

Comments on Decentralization in Cameroon

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Abstract: Decentralization can be a driving force for development, democracy, and better government in Cameroon; but the recent decentralization reform seems unlikely to achieve its promise without some further reforms. It is suggested that the system for popular election of municipal councils should be changed to an open-list proportional representation system. Where higher officials of municipal and regional governments are indirectly elected by municipal councillors, the municipal councillors should also have power to recall and replace these officials. The powers of the centrally appointed prefects and governors should be limited to monitoring and advising their municipal and regional councils.

The potential benefits of democratic decentralization

Cameroon's Decentralization Law of 2019 asserts that "decentralization shall constitute the basic driving force for promotion of development, democracy and good governance at the local level" [DL Section 5]. I would emphatically agree that decentralization can be a driving force for development, democracy, and better government for the people of Cameroon.

Unfortunately, I have enough concerns about key provisions of Cameroon's Decentralization Law and Electoral Code that I cannot be optimistic about the realization of this great potential. To have real hope of achieving the promise of this sentence, I would suggest that some points in the Decentralization Law and the Electoral Code may need to be amended. I will try here to summarize the most important of these points.

First, however, let me say something about why a decentralization reform may be essential for successful democratic development. In Cameroon's history, federal decentralization has often been viewed mainly as a way of accommodating the special needs of the regions that are home to the Anglophone minority. But decentralization is not just for members of some regionally concentrated minority groups. Decentralization can be beneficial for people in every part of Cameroon. Devolving substantial powers to autonomously elected local authorities can benefit people both by improving the performance of government at the local level and by strengthening democratic competition at the national level. Both of these benefits deserve some discussion here.

A poor community can mobilize its resources for public investments that are essential for its economic development, but only when members of the community are coordinated by local leaders whom they trust to appropriately reward contributors and discipline free-riders. Such

trust can be expected only with leaders whose authority is based in local politics. Local officials whose positions depend on national political patronage are inevitably less concerned about developing trust among the residents of a small poor community. Thus, the performance of local government can be improved by the devolution of power to autonomously elected local leaders who will manage the provision of local public goods with effective accountability for serving their communities.

The establishment of autonomous local authorities can also improve the performance of democratic government at the national level. Successful democracy requires more than just elections. For democracy to be effective, voters must have a choice among qualified candidates with proven records of public service who have developed good reputations for exercising power responsibly in elected office. This essential supply of trusted democratic leadership can develop best in autonomously elected local authorities, where successful local leaders can prove their qualifications to become strong competitive candidates for higher office. When locally elected leaders have full responsibility for both the successes and failures of local government, then those who succeed will enlarge the nation's vital supply of popularly trusted leaders. In effect, democratic local governments can reduce barriers against entry into national democratic competition. Economists understand that barriers against new entrants are key determinants of the level of profit-taking by suppliers in any imperfectly competitive market.

Every nation's political development must depend on its own traditions and culture; but for the quality of government, the most important aspect of culture may be what people expect of their leaders. In a nation where history has led people to expect that any political leader would maintain a corrupt patronage network that serves itself more than the rest of the population, this low expectation is likely to be fulfilled. For democratic competition to actually benefit the public, people must somehow come to expect better public service from those whom they will recognize as their leaders. But an incumbent national leader has no incentive to raise voters' expectations, and voters have no reason to believe promises of better government from a candidate who has never exercised public power. An incentive to raise expectations can be combined with the potential to do so only when voters allocate power at two or more levels of government, so that elected officials at lower levels can hope for election to higher office if they demonstrate an ability to serve the voters better. This may be the most important argument for federal democracy, which has a balanced distribution of power between the elected national government and autonomously elected local authorities.

However, an established national leader might not want to face competition from local leaders who have proven their ability to provide better public service. So we should not be surprised if an incumbent president's approved decentralization system would actually not encourage the development of popularly trusted local leadership, which should be the most important goal of a decentralization reform.

