

**THE ROLE OF INFORMAL CIVIL SOCIETY IN ENHANCING
DEMOCRATIC LOCAL GOVERNANCE IN NKHATA BAY DISTRICT**

MASTER OF ARTS (DEVELOPMENT STUDIES) THESIS

By

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DECLARATION

I, the undersigned, hereby declare that this thesis is my original work which has not been submitted to any other institution for similar purposes. Where other people's work has been used acknowledgements have been made.

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DEDICATION

I dedicate this thesis to my family, my parents Mr. and Mrs. Mwenda, and my two sisters
Ruby and Martha, an ever present support system.

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This work is evidence of tones of support that a number of people rendered to me and will always be in debt to them for this success:

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ABSTRACT

Democratic decentralization is the policy direction that Malawi adopted to harness local development by opening up the space to diverse actors. This study explored the role of informal civil society in enhancing democratic local governance in Nkhata Bay district with Nkhata Bay Citizens Caretaker Committee and Citizen Forum Committees as case studies. This was a qualitative study with data collected through focus groups discussions with members of various informal citizen groups and key informant interviews government officers, members of parliament, civil society representatives and community opinion leaders. The study also relied on available literature and participant observations. The findings demonstrate that through informal civil society the citizens are able to influence decision making, policy changes and responsiveness on service delivery of the district council although the improvements in service delivery are mostly short lived and non-sustainable as they are not strategically thought through. While reinforcing accountability, it proved to be a difficult endeavor due to unavailable and inaccessible public information contrary to the decentralization agenda. In conclusion the informal civil society enhances democratic local governance regardless of the mechanisms used but for sustainable changes there is need to maximize both the vertical and horizontal linkages.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACB	Anti-Corruption Bureau
ADC	Area Development Committee
CBO	Community Based Organization
DCC	District Consultative Committee
CCJP	Catholic Commission for Justice and Peace
CDF	Constituency Development Fund
CFC	Citizen Forum Committee
CSOs	Civil Society Organizations
DC	District Commissioner
DEC	District Executive Committee
DEM	District Education Manager
DHO	District Health Officer
DPD	Director of Planning and Development
FGD	Focus Group Discussions
GTZ-MGPD	German Technical Cooperation-Malawi German Programme for Democracy and Decentralization
GVH	Group Village Headman
ICS	Informal Civil Society
LGA	Local Government Act
LGE	Local Government Elections
LISAP	Livingstonia Synod HIV/AIDS Programme
MHEN	Malawi Health Equity Network

MP	Member of Parliament
NBCCC	Nkhata Bay Citizens Caretaker Committee
NGO	Non- Governmental Organization
ODI	Overseas Development Institute
SADC	Southern African Development Community
TA	Traditional Authority
VDC	Village Development Committee
VH	Village Headman
WVI	World Vision International
YONECO	Youth Network and Counseling

CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

This study aims at providing a detailed analysis of the role of informal civil society in enhancing democratic local governance in Nkhata Bay district. Therefore this chapter outlines the focus of the study. The chapter begins with a general overview for decentralization and then narrows down to status of Malawi's democratic local governance. The second part of the chapter focuses on the problem statement, objectives and significance of the study. The chapter concludes with an outline of the study's chapters.

1.2 BACKGROUND

Many developing countries adopted decentralization as a means for harnessing poverty reduction through good governance and responsive service delivery (Blair, 2000; Crook & Manor, 2000; Manor, 1999). Decentralization reforms entail remodelling of order institutions, creation of new structures and generates profusion of new spaces to suit contemporary governance agendas and constitutional reforms (Peterson 2003; Gaventa

and Valderrama,1999). According to Awortwi (2010), majority of countries in Sub-Saharan Africa have implemented one or more decentralization policy reforms. Decentralization reforms involve transferring responsibility for planning, management (decision making), and/or resource-raising from the central government to local elected government or field units of central government ministries or agencies (Rondinelli, 1981). The reforms at local level are mostly enshrined in democratic principles. governments embrace democratic decentralization, the extreme form of decentralization, which entails “transferring authority from the central government to political actors and institutions at the local level, for decision-making and provision of the resources needed to carry out such decisions, to implement various sectorial policies, programmes, and activities” (Chiweza, 2010). This is a way of bringing the public machinery closer to the people and ensuring that both the elected and public officials are accountable for their decisions and behaviour (Chasukwa and Chinsinga, 2013). democratic local level decentralization reform leads to improved efficiency and equity of governments by providing opportunities for ordinary citizens to engage the state and play a meaningful role in shaping public allocations and local decision making, that way the state becomes responsive to the needs of the citizens (Manor, 2011; Haque, 2003; Work, 2002)..

One of the common characteristics of democratic decentralization also referred to as democratic local governance is the existence of multiplicity of players in the local government framework. These include the civil society. The local level decentralization reforms cause the civil society at and near the local level gain substance with the aim of occupying the spaces and utilizing the opportunities (Manor, 2011). Another converging

force which causes civil society to emerge in democratic decentralization is when the local governance system has democratic deficits and inadequacy in state mechanisms to address those deficits (Scholtes, 2001). This development can be attributed to the fact that “local people can be well informed” (Petts,1997:45) but also because the state and societal linkages are crucial as governance centres on the way that state-society relations are being structured and managed (Hyden, et al., 2003).

The civil society in democratic governance can either be formal or informal. Informal civil society are defined as informal collectivities of people loosely held together and identified by a common cause (Sotiropoulos, 2004). Brinkerhoff and Goldsmith (2002) explained that while the formal systems are embodied in constitutions, commercial codes, administrative regulations and laws, civil service procedures and judicial structures, by contrast, the informal systems are based on implicit and unwritten understandings reflecting more the socio-cultural norms and routines, and underlying patterns of interactions among socioeconomic classes and ethnic groups.

For the Southern Africa region, the motion of democratic decentralization has also been a priority for the governance reforms advocated by Southern African Development Community (SADC) as indicated in its vision. According to Chikulo (2010) “efforts to improve institutional effectiveness, accountability and service delivery at the local level thus have been a major focus throughout the region”. Chikulo further explains that because most governments in the region committed to the establishment of decentralized democratic local governance, over the past decade most governments have chosen to

devolve, to varying degrees, authority, responsibility, resources and autonomy to elected local authorities. Although the governments in SADC region committed governance reforms that embrace democratic principles, it was observed that the impact of decentralization across the countries has been uneven, with some countries being further ahead such as South Africa and Botswana while the others are still struggling with deconcentration and delegation with Swaziland and Angola being the bottom two (Issa, 2004). Some of the challenges with democratic decentralization experienced in the region include: high cost of implementing the reforms as majority of the countries are resource constrained; shortage of skilled and trained personnel and capacity to implement the reforms (management capacity constraints and deficits); unwillingness of central governments to surrender full scale rights to the local governments (lack of political will); ineffective institutionalization of local participation committees and weak links civil society organization as well as undemocratic ruling regimes (Chikolu, 2010 and Issa, 2004). Worth noting is that there is an opportunity and hope for full democratic decentralization as one of the outcomes of decentralization and democratization is constitutional recognition of local governments, which most of the countries in the region have done but what remains is for it to manifest in reality (Issa, 2004).

The Malawi Constitution provides a special recognition for local governments as an integral building block of functional and potentially vibrant democracy. The overarching aim of the local government system as articulated by the Local Government Act 1998 is to “further the constitutional order based on democratic principles, accountability, transparency and participation of the people in decision-making and development

processes” (Malawi Government, 1998). This is also accentuated by the 1998 Decentralization Policy.

Local governments in Malawi, have two structures that complement each other, namely: the political and the administrative structures. With regards to the political structure, the councillors are supposed to be the centre for democratic local governments (Tambulasi, 2010; Chinsinga, 2007; Chiweza, 2007). According to Tambulasi (2010) when councillors are present, they steer governance mechanisms; provide conducive environment for good governance ideals and they provide crucial linkages between the state and the society in governance and development processes. The assumption is that councillors “act in the best interest of the public amidst a wide range of conflicting interests” (Chasukwa, et al, 2013). Whilst the administrative arm (the secretariat) is there to carry out day to day business of local councils. The administrative personnel are supposed to be “subordinate to councillors and execute and administer the lawful resolution and policies of the councillors” (Malawi government, 1998). Therefore, councillors are “an indispensable condition for democratic decentralization and an essential institution for good local governance” (Sado, 2010:6).

Democratic decentralization in Malawi has not been fully operationalized, considering that the country did not have councillors from the year 2005 until recently, (20th May, 2014) after the tripartite national general elections. Many reasons had been given for not having the local government elections for such a long period of time (see Cammack, et al., 2007; and Sado, 2010). The underlying factor being that democratic decentralization

in Malawi has been supply oriented leading to lack of political will to see the process through. The absence of councillors coupled with non-functional local government structures led to a “proliferation of a number of structures at the community level under different names, some of which are running parallel to the District Development Planning System structures and some are strengthening or extending the reach of the structures to the individual villages” (Chiweza, 2010:7). Key to the structures that have emerged are civil society organizations both formal and informal.

With coming in of democracy and decentralization, CSOs in Malawi have increased in number with currently over 500 registered non-state actors translating to over 95% increase from the total number in 1995 and even the realm of the activities of these actors has now extended to fields of human rights, democracy, governance etc. (Chinsinga, 2008). Chinsinga (2008) further argues that these CSOs have failed to meaningfully contribute towards consolidating democratic local governance as they are mostly urban centric, they are biased towards service delivery and are very individualistic. In as much as Chinsinga, like other researchers (Tambulasi and Kayuni, 2007) in Malawi, only focused on the formal CSO organizations, Chirwa, et al., (2003) described Malawian communities as having high degree of self-organizations, with a variety of formal and informal institutions/ organizations in the social system.

Therefore this research aims to analyse the role of such informal structures, which will be referred to as informal civil society, in enhancing democratic local governance in Nkhata Bay district. To understand how the informal civil society functions to uphold democratic principles, the frameworks of spaces and public governance model will be used.

1.3 STATEMENT OF THE PROBLEM

Democratic local governance came with a promise of a more efficient, effective and responsive government guided by good governance principles with elected councillors as the main pillar (Malawi Government, 1998). The first term of councillors from 2000 to 2005 provided a form of voice to the local people even though there was no substantial impact which is a normal phenomenon in any reform which is in the early stage. Regardless of the promise posed by democratic decentralization as well as the investment in the legal and institutional frameworks, there are several contextual factors (internal and external) that have led to the failure of promises to materialize.

The absence of councillors from 2005 to 2014 led to “local governance policy paralysis since local governments could not function or operate properly without them” (Tambulasi, 2010:339). The governance functions such as transparency, accountability, rule of law and popular participation stalled and consequently having negative impact on democracy and development outcome that the local governance was meant to achieve (Tambulasi, 2010; Chiweza, 2010 and Sado, 2010). The vacancy on the position of councillors in the district council led to overloading the administrative arm of the local government with functions at the district level. It also resulted in an accountability vacuum since there were no mechanism for providing checks and balances at the local level to reinforcing downward accountability (Chasukwa, et al., 2013; Cammack, et al., 2007). There was also lack of meaningful citizen participation in own governance and development processes as the only legitimate structure for meaningful participation in democratic governance was non-existent (Sado, 2010).

In view of the gap created, the Malawi Government established District Consultative Committees but these were just makeshift¹ structures and a mockery to downward accountability since the decision makers and implementers were also involved in providing checks and balances for themselves (Chasukwa, et al., 2013; Chiweza, 2010). Therefore even with the presence of this tentative structure, the vacuum had not been filled.

In addition to government structures or institutions some non-state actors also emerged to sustain the democratic local governance. Drawing from the work of several authors (Chiweza, 2010, Chasukwa, 2009 and Cammack, et al., 2007) a number of informal groups or “parallel structures” (Chiweza, 2010: 7) or “emerging actors” (Tambulasi and Chasukwa, 2014; Chasukwa, 2009, Cammack, 2007) of citizen action groups, which make up the informal civil society, also emerged such as: concerned citizens, citizen forum committees and community based monitoring groups. These informal groups have also gained popularity among Non Governmental Organizations (NGOs) implementing good governance projects. However, there is a gap in literature in terms of the dynamics and operation of informal civil society within the local governance framework. In this case the role of informal civil society in enhancing democratic local governance is not known. Most studies on Civil Society have focused on the formal civil society neglecting the informal aspects which have a bearing on the outcomes of development and local governance.

¹ A concept borrowed from Chiweza (2010)

Chinsinga (2007) discussed the contribution and engagement of the registered non-state actors in local governance frameworks and processes; Cammack et al. (2007) highlighted the existence of emerging actors in the paralysed governance system and Tambulasi and Chasukwa's (2014) focus was on effectiveness of emerging actors from above and below but did not situate them in the context of informal civil society. Apparently even at global level the informal civil society (ICS) is generally marginalized by the state's and formal civil society's effort; and it is difficult to observe, measure or make generalizations about it hence analytically easier to ignore it (Davies and Hossain, 1997). This study therefore helps to bridge this gap by analyzing and providing empirical evidence the role of informal civil society in enhancing democratic local governance in Nkhata Bay district with focus on the emergency of these ICS and their interactions with the local government; their abilities in enhancing citizen participation and accountability of the local government and their effectiveness in achieving the outcomes of local governance.

1.4 OBJECTIVES OF THE STUDY

Objectives of the study have been categorised into the main objective and specific objectives as stated below:

1.4.1 Main Objectives

The main objective of this study is to analyze the role of local informal civil society in enhancing democratic local governance in Nkhata Bay District

1.4.2 Specific Objectives

The following specific objectives guide the study:

- To analyse the nature and mandate of informal civil society in democratic local governance of Nkhata Bay district.
- To investigate the role of informal Civil Society in enhancing citizen participation and state accountability in Nkhata Bay district.
- To analyse the effectiveness of informal civil society in enhancing democratic local governance in Nkhata Bay district
- To analyse the challenges of informal civil society to enhancing democratic local governance in Nkhata Bay district

1.5 SIGNIFICANCE OF THE STUDY

The findings of the study will contribute to the academic field and literature of democratic decentralization and development. In addition, the lessons that will be derived from the study on how the local people (citizens) are utilizing the opportunities provided by this democratic decentralization beyond the prescribed ideals, might be further developed into legitimate frameworks that can be used as contextualized guidelines for citizen participation in local governance and development processes. Since it has been reported that through representative local governance, in Malawi, citizen participation is a far-fetched endeavour because of the contextual factors (Sado, 2010) hence identification of alternatives for enhancing involvement of the citizens is essential. This study is very important because it even unveils the strengths and innovativeness of local people in own governance which is mostly obscured by the emphasis on representative

democracy as well as demanding for improved services of which the district council responds to.

1.7 ORGANIZATION OF THE STUDY

This thesis has been organized into five chapters. The first chapter provides a detailed introduction to the study that includes background information, contextual issues, the problem that the study is trying to address and its significance. The second chapter is the literature review, and in this chapter relevant literature on the key concepts as well as on the theoretical framework has been reviewed with empirical evidence. The third chapter is about the methodology, it elaborates the study design and the research tools and methods that were used. In the fourth chapter, the findings from the study are interpreted and discussed in line with the theoretical/analytical framework. Finally chapter five presents the conclusions drawn from the findings and some policy recommendations.

1.8 CONCLUSION

This chapter has presented the introduction of the study by discussing the background of decentralization both at international and national level. The background has also helped in shaping the problem the study seeks to address concerning the role of informal civil society in enhancing democratic local governance in Nkhata District. The section has also highlighted specific areas that the study will investigate in trying to respond to the research problem and the significance of the study to academia and development of the country. The next chapter presents the related literature on key concepts and theories and their linkage to enhanced democratic governance.

CHAPTER TWO

LITERATURE REVIEW

2.1 INTRODUCTION

This chapter presents some related literature on the key issues under study which include democratic local governance and informal civil society. It also provides broader definition of concepts, democratic decentralization, citizen participation and accountability, as will be applied in the study. The chapter also presents the analytical framework which is the basis for the analysis of the findings on the role played by local informal civil society in enhancing democratic governance.

2.2 CONCEPTUAL UNDERPINNINGS

This study is framed in line with several conceptual underpinnings but these concepts are closely linked with each other. The concepts include democratic decentralization; citizen participation; transparency and accountability of the state.

2.2.1 Democratic Decentralization

Decentralization is usually referred to as the transfer of powers from central government to lower levels in a political-administrative and territorial hierarchy (Toni, 2007). It has three distinct elements, one element entails the transfer of financial resources in the form

of grants and tax-raising powers to sub-national units of government (financial decentralization); the second element is where the functions performed by central government are transferred to geographically distinct administrative units also referred to as administrative decentralization or deconcentration, and the last element involves devolution of powers and responsibilities to elected local governments (political decentralization), (Bergh, 2004). This last form of decentralization is synonymous with democratic decentralization (Robinson, 2003; Blair, 2000). The differentiating factor of democratic decentralization and all other forms/types of decentralization is the devolution of authority and levels of accountability, given that power is transferred to actors and institutions that are accountable to populations within their jurisdiction (Ribot et al., 2010; Ribot, 2001). Therefore citizen participation and accountability are the important elements among others for this type of decentralization.

In democratic decentralization the government is brought closer to people thereby providing an opportunity for people's participation and interaction with local government officers in the affairs of the locality (Gaventa and Valderrama, 1999). As government moves closer to the citizens more opportunities prevail for the citizens to decide on their needs, shape public allocations and decision making. The impact of citizen involvement in local governance is mainly government responsiveness (in terms of speed, quality and quantity of responses); information flow between government and ordinary people in all directions; and the stimulation of civil society organizations (Manor, 2011). Although in Malawi, it was found that due to lack of awareness and capacity and the absence or non-functional local government institutional structures, ordinary citizens do not participate as

they are unable to take advantage of opportunities to engage with policy process (Chiweza, 2010; Hussein, 2004).

