



HSRC
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Interim Technical Report to the IDRC

Reconciling Africa's Fragmented Institutions of Governance: A New Approach to Institution Building

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by

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The Pennsylvania State University
And

The Democracy and Governance Research Program of the Human Sciences Research Council of South Africa

Countries where research is being carried out and research teams:

Country	Team members	Institution
Overall management	Dr Kidane Mengisteab Dr Gerard Hagg Dr Ikubolajeh Logan	PSU HSRC PSU
South Africa	Dr Gerard Hagg Dr Pearl Sithole Dr Lungisile Ntsebeza Thamsanqa Mbele	HSRC HSRC Univ of Cape Town HSRC
Ethiopia	Dr Merera Gudina Dr Tesema Ta'a Woyessa	Univ of Addis Ababa Univ of Addis Ababa
Kenya	Dr Joe Keijah	KIPPRA
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Synthesis

Many African countries suffer from fragmented institutions of governance. This problem is manifested in the adherence of rural populations primarily to traditional institutions while the post-colonial state operates on imported institutions of governance, which are transplanted outside their cultural and socioeconomic milieus and often at odds with traditional African cultural values. As a result, modern institutions have been rather ineffective at preventing and managing sectarian conflicts and at promoting synergy in state-society relations. The incoherence and clashes between the traditional and modern systems have contributed significantly to Africa's crisis of state building and governance. Unfortunately, the acute need for reconciling Africa's fragmented institutions of governance has not received the attention it deserves. The proposed research aims to contribute to this important area of scholarship and policy.

The project has the following three specific objectives. The first objective is to document carefully the characteristics and attributes of traditional institutions, with emphasis on those that deal with (1) property rights and allocation of resources, (2) prevention and resolution of conflicts, and (3) participation in the process of decision making in general and participation of women in particular. The second objective is to examine carefully the documented characteristics under objective one to assess attributes that (a) overlap with and strengthen the principles and practice of democratic governance; and (b) that can contribute to the development of mechanisms for prevention and resolution of conflicts and thereby enhance a peaceful process of state building. The third objective is to explore how the attributes identified under objective two can be fused with modern institutions in order to create a coherent system of institutions, to examine how the fused institutions can enhance democratic governance and peaceful state building, and how it can be used to improve the plight of vulnerable segments of society, including peasant farmers, pastoralists, and women.

This first progress report reports on the research conducted during the first phase of the project, mainly consisting of a planning workshop in Pretoria (South Africa), literature reviews in the four countries, and first phase fieldwork in Ethiopia, Kenya and South Africa, which consisted of key informant interviews and focus group discussions. The report includes a generic question schedule which is being used in the interviews.

To date eight case studies in Ethiopia, Somaliland and Kenya have been completed. Fieldwork in South Africa is 70% completed and will be finalised by first week in September. Disbursements for all four countries' fieldwork teams have been made.

The initial feedback from the fieldwork indicates that the research is considered highly relevant and addresses key governance issues in the communities.

The research problem

Despite the fact that African countries have exerted much effort over the past four or so decades at crafting viable institutions of governance, most of them are still confronted with institutional crisis. Three different types of institutions can be identified. One type

This research project is financed by Canada's International Development Research Centre (www.idrc.ca).

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consists of the formal institutions of the post-colonial state, which are largely inherited from the colonial state or imported thereafter. The second type of institutions comprises of those inherited from the pre-colonial era of governance. These 'traditional' systems vary along the existed political systems (i.e. the centralized chieftaincy systems and decentralized village or kinship systems). A third type of institutions consists of the societal informal institutions (norms, customs, value systems and practices, which vary along ethnic or religious lines and modes of production (e.g., pastoralists and peasant farmers). This fragmentation of institutions, which represents separate socioeconomic spaces, has created a number of problems, one of which is that the different sets of institutions often clash with each other. Although broadly three types of institutions exist and the research team's understanding has not vastly changed, the literature surveys and initial fieldwork highlight the variation and complexities of the institutions and their relationships. The country and case studies show subtle to significant variations in the relationship between traditional institutions to modern ones. Clearly attributes and dynamics show a richness which is the result of varying national histories, their regional policy and legislative contexts, as well as tensions between the two systems, even where legislators intended to reconcile them.