For historical comparison, we may note that the national leaders who wrote America's Constitution in 1787 had no realistic option of limiting the opportunities for autonomous political leadership in the provinces, because effective democratic governments had been established in the 13 provinces over a century before the creation of national government in America. I would argue that the greatness of America has depended primarily on this fact, that America's provincial governments were established first, so that the decisions about what powers should be transferred to the new national government were directed by provincial leaders [Myerson 2015a, 2015b]. In Cameroon today, however, reforms for a federal redistribution of power must go in the opposite direction, from national to local, and the incumbent national leadership has directed the decisions about what powers may be transferred to the new local governments of regions and municipalities. So a resulting weakness of local political institutions might not be surprising, but the people of Cameroon should know that they deserve a better decentralization reform.

In any reform of political institutions, the ultimate results may depend on many structural details, and we should now try to review the most important of these. The new local political system in Cameroon establishes institutions of local government at two levels, in local municipalities and in the regions. The nation is divided into 10 regions, and there are about 360 municipalities. Between the local municipalities and the regions, each region has been administratively divided into between four and ten divisions (or departments), and there are 58 of these divisions in the nation. Let us now consider these key elements of the new local political system: the popular election of municipal councillors, the indirect election of municipal mayors and regional councillors, and the central supervision of local governments.

The popular election of municipal councillors

The election of local municipal councils is the only mechanism for democratic political accountability in this local political system. The local mayors and the regional councillors are indirectly elected by the municipal councillors, not by the general population of voters. So any hope for the promotion of democracy in this decentralization system depends completely on the

election of municipal councillors, as no other local officials are accountable to the voters.

The Electoral Code specifies that each municipality (depending on its population) must have between 25 and 61 councillors, who are elected by the voters for a term of 5 years. Each municipality constitutes an electoral constituency, and voters must vote for a list of candidates without indicating any preference for individual candidates. If one list obtains an absolute majority of the local votes then it wins all the council seats; otherwise the list with the most votes gets a majority of the local council seats, and the remaining seats are distributed by proportional representation among the parties that earn at least 5% of the vote. For any list that earns a fraction of the council seats, these seats will be assigned to its listed candidates according a priority order that has been specified by the leaders of the party that sponsored the list. [EC Sections 169-173.]

The majority party getting all of the local council seats is a bad idea. It is valuable to have at least some minority members in the council, so that they can raise questions about ill-conceived policies. It would be better to allocate all the council seats by proportional representation, perhaps with a provision that the list with the most votes should have its share adjusted up to a minimal majority of the council if their proportional share would be smaller (to ensure there is a responsible one party with a working majority in the council).

But the main fundamental problem in this local political system is that the voters are not given any opportunity to express their approval of any individual candidates. The vital benefit of decentralization for democracy should come from the cultivation of popularly trusted leaders in local government, but this benefit vanishes when voters can only vote for a long list of candidates and cannot indicate anyone whom they would particularly trust.

This system might appear to have been designed for the convenience of the top leaders of the strongest national parties, whose power to choose their parties' lists means that they could determine the governing coalitions in most local councils. But this electoral system is actually problematic even for a top national leader. He cannot personally know more than a small fraction of the individuals whom his party will nominate for the over 10,000 seats in municipal councils throughout the country, and so the selection of local lists must be effectively delegated to lower party officials at the regional or divisional levels. If the voters had any ability to indicate a preference among the candidates on his party's list, then the election results would provide some information for the national leader about which of his party's local candidates were actually helping the party to earn the trust and support of voters. But without such electoral

feedback, the national leader can only rely on the judgement of lower-level party organizers, who will effectively control the municipal councils of their region. Municipal councillors from the dominant party will understand that their personal positions really depend neither on the voters nor on their top national leader but on their regional party boss. This is a recipe for local government that serves the interests of powerful regional elites, with only minimal supervision from above or below.

In principle, a major party that fails to nominate popularly trusted candidates could begin to lose support among the voters. One possible result is that this local political system could increase the appeal of regional parties, whose top political leadership might have more local knowledge about how to identify candidates who are respected in their communities.

However, a national party that is committed to democracy could counter the ill effects of this local political system by creating its own system of primary elections, where local party supporters could select and order their local party lists. In each municipality, the national party could try to recruit a preliminary list of potential candidates with substantially more names than seats in the local council, and then local voters who have paid their party dues could be asked in the party's primary to indicate their approval of one or more names in this preliminary list. Then the party's list for the local election could be composed of the primary candidates who were approved by the largest numbers of local primary voters (subject to any diversity constraints), and the list could be ordered according to the candidates' popularity in this primary election. By applying such an internal system of local democracy to formulate a list of candidates with proven local support, a national party could expect to attract more voters in the final election for local councils. Then pressures of democratic competition might motivate other parties to introduce their own democratic primaries for local candidates.