Notwithstanding the promises of democratic decentralization to enhance participatory decision making that leads to an accountable and responsive state at the local level, it does not do so automatically. Several authors (Dauda, 2006; Johnson, 2001) have discussed a number of factors which hinder progress in democratic decentralization. Firstly is the weak decision making institutions that exist at the local level. In most instances the local government institutions are not open to participatory decision making and lack structures for accounting their decisions to the citizens especially with most states still ingrained and legitimized by predominant power structures. The second hindering factor is local elite capture. Quite often it is the local elite that engage with the local government structures as a result they form some clientelistic relationships that enhance exclusion of the rural poor. Thirdly, the dilemma for local people to bear the cost for engaging in direct political action acts as a blockage. In most cases citizens or local people are expected to assume the cost for transport or communication and many more to directly participate in political action and this hinders them from forming strong and sustainable movements because their financial base cannot sustain such activities

This study will mainly focus on devolution form of decentralization since it portrays Malawi's decentralization which government embraces as a way of bringing the public machinery closer to the people and ensuring that both elected and administrative public officers are accountable for their decisions and behavior in delivering public services. In this study, democratic decentralization will be used synonymously with devolution.

2.2.2 Citizen Participation and Democratic Decentralization

Increasingly, the concept of participation is being related to rights of citizenship and to democratic governance (Gaventa and Valderrama, 1999). There are some significant gradations of citizen participation. According to Arnstein (1969) citizen participation can be at eight levels. The bottom rungs of the ladder are (1) Manipulation and (2) Therapy which describe levels of "non-participation" that have been contrived by some to substitute for genuine participation. Rungs 3 and 4 progress to levels of "tokenism" that allow the have-nots to hear and to have a voice although not translating to changes in status quo: (3) Informing and (4) Consultation. Rung (5) Placation is simply a higher level tokenism because the ground rules allow the have-nots to advise, but retain for the power holders the continued right to decide. Further up the ladder are levels of citizen power with increasing degrees of decision-making clout. Citizens can enter into a (6) Partnership that enables them to negotiate and engage in trade-offs with traditional power holders. At the top most rungs, (7) Delegated Power and (8) Citizen Control, have-not citizens obtain the majority of decision-making seats, or full managerial power. The figure below presents the ladder of participation developed by Arnstein.

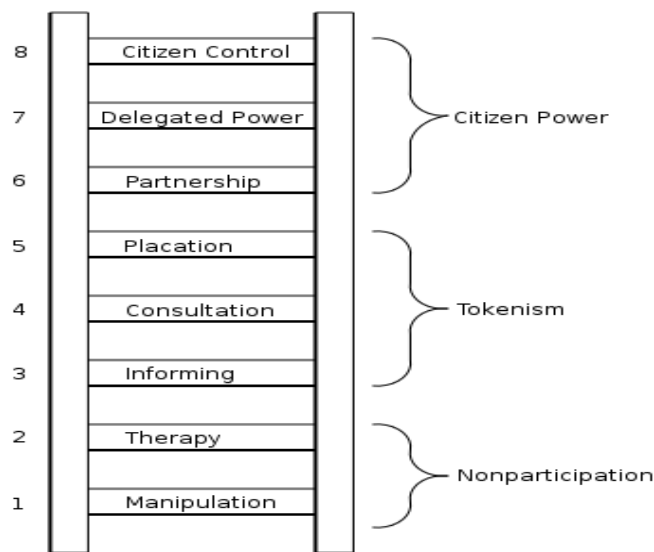


Figure 1. Eight rungs on the ladder of citizen participation

Source: Arnstein, Sherry R (1969)

In the context of this study, citizen participation will be explained in reference to the three top most rungs of Arnstein's ladder of participation which are concerned with citizen power, considering that citizen participation in democratic decentralization is to do with the power or authority that the citizens have to influence practices and decision making of the local government on policies and public service delivery.

Globally it is agreed that involving citizens directly in the processes of governance, help the local people to become better citizens, there is better decisions and a better government, but all this is dependent on who enters the spaces of participation, on whose terms and with what epistemic authority (Peterson, 2003). The current thinking on citizens participation looks at how ordinary citizens (primary targets/ beneficiaries of public decisions) exercise voice through new forms of inclusion, consultation, and

mobilization such as elections, pressure, public deliberation, petitioning, or other conduits designed to inform and influence larger institutions and policies (Warren, 2011; Gaventa, 2004). This citizen participation can only be meaningful where: citizens recognizing themselves as such and there is a clear basis for claims of representation with mechanisms for inclusion of the marginalized, and the motivation for those who participate is understood and bear fruits (Cornwall and Coelho, 2007).

2.2.3 Accountability in Democratic Decentralization

According to Schedler, et al. (1999) accountability expresses the continuing concern for checks and oversight, for surveillance and institutional constraints on the exercise of power. Ideally accountability involves both answerability (the responsibility of duty-bearers to provide information and justification about their actions) and enforceability (the possibility of penalties or consequences for failing to answer accountability claims) (Goetz and Jenkins, 2005 and Schedler, et al., 1999).

It is argued that democratic governance systems are those in which citizens possess the right to hold local public officials to account through the use of elections, collective action and other democratic means (Johnson, in Chiweza, 2005). With strong citizen's voice, accountability of policy makers is enhanced hence motivating responsiveness to the needs of the people and stimulating demand for better public services (Commins, 2007).

In democratic decentralization more emphasis is on downward accountability of elected representatives (and officials) to local citizens. Accountability is only possible where information is available, but for Devas and Grant (2003:311) “information is something which is seriously in short supply in many countries”. They explained that it is important to make information available on resource and their use about the ways in which services are being provided. According to Chirwa, et al., (2003:81-82) “the barrier for accountability in Malawi is based on the culture of silence which leads to lack of information made available to the public, but currently with high and at times unrealistic popular expectations it is important to communicate accurate and important information to the public”.

In this study accountability will be looked at in terms of the ability of the informal civil society to generate honest explanations from the decision makers in the district on the evidence they collected regarding practices and policy implementation as well as their ability to influence punishments or rewards.

2.2.4 Conceptualizing Informal Civil Society

Civil society is an arena where citizens collectively exercise their civic values to promote community well-being (Naidoo and Tandon, 1999; Hadenius and Uggla, 1996). People organize themselves and act together in the public sphere to attain collective goals, express shared ideas and views, exchange information, and improve the functioning of state institutions and make them more accountable, among many other functions (Ferreira, et. al., 2006). The collective action is free and not coerced (London School of

Economics Centre for Civil Society, 2008). Thus agreements are made among citizens on the best course of action to take in addressing specific issues necessary for the achievement of their shared interests, purpose and values.

Civil society encompasses a broad range of formal and informal organizations and this diversity is the main contribution to democratic governance (Manor, 2011 and Ferreyra et. al., 2006). The differentiating element between the formal and informal Civil Society are that the former has a legal personality imposed by registration and recognition by the formal institutions while the latter lacks that legal personality (Loukidou, 2013). The ICS include loosely configured social practices which are a means of inclusion on the part of citizens that are shut out of the official economies and forms of governance (Chirwa, et al., 2003). Essentially informality is not only about the civil society organizations but rather the spaces for citizen participation that they provide and how those spaces function or operate.

The informal civil society (ICS) is dynamic as it is not confined to some already defined or institutionalized ways of doing things. According to Miraftab (2004:3), “grassroots mobilize within a wide range of spaces of citizenship; making use of what in a specific time and place is effective in presenting demands and gaining results”. Existing evidence shows that acts of citizenship also exist in the streets, neighbourhoods, the squatter camps, and any other spaces of everyday life (Sotiropoulos, 2004). Citizens create opportunities for themselves to be able to demand for public services or even hold the government accountable and this is a necessity in democratic decentralization. Worth-

noting is the fact that the mechanisms used vary also because of the multiplicity of actors, representation and depending on the issue at hand (Tembo, 2010). The mechanisms can be of survival or coping strategies and sometimes strategies of resistance, where they challenge the structural basis for their hardship (Miraftab, 2004). Unfortunately because of their fluidity in nature, it is harder to characterize them and might not have as direct an impact on representation as expected in democratic setting (Schneider, 2003).

There are some significant factors that cut across any kind of civil society regarding to the civic culture of the people such as: cultural values, tolerance for diversity, gender relations and values of self-expression (Chaplowe and Engo-Tjéga, 2007). Therefore the analysis of the ICS has to consider the historical, socio-economic, political and cultural developments as every society is a reflection of the historical events (Bereketeab, 2009; Chinsinga, 2008 and Chirwa et al., 2003).

2.2.5 Role of Informal Civil Society in Democratic Decentralization

Informal civil society has varying agendas even in democratic decentralization. The ICS is only successful in enhancing democratic local governance when it gives citizens a voice, to redress biased representation and to exert a watch dog function through provision of checks and balances on government power making decision makers accountable (Kohler-Koch, 2008 and Gaventa, 2004). According to Kosack, Tolmie, and Griffin (2010:16), “the citizens are in a better position to judge government and monitor government service since they are the ones being governed as well as using the services”. In addition, Brinkerhoff (2001) argued that in most cases the hindrance for citizens to

actively engage the duty bearers is the complex and highly technical information provided by government functions and the information includes government policies, regulations, and responsibilities. Therefore the ICS helps citizens to become knowledgeable consumers of policies and programs, as well as informed voters.

2.3 THEORETICAL FRAMEWORK

This section provides a theoretical basis for the study. The theoretic backing and relevance for this study is drawn from the public governance paradigm and the concept of spaces for engagement which is used as a lens for understanding practices of participation.

2.3.1 Public Governance

Public governance is considered an alternative for coping with public challenges recognizing that their magnitude and size can only be dealt with coordinated efforts (OECD, 2015; Aprea, 2010). In addition, there is increasing demand from citizens to be more engaged in how public policy decisions are made and taken as most citizens are frustrated with the cost and effectiveness of government (OECD, 2015; Bovaird, 2005). Therefore instead of exclusively relying on government, a host of actors/ stakeholders are being mobilized and sometimes on their own initiative but often in complex partnerships with the state to address the problems acknowledging that cooperation is the best way to achieve common goals (Salamon, 2000, Borzel, 1997). These collaborative partnerships in public governance, according to UNESCO (2002:18) “are rooted in the civic virtues such as solidarity, reciprocity, trust, interdependency and cooperation for mutual benefit”.

In public governance, the different actors and linkages among them exist for purposes of exchanging resources (money, information, expertise) that enables them to achieve their objectives, to maximize their influence on outcomes and to avoid being dependant on other actors (Rhodes, 2000). The actors in public governance include the policy makers and the stakeholders (those who play different roles in, those affected by, “actions and outcome in public sector (OECD, 2015, Bovaird and Loffler, 2003; Kickert, 1997). The actors can be formal or informal.

The literature that has been reviewed in previous sections shows that democratic decentralization brings in a multiplicity of actors and focus on the role of the citizens themselves hence being a demonstration of public governance. It is argued that the heterogeneity of actors, which leads to contestation as well as collaboration, “is a crucible for the new politics of public policy” (Cornwall and Coelho, 2007:2), of which public governance subscribes to. Additionally the Civicus Civil Society Index findings show that the informal contacts through CSOs play a prominent role and even provide CSOs in general with more concrete avenues to impact on public policy than institutionalized channels hence situating the informal civil society at the core of public governance (Fioramonti & Heinrich, 2007).

Public governance is complex because of multiplicity of actors which are mostly autonomous (Bovaird and Loffler, 2003; Kickert, 1997). Therefore, the nature of interactions among the actors to deal with the task at hand are characterised by negotiations; persuasion; pushing and pulling; and giving and taking relationships

(Apreda, 2010; Salamon, 2003; Kickert, 1997). According to UNESCO (2002), collaboration does not rule out differences or disagreements because in reality different people do not have to agree on everything in order put their resources to deal with issue at hand but rather consensus is built basing on the case and action to be taken. Therefore this study will look at the various actors that the ICS interact with, nature or basis of their relationships in addressing local governance problems in Nkhata Bay district.

The networks of actors in public governance have a number of characteristics. Rhodes (2000) explained that interdependency is common among the network actors and it is enhanced with the continuous/constant interactions and the opaque boundaries among them. Most importantly, the networks reflect how modern society, culture and economy are all increasingly products of relations involving mutuality and interdependency as opposed to hierarchy and dependency (Peterson, 2003). Even in the case of democratic decentralization, the state is more and more dependent on the other institutions that exist at local level and the various institutions/organizations/structures depend on one another to achieve their goals. The collaboration of the actors in the networks is an important by-product of the complementarities that exist among the sectors and can be built upon to solve public problems (Salamon, 2000).

Another important characteristic is the autonomous status of the actors working in the policy network making democratic decentralization fit well in public governance. Since the actors are loosely linked to the government institutions and there is a distance between them and elected authorities, they become strong mechanisms for engaging

relevant stakeholders and motivating action; they offer greater flexibility in decision-processes, accountability arrangements, and resource acquisition and management than statutory bodies because; and they are capable of spreading information and engaging in collective action (Skelcher, et al., 2005; Peterson, 2003).

Public governance cannot be complete without considering some deviant behaviour that might exist having in mind that “deviant behaviour is a fact of life” (Aprada, 2010: 12) and where there are several people with conflicting interests it is inevitable. Understanding deviant behaviour is an important aspect because it has an impact on the outcomes of public governance (Bovaird, 2005). These behaviours include but are not limited to: Rent-seeking, political clientelism, state capture, corruption, elite capture and mistrust.

According to Aprada (20010) Rent-seeking primarily conveys the idea of rational and self-seeking behaviour that redistributes resources available to the society. The reason why it is undesirable is because of the costs that are attached to it such as the distortionary effect of the rent itself and the diversion of productive resources towards competition for the prize of the rent. In Malawi it has been observed that at local level rent seeking is very prominent since the decentralisation process has helped create and strengthen an elite group (members of parliaments and district council secretariat officials) which, through official activities and awards, consumes much of the locally generated revenue as well as non-conditional grants from central government and they

maintain control of contracts and appointments to sub-bodies, which gives them further opportunities for rent-seeking (Cammack, et al., 2007).

Second deviant behaviour is political clientelism as it is a relation based on political subordination in exchange for material resources. In Malawi, political clientelism is very rampant and has affected delivery of public services. For instance, Phiri and Edriss (2013) established that neopatrimonialism has negatively affected agricultural policy because there has been an increase in systematic clientelism due to the need to create loyalty by offering clients public sector jobs (ministerial positions and memberships in sub-committees both at national and local level).

Another possible deviant behaviour is mistrust. It has been argued that trust is a key coordination mechanism in the networks of actors (Meyer and Baltes, 2004). This comes from the background that the networks are characterized by “give and take” (Bovaird, 2005:224) relationships among the various stakeholders and how much to give and take depends on the trust that the stakeholders have on each other. Therefore when mistrust develops there is uncertainty among the actors and this leads to defections in so doing the government sectors have leverage over the non-state actors making defeating the purpose of public governance (Börzel, 1997). Therefore the deviant behaviors have detrimental effects on the outcomes of public governance.

The other deviant behaviour is elite and state capture. Elites are affluent people in the society. Wong (2010) defined elite capture as a situation where elites control or manipulate these processes to serve their personal interests. García-López (2012)

summarized elite capture as including opportunistic or self-interested behaviours based on treachery, purposefully misleading, deceiving, and confusing others, misappropriating or stealing public or community goods for private benefits, falsifying financial accounts or signatures, biased selection and exclusion of certain groups from benefits or participation, and avoiding compliance or modifying certain rules to their benefit. He further highlighted that while most of the literature on elite capture has focused on local elites, in some cases government agents may also seek to capture community based projects or organizations to extract rents.

2.3.2 Spaces for Citizen Engagement

One of the important outcomes of the reforms in the governance systems to decentralized local governance is the profusion of new spaces for citizen engagement (Cornwall and Coelho, 2007). These spaces allows for local participation to ensure the responsiveness of local government to local needs (Bergh, 2004). According to Gaventa (2006) spaces refer to “opportunities, moments and channels where citizens can act to potentially affect policies, discourses, decisions and relationships that affect their lives and interests”. Spaces are an interface and conduits for negotiation, information and exchange between the state and society (Cornwall and Coelho, 2007). In this regard space for engagement is about the processes and not the spatial location or arrangements. Gaventa (2006) suggests a continuum of three spaces: closed, invited and created/claimed spaces.

Closed spaces refer to where decisions are controlled by a set of actors behind closed doors. These spaces can also be conceived as provided spaces in the sense that an elite group makes decisions and provide services to the people.

The 'Invited spaces' are opportunities to participate that are made available by community development workers (government and NGOs) in response to statutory obligations or their own initiative and they are structured and owned by those who provide them (Cornwall, 2008). These spaces are occupied by those grassroots and their allied non-governmental organizations that are legitimized by donors and government interventions (Miraftab, 2004). Consequently those who provide these spaces own them as they are the ones that dictate the agenda in those spaces and who enter in those spaces. Having that in mind, Cornwall argued that the proliferation of such spaces somehow illegitimizes older forms of participation, including the use of popular protest to express dissent and present demands consequently diminishing space for people to set their own agendas instead of being accommodated within those of the powerful. Therefore the invited spaces in some instances pose a hindrance to citizen participation especially where citizens want to inform the direction and nature of their own involvement. While on the characterization of claimed spaces, Cornwall (2008) argues that they have fewer differences of status and power among the participants as they consist of people who come together because they have something in common, rather than because they represent different stakeholders or different points of view. They include networks of neighbours or people who work together, women's groups or larger and more complex social movements. These are self-initiated spaces by the citizens to address their own issues as such the agenda in this kind of space is drawn by the citizens themselves, making them autonomous spaces. The grassroots occupy and claim these spaces by their collective action (Miraftab, 2004).

