

**“ETHICAL LOCAL GOVERNMENT”
THE MOMBASA EXPERIENCE**

by NAJIEB BALALA (FORMER MAYOR OF MOMBASA, KENYA)

ETHICAL LOCAL GOVERNMENT

Mr. Chairman, Your Excellencies, Distinguished audience, ladies and gentlemen

I feel greatly honoured to have been invited to participate as one of five international panellists in a session devoted to “Ethical Local Government” at this Conference. This is a subject very close to my heart and I have as a result gained a measure of notoriety in my home country Kenya for having charted out a course and paving the way for a transparent and accountable system of Local Administration as the Mayor of Mombasa. What happened to me is a testimony of the extent of corruption that has permeated Local Authorities.

True democracy starts and ends with local government whichever way one looks at it. The status of the Local Authorities also reflects on the status of the Central Government. Consequently if Local Authorities are poorly managed, corrupt and ineffective then the Central Government will invariably display similar traits.

I was elected Mayor of Mombasa in early 1998 and I resigned on a matter of principle from office in early 1999. Notwithstanding the short duration of being a Mayor I believe I had amassed substantial experience on urban governance from my active involvement in the Management of the Local Authority. Within this short period of introducing responsible transparent and accountable management I was able to light the candle of hope and the sense of pride amongst the residents of Mombasa whom had but given up. In return for all my efforts and sacrifice I was hounded out of office because of my steadfast refusal to be compromised. Initially I was patient and diplomatic and believed in my self and in my vision to transform and effect changes at the local level. However as time progressed, frustration and character assassination continued un-abated, the message was quite clear “the System” was not ready for responsive governance. I concluded that patience is passive, resignation is active and I therefore called it a day.

A cursory visit to any of the Local Government Authorities Offices in my country is a lesson in just how badly corruption has been allowed to set in almost all the country’s Local Administration whose justification for existence seems to have been lost as soon as they were set up. However, most of Kenya’s urban centres have witnessed a dramatic growth in population but there has not been any remarkable growth in capacity of Local Authorities to effectively respond to emerging challenges with regard to service delivery and managing urban growth and development.

No wonder many Kenyans would be more than happy to see the abolition of most of the authorities because councillors are more concerned with grabbing of land, kick backs from briefcase suppliers and pursuing their own selfish interests rather than delivering

any services. The up-shot of all this is that:

- roads and sewers in most Kenyan cities and towns are in appalling state of despair;
- Local Authorities Offices are in a shameful state of disrepair;
- Garbage piles are a common phenomenon, uncollected refuse left to rot away as fowl air and disease is unavoidable;
- Educational and Health Services provided by such Authorities are for lack of a better description “deplorable”;
- The local Authorities have been stripped of all their income generating and other valuable assets which have been dished out to secure political favours and to sycophants of political big-wigs, and thus steeped in debt;
- Workers lack morale and initiative to work –

I can confidently state that there is no Local Authority in Kenya which pays its workers on time and all of them are indebted to workers as they deduct certain statutory deductions from the workers emoluments but yet fail to remit these as appropriate. Currently, all that workers need are powerful political godfathers as protectors, this leads to corruption and nepotism;

Local Authorities are presently engaged in a destructive battle for power that is eroding the capacity of its councillors to manage their own affairs for the common good of their constituents.

Anarchic situation prevails in most Local Authorities; The central Government exerts control over Local Authorities through the appointment of Chief Officers such as Town Clerks, Town Treasurers, Chief Engineers etc and other controls introduced through the Local Government (Amendment) Act of 1984.

Through a combination of legal and extra legal means and manipulation, the Central Government virtually paralyse the operations of most Local Authorities —For example the Kenya Government condemned the Nairobi Action Plan in 1993 and prevented its implementation. There is apathy among the citizens owing to lack of awareness. This is because of lack of deliberate efforts/mechanism of empowering the citizens through civic education and promoting access to information which is often be termed as “classified”.

Poem extracted from the book 'Pity the Nation'
By Khalil Gibran.

