’ provides the corrugated roofing, windows and the mason’s wages.

^[15] Interview Thomas Minani, Executive Secretary PRADECS, August 11th.

[16] It proved impossible to get documentation in this regard and a number of requests for an interview with the Head of FONIC were denied.

[17] Interview Théophile Niyonsaba, Head of Decentralisation in the Ministry of Home Affairs, August 9th.

[18] Interview Administrator, August 17th.

[19] Interview Administrator, August 22nd.

[20] Interview Administrator, August, 25th.

[21] Interview Administrator, August 30th.

[22] Interview Administrator, September 1st.

[23] Interview Administrator August 22nd.

[24] Interviews Hill council leaders August 18th, 22nd and 31st.

[25] Interview resident Rugombo commune, Cibitoke province, September 2nd.

[26] ‘Le concubinage’ or ‘la polygamie’ refers to the widespread practice of husbands deserting their wives for another woman. This practice was repeatedly raised by women (and a small number of men) as the biggest problem they face. As well as leaving women in an economically fragile position, this practice also leaves them vulnerable to physical and sexual assault and is the cause of many local conflicts.

[27] Interview resident Mugongo Manga commune, Bujumbura Rurale province, August 26th.

[28] For example, on hills where there are no female hill council members, the suggestion put to female focus groups that the election of a female candidate might increase the likelihood that some of the issues raised by the groups might be taken more seriously by their hill council was met with some incredulity and amusement. The phrase repeatedly used was “*politics – that’s men’s business*”.