This study will dwell on the invited and claimed spaces since the informal civil society fall in these two continuums. The use of spaces as an analytical tool for this study is very relevant as it will help to understand the emergency of the informal civil society, who participates in them and detailed analysis on how citizens participate by looking at the mechanisms or modes of participation. The collaboration and partnerships of actors in public governance implies that they identify spaces or avenues to nurture those relationships. Similarly the interactions, be it negotiations, persuasion, which lead to increased responsiveness or improvements in service delivery, happen in certain spaces. Therefore the spaces occupied by the informal civil society and other actors as well are very critical in studying the role of informal civil society in enhancing democratic local governance.

2.3.3 Social Capital

Creation of spaces for citizen engagement builds social capital which affects the performance of democratic local governments. This is because the governance reforms that create democratic institutions do not have an impact on governance performance in themselves but rather are mediated by institutional and social capital issues (Udayaadhithya¹ and Gurtoo, 2004). Woolcock and Narayan (2000) provided a simple definition of social capital by referring to it as norms and networks that enable people to act collectively. This definition encompasses the various facets of social capital, its dimensions and forms considering that collective action can be at different levels and on different issues with various groups of people. The norms or key features in social capital are basically trust and cooperation or reciprocity (Oliveira, 2002; Wallis cited in

Martin and Tracy, 2000). Social capital is multi-dimensional therefore its identification can be in three forms: bonding, bridging and linking, this identification also helps to understand the source and outcomes of particular social capital. Woolcock (2000) described these three forms of social capital. He described bonding as the relationships among homogenous groups such as members of families and ethnic groups. Bridging referred to those relationships among heterogeneous groups and individuals such as people who are from a different socio-economic status, from a different generation or a different ethnicity or interest group. He described linking social capital as the relationships people have with those in power such that it enables individuals and community groups to leverage resources, ideas and information from formal institution beyond the immediate community radius.

Social capital framework will be used in this study to examine the networks that informal civil society form and their relationships with other actors for enhance democratic local governance in Nkhata Bay district. It will also be used to investigate the norms that characterize the networks that the informal civil society forms and the purpose of the networks.

2.3.4 Analytical Framework

Figure 2: below, presents the analytical framework which has consolidated the important aspects of public governance and spaces, where various actors are positioned and operate, that will be helpful in understand the role of informal civil society in enhancing democratic local governance.

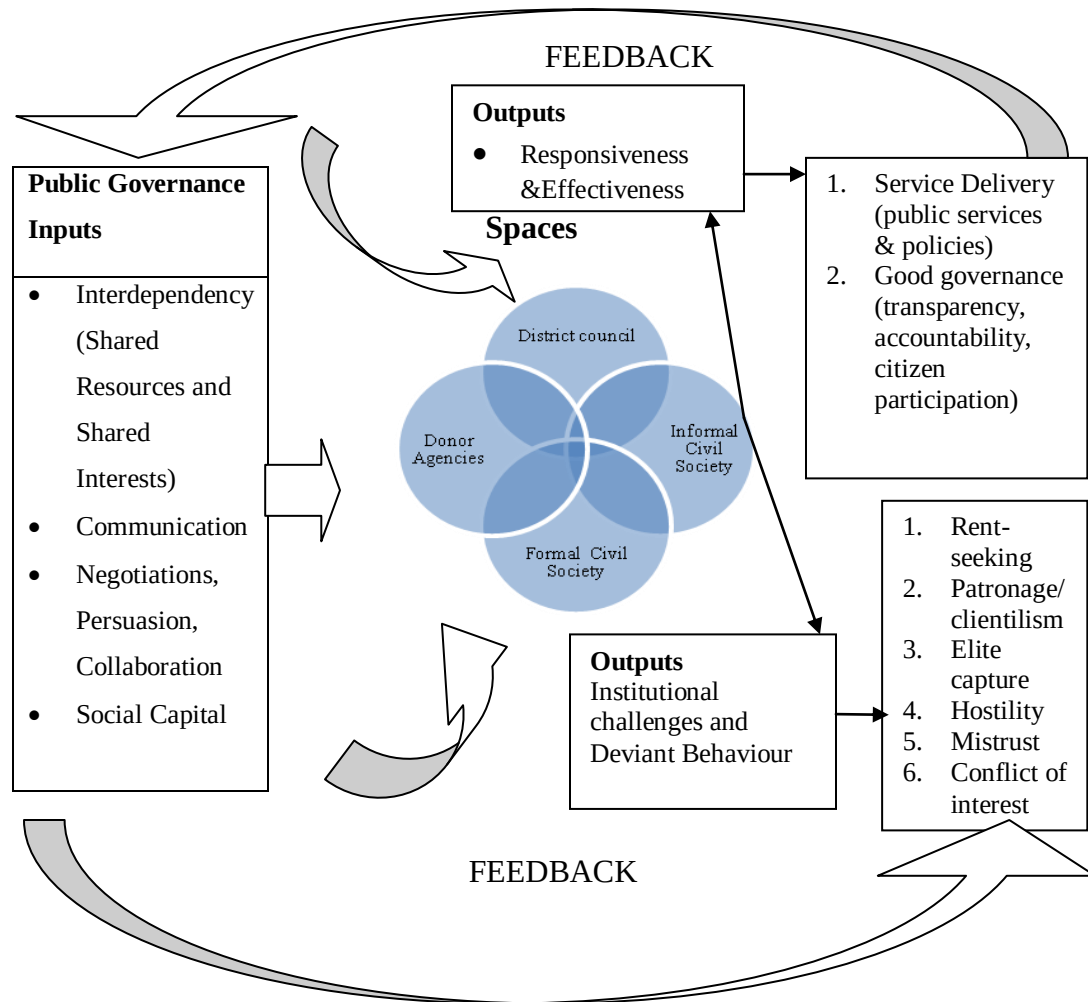


Figure 2. Diagrammatic Presentation of the Analytical Framework

Public governance is characterised by the plurality of actors who are working together though they are autonomous. These actors have their own individual spaces where they carry out their operations but at the same time through the interactions with each other they identify new spaces for collaboration. Such that plurality and networks in public policy translates into many spaces for action as occupies by the various actors. The new spaces created through the interactions of the actors provide a ground for achieving their goals or even hinder the achievement of the same.

The interactions in the public governance system depend on a number of factors for them to yield the desired common interest which in this regard is the improvement in welfare of the people through the effective, efficient and responsive service delivery in a democratic manner (Bovaird, 2005; Skelcher et.al.,2005). In this study these factors will be referred to as public governance inputs as they are the enabling factors that guide the processes in the public governance system to achieve the common interest. They include interdependency (in terms of sharing information and sharing resources); continuous communication and interactions (characterised by negotiations, persuasions and collaboration). Interdependency is important in public governance as it helps in dealing away with inadequacies of bureaucratic governance systems because the operations or activities mostly require consensus of all the actors (Salamon, 2000;. Börzel, 1997). This interdependency only works well where the various actors have good communication channels so that they are all aware and up to date with what is happening. Communication helps the actors to identify with the processes in public governance and own the outcomes of their efforts. The other factor is social capital which influences the relationships and behaviours of various actors in the public governance system for the attainment of the governance outcomes both desirable and undesirable outcomes. For the networking of actors to take place it requires the social capital; for the communication to be effective there is need for social capital as well.

The processes in public governance system yield a number of results which are referred to as outputs in this study. These are the results of the interactions among the actors in

various spaces and are catalysed by the public governance inputs. Considering the diversity of actors and their relationships in the network the outputs can either be desirable or undesirable (Apreda, 2010). Desirable outputs in the case of this study are responsiveness and effectiveness of public institutions in this regard (with the evidence being improved public services and policies as well as good governance ideals such as transparency, accountability and citizen participation). The undesirable outputs include the institutional weaknesses and deviant behaviours (rent-seeking, patronage/clientilism, elite capture, Hostility, Mistrust and conflict of interest/competition). The outputs are not limited to the ones listed. Therefore the outputs from the analytical framework will be operationalized in discussing the effectiveness and challenges of the ICS in Nkhata Bay district in enhancing democratic governance at the local level.

Considering the multiplicity of actors with varying goals and objectives for joining the network, continuous communication acts as a means for providing feedback. Feedback is also important in recognition that the actors in public governance rely on each other especially to achieve their individual goals and objectives. Furthermore the interaction and processes in public governance are very flexible, complex and do not follow a linear pattern as such hence need for proper feedback structures to ensure that the efforts are channelled towards the intended common interest. The concept of spaces will be used in characterizing the ICS and their activities and practices in Nkhata Bay district for enhanced democratic local governance.

2.4 CONCLUSION

This chapter has discussed the key concepts and theories around democratic decentralization and its tenets, citizen participation, accountability; informal civil society and their link to democratic local governance and the links with informal civil society. These will be used as lenses to look inside the democratic local governance system and informal civil society in Nkhata Bay district. The Public Governance Model and Spaces for Engagement concept have also been discussed as they form the theoretical framework for this study which will be used in discussing the findings in chapter four. The next chapter presents the methodology of the study.

CHAPTER 3

METHODOLOGY

3.1 INTRODUCTION

This chapter presents detailed and step by step research processes that were followed in carrying out this study. The chapter is organized into the following sections: study design, study area, data collection, data analysis, ethical considerations and limitations of the study.

3.2 STUDY DESIGN

The study design was qualitative as the study set to provide in-depth analysis of the role of the Informal Civil Society in enhancing democratic local governance using the perceptions, opinions and practices of the various actors in Nkhata Bay district. Two case studies, one self-mobilize citizen group and one externally initiated citizen group were selected to deepen identification and studying of their role in local governance. According to Berg (2001:229) “case studies are undertaken when a researcher wants to better understand a particular case, the uniqueness or ordinariness of the particular case”. The two cases being interrogated in this study are Nkhata Bay Citizens Caretaker Committee (NBCCC) which is self-mobilized group and Citizens Forum Committees (CFC) which was initiated with support from a donor agency. The selection of these two representatives is because they are citizens groups that interact with the district councils

and the citizens at large on issues affecting the welfare of the citizens. In addition the difference in their originality and working conditions provide vivid evidence of the diverse mechanisms and practices among ICS for citizens to participate in local governance.

3.3 STUDY AREA

The study was conducted in Nkhata Bay district. Nkhata Bay district is one of the 6 districts where decentralization was first piloted and was successful, with adequate investment done in establishing structures for local governance at grassroots level. In addition, after the end of term of councillors in 2005, it was also among the 6 districts where GIZ piloted the use of citizen forums as a link between communities and secretariat of the local government in the absence of councillors. Most importantly there was also another group of citizens that emerged at the grassroots and was making headlines in the media trying to address a number of governance issues affected the district in the absence of councillors. The factors above made Nkhata Bay district a suitable study area considering that no study had been conducted to understand these informal citizen groups “informal civil society” and the role they were playing to enhancing democratic local governance in the district.

3.4 DATA COLLECTION

This study used both primary and secondary data. Primary data was collected through focus group discussions (FGD) and key informant interviews (KII). The FGDs were used

to gain an understanding of ICS members' perception of the local governance system, their motivation to participate in local governance, mechanisms for their involvement and the changes that they have influenced in the performance of the district council. The KII were used to learn from the interviewees their opinions and experiences in working with ICS as well as the strengths and weaknesses of the ICS for enhance democratic local governance. Secondary data sources were employed particularly in corroborating the findings from the field. The secondary data was mostly reports and other relevant documents from the organizations under study as well as from the literature review on local governments (democratic governance) and CSOs in Malawi.

The field study was conducted in Nkhata Bay district during the month of December 2012. Prior to the field study, a preliminary mapping exercise was conducted in the same district in the month of November to ensure a strong base for designing the study. Firstly FGDs helped in understanding the relationships among the participants; specific phenomenon of interest; and in observing the politics or the group dynamics that characterize any collective structure. A total of four FGDs were conducted. The FGDs were done with three citizen forum committees (separately) and Nkhata Bay Citizens' Caretaker Committee (NBCCC). The study purposively sampled three citizen forum committees from TA Mkumbira, TA Malanda and TA Timbiri because the CFCs are at TA level and the study only targeted the CFCs which were still operating since inception in 2009 and the members could be easily mobilized for the meetings. By the time of data collection for the study GIZ had already phased out its interventions. CFCs were established by GIZ through a local partner, UMOZA NGO Network in collaboration with

the district council. Another FGD was conducted with members of Nkhata Bay Citizens' Caretaker Committee (NBCCC), a committee which was initiated by the local people and it is a district level committee since its interventions cover the entire district. Likewise, NBCCC was also purposively sampled as it was the only independent and a self-initiated citizens' committee working on local governance issues. In these FGDs an interview guide was used in moderating the discussions.

Secondly interviews were conducted with the selected key informants from government departments at the district council, GIZ representing donor agency and CSOs, some community based opinion leaders and community leaders (including Chiefs, Area Development Committee (ADC) Chairpersons, market committee chairperson). For the in-depth interviews a semi-structured interview guide (provided in the appendix) was used. The semi-structured interview guide was preferred because it is considered to provide in-depth information on the issues that are of interest since it is guided at the same time flexible hence they provided room for further probing for purposes of clarification and elaboration on issues under study. To select the key informants, purposive sampling was mainly used. The purposive sampling technique was used as it is "the most effective sampling technique when one needs to study a certain domain with experienced and knowledgeable experts" (Tongco, 2007:147). In very few instances snowball rolling techniques was employed to locate key individuals who were not initially envisaged in the study. Snowball rolling was used to locate opinion leaders.

One officer who was also contact person for GIZ on local governance was interviewed. GIZ was selected in order to provide original thinking behind the concept of citizen

forums and also share experiences and lessons learnt through the initiative. GIZ has also provided technical and financial support to the district council for smooth transition to democratic (governance) decentralization.

Representatives from three formal CSOs, Youth Network and Counselling (YONECO), World Vision and Malawi Health Equity Network (MHEN) were also interviewed. In Nkhata Bay District there are 16 formal and stable CSOs (NGOs and FBOs) both local and international organizations (Nkhata Bay District Socio-Economic Profile 2009/2012). YONECO and World Vision were involved in the study on the premise that they are also working in Nkhata Bay district on similar issues as the informal civil societies and have close linkages with some of the ICS. A representative from MHEN, a national level CSO was also interviewed to provide perspectives and share experiences in working with NBCCC. Another important CSO which could have been interviewed was LISAP but since they do not have offices in Nkhata Bay, the researcher had problems to reach them.

Nine respondents from the district council were purposively selected in line with their perceived knowledge of and experiences having directly or indirectly interacted with the ICS. The respondents were drawn from the government sectors that constantly interact with the ICS. The government sectors heads were interviewed because they are a very active player in the local government structure. The respondents were interviewed to determine the nature of interaction with the ICS, the strategies that are used for engagement, the advantages and challenges that encourage or hinder performance of the ICS and the status of the ICS as far as the district council is concerned. The sectors heads were from the following sectors: Health, Education, Information, Police and the district

council administration (District commissioner, director of planning and development, director of finance, social welfare and the assistant district registrar).

Two Members of Parliament for the constituencies where the informal civil society under study are based were also interviewed. These were also purposively sampled as the critical decision makers at local level in the absence of councillors. The MPs were interviewed to understand their perceptions on ICS, how the MPs interact with these ICS and their contribution to enhanced democratic local governance.

The interviews were recorded using a voice recorder and later transcribed for better analysis and ease of reference. Field notes were also written to supplement the voice recordings.

3.5 DATA ANALYSIS

Content analysis was used to categorize information on the issues that were emerging from primary data that was gathered through interviews, observations, focus group discussions and meetings. The categories were placed under the main themes of the study in order to generate a logical and consistent flow. Some of the themes were pre-established before data collection and were modified in the course of the study.

3.6 ETHICAL CONSIDERATIONS

In ensuring conformity to the required standards in research circles, the respondents were informed of the purpose of the study and how the information provided will be used. Following that, consent was sought from the respondents before the interviews and

recording of the same. The data was treated as confidential so as to respect the right to privacy, and steps to ensure that no subject is harmed by the research were taken. The respondents were told the importance of their participation and the information that they will provide as they will be contributing to the body of knowledge and the researcher was flexible so that the respondents were at ease.

3.7 LIMITATIONS OF THE STUDY

One of the limiting factors was the continuous transfer of district officers which made it difficult to gather the data that was not documented. This challenge was mitigated by engaging respondents who have worked at the government department for a long time and had some institutional history. It was also established that most of the ICSOs do not document most of their work as a result the researcher had to depend on memory of the respondents, leading to longer processes of validating the information given. The other limitation was that some government officers were not cooperative in terms of providing adequate information for reasons known to them, but this problem was solved by interviewing several government officials on the similar issues considering that most issues at council level involve several departments.

3.8 CONCLUSION

This Chapter has presented the study's methodology. It has highlighted that the methodology used was guided by the study's objectives and the analytical framework identified in Chapter Two. This chapter has also specified the study design by explaining the two case studies, Citizen Forum Committees and Nkhata Bay Citizens Caretaker

Committee as well as contextualizing the choice of Nkhata Bay District as a study area for this research. The study's population comprised of citizens groups, relevant government officials, traditional leaders, opinion leaders and representatives of CSOs and donor agencies. The three data collection tools used in the study, key informant interviews, focus group discussions and relevant documents, were also discussed. The data analysis method, limitations of the study and the ethical considerations were also highlighted in this chapter. The next chapter presents the findings and discussion for the study.