Research findings

The literature survey results enabled the research team and particularly the fieldwork coordinators and assistants to focus the generic question schedule to be optimally applicable to the local context. In most cases the questions remained appropriate, but the answers show the richness and typicality of the local situations, often confirming the need to investigate the issues as expressed by local traditional leaders and other respondents. As the fieldwork in the four countries is still in progress, it is too early to draw any firm conclusions. Analysis of the fieldwork findings against the background of the literature survey, which will take place in the next six months, is expected to deliver exciting results.

Project implementation and management

Activity 1: Planning workshop

The research management team, eight representatives of the four country research teams, eleven experts from Southern Africa, and members of the Konrad Adenauer Foundation (KAS) held a three-day workshop from 17-20 February 2009 in South Africa. KAS funded part of the workshop including the participation of African research team members and Prof. Reinhart Koessler of the Arnold Bergstrasser Institut in Germany.

The workshop enabled the research team to fine-tune the project objectives and methodology. Although no major changes took place, the discussions enriched the team's understanding of the problems and challenges, increased the shared understanding of concepts and issues, and assisted in focusing the question schedules. It also opened opportunities for additional partnerships, such as the Dar es Salaam University and the Arnold Bergstrasser Institut. The IDRC was represented by Dr Njeri Karuru. A full workshop report has been submitted to the IDRC.

Activity 2: Literature Review

All four teams have been involved in literature reviews, together with the research assistants who will conduct the fieldwork. During the first stage, the literature surveys focused on legislation and policy environment in the case study countries. The literature surveys continue throughout the project.

Activity 3: Fieldwork

South Africa: Two case study areas have been selected. Initially the Bafokeng Tribe near Pretoria was selected due to its advanced social, political and cultural development, and its richness resulting from owning mining land. On the advice of the Research Director of the Royal House of Bafokeng, this community was substituted with two Xi-Tsonga communities near Giyani in Limpopo. Two female research assistants have been contracted for the fieldwork: a leader and her translator and organizer. The research assistant, who as an anthropologist had been working in the area for 20 years, has made agreements with local traditional leaders and elected local government for conducting the research. Fieldwork has commenced and the first 15 interviews have been completed. The second case study is Matatiele, where HSRC is using experienced fieldworkers who are also involved in another project on traditional leadership. Three focus group interviews and 60% of the individual interviews have been completed. In both cases the researchers receive good support and cooperation from all stakeholders. The fieldwork will be finalized by the end of August.

The project team is preparing a submission to the South African government for support and additional funding by GTZ (see below). The newly elected government has expressed a significant interest in the issues that are addressed in the project.

Ethiopia: The field works in the three selected sites of Ethiopia: Borana, Gambella and Gurage areas have been completed. No major incidents occurred in all the three areas except in the Gurage Zone where the local officials were somewhat reluctant to answer questions concerning the official side of the story. Even then, they have not obstructed our field work.

Kenya:

We have collected information from key informants as well as from focus group discussions in all the three sites in Kenya namely the Miji Kenda, the Meru and the Pokot people. We started from the Miji Kenda people in Coast Province where we spend ten days from July 5th to 12th. On July 16th we travelled to Meru where we spend another ten days interviewing various individuals and groups of people till the 24th. We then travelled to West Pokot to interview key informants among the Pokot people on the 9th of August and completed the field survey on the 18th of August. We spent ten days in each of the sites interviewing the following people/groups: administrators (District Commissioners, District Officers, Chiefs and their sub chiefs), Elders both for the chiefs and the community, magistrates, police chiefs, women and youth, Religious leaders, School teachers and other opinion leaders like senior citizens and cultural leaders. We have handwritten notes arising from our interviews and where possible we collected the information on audio recorders as well as video..

Somaliland:

The Somaliland fieldwork has started in Hargeisa on 22 July and two communities have been completed.

Ethics approval

The project has been approved by the Research Ethics Committee of the HSRC and the Office for Research Protections (PSU), and permission for research has been obtained in all four countries.