Pity the Nation that is full believe and empty of religion,

*Pity the Nation that wares a cloth it does not weave eats a
bread it does not harvest, drinks a wine that flows not form
its own wine press,*

*Pity the Nation that acclaims the bully as a hero and that
deems the glittering conqueror bountiful,*

Pity the Nation the despises a passion in its dreams yet

submits in its awakening,

*Pity the Nation that raises not its voice save when it walks
to the funeral, boast not accept among its ruins, and will
rebel, not save when its naked is laid between the sword and
the block,*

*Pity the Nation whose statesman is a fox, whose
philosopher is a juggler and whose art is the art of
patching and mimicking,*

*Pity the Nation that welcomes its new ruler with trumpeting
and farewells him with hooting, only to welcome another
with trumpeting again,*

*Pity the Nation whose sages are dumb with years and
whose strong men are yet in the cradle.*

*Pity the Nation divided into fragments, each fragments
deeming itself a Nation.*

Given the foregoing scenario on Local Government performance, can it be described as ethical? Does the scenario reflect a lack of capacity to effectively govern and manage the urban development process. It is a reflection of lack of vision and therefore lack of a driving force for the council leadership and bureaucrats.

Overall, it is safe to attribute the current situation to characteristics of Local Government institutions, that are not responsive to public demands (wishes), and where the wishes of council politicians and bureaucrats carry the day at the expense of the tax payer and the poor voter.

As we approach the new millennium, I am sad to report that there is very little we can show to be proud of and to quote one of our prominent African Writer - Chinua Achebe's famous novel title "Things fall Apart" is an apt description of the current status of our Local Authorities.

In my view, the challenges facing African Local Authorities is to address and resolve the following fundamental issues: -

- i) Majority of residents are excluded from having a say in the running of the Local Authorities - this is as a result of the conflicts and contradictions in the management of Local Authorities which are rooted in a system that excludes the majority of the populace from civic recognition and in effect reduce them to mere spectres beyond paying taxes and electing councils -We have to democratise and operate in a transparent and accountable manner.
- ii) Majority of residents are excluded from having access to land and where they live in slums, city and town planners fail, neglect and/or refuse to extend services to them;

- iii) Tribalism which I believe is exploited by lack-luster politicians to divide the people has to be overcome -Diverse groups are pitted against each other, which impedes against social sustainability of Local Authorities;
- iv) Proper planning and observance of the rules and regulations of the Local Authorities in all its spheres of operations. None observance of proper planning and procedures have transformed most cities in Africa into exalted ghettos. For example, it is common knowledge that in African Cities and Towns most residents walk to work and yet in some cities there is no provision for footpaths.
- v) Improved efficiency and recruitment of competent staff should be a goal for all Local Authorities across the spectrum. Employment should be subjected to competitive advertising through an independent recruitment body;
- vi) Better Urban governance should result from the strict application of the following two main pressures : Target accountability and monitoring; And Competition and privatisation. African Local Authorities will have to set or be set tough targets (institutional framework for assessing performance) and will have to publish details of their performance.
- vii) Last but not least we should have less laws for I am an ardent believer of the adage that “the more corrupt the state, the more laws”

Therefore the present scenario depicting a non-responsive and non-accountable Local Government cannot be sustained much longer. Citizens must as a right get value for money (taxes). Equally, Local Government must as a matter of moral obligation justify its existence by improving services to its public.

We can still turn things around, if we believe in ourselves, believe in our abilities and most of all if we resolve to change and institute ethics as the basis of our operations. There couldn't be a better time to resolve than now as we are approaching the end of one millennium and leaping into a new millennium.

In conclusion, my vision of an ethical Local Government so one that is responsive, accountable and has a drive to mobilise economic resources for the common good of the citizenry. This is however possible if only all of us start by acknowledging that absence of ethics, breed corrupt tendencies that in turn erode the moral fabric of every society

I had a vision, and I still have the vision that I believe is shared by many Kenyan compatriots to turn my city of Mombasa into an economic hub where residents interests will be paramount and responsible ethical urban governance the goal for the Local Authority.

Thank You.