CHAPTER FOUR

PRESENTATION OF FINDINGS AND DISCUSSION

4.0 INTRODUCTION

This chapter presents the findings of the study reflecting the various aspects of the analytical framework thus the network of actors; enabling factors (governance principles, interdependency, interactions, social capital, feedback); and desirable and undesirable outcomes (Improved goods and service provision, good governance ideals, deviant behaviours). The chapter thus discusses the finding which have been structured basing on the four specific objectives of the study which looks at the nature and mandate of informal civil society in democratic governance of Nkhata Bay district, the role of informal civil society in enhancing democratic local governance in Nkhata Bay district, effectiveness of the informal civil society in playing their role and finally challenges of informal civil society to enhance democratic local governance in the district.

4.1 SITUATING AND ESTABLISHING THE NATURE AND MANDATE OF INFORMAL CIVIL SOCIETY IN DEMOCRATIC GOVERNANCE OF NKHATA BAY DISTRICT

Crucial to the success of decentralization is recognizing pluralism and creation of coordination mechanisms (forums where multiple groups and interests get together and negotiate) and participatory methods that respect the plurality of participation (Anderson, 2000). This implies that decentralization closely associates with multiplicity of actors engaged in public affairs. The study established that in Nkhata Bay district council there are a number of actors who work together in the governance of the district. Part of the actors are in form of government institutionalized governance structures which were put in place specifically to advance the vision of democratic local governance of being more participatory and people centred.

In Nkhata Bay district the structures include those at district level (concerned with policy and decision making as well as implementation) and the other strand that is concerned with local level citizen participation. Structures at district level include: the district council (various public sector directorates); District Executive Committee; and district consultative forum. At community level structure for citizen participation include Area Development Committees (ADCs), Village Development Committees (VDCs), and Community Based Organizations (CBOs). The membership of the district level structures include politicians (councillors and MPs), sector directorates, traditional leaders, faith leaders and non-governmental and private organizations as well as other interest groups. This is a standard requirement in all the districts as provided for by the Local

Government Act (1998) and the Decentralization Policy (1998). Therefore considering that these structures and institutions are institutionalized by government, they might be considered as invited space by both the government and the citizens who utilize those spaces.

The study also established that in Nkhata Bay district there are also other parallel structures, Citizen Forum Committees (CFCs) and Nkhata Bay Citizens Caretaker Committee (NBCCC) that are operating at village and district level respectively but they are not linked to the District Development Planning System. Essentially they are informal structures because they do not fall under the officially institutionalized structures. These informal structures mainly exist for citizens' action and participation in local governance issues that affect them especially in the absence of councillors therefore they perfectly fit the definition of informal civil society. According to Baud and Nainan (2008:491) such structures fall "beyond the mandate provided by government".

The Local Government Act is the blue print for all activities and processes regarding to democratically decentralized system of governance in Malawi. The Act clearly stipulates the provisions for popular participation which is further stressed in the decentralization policy where the objectives in the policy include "(a) to create a democratic environment and institutions in Malawi for governance and development, at the local level which will facilitate the Participation of the grassroots in decision-making and function and (b) to consolidate and promote local democratic institutions and democratic participation" (Malawi Government, 1998). During the in-depth interviews with the District Commissioner and the MPs it was clear that they all understand the significance of

citizen participation in democratic decentralized governance system. To them when citizens are claiming their rights or making demands on their entitlements it translates to empowerment and growth in democracy. One Member of Parliament explained that, *“I am not aware of any ICS in my constituency but if they exist in other parts of the district it indicates growth in democracy”* (Interview conducted on 20 December 2012, Nkhata Bay) Therefore, like the institutionally recognized actors and structures in Nkhata Bay District Council, the CFCs and NBCCC regardless of their informal nature, were considered an important player in local governance by the majority of the respondents who were consulted in this study.

4.1.1 Informality of Nkhata Bay Citizen Caretaker Committee and Citizen Forum

Committees

Miraftab (2004) and Sotiropoulos (2004) provided a comprehensive description of informal civil society (ICS) and they stressed much on the absence of blueprints like registration documents to give them legitimacy. Miraftab further explained how these informal arenas for citizen action can either be claimed or invited spaces with their differences emanating from their originality and end result of the citizens' actions in these particular space. In this study it was found that Nkhata Bay Citizens Caretaker Committee (NBCCC) and the Citizens Forum Committees (CFCs) are indeed ICS considering that they are not registered with the district council or the council for non-governmental organizations of Malawi (CONGOMA) as well as the NGO board. The CFCs are further viewed as parallel structures to the local governance structures provided for in the District Development Planning Strategy. The district council officials and one

Member of Parliament who were interviewed categorically used the term “informal groups” in referring to NBCCC and CFCs as well. To emphasize the informality it was observed that the motivation for the people in these groups is citizen welfare.

Informality is also made visible in terms of strategies and approaches by the ICS in their operations. The ICS in Nkhata Bay employ informal strategies to acquire or provide information as well as to engage with decision makers. In most instances information is generated when chatting or when people are having informal discussions. The chairperson for NBCCC stressed that even for this group to be formed they used to meet at football matches or *malipenga*² competitions and through their discussions as they were watching the games or dances led to the formation of the committee. These informal ways of communication are similar to what Sotiropoulos (2004:14) observed in the case of Greek society that, “the niches of informal civil society include public squares in small towns where men (mostly) meet regularly; theatres and sports fields; corridors of university buildings and headquarters of public service; and festivals and feasts which take place regularly, mostly during the Easter and summer holidays. In all these localities, there are some kinds of social interactions”.

4.1.2 Informality and the Mandate for Citizen Representation

During the in-depth interviews with the District Commissioner he argued that when citizens are claiming their rights or making demands on their entitlements it translates to empowerment and growth in democracy:

² Malipenga is a traditional dance performed by men

The absence of councillors has a negative effect on citizen participation but now issues are carried by the informal civil society. This also demonstrates that the people are aware of what the district council is supposed to provide to them (Interview with the District Commissioner, 19 December 2012, Nkhata Bay)

The Citizen Forum Committees and Nkhata Bay Citizens Caretaker Committee are considered as a representation of the people of Nkhata Bay district though not legally but through the work they do: “they raise issues of patients welfare, public sanitation, availability of drugs in the hospital, procurement processes at district level such as recruitment of personnel and procurement of food stuff” (Interview with MP- Nkhata Bay Central), “The grievances that they bring forward are not accrued to them, they are for the benefit of Nkhata Bay” (Interview with District Commissioner for Nkhata Bay), “NBCCC act as an eye of the people”, (interview with a government official, 17 December 2012 in Nkhata Bay).

For the CFCs, the members were appointed by their respective ADCs which are grassroots level decision making structures. While the CFC members are chosen by the leadership in their communities, the members of NBCCC were self-imposed. As a claimed space, they did not need anyone to assign them a duty, but rather taking it upon themselves to act nonetheless their leadership rotates among the committee members.

Much emphasis has been made on citizen engagement as a significant component in democratic governance (Roberts 2003; Gaventa, 2002; Hussein, 2004). Therefore any claims on citizen representations have to demonstrate how the members of the community are engaged. The expectation for NBCCC and CFCs is that they are in constant interactions with the citizens at large. Some informants had reservations on the

representative role of the ICS. An officer from the education office commented that, *“NBCCC is like an MP who goes to parliament without consulting the people in his constituency”* (interviewed on 20 December 2012 in Nkhata Bay). They have not been seen gathering or sharing information at the grassroots level through conventional ways such as community meetings or through traditional leaders. These doubts might be viable, although not justified, considering that NBCCC membership is comprised of the elite members of the community since all the members except one are retired government employees (civil servants) and the other one is still working in government. Unfortunately this kind of thinking overlooks the informal relationships and interactions that exist in society. According to Davies and Hossain (1997) the ICS organized elements of communities are easily identifiable by insiders but often invisible to outsiders. The formal systems fail to appreciate the diversity that comes with informality.

While there is no doubt that the ICS represent the rest of the citizens basing on most of the sentiments from the interviews, there were still some reservations on their mandate. In democratic local governance the mandate for citizens’ representation is given through election of the representative which makes them a legal entity. The political leaders who were interviewed had opposing views regard to the mandate of ICS in the district. One MP questioned the authority of NBCCC, considering that it is not a registered organization; it is not part of the district executive committee and even the committee members are not democratically elected *“Where do they get the mandate to represent the people of Nkhata Bay?”* (Interviewed on 15 December 2012, Nkhata Bay). On the contrary another MP who expressed ignorance on the existence of ICS in his constituency

and the district at large thought of them as a demonstration of growth as well as an opportunity in the local democracy. However this kind of variation in understanding of citizen participation is normal as ‘how people should participate and who should participate’ depends on political and administrative systems one believes in (Roberts, 2003).

With the provisions made in the District Development Planning system (DDPS), it is expected that grassroots grouping should fall under these provided spaces they are the ones responsible for reporting issues to the district council. A government officer in the account department argued that *“the entry point of the council in the communities is the ADC and the planning system starts with the VDC and AECs, so there are no provisions for the grassroots structures that act outside the provided ones”*, (interviewed on 18 December 2012, Nkhata Bay). Although the government arrangement aims at having a well-coordinated governance system, but it risks having the kind of participation that is rigid and can be easily controlled and manipulated by the state. The presence of ICS is contrary to the norm and raises questions on its mandate to represent the citizens.

The past governance systems is what pushes the technocrats and politician toward an organized and pre-arranged governance practices of which ICS cannot be aligned to. This is evidence of path dependency with some government structures hanging on to more bureaucratic, hierarchical and centralized policies and procedures which in most cases are a means for shutting-out people who want to participate in public affairs. Taking into consideration that Malawi subscribes to plural governance; the provisions might also cover for the ICS as part of multiple agencies.

4.2 ROLE OF ICS IN ENHANCING CITIZEN PARTICIPATION AND STATE ACCOUNTABILITY IN NKHATA BAY DISTRICT

4.2.1 Spaces for Citizen Participation Provided By Nkhata Bay Citizens Caretaker Committee and Citizen Forum Committees

There are several types of spaces as discussed in previous sections. The findings from this study showed that the informal civil society being studied, Nkhata Bay Citizen Caretaker Committee and the Citizen Forum committees are two different types of spaces for citizen participation. This was based on their formation, how they operate and who control or lead in those spaces. It was also discovered that the informal civil society in Nkhata Bay does not work in isolation but rather there are in constant interactions and informal partnerships with other stakeholders whilst enjoying their autonomy.

According to Baud and Nainan (2008) the new arenas, in which local governments request citizens to work with them in determining local needs and in providing basic services are termed ‘invited spaces’. But the spectrum of invited spaces extends to even those in which supranational agencies or non-governmental organizations invite the citizens to participate (Cornwall, 2002). The study found that the Citizen Forum Committees (CFCs) were invited spaces for the citizens since they were initiated by an external organization, GIZ, through the district council to fill the gap created with the absence of councillors. Essentially the role of the CFCs was mainly to generate the issues from the grassroots and present them to the district council and provide feedback to the community members. The idea of having citizen forum committees was to keep the system up and running even in the absence of councillors considering that without citizen participation the essence of democratic decentralization is lost. GIZ invested a lot of

resources in supporting the decentralization processes in Malawi through its programme, the Malawi German Programme for Democracy and Decentralisation (MGPDD) which started in 1998 and phased out in March 2014.

Cornwall (2002) further argues that the distinct factor for invited spaces is that the external resource bearing agent brings them into being and provide a frame for participation within them. The study found that GIZ provided the framework for generation of issues, engagement with district council official and how to follow up on the commitments and agreements made. The CFCs were provided with suggestion boxes which were placed in strategic public places for the community members to submit their grievances while the district councils was responsible for calling and organizing roundtable meetings with the citizens. This arrangement still favoured the council officials as they are the ones who call for meetings at their own convenient time and moderated the same. The degree of citizen involvement in this case was reduced to mere provision of information as it has always been. This is not surprising as citizens' action within the invited spaces of citizenship, no matter how innovative they may be, they only aim to cope with existing systems (Miraftab, 2004).

On the other hand NBCCC was found to be a claimed space by the community members to advance their own agenda. Concerning claimed spaces Cornwall (2002) described them as spaces that emerge out of sets of common concerns or identification; they come into being as a result of popular mobilization and may consist of spaces where like-minded people join together in common pursuit. Similarly Nkhata Bay Citizens Caretaker Committee emerged after some community members in Nkhata Bay district identified

gaps in the way the district council was functioning and providing public services regardless of the council receiving funding from central government. Of importance was the deterioration of quality of public services being rendered by the district council. The treasurer for NBCCC cited some service delivery problems *“high maternal mortality rate at the district hospital; unavailability of medication at referred to referring patients to private hospitals to purchase drugs; delays in finishing construction of the local market and use of the same as a campaigning tool”* (during FGD on 15 December 2012, Nkhata Bay), which influenced them to establish their committee NBCCC was created as the citizens believe that it is their responsibility to ensure that the resources that come to their district council are used for the intended purpose and benefit the community at large. Additionally, in the light of decentralization some government sectors, such as health and education, have devolved even the financial functions to the district level. This is supposed to translate to improved service delivery and the government officers are obliged to be accountable both at local level and national level of how they have used the resources.

In contrast to Citizen Forum Committees, the NBCCC defines the happenings in their claimed spaces. Through the focus group discussion with the NBCCC members it was reported that the committee introduced itself to the district council. Additionally the committee decides on the issues to pursue and the mechanisms to use to achieve the expected responses or results from the government. Citizens in this space do not have any framework or guidelines that they follow in addressing the issues as in the case of CFCs. This makes NBCCC more flexible and participants easily pursue issues that require to be

addressed by the government. In support of claimed spaces, it is argued that by remaining outside the government system, the citizen groups may effectively represent the interests of the public since they are able to exert pressure in ways that collaboration with the state and supra state authorities might preclude (Cornwall, 2002). The members of NBCCC are not restricted by any bureaucratic processes where they have to follow some robust procedures.

In as much as these two ICS groups are providing different kinds of spaces for citizen participation the study observed some flexibility in the way they function. The findings showed that regardless of the CFCs being invited spaces in some instances they also exhibited features of a claimed space in a way that sometimes when they identified a problem they use other means convenient to them to get the desired reaction from the district council. This also confirms the observation made by Gaventa (2005) that spaces are not static but rather they are continuously opening and closing and transforming. Essentially, the citizen forums have also become platforms for nurturing the spirit of activism in the citizens. The citizens have grown from waiting on district council to organize meetings to initiating some other forms of engagement with the government officials on their own.

4.2.2 Nature of Citizen Participation in the Informal Spaces

The above section has presented the types of spaces provided by informal civil society in Nkhata Bay district. This section will present the nature of citizen participation in the spaces focusing on representation and in line with the various forms of participation.

4.2.2.1 ‘Giving’ Citizens a Voice

According to Dassah (2013) one way of addressing the democratic deficits of representative democracy is to make provisions for ordinary citizens' voice to be heard through new forms of inclusion, consultation and/or mobilization designed to inform and to influence larger institutions and policies. First and foremost, the respondents from the FGDs considered themselves as citizens participating in local governance by being members of the informal civil society. Furthermore, members of Mkumbira CFC explained that *“the citizen forum is like an umbrella for project committees in the area and it takes issues from the ground to the district council or the ADC” (FGD session held on 17 December 2012)*. NBCCC moves a step further in helping people tell their own stories, *“a young lady from Bwelero lost her new born baby because of the nurses’ negligence and when we heard the story we invited a report from The Nation Newspaper who interviewed the lady and her grandfather at their home and published the story in the newspaper” (during FGD on 15 December 2012, Nkhata Bay)*. Therefore the ICS in Nkhata Bay district gives a voice to the citizens by consolidating the issues and presenting them to the decision makers in the district and providing the platforms for the citizens to speak for themselves on matters affecting their welfare. But instances where citizens speak for themselves were few.

In Malawi, citizens voice on matters affecting their welfare is rare because of the historical background of colonial rule and dictatorship (O’Neil and Cammack, 2014; Chirwa, et al., 2003). The Treasurer for NBCCC complained that *“People in the villages are afraid of the district council officers. When I went to Chituka people working in cash for work program requested me to speak to the DC on their behalf concerning their*

payments, but I told them that they have to talk to the officials from the council on their own because this is their right” (during FGD on 15 December 2012, Nkhata Bay). In the rural communities the people from district council are referred to as MaBwana (bosses) which connotes power and authority and it originates from the colonial era. During that period and in the autocratic rule one could not communicate with the boss directly, you needed to pass through someone. This practice still exists even in the democratic period such that it is perpetuating the ‘silent culture’ among the people in villages making it very pertinent to have the ICS. The study found that through the ICS the citizens are able to speak out issues affecting them with regard to public service delivery and management through the ICSs as representatives who then engage with relevant authorities.

It was established that before GIZ phased out CFCs in deliberations on development issues with the district council officials through round table meetings under the guidance of GIZ. Through this invited space the citizens become strategically placed to speak out on matters affecting them and influence the decisions made and shape the next course of action to take. It was also learnt that citizens have a voice during field interface meetings which the CFCs organize in collaboration with YONECO and World Vision. *An example where interface meeting helped in giving a voice to citizens “at Kamwadi village they had problems of water and we explained to the district water officer during an interface meeting and he honoured his promise by sinking a borehole in this village”, (during FGDs with Timbiri CFC and Nkumbira CFCs in Nkhata Bay).*

Similarly the NBCCC, through the FGD it was learnt that with the issues and reports they get from the communities, they engage with the higher level decision makers, *“when the*

district council did not respond on certain issues we contacted the relevant ministry through letters, such as the Ministry of Local Government, Ministry of Health and even the National Statistical Office” (FGD with NBCCC, 15 December 2012, Nkhata Bay). Since NBCCC is a claimed space maneuvering within the governance system is easier as the citizens are not bound by the policies and procedures but rather they utilize the most convenient means to them and it enables them to by-pass the bureaucratic challenges.