Management

The project is managed by the HSRC involving the project manager Dr Gerard Hagg, project administrator Zama Koba, with support from units in the HSRC. In the PSU the project is managed by Dr Kidane Mengisteab, with involvement of administrator Jennifer Hillebrand and several sections in PSU. In both institutions all legal issues are vetted by legal departments.

The project is on track in terms of original planning, although some bureaucratic complexities were experienced. Particularly the finalization of the Memorandum of Agreement between the HSRC and PSU took more time than anticipated as a number of legal issues pertaining to international agreements between institutions delayed the signing and transferring of disbursements to PSU. However, the team was able to catch up with this backlog and the original timeline will be achieved.

Costs of fieldwork

It is clear that the costs of fieldwork are much higher than anticipated. The main reason is the amount of time spent in the field, as most key informants are illiterate and communities want to be informed before the interviews start. There is also sensitivity among leaders about the research, due to the impact of democratically elected leaders and their administrations on traditional institutions. The team is investigating ways to retain expenditures, but without compromising the validity of the research.

For the second 6-month term of the project, the following activities have been scheduled:

1. Finalisation of the fieldwork (key informant and focus group interviews) by 10 September and writing of fieldwork reports 15 Sept.
2. Continuation of the literature review
3. Analysis of the data from the first stage will be undertaken between September and November
4. A workshop for discussion of the data analysis of the first stage of field work will be held in December or January, in Nairobi. The KAS branch in Nairobi has been approached to fund this workshop.
5. Negotiations with the German development funder Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) in order to obtain funds for extending the project in the four countries, and possibly adding Ghana and Tanzania.
6. Negotiations with the Department of Co-operative Governance and Traditional Affairs in South Africa, for support and additional funding.

Disbursements

This research project is financed by Canada's International Development Research Centre (www.idrc.ca).

The HSRC has made the following disbursements in the first period of the project, which constitutes % of the funds received from IDRC (dated 1 December 2008). See Financial Report in separate document.

Income: CAD143,000, conversion value

ZAR1,144,852

Expenditures:

Personnel HSRC

Disbursements HSRC:

Disbursement to PSU:

Total ZAR

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The only significant deviations from the original budget are the expenditures for fieldwork in Ethiopia, Somaliland and Kenya.

Forecasted expenditures for the second 6-month term

Item	Original budget	Revised budget	Variance
Personnel			
HSRC			
PSU			
Consultants			
HSRC			
PSU			
Travel staff			
Training			
Research expenses			
Direct costs			
Indirect costs			
Total			

Problems experienced in funding

The project experienced much uncertainty in its funding due to the volatile foreign exchange between the CAD and the ZAR, and subsequently to the US\$. At the end of the first 6-month term the exchange rate became more favourable due to the global economic problems and their impact on the US\$. However, this may change over time.

In addition the costs of fieldwork in Ethiopia, Somaliland and Kenya proved to be higher than originally estimated. Originally US\$47,000 was budgeted, while ultimately the costs will be around US\$100,000. HSRC and PSU are approaching several donors and successful

applications may alleviate this situation. As agreed with IDRC, the financial situation and any losses due to foreign exchange rates will be reported at the end of the second term.

Project outputs and dissemination:

For the first six-month period project output and dissemination was limited to the February 2009 workshop report, which was placed on the HSRC website and disseminated to interested parties. It is also used in fundraising.

For the second six-month period the team will produce a draft analytical report based on the literature reviews and fieldwork. This report will be finalized after the workshop in Nairobi, January 2010.

The KAS, which focuses on dissemination, has funded part of the first planning workshops, and has also informed its stakeholders through its newsletter.

Impact:

Although impact based on research findings cannot be determined at this early stage, the project teams have been welcomed in all communities as well as by stakeholders at various levels in government. For example, the traditional leaders in Giyani, South Africa, highlighted the urgent need for this research in view of pending legislation and policy changes in government. Local elected government also indicated that although legislation had been promulgated it seldom addresses the realities on the ground, and they hope that the project will contribute to clarify what types of legislation and policies are needed in South Africa.

Recommendations:

At this stage we recommend only that recipient organizations are encouraged to discuss the legal requirements of an inter-institutional partnership at the earliest stage, for example when a project has in principle been accepted by the IDRC.