When citizens have a voice in addressing own governance issues it is enough evidence of citizen empowerment. According to Dassah's (2013) review of ladder of participation by Arnstein's (1969) and ladder of citizen empowerment' by Burns et al. (1994), both ladders suggest that a strong 'voice' (or empowerment) occurs when citizens are involved in partnerships, have delegated power or are in control. The findings from the interview with the DOF and the representatives from the DEM's office showed that even after the GIZ phased out the members of the CFCs continued engaging with the various government officers/sectors by initiating the meetings; using own resources and using alternative means to pass on the information.

Involving and raising awareness in the citizens to speak for themselves through the CFCs has been more empowering and offers a sustainable way for ensuring democratic local governance as the citizens are able to utilize those skills and engage the decision makers on their own. Thus the Power gained in one space, through new skills, capacity and experiences, being used to enter and affect other spaces (Gaventa, 2005). The case study below is one of the examples where citizens in TA Timbiri utilized the skills they gained

in the CFC (as an invited space) to create their own space for engaging the state on a matters that are of interest to them.

Case study 1: Timbiri CFC rescues public resources

In 2010 Chinguluwe primary school was affected by a natural disaster which led to the iron sheets for the school block being brown off. The government provided some new iron sheets and bags of cement to help in rehabilitating the school. Since the iron sheets were replaced by new ones the then head teacher and school management committee (SMC) shared the old iron sheets among themselves.

As usual some community members who were unhappy with what had happened informed the CFC and in turn the CFC investigated the issue to gather evidence on the misconduct. The findings from the investigations made the group to engage the DEM. Bearing in mind the informal nature of the CFC when they reached the education office they demanded an audience with the DEM. The DEM entertained the members of the CFC on humanitarian grounds since his office being a government institution deals with community members through the formal structures that exist at grassroots level and because the citizens were aggressive in their approach.

The head teacher was told to give back the iron sheets that he got and in addition he was demoted and transferred to another school. The only setback is that the culprits from within the community (SMC members) were not pressurized or punished as their fellow government officer. This creates a negative relationship between the technicians and community members as the citizen groups lose objectivity. And accountability of the community members is also questionable as accountability is supposed to be both horizontal and vertical. The inability of citizens to account for their actions might be as a result of how accountability issues have been presented to the communities, but the growing democracy and empowerment of the community members has the potential to reinforce accountability at all levels.

In spite of citizens participation leading to certain level of empowerment there are some contextual issues that discourage citizens in engaging the duty bearers. After phasing-out³ of GIZ there was no encouragement for the CFCs to continue their work in reverse efforts to frustrate these groups by district government officials were high. These efforts include intimidation and deliberately providing misleading information although this is unwanted behaviours in a governance system that centres on people themselves.

In the study it was discovered that while the CFCs and NBCCC are spaces for consolidating citizen voice, they are not necessarily open spaces considering that membership is not free for all. Membership in the CFCs is defined by the guidelines provided by GIZ while for NBCCC recruitment of additional members is a prerogative of the founders. Therefore, although they have worked to represent and consolidated the voice of the citizens to this far, there is a danger of them becoming a catalyst for further exclusions of the marginalized from local governance.

4.2.2.2 Citizens Influencing Decision Making

It is argued that participation based on direct representation or involvement of citizens at various levels of power hierarchy is more concrete and effective (Haque, 2003). Additionally, the local level administrations become more accessible for the average person than a very distant and mighty central administration (Kalin, 1998). The study found that the citizens through ICSs were able to raise their concerns and grievances to

³ In as much as the district council says that the project phased out the report given by the respondent from GIZ is that the project was abandoned after the pilot phase was over. This also brought some confusion among the CFCs and district council because explanations were not given to the CFCs and there was no proper exit strategy put in place as such the easiest was to tell the people that the project phased out.

the Ministry of Health and the Hospital Administration and influenced the two institutions to reinforce good conduct among the district hospital personnel. Apart from directly engaging with the right authorities, the citizens also utilized the capacity of the media, as a partner in public governance, to raise the voice of the citizens which later necessitated decision making by the government.

NBCCC has handled perceived sensitive and difficult issues concerning the district hospital which even the CFCs and the registered CSOs could not handle for political reasons. The main issues which this ICS worked on were poor treatment provided to expectant women by the hospital personnel and poor disposal of waste by the hospital. Although there have been some positive changes the findings also show that the changes at the hospital are usually temporary hence requiring continuous citizen action to keep the technocrats on track. In most cases the technocrats move in and out of the district hence there is need for continuous citizen action to sustain the changes. According to OECD (2015) informal efforts used to engage stakeholders without having minimal level of structure and mediation the outcomes maybe difficult to incorporate in final decision making. These temporal changes might be attributed to the informal approaches used which are mostly concerned with immediate needs rather than changing of processes therefore not translating into meaningful policy changes.

The citizens through the ICS also influence decisions on resource allocation at the district council to benefit the citizens. The district council has an obligation to meet the needs of the citizens considering that some of its revenue is generated from within the district and from the citizens themselves. Some of the respondents explained how the ICS mobilized

the users of Nkhata Bay main market to demand for proper market infrastructure since the council collects market fees from them. With the influence from ICS, extreme measures were taken by the market users to force responsiveness of the district council. They threatened to stop paying the daily market fees. The citizens had the information on their entitlement as market users which enabled them to make the demands to the district council, *“the aggressive approach of market committee, they were able to ask for information where we explained to them and we honored their demands”* (interview with District Commissioner, 19 December 2012, Nkhata Bay). According to Chiweza and Tembo (2012) grassroots actions that have needs based evidence, that is specific and factual, and has statistics, gives confidence to citizens to engage with decision makers and there is no room for district council and elected leaders to dispute the evidence. The market users had a basis for making their demands and the district council could not refute or make excuses.

Lastly the NBCCC work contributed to policy changes so that public services should benefit all the citizens equally. Case study 1 (below) provides details on how the NBCCC contributed to the reform of recruitment procedure by the Malawi Police Services:

Case Study2: Recruitment of Police Officers in Nkhata Bay District

In the past years the army and police services were recruiting some employees through the district offices. The requirements were that the applicants should be citizens of the districts where they are being recruited from. They were supposed to have identification letters from their traditional authorities. Unfortunately, because of some loopholes in the system people to be recruited from other districts who have connections with the bosses at the local police were being brought to Nkhata Bay and disadvantaging the locals.

During the 2011 recruitment, a truck belonging to the Malawi Defence Forces was seen

delivering people a few meters from the Boma, who later mingled with the locals and they were interviewed. One of the members for NBCCC saw the truck dropping off the people since it stopped near his house. For evidence he recorded the registration number of the truck.

When the matter was brought to the entire committee for discussion, they decided to write a complaint letter to the Anti-Corruption Bureau and in response the bureau sent two investigators who came to the district to investigate the matter and the member for NBCCC was also interviewed. The findings of the investigations were not communicated to NBCCC, being an ICS it is difficult to get feedback from the formal institutions as NBCCC does not have a proper reporting system.

The members of NBCCC believe that their intervention led to the changes seen in the following recruitment year (2012), it was noted that the advertisement for position of police officers was done through the radio and people were told to send their application letters directly to the regional police offices and likewise the interviews were also conducted at the region office. This is one of the examples where the NBCCC believe that they have influenced some changes in policies to benefit the citizen equally. It also demonstrated how the citizens provide checks and balances to government systems. In as much as the NBCCC might have influence the changes, it is really difficult for the group to claim attribution as there is no documentation to support the claims. This is a very big challenge with informality and demonstrates the need for complementarity with formal institutions.

There are a number of factors that enable the citizens to have a voice and influence decision making. Dassah (2013) argues that Central to citizens having 'voice' and becoming 'makers' and 'shapers' of policy is the need for political will, effective leadership, institutional design and, most importantly, local capacity building. The study found that in as much as citizens have created opportunities to engage and interact with the district council, responsiveness of the government is not guaranteed. This also applies to the CFCs, regardless of being invited spaces, their contribution does not automatically lead to changes or improvements in the situation of the communities they represent as the

interest of the district council officials sometimes differ with the needs of the communities. It is possible to include the citizen forums symbolically but not necessarily for their input considering that their establishment was based on fulfilling a policy requirement of citizen participation which was absent when the tenure of councilors came to an end.

The most important aspect in influencing work is networking for a greater voice. The ICS in Nkhata Bay district is working together with other actors to influence service delivery, decision making and Policy changes in the democratic local government. The support from other actors and collaboration of efforts add weight to the demands of the citizens.

4.2.3 Local Government's Accountability In An Informal Setting

This section presents the findings and discussion on how the informal civil society (NBCCC and CFCs) influence the state to be accountable. In Malawi accountability in the democratically decentralized setting is based on functions⁴ and financial resource allocation to the lower level of government structures (Chasukwa, 2009). The discussion in this section will elaborate on the availability and accessibility of public information to these ICS groups to make decision makers answerability for their decisions or actions.

4.2.3.1 Citizens Understanding of Accountability

It is advised not to assume that ordinary citizens understand accountability in the same way as it is understood in conventional discourses or in Western liberal democracies, hence the need for clarity about the sort of accountability being sought (Chiweza and

⁴ Section 6 of the LGA states the functions that the district councils are supposed to perform

Tembo, 2012). This study revealed some variations in the understanding of accountability among the citizens in CFCs and NBCCC with evidence from the understanding of their roles.

In the CFCs, accountability is equated to ensuring that material and resources provided to the communities for development projects are put to proper use. The members of CFCs refer to themselves as “*community CIDs*”⁵. The challenge with this understanding is that in as much as the CFCs are able to investigate issues of abuse of public resources they do not have strategies in place at the community level to make the culprits pay. The evidence is mostly submitted to the police or district council. Additionally, because of their role as watchdogs, they detach themselves from the wider community and not proactive in engaging the wider community, consequently defeating the essence for citizen participation and ability to hold government accountable. A chairperson for one of the CFCs complained that, “*the traditional authority (TA) does not call us for special meetings to learn what we are doing as CFC*” (interview with a CFC Chairperson, 17 December 2012, Nkhata Bay). This demonstrates failure of the CFC to integrate with the existing grassroots planning and governance structures.

On the other hand NBCCC defines accountability basing on how public resources are used as well as how government functions are being carried out. NBCCC is better positioned considering that the majority of its members have worked as government officers before consequently they know some of the rules and the procedures in the public service. The challenge with the citizens in both spaces is that they do not understand the

⁵ Criminal Investigation Detectives

essence of accountability as a result they focus on identifying problems and bringing those who are wrong to book. They do not interrogate why certain things happened the way they did, which the most important element to make decision makers answerable. This has dire repercussions on responsiveness of the district council and other decision makers as the citizens are seen as fault finders and enemies.

4.2.3.2 Availability and Accessibility of Public Information to the Citizens

According to Devas and Grant (2003) accountability is only possible when both the citizens and central government have adequate, accurate and accessible information about local government. Additionally, in public governance trust among the actors is built by being transparent.

In terms of accessing information, it was found that citizens have difficulties to get information that is of interest to them from the district council and that the district council does take a deliberate effort to provide adequate and accurate information which enable the citizens to reinforce accountable. According to the citizens *“a government official at the district council refused to furnish us with guidelines for management of Constituency Development Fund (CDF) he referred us to our MP who lives in Lilongwe”* , (FDG with Mkumbira CFC, 17 December 2012, Nkhata Bay). It was also observed that inability to provide information is a general problem in the district as the MPs and the formal CSOs experience similar challenges. One MP complained that, *“I ask secretariat to give me a detailed report on how my CDF was used and the only information they give me was on the materials they bought and how much they cost, but I wanted details on the*

procurement processes (interview conducted on 20 December 2012 in Nkhata Bay). The behaviour of the district council confirms an observation made by O'Neil and Cammack (2014) that in Malawi missing information is a serious problem, and no one has been spared including both public officials and private firms who often do not have full or accurate information, which leads them to make erroneous assumptions and poor decisions.

In the district, the government sectors provide information on the activities, projects and costs of such activities through quarterly reports. Target audience for this information is usually the technocrats and politicians as the reports are presented to the District Executive Committee (DEC) and the District Consultative Forum during the monthly and quarterly meetings respectively. Ideally councillors, MPs and Chiefs are the ones responsible for taking the information to the people in the villages as they patronize the meetings where these issues are discussed. In the absence of councillors it is assumed that the chiefs and civil society organizations that are working in the communities will pass on the information to the citizens. The informal nature of NBCCC and CFCs marginalizes them from accessing the information as they are not part of the forums where this data is shared among the development players in the district.

The study found that reliance on the Chiefs and CSOs has proved to be ineffective in a number of ways. Firstly, the information provided is too technical for the chiefs such that the chiefs cannot explain it to their subjects this was a comment made by the MP and the District Commissioner. Chiweza and Tembo (2012) reported that the ability of the senior chiefs to demand accountability from local government official is inhibited by their inability to competently scrutinize key accountability documents and financial reports.

Furthermore, their influence and engagement with elected political leaders is curtailed because of their complicated legal position and their upward relationship with the executive, which has been heavily politicized by all political regimes in Malawi. Therefore the citizens are being denied access to information. Secondly, most of the MPs who are also members of the DCF are not available during most of the meetings as such they do not have the information and their interaction with the communities as soon as they are voted into power is every minimal therefore they cannot be entrusted with the responsibility of providing information to the people in their constituencies. Finally, for the CSO, their scope is limited both in terms of coverage and areas of interest.

Regardless of the challenges in availability and accessibility of information, it was reported that the district council provide certain information to the citizens in Nkhata Bay district only that it concerns community managed development projects. Therefore publicising this information is aimed at ensuring vertical accountability among community members and not necessarily in the spirit of the District Council being accountable to the citizens. It was noted that even with the LDF, district council officials take advantage of the ignorance of the people and engage in some corrupt practices by manipulating information on project documents. A committee member from Mkumbira CFC complained “*chaka chatha tinakambirana ndi a contractor koma chaka chino tinangoyankhidwa kuti Zinthu Zimasintha*” [The previous year the community members decided on the fee to pay the contractor but in 2012 they were just told things have changed] and the district council came up with the fee which was on the higher side.

4.2.3.3 Alternative Sources of Information

According to Devas (2005) there is need to develop effective instruments to check on the use of resources locally and to promote local accountability but the lack of capacity and systems at both central and local levels becomes a serious obstacle. But notwithstanding the obstacles that are there in accessing information for an accountable state in Nkhata Bay district, the citizens through the NBCCC and CFCs use other means to generate the needed information.

Firstly, it was discovered that some CFC Members have attended a number of capacity building trainings where they were provided some information. The citizens were given general information on functions of local governments and day to day details of what activities the district council is implementing; the amount of funding it receive or even raises within the district was not provided. The information on functions of the local government is very important as the citizens can utilize such information in monitoring performance of the local government sectors in providing services and identifying gaps where the government can be made to explain the reasons for having those gaps. Considering that the activities that the CFCs undertake focus mostly on the community level and limiting them to that scope, the provision of information on operations might have been overlooked. But lack of such information makes it difficult for the CFC to ensure that the government resources are used prudently or ensure that the government justifies its performance as government initiatives at the grassroots are still linked to the district council and failure on the same is blamed on lack of/ inadequate funding from the central government.

Secondly, in the communities there is a lot of sharing of information between the district development planning system structures (ADCs and VDCs) and other structures that exist such as the CFCs and NBCCC as well as the formal CSOs working in the district such as YONECO, NICE and World Vision or researchers conducting specific studies in the district. With a multiplicity of actors operating in the district and at the community level, constant interactions and networking are inevitable. As a result the spaces of practicing citizenship are not mutually exclusive such that grassroots mobilizations may move across or occupy both kinds of citizenship spaces (Miraftab, 2004). As a matter of fact, it was discovered that in the same community an individual can be a member of more than one committee. The advantage of these interactions is that the ICS manages to generate and share information of public interest as well as consolidate evidence to hold the district council and other decision makers accountable.

An informant from Mkumbira CFC also elaborated how the whole village became knowledgeable on CDF through a researcher who was conducting a study in the district and in that way the citizens found a solid base to demand answers from the MP on the stated funds. In addition, some information concerning malpractices and inefficiencies in government offices can be very sensitive for the formal CSOs to pursue due to legitimacy issues as such they rely on the ICS to engage the government officials on such matters since it would be difficult for government to penalize or punish the citizens.. This clearly demonstrates the interdependency among actors in the district.

The media is another means through which the citizens access public information. Members from both the CFCs and NBCCC claimed that through the broadcast of

meetings in the National Assembly by Zodiak Radio Station they get information on projects that have been allocated to the district; projects that their MPs report that they are implementing as well as the financial allocations. *“Some of the information we get it from the reports that the MP is giving in parliament. The things he reports on are physical and we can observe and see with our own eyes if they exist or not”*, commented on of the committee members from Timbiri CFC (FGD with Timbiri CFC, 18 December 2012, Nkhata Bay) and members of NBCCC shared the similar sentiments. The groups are able to follow up on projects that way but with the absence of councillors and unresponsive government officers they lack opportunities to report any anomalies in the implementation of these development projects. Two groups (NBCCC and Mkumbira CFC) during separate FGDs cited an example of the bridge that their MP always inform parliament that he is constructing in Nkhata Bay central constituency *“it is the same bridge but every year (since 2009) when the MP has gone to parliament it changes names”*. Citizens view the media as very informative and having a greater audience.

4.2.4 Modes For Enhancing Citizen Participation And Accountability Of Local Government

Miraftab (2004) already explained that although people in the communities mobilize within a wide range of spaces of citizenship, they make use of what is effective in presenting demands and gaining results. And because of the informality, these practices do not follow systematic processes, but are situated in their specific contexts. The study found some variations in the mechanisms employed by the CFCs and NBCCC. These variations are visible among the CFCs as well as between the CFCs and NBCCC.

In as much as these informal Civil Society groups differ in their genesis which also influence the mode used to engage the district council or government, to a larger extent, as observed during the study, these variations can be attributed to the relationships between the committee members and the government officials. There are numerous mechanisms that the ICS in Nkhata Bay district employ for engaging duty bearers and these include:

4.2.4.1 Round Table Discussions

Bearing in mind that CFCs are invited spaces, the round table discussions were what GIZ advocated for/ prescribed when they established these committees. Unfortunately, the round table meetings worked better for the duty bearers as they happen in their backyard hence the citizens not having the command and authority in this invited space. This confirms the argument advanced by Luttrell, et.al. (2007) that in invited spaces the elites are in control because they frame the nature of the engagement; choose if to call a meeting, whom to invite to the meeting and the agenda for the meeting. It was observed that in Nkhata Bay the district council was responsible for calling the meetings and this was done when it was convenient to them regardless that the issues identified by CFCs might require immediate action. It was also established that since GIZ phased out in 2009, the district council has not organized any meetings with the citizen forums giving the impression that the district council's agenda was to impress their donor, GIZ, and not necessarily to enhance citizen participation hence it was not difficult to close their space once GIZ had phased out. The behaviour of the district council also raises questions on sustainability of invited spaces and ICS in ensuring citizen engagement.

Since these roundtable meetings were organized by the district council and at the “Boma”⁶, instead of working for the better of the community members they become bleeding ground for patronage and clientelistic relations. Through participant observations, it was confirmed that some leaders in the CFCs have social relationships with the district council officials such that when engaging with these officers they are not vocal since they are also protecting their personal interests. This clientelism subverts public space by limiting the opportunities of poor citizens to deliberate, participate collectively, and make their voices truly heard in the political process (O’Donnell, 2007). In other districts in Malawi as well as in other developing countries such as India, Bolivia, and South Africa, mechanisms that target the wider population for citizens’ involvement are being employed to deal with issues of clientelism. These mechanisms include public hearings, social audits, vigilance committees, citizen juries, consensus conferences and right to information (Dassah, 2013; Chiweza and Tembo, 2012; Mathew & Mathew, 2003). These mechanisms can be helpful if adopted and integrated in the local governance system in Malawi.

4.2.4.2 Interface Meetings

According to Chiweza and Tembo (2012, p14), “In the absence of any formal structured mechanism of citizen-state engagement, interface meetings provide an opportunity to bridge the gap between ordinary citizens and district officials, who are highly esteemed, and in some senses feared, by the Citizens”. The study found that some CFCs also use interface meetings to engage with the district council officials and other decision makers

⁶ *Literal translation of Boma is Government.....but when people refer to an area as the boma it implies the hub of life in the district as that is where you have all government offices; a big trading centre with many shops;*

in the district. The interface meetings are part of a longer process that entails the citizens' generated issues and identification to relevant authorities to engage with and at the end of the interface meetings an agreement is reached with the state on actions to be taken and how to hold the state accountable on its commitments. Interface meetings are empowering to the citizens as they are the ones in control of the whole process and they "build the confidence of ordinary people to speak, and raise questions with people who they consider to be above them" argue Chiweza and Tembo (2012, p36).

In normal circumstances district councils are supposed to conduct routine meetings with community members, *"as a district council we are required to conduct community meetings but due to financial constraints the council fails to do so"* (Interview with DC, 19 December 2012, Nkhata Bay). Therefore interface meetings are mainly supported by formal CSOs who then partner with the CFCs for citizens to exercise their voice by speaking to relevant authorities. The interface meetings are a mechanism that has been introduced by the formal CSOs (most of which are international NGOs or Local CSOs with funding from outside the country) as such they partner with the local structures because they do not have the legitimacy to operate in certain ways. The connection between the formal CSOs and the CFCs (ICS) is on the basis that the former has the financial and technical resources while the later has the issues that need to be addressed and the ability to mobilize and organize the citizens' voices.

In Nkhata Bay district the main CSOs that partner with the ICS on governance issues are Youth Network and Counselling (YONECO), Livingstonia Synod AIDS Programme

(LISAP) and Catholic Commission for Justice and Peace (CCJP). For instance, the CFCs benefited from the formal nature that YONECO represents and financial resources as it is difficult for the CFCs to invite the district council officials because they are a parallel structure to the official local governance structure and lack do not have the finances to cover the logistical costs. Therefore YONECO and the CFCs depend on each other for their individual success.

The challenge with this mechanism is that it is not being used in the entire district and citizens cannot organize these meetings independently. The communities where there are no CSOs implementing governance activities become marginalized as they are pushed out of the local governance processes. But also looking at how the CFCs manage to interface with the government officials due to the presence of YONECO and the respect that YONECO commands from the district council demonstrates that indeed in networks “although actors are not hierarchically sub- or super ordinate, they are not completely equivalent” (Kickert 1997:738). A senior council official confesses how formal CSOs make citizen engagement a reality in Nkhata Bay district:

In TAs where there are some NGOs it is easy for the district council to engage with the communities because the costs are covered by the NGOs since the council does not have adequate resources to go on their own to the communities regardless that the policy demands the council to conduct such meeting on its own and regularly.

Regardless of the interface meetings being more desirable as expressed by the majority of respondents in this study, they are not as efficient or effective as confrontations or use of media. This is because in most instances district council officials or sector heads delegate

the meetings to junior members of staff who do not have the mandate to make decisions hence being unable to be held accountable by the community members. Most of the decision makers do not want to commit themselves in public as that will give the citizens more power to put pressure on the government to deliver on what it promises and the citizens will actively monitor the council official and make them answerable. When the citizens take an active role in reinforcing accountability there is a reversal of authority from the centre (government) to the peripheral (citizens) and most government officers do not like that. As such, the interface meetings do not lead to clear action plans and commitments which the citizens can follow up and use to reinforce accountability and responsiveness of the district councils.

4.2.4.3 Media

Ferreira, et al., (2006) reported that in countries like Benin, Chad and Malawi, CSOs have helped increase state accountability to the citizenry by exposing and denouncing wrongdoings using the media. It was noted that the use of media is a common practice even among the formal⁷ CSOs in Nkhata Bay district especially where service delivery problems or governance issues require urgent attention which cannot be feasible if the bureaucratic processes are to be followed or when the local government officials are not responsive to the citizens' demands. NBCCC is well known for using Zodiak Radio Station *"The NBCCC does not engage the government with diplomacy, they just rush to the radios sometimes without getting all the details"* *"the ICS focus on negatives and*

⁷ For example, YONECO engaged a nation newspaper reporter to help the people from Susa village express their grievances as they had stayed for over a year without being paid for a public works activity they had already completed and by exposing this wrong doing through newspaper article the local district council responded favorably

they rush to the media without enough evidence” (interviews with MP and a Chairperson of a CFC, December 2012).

Often the NBCCC use the media to provoke quick but favourable responses or action from the government officials. The media is used to seek an audience with higher level decision makers who cannot be easily reached or accessed. Apart from the accessibility issues the government machinery is not accountable to the citizens alone but also other stakeholders as such by publicizing the issues it attracts a wider audience that demands accountability from the local government officials including the central government itself. Through that the local government is forced to take action. Therefore the media is used as a means for reinforcing accountability of the district councils because they will be afraid to be put to shame if they are not answerable for their actions.

According to Chiweza and Tembo (2012) the Media has potential effectively promote citizen voice but with the prevailing economic and political context in the country, it does not have the incentive to strategically promote citizen voice and accountability on service delivery issues without being prompted by other external actors. This study found that economically it is costly for the citizens to engage media personnel. Most of the leading media houses in the country do not have district offices as a result if the citizens need media coverage they are required to cover the transport costs and even provide a meals allowance for the media person.

The additional challenges include mistrust between the media and the citizens. Journalists are supposed to be professional and objective when collecting and reporting stories and how they relate with their stakeholders unfortunately, some of the stakeholders are the

people that communities at the grassroots view as enemies. Consequently there is mistrust among the stakeholders. The other challenge is that other stakeholders who come into the picture as a result of the publicity by media are opportunists and they focus on their personal endeavours rather than empowering local structures. Instead of raising the profile of the ICS in the districts they capitalize on the informal nature of these structures for own recognition. Lastly the use of the media sometimes worsens the relationship between the district council and the citizens because to the council officials the issues that the NBCCC or even the CFCs raise can lead to loss of jobs for concerned officers.

4.2.4.4 Direct Contacting

This is the most common mode used by the citizens to engage with the government officials both from the district council and the central government. The NBCCC and CFCs in Nkhata Bay district directly contact the government officials by writing letters and confronting them in their respective offices. Evidence from the study shows that direct contacting is preferred to persuade the duty bearers to take action considering that as ICS it is difficult for them to reason or negotiate amicably with government officials and other people who are in authority on matters affecting the citizens. Dalton (2008:44) argues for direct contacting:

It can expand the potential influence of the public even more than campaign activities; it also occurs when, where and how the citizens thinks it will be most effective rather than waiting several years for the next election therefore it allows citizens to clearly signal their policy preferences; and since direct contacting requires a significant level of political skill and motivation by the individual so this implies an engaged citizenry.

The findings from the study established that the ICS have written letters to several government offices to express their discontent with functionality of government offices and quality of public services being provided to the people. Basing on the same reasons it was also found that the ICS visit government offices and confront the responsible officers on the issues and demand answers from the same. From the key informant interviews it was clear that NBCCC is popular with writing letters although they are considered as “anonymous letters”. The anonymous letters are convenient to NBCCC considering that some members of the group are still employees in the civil service although this practice is prone to abuse by other groups who are not necessarily part of NBCCC.

The members of NBCCC in the FGD reported that on several occasions they had written letters to lodge complaints on how public services were being delivered, misuse of public resources and gaps in some policies. The letters have always been written to higher officers or addressed to the managers of the concerned institutions. NBCCC understands the power dynamics in the public service and the need to involve decision makers as such they direct the messages to the highest authorities whom they believe can reinforce changes. The letters are a way of dealing away with the bureaucratic processes that characterize public offices as they are addressed to specific individuals.

The main challenge is that the NBCCC has never received any direct responses for their letters. This makes it difficult to claim the changes that might have happened regardless that they have addressed the issue that they raised. The only way members of NBCCC know that their letters have been acted upon is when they hear from their people within the government system. The informal ways for sharing information are used here. The

group once wrote to the minister of local government then Honourable Goodwill Gondwe but the minister forwarded the letter to the district commissioner for Nkhata Bay for his attention. The NBCCC members were informed by some of their friends who work at the district council that the letter arrived. Even the MP for Nkhata Bay central constituency during the in-depth interview confirmed that this group writes letters.

Interestingly district council officials acknowledged that the NBCCC writes letters although they referred to them as anonymous letters. Apparently the anonymous letters have a high probability of tarnishing the image of the district council as well as the individual officers'. The district commissioner was worried with the use of anonymous letters, as these letters do not lead to any dialogue or action because as government machinery they do not respond to anonymous letters. This can explain why the NBCCC does not receive any feedback. Unfortunately through the study it was difficult to substantiate the mystery surrounding the anonymous letters because NBCCC refused to have written any anonymous letters as they have a stamp and every letter they write is official because there is a stamp and signatures of the members. The group did not have copies of the letters that they have written before. This also compromises the hope for transparency as the ICS themselves do not have evidence of their work and this challenge was confirmed with their reluctance to share their documentation with the research.

There was also significant evidence provided by the key informant from the district council that the citizens through ICS visit the government offices to confront the sector heads on the problems that they are facing in their respective communities that require attention from the responsible government offices. The reasons given for being more

confrontational include: unavailability of platforms for the district council to engage the community members whom they serve; The mistrust between the ICS and government officials has led to a hostile relationship between them making it impossible for the two parties to engage in dialogue; and For CFCs interaction with the district council officials has become costly. Through the FGDs the members for CFCs complained that they do not have the financial muscle to organize meetings with district council officials as they require fuel and lunch allowances. It was also noted that where council official agree to attend the meeting the senior officers always delegate to junior officers who are unable to articulate issues and make decisions. In addition process of scheduling a meeting at the district council is very long and not promising. Therefore the convenient means is to go directly and demand to see managers.

Confrontations are quite unsettling for the government officials as they are against the tradition of the public service of following procedures. A representative from the DEMs office and the DOF attested to this effect arguing that confrontations lead to making allegations and accusations instead of well-coordinated discussions. In return they do not provide room to come up with solutions on how to address the problems but rather the citizens making threats. The Desk Officer in the DEMs office narrates an incident involving the CFC from Timbiri, “the CFC based at Chinguluwe primary school just budged in our office and demanded to see the DEM, luckily the DEM entertained them on humanitarian grounds because as an office we engage with institutionalized governance structures that are at the grassroots”. While the confrontations are deemed the informal way of doing things for the CFC this was the most direct and efficient way to present the issues to the DEM and receive feedback at the same time.

In some instances confrontations also lead to making threats to the Council officials to influence quick and positive responses from the government side. By using threats it does not imply that positive responses are a guarantee but that does not keep the ICS from trying. The NBCCC mobilized the market committee to threaten the state that they will all stop paying the market fees unless the government completes the construction of the market and use good quality material for the construction. This threat came about as people were tired of the promises made by politicians during every election campaign period to construct a market. The threat pressurized the government to take action since as Nkhata Bay District Council; one way of generating revenue for the district is through the market fees. This mechanism was a once off thing and it demonstrates the creativity and flexibility of the ICS.

According to most of the respondents involved in FGDs confrontations have yielded fruits in some instances where they were addressing issues which required instant action. Unfortunately it was difficult to gather official evidence from some of the government sectors confronted as there was no documentation on what transpired. But the district commissioner confessed of the threats made by the market committee and how effective they were. But lack of documentation is one of the challenges associated with informal way of doing things as in most cases there is no proper documentation of events what matters is the outcome of the efforts.

4.2.5 Factors Triggering involvement of Informal Civil Society in Democratic Local Governance

According to Krishna (2003: 363) “collective action is important for achieving the ends expected of democratic local governance; yet, local governments are not usually well suited to organise such collective action of their own accord”. The study identified five key factors that cause and enables the citizens to mobilization themselves into ICS for collective action in the governance of the district.

4.2.5.1 Citizen Social Responsibility

Research has shown that wide-scale, personally funded, self-motivated and enduring groups of people that come together to demand government reform or better services are scarce in Malawi (O’Neil and Cammack, 2014). The NBCCC and CFCs in Nkhata Bay are among the few scarce groups of people described by O’Neil and Cammack. The study found that citizens in the ICS believe that the success of development in the district lies on them. In the FGDs the citizens stated that their participation in the ICS is the only way to develop the district considering that the citizens are the beneficiaries and users of the development interventions. Consequently, the citizen cannot leave all the responsibility to the district council officials, *“district council officials are not there permanently, officers come and go and they can afford to send their children to private schools or private hospitals in town while for the citizens, Nkhata Bay is their home”* argued one female member for Timbiri CFC (during FGD on 18 December 2012 in Nkhata Bay. Therefore the citizens participate to demonstrate ownership of the local development. The ownership is legitimised in a way that the committee members in both the NBCCC and

CFCs work as volunteers. In the case of CFCs, after GIZ phased out they continued their work by adopted other less costly approaches.

As a demonstration of commitment to their social responsibility, the citizens also mobilise resources among themselves for the activities they conduct in trying to make the district council officials accountable. Being an ICS it is difficult to access external financial support because of the fluidity of ICS but because the members of these committees are passionate of their work and have the interest of developing the district at heart releasing resources for related activities comes naturally. It was learnt that people use personal funds to travel from their villages to the district council to follow-up on reports they submitted or even present their grievances as citizens regarding how the district council is functioning or service delivery. Through the study it was also learnt that some of the CFCs stopped functioning after GIZ phased out because of lack of financial resources. Having in mind that CFCs were invited spaces in the first place, chances are high that the citizens in those few CFCs failed to utilize the opportunity and cultivate the spirit of social responsibility. Although some CFCs died a natural death, the functional CFCs involved in this study and NBCCC are evidence of blossoming civic engagement. These informal civil society groups have helped in consolidating and strengthening social responsibility among the citizens in the district.

4.2.5.2 Strong Social Capital Base

Secondly, the study discovered that there are strong relationships between the ICS and the citizens hence more support from other community members. Most of the citizens find it easy to report the malpractices or even asking the members of the CFCs to speak

on their behalf when engaging the district council officials. It was observed that most of the issues that the ICS pursue come from the citizens' themselves and they believe by informing the ICS substantial changes will take place to their benefit. This relationship is what the World Bank terms Social capital. It argues that these informal relations and trust which bring people together to take action, is crucial to the success of any non-governmental organization because it provides opportunities for participation and gives voice to those who may be locked out of more formal avenues to affect change. Therefore the trust and faith that the citizens have in the ICS sustains these committees.

During the FGDs with the NBCCC and CFCs members explained how the citizens approach them with information or even evidence for some issues that the district council is failing to honor. This practice in Nkhata Bay overflows to those citizens who work in the government offices as they also work with these informal groups, especially NBCCC. Although throughout the interviews the members did not explain much on the social support apart from community members providing information on issues that require some action, through observations, indirect statements and reading between the lines one could tell that the group has a strong base of social support. For instance, one member explained that when they are addressing sensitive issues they seek advice from their lawyers, but this is a group that depends on finances from only two members and cannot afford to pay a lawyer. In essence the lawyers referred to in this case are those that hail from Nkhata Bay district and NBCCC engage them on the basis that they are also citizens from the district. To some extent this is evidence of self-organizing and utilization of

local skills and expertise. At some point a volunteer offered to provide them with funding to help in scaling up their activities.

The support given to the ICS in Nkhata Bay enables it to accurately target relevant decision makers and ensures responsiveness of the same. The challenge is that the government officers and even some of the elite societal members may be using this group for personal vendetta. But also more and more citizens will be excluded from active participation as the ICS groups dominate the spaces.

4.2.5.3 Informal Institutions

Wells-Dang (2011) explained that ICS is flexible because it has “none of the trappings of an organization”. He argues how members focus on advocacy without requesting permission from the authorities or incurring the risk of repression and how they cover a broad range of issues rather than being specialized as most of the formal CSOs. Similarly this study found that the ICS in Nkhata Bay district is flexible in the way it addresses problems or issues. It was learnt that some of the initiatives done by citizens in the ICS are a spur-of-the-moment than planned. In some instances the individual members from ICS would engage with district council officials or any other concerned authorities on issues that require immediate attention without waiting to holding a meeting first as a group to strategize. This is contrary to what happens in a formal set-up because in a formal civil society they have processes and procedures that they follow to lodge complaints.

The study discovered that ICS are flexible considering the scope of work that the citizen groups cover, *“we investigated and recovered a stolen motor for the maize meal project which was provided by World Vision”*, (during FGDs with Timbiri CFC). Treasurer for NBCCC gave an example of a situation whereby some prisoners at Nkhata Bay Prison were made to empty the septic tanks without proper protective apparel and without pay therefore as a citizen who is also concerned with the welfare of other citizens he confronted the Officer In-charge. The outcome of this confrontation was that the prisoners were withdrawn from the exercise. So because of the flexibility of NBCCC the treasurer was able resolve the issue with agency without waiting for the committee to hold a meeting and agree on the course of action to take.

4.2.5.4 Ability to Articulate Issues

The citizens are able to consolidate all the skills and knowledge they gained somewhere to collectively address governance issues in their communities. CFC members who took part in the FGDs indicated that they use various skills, knowledge and experiences from other forums as a way of addressing the governance issues in their communities. Also considering that the majority of the members in the CFCs belong to other development committees within the same villages and initiated by various organizations. Consequently the knowledge that they have gained in their various capacities is what they use in their day to day activities. Moreover these trainings were not only organized and provided by the district council, other government and non-state actors have played a major role in building the capacity of the community members.

A number of the CFC members belong to other groups in the same community that are also dealing with issues of good governance. It is evident that with democratic decentralization there are many players who are now involved in governance issues regarding Nkhata Bay district. In most of these rural development projects, capacity building is an integral component. Interestingly the committee or members in such projects are the same people who are in the CFCs. Therefore the citizens are able to utilize the same skills and information they gain in other projects to address local governance issues through the CFCs. In this regard the ICS are an avenue for the citizens to demonstrate that they are democratically empowered. Contrary to the diverse skills and knowledge being a prerequisite in public governance but this membership in so many committees can also be misleading as in some cases it is as a result of rent seeking behaviour. During the discussions with Nkumbira CFC it was observed that most of the members were either related to the chief in one way or the other.

It was observed that for NBCCC, the members utilize the provisions and entitlements for the citizens in the democratic constitution of the Republic of Malawi as a basis for claiming better services and accountability of the district council. Their activism is based on the Constitution, also considering that it is the supreme law and everyone in the country is supposed to respect it. But then the constitution works to the advantage of the elite and educated groups while for ordinary citizens it might be difficult as majority of the people in Nkhata Bay are not conversant with it including the members of CFCs. Additionally of late some of the members of NBCCC have been selected as members of the ADC to help addressing some developmental issues for the benefit of the citizens.

4.2.5.5 Civic History

For the CFCs all the activities that they carry out is a way of exercising their human right but for the NBCCC this is a way of carrying on the legacy of the district with regards to the political history of the country. The members of NBCCC believe that “Nkhata Bay is a nucleus of politics in Malawi” explained the treasurer for the committee. Some of the most influential people in the history of politics in Malawi came from Nkhata Bay and the members of NBCCC believe that they have an obligation to maintain that status quo through constant engagement with the government and ensuring that the needs of the people are met. It was learnt that during the time there was a proposition by government to start extracting oil in Lake Malawi, NBCCC expressed the position of the citizens on the matter. According to the Member of Parliament *“while government was conducting a stakeholders sensitization meeting open to the public, NBCCC was conducting its own meeting where a press release was issued”* (interviewed on 15 December 2012, Nkhata Bay). The citizens took the responsibility to express their views on the matter since governments focus was on increasing knowledge of the people on the issue and not necessarily involving them in deciding on the way forward. One government officer also complained that, *“the citizens in Nkhata Bay think that they can force government to fire an officer because they have said so. They write letters to the ministry and even propose harsh decision”* (interviewed on 18 December 2012, Nkhata Bay). This is a distinguishing factor for ICS especially those initiated by the local people as the historical events shape the whole ICS.

4.3 EFFECTIVENESS OF INFORMAL CIVIL SOCIETY FOR ENHANCED DEMOCRATIC LOCAL GOVERNANCE

In order to appreciate the effectiveness of the ICS in Nkhata Bay district, the study investigated how the efforts of NBCCC and CFCs have yielded responsiveness of the district council and other decision makers in delivering public services and changing policies. The study also discusses how the district council and other decision makers have become answerable to the citizens. These are outputs for democratic local governance.

4.3.1 Citizen Participation and Responsiveness of Local Government

In the previous sections it has been reported that the ICS in Nkhata Bay district have enhanced citizen participation by giving the local people a voice. But ‘Voice’ on its own is meaningless and can become noise unless it triggers some action in response. Illustrations have been given on instances where the ICS created opportunities or spaces for the masses to directly engage with the decision makers on matters affecting which led to the state taking some action. The interface meeting at Kamwadi village which led to drilling of borehole by government; citizens telling their stories to the media on the abuses they suffer at district hospital which led to transferring the members of staff from district hospital to health centers and the refusal of market users to pay market fees to the council until construction of proper market infrastructure was completed. The citizens manage to trigger responsiveness of the district council.

In the study the prevailing pattern observed was that most of the issues and responses were on immediate needs and action except for the interface meeting which was process oriented. In some instances the individual members from NBCCC and CFCs engaged the

district council officials or other concerned authorities on issues that require immediate attention without waiting to holding a meeting first as a group to strategize. This is contrary to what happens in a formal set-up because in a formal civil society they have processes and procedures that they follow to lodge complaints. According to Sunderland (2011), when the marginalized feel that they are not been heard, they develop inventive, imaginative and often spontaneous forms of action and citizenship. Therefore, it can be concluded that the ICS are effective when seeking responsiveness on immediate issues. While for long term and sustainable solutions, they need to leverage on the formal institutions and civil society.

4.3.1.1 Improvements in Public Service Delivery

The study found that with regards to service delivery, both the CFCs and NBCCC focus on the quality of service and not so much on demanding for the public services. NBCCC explained its intervention when women were being ill-treated when they go for antenatal services at Nkhata Bay Hospital. Likewise, Mkumbira CFC also engaged the hospital administration when citizens complained on the delays they experience when they have gone to seek medical assistance at the government hospital. These examples and those already stated in previous sections are aimed at influencing the changes in practices translating to quality service provision. The influence on practices is not a solution on its own as there are other underlying or deep rooted issues that need to be addressed to improve service delivery. According to O'Neil and Cammack (2014) the audit on three sectors, health, education and water revealed a number of problems in provision of public services in the country such as insufficient supply of infrastructure (including disrepair of

many water points in rural areas), lack of essential materials (e.g. drugs, textbooks) and trained staff, capacity and funding constraints, weak public management systems and performance. The efforts of the ICS target lower level actions while the underlying issues require consolidated efforts through formation of linkages with national level institutions to trigger changes at the higher level. As observed by one informant “the ICSs in Nkhata Bay district lack think tanks who can help in interrogating issues” (Interview with government official, 20 December 2012, Nkhata bay). On the other hand, these are the same people who conduct investigations and generate real evidence; therefore, in terms of demanding for services it might be an issue of information.

A representative from GIZ explained that, “the training given to the CFCs was not comprehensive” (interviewed on 10 January 2013, Lilongwe), therefore it is possible that the citizens were not properly informed on the scope of their work. Indeed there have been few instances where the citizens demanded for services. Out of the three CFCs engaged only Mkumbira CFC indicated that through interface meeting supported by YONECO, they demanded for services and government responded to the demands. Similarly, NBCCC only stated the instance when they supported the market committee to demand for proper market infrastructure with water and public toilets which the district council responded to favorably. Considering the magnitude of development problems affecting our districts, the citizens can do so much more in demanding for public services.

4.3.1.2 Impact of ICS Interventions on Public Policies

In terms of having impact on policy changes and formulation, it was observed that the CFCs have not taken deliberate efforts to influence any policies and their efforts have not had indirect influence on policies formulation or changes. While the NBCCC made some

claims on its contribution toward the recruitment process of the Police Service. Being an informal group it was difficult for the study to confirm whether the changes indeed happened as a result the efforts made by group or it was by coincidence as there was no evidence. The work of the CFCs and NBCCC produce adequate evidence that can be used to inform policy formulation or changes to respond to the needs of the people but in most cases that evidence does not reach the right people or right forums. For example, it was argued that *“poor service delivery is because most of the government officers have stayed for a long time in the district and when posted away they refuse to move, so they have become too familiar”* (during FGDs with CFCs and NBCCC on 15, 17 and 18 December 2012, Nkhata Bay). The example given demonstrates an opportunity where the citizens could influence reinforcement of policy or policy change by the Ministry of Local Government on the period an officer has to serve in a particular district. This is where the horizontal and vertical linkages become significant in public governance for the benefit of the grassroots.

Decentralization also gives an opportunity for the citizens to influence policy formulation at local level. Most importantly it has been argued that claimed spaces are issue based and the majority of ICS address very immediate citizens’ welfare issues therefore to move beyond that requires additional knowledge and higher level collaboration with other stakeholders.

4.3.2. Answerability of the Decision Makers

The study found that the ICS have been very innovative in collecting public information by using some alternative or informal means as explained in section 4.2.2.3. Although

both the NBCCC and CFCs have the information, it was observed that the information is not used for purposes of making the district council officials answerable. All the three CFCs, during FGDs indicated that they have never attempted to call the MP for a meeting regarding the developmental issues in their area but they visit the district council. In the same manner, NBCCC has never engaged the MP but government departments where there are issues. It was also discovered that even though the ICSs engage the district council, they do not demand explanations on public expenditures, regardless of it being a very critical aspect in democratic local governance for enhanced accountability. This goes back to citizens' understanding of accountability as it affects the ability of the citizens to use the information or evidence they collect. From the perspectives in this study the ability of citizens to reinforce accountability of public official and public institutions through the ICSs has not fully materialized.

In addition, the modes for engaging the decision makers explained in section 4.2.3., have led to more upward accountability. NBCCC as a claimed space especially, has not put to use the provisions in the LGA and the decentralization policy as a result the efforts have led to reinforcement from above. The media and the letters have not been used in a way that that will generate direct responses or explanations to the citizens because they have mostly been in form of reporting or informing and not as demands for explanations. The District Commissioner argued that *“NBCCC is a recognized structure therefore it is not necessary for them to write anonymous letters to the ministry”* because they do not lead to meaningful interactions with the district council. In most cases the central government refers the issues and letters back to the district council for action.

The challenge is that, access to information on its own cannot lead to accountable governments. There is need for other factors that will force the public officials to be answerable to the citizens and in turn citizens rewarding the public official for their actions. These factors include: reinforcement of the rule of law, which will make the district council to follow the local government Act and other laws that requires it to provide information and be accountable to the citizens. The other factor is partnerships with formal state and non-state actors who will push the local government and ensure provision of spaces for citizens' meaningful engagement with the decision makers. The ICS in Nkhata Bay have engaged in such partnerships although in few instances. The secretary of NBCCC commented *"I went to the ombudsman in Mzuzu which made the OC to arrest the government officers at the fisheries department who had sold government property and recover the stolen property as well. Before involvement of ombudsman the police did not act though the matter was reported"* (during FGD on 15 December 2012, Nkhata Bay). The ICSs have the ability to access the normally scarce public information, but they also need to collaborate with other actors for the information to be used for intended purposes. Both the vertical and horizontal linkages are important in this regard.

4.4 CHALLENGES OF INFORMAL CIVIL SOCIETY IN ENHANCING

DEMOCRATIC LOCAL GOVERNANCE IN NKHATA BAY DISTRICT

In the preceding sections, it has been reported on how the ICS provide a platform for the citizens, as one of the key players in public governance, to take part in governance issues at local level where they are able to influence decision making and accountability of those in authority. In as much as the citizens through the ICS have become an important

player in the network of actors in the district there are also undesirable outcomes that have come about with the existence of such actors in the local governance system. Having it that the network actors in local governance “are so diverse; they all have their own interests; their interdependency is not fully symmetrical because of the varying levels of urgency for the need and that they are not static”, (Salamon, 2001: 1631), chances of conflicts and undesirable behaviour among the actors are very high. In the case of ICS, their informality also poses as a challenge in their attempt to position themselves in the governance network at local level. Some of the undesirable outcomes have already been discussed in the previous sections, such as patronage, rent seeking, corruption and path dependency. The additional ones that the study found include:

4.4.1 Mistrust among the ICS groups

According to the World Public Sector Report by United Nations (2008:41) “the issue of trust is the key to the functions and sustainability of public governance”. This is in the view that collaboration among actors in public governance is based on mutual trust and shared common interest. The study found that the NBCCC undermines the horizontal alliances. In as much as NBCCC works in collaboration with other public institutions such as government offices, National level CSOs and the media, it demonstrates greater reluctance to work in partnership with locally based formal CSOs. The reason being that for CSO that are registered chances of government interference and control is high hence they might not work well with the strategies of NBCCC. While the partnerships with the other ICS such as the CFCs were also ruled out. Both the NBCCC and CFCs, especially Mkumbira CFC, they look down on each other.

Through the discussions it was also discovered that in as much as the NBCCC aims to serve the welfare of the citizens, there are issues of visibility and recognition which are also at place. In this regard, partnering with formal CSOs is seen as a threat considering that formal CSOs are well recognized and by partnering with them, the efforts of NBCCC might be obscured in the already recognized formal institution. The same applies to partnering with CFCs since they are invited spaces. Issues of power and control of the partnerships draw the NBCCC backward. An example is the reluctance to partner with YONECO on the basis that NBCCC was the first to operate in the district, therefore the former is supposed to approach this committee for partnership and not the other way round, *“YONECO is supposed to learn from us because we were the ones who started the work that they are now doing in this district”* claimed a senior member of NBCCC (interviewed on 15 December 2012 in Nkhata Bay). While YONECO on the other hand tries to safeguard its existence in the district. Consequently, NBCCC has failed to utilize the opportunities presented by the formal CSOs.

4.4.2 Animosity among the player in public governance

The other challenge concerns the negative relationship between the local people or community members and the government officials. The citizens in the ICS and district council officials are not in good terms, which makes it difficult for them to collaborate. As alluded to in previous sections, NBCCC has been labelled as a fault finder by the district council and other stakeholders. According to a representative from GIZ *“CFCs also fell out of favour with the district council as the members acted like police dogs, some wanted to satisfy their personal vendetta”* (interviewed on 10 January 2013,

Lilongwe). During the FGDs the citizens complained that the district council officials are very hostile and the citizens are usually ridiculed by the government officials when they try to engage them or follow up on certain issues that the government was supposed to address. Some of the common statements made by the district council officials towards the ICS are⁸ “*anthu osaphuzira inu (uneducated people)*” “*Kagulu kovuta (Difficult groups)*” “*wakunamizani ndi ndani (who is misleading you)?*” Even an officer for one of the national level CSOs working in the district complained on the same that community members or citizen groups do not receive the proper attention from the duty bearers the people become discouraged or even intimidated. This hostility affects involvement of the citizens in shaping decision making and influencing responsiveness of the duty bearers in delivering public services. It defeats the purpose of public governance.

4.4.3 Inadequate Resources

The ICS in Nkhata Bay district services many people in the district. During the FGDs respondents complained that the villages are many and they are very big and far from each other such that it is difficult for them to service all of them. The CFCs are at TA level and draws members from all the villages within the respective TAs and the members work as a group in addressing service delivery problems as well as good governance deficiencies. Because the ICS do not have adequate resources, it becomes difficult for them to serve the whole area under their jurisdiction. The lack of resources also inhibits the citizens from engaging with the duty bearers as often as they could wish and use the formal mechanisms that the government officials are comfortable with. This

⁸ “who has lied to you” implying that someone is misleading the local groups

lack of resources is a great set back in the attempt for citizens to make their voice heard thus contributing to decision making on matters affecting them. Lessons can be drawn from YONECO who provided some bicycles to the community educators whom they trained in the same district for ease transportation.

4.7 CONCLUSION

This chapter has presented the findings of the study. There are so many issues that have come out. Imperatively active citizen participation has not been maximized in NBCCC as well as the CFCs since only a few people patronize these committees. Besides that, the representative nature of these committees has ensured that the community members are able to influence public services provision and public policy implementation. What has come out clearly is that most government officers or officials emphasize the structures provided to ensure citizen participation but this emphasis is mostly to bar those groups that are outside the system from getting involved with public issues. It is also imperative to understand that the mechanisms for engagement with the district council that the ICS uses were mostly influenced by the financial costs attached as such majority of the committees resort to confrontations because they are cost effective in return the message is passed on to the relevant officers be it government or non-governmental officers.

In terms of engaging the duty bearers, the ICSs under study have shown that they lack adequate skills in lobbying and influencing decision making hence they resort to use of mechanism that appeal to the emotions of the duty bearers but they are not sustainable. The quick and positive responses are aimed at serving the image of the individuals or institutions and not serving the society. That is why mostly the duty bearers' reactions are

to rectifying the wrongdoings and not providing answers to the citizens. The citizens in their current state (of minimal capacity) manage to get the goods that they demand for as opposed to being passive citizens. Therefore transparency and accountability of both the state and the ICS are issues that require attention in Nkhata Bay District.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS OF THE STUDY

5.1 INTRODUCTION

This section will present the conclusions on the findings and recommendation for further studies. The conclusions will be aligned to the objectives that the study aimed to achieve by conducting this study.

The purpose of having this study was to provide a detailed analysis of the role of local informal civil society in enhancing democratic local governments in Nkhata Bay District. The study centred on two governance principles namely, citizen participation, and accountability. To understanding how these principles are being enhanced in an informal way, the study investigated the impacts associated with the activities of the informal civil society especially on service delivery by government.

The specific objectives of the study were as follows:

- To analyse the nature and mandate of informal civil society in democratic local governance of Nkhata Bay district.
- To understand the role of informal Civil Society in enhancing citizen participation and state accountability in Nkhata Bay district.

- To investigate the effectiveness of informal Civil Society in enhancing democratic local governance of Nkhata Bay district.
- To investigate the challenges of informal civil society in enhancing democratic local governance in Nkhata Bay district.

The public governance model was the central theoretical underpinning in this study. The understanding being in democratic decentralization emphasis is on citizen participation and multiplicity of actors who are involved in local governance and they work together as a network although they maintain their distinct individuality. And citizens are a significant member of these networks. Collaboration in the public governance networks is propelled by the civic virtues ‘social capital’. Therefore public governance was used to unpack the dynamics that surround the ICS in a democratically decentralized set -up council.

5.2 CONCLUSIONS FROM THE STUDY

5.2.1 Nature and Mandate of Informal Civil Society in Nkhata Bay District

The study established that both Nkhata Bay Citizens Caretaker Committee (NBCCC) and the Citizen Forum committees are considered as informal structure. This informality results in mixed perceptions regarding their mandate to represent fellow citizens without being democratically elected. Nonetheless, these two informal structures were considered important in enhancing democratic local governance in the district and there was consensus that the issues that are pursued by NBCCC and CFCs concern the welfare of the citizens in the district. Though informal and beyond the provisions of the democratic structures in the district, they were also considered as a demonstration of growth in

democracy as citizens are not bound by the administrative provision as indicated in the decentralization policy alone. Citizens managed to step up and take responsibility of their local governance by filling the gap which existed as a result of non-functional local governance structures during the nine years where local councillors were absent.

5.2.2 Role of Informal Civil Society in Enhancing Citizen Participation and State

Accountability in Nkhata Bay District

The study found that the ICS provide a conducive environment for citizens' participation on matters of public interests that directly affect them. Through the ICS the citizens utilize the spaces that are provided to them as well as create their own spaces to voice out their concerns and influence the decisions made on service delivery and policy formulation and implementation in response to their concerns and needs. In these spaces the citizens have a voice on a range of issues that concern them, be it policy related or actual service delivery; they are not limited to a few specific issues or sectors as with the case in formal CSOs. This lack of specialization makes the NBCCC and CFCs very flexible in terms of scope of work and how they operate enabling them to achieve their intentions. And since the two ICS groups occupy different spaces they widen the arena for citizens to interact with the district council official and other relevant decision makers that way they are assured of their voice to be heard but also have alternatives to use when one approach fails.

Apart from occupying a number of spaces the ICS also utilize a number of ways for citizen to exercise their voice and enhance accountability of the district council and other decision makers. It was found that because of the informality of the local civil society the

modes of participation used are mostly those that are convenient to the citizens, do not require a lot of financial resources and they help in achieving the intended purpose. As GIZ only supported the CFCs for one year (2009) there after the citizens have been fending for themselves. The use of the media, direct contacting (confrontations and writing letters) helps the citizens to publicize malpractices by the district council officials at the same time triggers quick reaction by the decision makers to address the problems. In as much as the actions that follow serve the purpose, indirectly are targeted towards saving the reputation of public officers since the changes that take place do not lead to transformation of the public service machinery, the changes are short lived. In addition, it is difficult to attribute the improvements in service delivery or policy changes to the efforts of the citizens through the ICS as there is no evidence that would trace the change to the citizens also considering that much of their interventions are spontaneous.

5.2.3 Effectiveness of Informal Civil Society

The outcomes from the interventions of ICS raises some questions on effectiveness of ICS, one would argue that at grassroots level the ICSs are effective because they are mainly concerned with the immediate needs and issues which in most cases yield the intended results when they use their approaches. But there are other approaches that are used with support from the formal CSO which can be promoted for citizen participation such as interface meetings as they enable the citizens to follow up and hold the district council officials accountable on the commitments they make during the meetings with the citizens.

Regarding to the effectiveness of ICS's interventions resulting in responsive and improved service delivery and policy changes, it was found that through these groups citizens are able to influence good practices in the service providers and also demand for services but at small scale. There are so many gaps in terms of service delivery in the district but the study found that the ICS have not utilized their position fully, The ICS have focused more on the practices and behaviours without addressing the root cause most especially in demanding public services and this is attributed to lack of knowledge and capacity to do so. While regarding policy change, there was inadequate evidence to confirm claims by NBCCC. The ICS have also not demonstrated how they engage with the local government in the frame of decentralization to influence local level policy formulation. The ICS did not consider this as their responsibility considering the work their work and priorities that they have. Suffice to say, the ICS has adequate evidence which can be used to significantly influence improvements in service delivery and policy making provided they form strong ties vertical and horizontal ties with other stakeholders.

The efforts of the ICS have indeed enhanced accountability of the district council but due to the mechanisms that they employ they influence more upward accountability than downward accountability although democratic decentralization is more concerned with the latter. The main challenge in holding the councils accountable is unavailability of information which citizens can use as evidence and basis to demand answers from the council. On the other hand, the mechanisms mostly used by the citizens such as the media, writing letters and at times confrontation, capitalizes on the authority of the higher level decision makers to reinforce accountability of the local governments. The citizens'

reliance on the central government is enough evidence that the principles of democratic decentralization have not been internalized. The citizens have resorted to public naming and shaming of local governments as a way of reinforcing responsiveness and accountability. Unfortunately this practice causes the district council to act out of fear of their bosses and not as a response to the demands of the citizens hence the changes are short lived and not sustainable. Taking into account of their informal nature, the ICS prefer the easier way of doing things for quick results although this suffocates the consolidation of democracy. These efforts are not sustainable, but if combined with some form of structured engagement, they can lead to meaningful changes in local governance. Although some of the outcomes are not the intended ones the study found that the ICS are very effective in the way they operate because they have the social support through the shared citizen social responsibility and the social capital which makes them powerful in term of raising a voice on behalf of the citizens. They also provide a platform for the citizens to cultivate the spirit of citizen activism. These are important traits for a citizenry which is looking for space to exercise citizenship and take charge of decision making on matters affecting them which is the essence of democratic decentralization. Because of these traits in Nkhata Bay district the ICS was able to influence changes in service delivery as well as contribute to policy changes.

The informal nature of ICS works to their advantage in engaging the government officials. During the study it was noted that the ICS are not bound by the bureaucratic processes that characterise government offices and processes. They have ways for accessing accurate information and use that information as evidence in pursuing local

development issues. And because the citizens have not signed any formal agreements with the government, they are able to handle diverse and sensitive issues, without fear of reproach. The informality makes the ICS more creative and innovative as they identify mechanisms that are convenient to them and will attract desirable responses. There has been some improvement in delivery of certain public services because the citizens, through ICS are able to make a case.

5.2.4 Challenges of Informality Civil Society in Enhancing Democratic Local

Governance

The study also found that the informality has the ability of perpetuating exclusion of some citizens in participating in their own governance. Most of the members in the ICS are the elite groups in the communities, as such entry and participation by the wider population is limited. The informal structures are also prone to abuse by other people who have personal interests beyond the welfare of the citizens. ICS are mostly affected by Political patronage of the citizens since the ICS rely more on the social relationships (social capital). Informality provides the district councils with an excuse to justify their non-responsiveness. Public governance in Malawi is guided by the formal structures and institutions, such as policies and guidelines but most of them do not consider the informal sector therefore anything that is done outside the formal provisions is undesirable hence putting the informal civil society in a difficult situation to contribute meaningfully to local governance. But most of the challenges are overshadowed by the large numbers of community members that support the ICS.

5.3 RECOMMENDATIONS

This section provides recommendation in terms of area for further study. This study focused on Nkhata Bay district which is just one of the 28 districts but there is growing evidence that most development agencies are focusing on citizen action through informal groups as a way to sustainable development as such if academic studies could be conducted this type of work, they will enrich the academic literature with regard to active citizen participation in our country as for now much academic literature on participation is focused on the formal structures for citizen participation such as VDCs, ADCs, CBOs, Projects Committees just to mention a few, but little attention is given to the informal structures or practices.

5.4 CONCLUSION

This chapter has presented and discussed the key conclusions from the findings of the study which were aligned to the four specific objectives were set to be achieved by carrying out this study. The chapter also discussed one recommendation which provides an area for further study.

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APPENDIX 1: LIST OF INFORMANTS

INTERVIEWEE	INSTITUTION AND POSITION	DISTRICT
Mr Fred Movete	Nkhata Bay District Council- District Commissioner	Nkhata Bay
Mr. Andrew Jaffar	Nkhata Bay District Council- Director of Finance	Nkhata Bay
Mr. C. Matewere	Nkhata Bay District Council- Director of Planning and Administration	Nkhata Bay
Mr. Matayataya	Nkhata Bay District Council- District Community Development Officer	Nkhata Bay
Mr. Chilenga	Nkhata Bay District Council- Acting Director of Administration	Nkhata Bay
Dr. Thoko Kalua	Nkhata Bay District Hospital- District Health Officer	Nkhata Bay
Mr. D. G. Y. Banda	Nkhata Bay District Education Office- Coordinating Primary Education Adviser	Nkhata Bay
Mr. Kumwenda	Nkhata Bay District Education Office- Desk Officer	Nkhata Bay
Mr Chando	District Information Office- Assistant District Information Officer	Nkhata Bay
Mr Msuku	WESM- Chairperson for Umoza NGO Network	Nkhata Bay
Mr. Dunreck Pande	YONECO- District Project Officer	Nkhata Bay
Mrs Wongani Nyirongo	World Vision- Program Coordinator For Pilot Citizen Action Project	Zomba
Mr. Viwemi Chavula	GTZ-MGDDP-Programme Manager- Decentralization/ Governance	Lilongwe
Mr Lloyd Mtalimanja	Malawi Health Equity Network (MHEN)- Programs Coordinator	Lilongwe

Mr Masozi Kasambala	Zodiak Radio Station- field reporter	Nkhata Bay
Hon. Vuwa Kaunda	Nkhata Bay Central Constituency- Member of Parliament (2009-2014)	Nkhata Bay
Hon. Dr. David Mphande	Nkhata Bay South East Constituency- Member of Parliament (2009-2014)	Nkhata Bay
ADC Chairpersons	Timbiri ADC and Mkumbira ADC	Nkhata Bay
Mr Mavuto Kaunda	United Democratic Front Party- District Governor (Chairperson for Mkumbira Citizen Forum Committee)	Nkhata Bay
Traditional Authority Timbiri	Local Leader	Nkhata Bay

APPENDIX 2: DATA COLLECTION TOOLS

A. Checklist for Focus group Discussions with leaders of the informal civil society groups

1. Background information

- Name of organization, how it was formed (motivation), its objectives, functions and role in the community
- Membership and how member are recruited: gender composition, representation of other excluded groups
- Its perception of the state of public service delivery in the district or area
- Focus areas of interest and how public policy and service delivery; accountability and citizen participation is strengthened in those areas.

2. Participation

- Issues addressed; processes and procedures followed, actors involved, role of community members.
- Mechanisms and strategies or ways used in the activities and their suitability for citizen participation
- Evidence of direct influence of public policy and service delivery by citizens
- Networking with other actors
- Motivation for the linkages with various actors and state functionaries
- Types and benefits for the relationships

3. Transparency and Accountability of state

- Knowledge and awareness of standards, procedures and rules for public service delivery
- Availability and access to public service delivery information and resource utilization (expenditure) information of the state, Channels for accessing the information and ensuring accessibility of the same by community members.
- Ways in which informal CS carryout accountability (with direct participation of citizens); forums used if any.
- Improvements or changes in local government policies and service delivery attributed to the efforts of informal CS.

4. Enabling conditions for the informal civil society to engage with various actors and stakeholders

- The capacity of the informal civil society to articulate issues, to carry out activities and to provide for wider participation of community members.
- Linkages with various actors and stakeholders who are part of the local government (partnerships, relationships and benefits).

5. Challenges that the informal civil society face

- Internal challenges

- External challenges

B. Semi-Structured interview guide (for key informants from the local informal civil society organizations under study)

Background Information

- Aim and purpose?
 - What is the group's or organization's dimensionality? (How big (membership/coverage); how many activities?)
 - What is your personal role in this group/ organization and what made you work for this group/organization?
 - Who are the beneficiaries of the organization? Whose voice do you represent? What do they consider valuable?
- 1. To analyze the nature of participation of citizens as facilitated by local informal CS**
 - What issues are you engaging with and how? Describe the main actors and their importance? Describe stakeholders are involved for each specific issue? In your work on these issues (e.g. human rights, governance, gender, etc.), what strategies do you use to help strengthen participation?
 - How do you see your work helping to strengthen the participation of poor and marginalized people in decisions that affect their lives?
 - Describe how the citizens engage with the state?
 - How do they directly influence policy and spending decisions?
 - 2. To describe the strategies for ensuring accountability of district councils used by local informal CS**
 - What kind of public information do you have at your disposal? Awareness of explicit rules, procedures and standards in use of public funds and public service delivery?
 - How do you access the information
 - In which areas (finance allocation and utilization, actual service delivery, principles of equity and fairness) do you expect the DC to be accountable?
 - What mechanisms do you use to ensure the state is accountable to its citizens? Which forums do you use? What is the role of citizens?
 - How often do you make DC officials answerable?
 - Who initiates these interactions?
 - 3. To assess the enabling factors for local informal CS to operate effectively in a decentralized local government**
 - What are the enabling factors that help your organization to operate effectively?

- What capacity does your group have to engage in an inclusive manner in debates about resource use and service delivery? (In terms of knowledge, skills, connections or linkages with other stakeholders and communities at large and financial resources).
- How do these resources lead to successful implementation of activities?
- Describe the institutional and legal instruments that encourage and protect your group? What policies or laws?
- Knowledge of the decentralization policy and local government ACT.

4. To describe the challenges that hinder performance of local informal CS at local level

- What are the internal factors that hinder your group from achieving its goals and purpose?
- What are the external factors (political, economic, technological and social) that hinder your organization from achieving its goals and purpose.

5. To examine the impact resulting from the efforts of the local informal CS in terms of service delivery and policy change or formulation

- What would you consider the most important success or result from your work on strengthening participation? How has it made the most difference?
- What changes in policy making and service delivery by the state and other stakeholders can be attributed to your work.

6. Linkage with local government sub district and District Level Structures & Political Leaders

- Do you have linkages with local government sub district and district level and political leaders? Which are these?
- Do you raise any development issues/concerns with the VDC, ADC, PEA, HSA, DEM, DHO, Police, DCs office? How often? What procedures do you follow?
- What has been the experience so far in terms of the responsiveness of the actors?
- What are the linkage with MPs and other political leaders on matters of local service delivery (e.g. Education, Health, Water, Infrastructure development, Security)
- Do you raise any development issues/concerns with MPs? How often? What procedures do they follow?
- What forums are used for such purposes?
- What has been the experience so far in terms of the responsiveness of the MPs?

B. Semi-structured interview guide for the DC or his representative District Council

1. Which service delivery charters does your office possess?
2. How do you ensure that the citizens are aware of these charters and their roles?

3. In your local governance structure, where do you position civil society? Their roles?
4. What are the available legal and institutional instruments that support CSOs at local level? What is their role in democratic local governance?
5. Describe the local informal CS in Nkhata Bay district, activities they conduct and how they engage (mechanisms) with the district council?
6. How responsive is your office to the demands of the informal CS?
7. Describe instances where the informal CS engaged with your office, on what issues, the procedure followed, outcome of the deliberations?
8. How does your office make information accessible to the public? What kind of information?
9. How do you describe the relationship between your office and the informal CS? Between informal Cs and other actors (registered CSOs, private companies, donors)?
10. In your view, whose voice is being championed in these informal CS? Give reasons?
11. What has been the impact of informal CS efforts on service delivery and policy change/ formulation; citizen participation in decision making; and accountability of the council?

C. Semi-structured interview guide for various government functions (DHO, DEM, DPD, POLICE, DC, etc.)

1. Do you have service delivery charters and other plans that guide service delivery of your sector?
2. Does informal CS raise any development issues/concerns with your office? How often? What procedures do they follow?
3. How does your office respond these concerns or issues?
4. Describe the service delivery standards for your function?
5. How accessible is the information from your office? Mechanisms for publicizing the information?
6. What are the linkages between your office and the informal CS?
7. What has been the impact on service delivery and accountability of your office?
8. What are the challenges that affect responsiveness of your office?
9. Whose voice is being championed by the informal CS? Explain why?

D. Semi-structured question guide for political arm of local governance (MPs)

1. What are the linkage with MPs and other political leaders on matters of local service delivery (e.g. Education, Health, Water, Infrastructure development, Security)
2. Do they raise any development issues/concerns with MPs? How often? What procedures do they follow?
3. What forums are used for such purposes?
4. What are the challenges that affect responsiveness of your office?
5. Whose voice is being championed by the informal CS? Explain why?

E. Semi-structured question guide for non-state actors that work with the informal civil society groups

1. Describe the informal civil society? (Its objectives, activities, mechanisms used and the membership)
2. How are you linked? (relationships or partnerships)
3. What are the benefits of your interactions?
4. What are the challenges that you face in these interactions?