But instead of waiting for parties to develop their own institutions of local democracy, it would be better to reform the official decentralization system. I would strongly suggest that, in the municipal council elections, voters should be given an opportunity to indicate one or more individual candidates whom they particularly approve within the list of the party that they support. Then the municipal council seats should be allocated to parties in proportion to the total electoral support for their lists, and each party's seats should be allocated to its candidates who were individually approved by the largest numbers of voters for the party. Such a system is called *open-list proportional representation*, and it is used in many countries.

The indirect election of mayors and regional councillors

Under Cameroon's decentralization system, the councillors must vote to elect their mayor at the first meeting of a newly elected municipal council. The mayor is to be elected by a two-round majority vote in the council, and then the mayor is to serve as the council's chief executive for the same 5-year term as the council [DL Sections 197-203]. The municipal councillors also elect representatives to the regional council for a 5-year term, voting together with other municipal councils in their division to elect a list of representatives to the regional council [EC Sections 245-250, 266]. (Divisions may differ in the number of regional council seats that they are assigned and in the number of municipal councils that they contain, but the national averages are about 6 local municipalities per division and about 12 regional council representatives per division.)

In 2001, Pakistan instituted a similar system of indirect election where local councillors elected mayors and representatives to higher-level districts, and I have been told by observers that they had never seen such corrupt elections. It might seem that such indirect elections were just like a local version of the standard parliamentary system, where the prime minister is indirectly elected by the popularly elected members of the national assembly, but there is a fundamental difference. In a standard parliamentary system, the members who elect the prime minister can also recall and replace the prime minister at any time later. But in Cameroon's local political system, as in Pakistan's local government system of 2001, the local councillors have no power to replace the higher officials whom they have elected. This distinction greatly increases the potential for corruption. When the power of indirect election includes a power to replace the elected official later, electors who corruptly sell their votes cannot be prevented from subsequently voting to replace the official by someone whom they actually prefer; and so corrupt vote-buying becomes much more difficult. Thus, I would suggest that Cameroon's decentralization system should be amended to add some provision by which local councillors could replace their elected mayor or their divisional representatives to the regional council.

The central supervision of local governments

Cameroon's Decentralization Law promises that the municipal and regional authorities will be given the powers necessary to promote local development, along with the resources and means necessary to exercise these powers. Indeed, the Law specifies that funding for these local authorities must be at least 15% of government revenue [DL Sections 17, 21, 25]. It is worth

noting that Kenya's decentralization law in 2010 also guaranteed that at least 15% of national revenue would be distributed to local authorities; but after the first county governors were elected in 2013, they joined together and successfully lobbied for more than doubling the counties' share, to 32% of the total public budget, and this gave Kenya a decentralization of public financial resources that is similar to many successful nations in Europe and North America. So there is good reason to hope that institutions of decentralized democracy can become politically robust once they have been guaranteed some minimal share of power. All the potential benefits of federal decentralization depend on local governments getting the resources that they need with a system of public funding that is transparent and reliable.

However, Cameroon's Decentralization Law contains provisions that counter the promises of autonomous exercise of power by local authorities in the municipalities and regions. The local authorities are promised the right to freely recruit and manage their staff, in accordance with the law, but the local public service is regulated by decrees of the nation's President. Furthermore, the secretary-general of a region, who handles the business of the region under the authority of the regional council, is appointed and dismissed by the national President [DL Sections 22, 323]. Most importantly, representatives of the national government have extensive powers to supervise the local municipal and regional authorities. Regional councils are supervised by the presidentially appointed governor of their region, and municipal councils are supervised by a centrally appointed senior divisional officer or prefect. A municipal or regional council must get prior approval from this supervising representative for all budgetary authorizations, international cooperation agreements, loans, and regional development plans [DL Sections 72-77]. It is hard to find anything of consequence that the local authorities can do without the permission of the centrally appointed supervisor. Elected officials of the local authorities can appeal their supervisor's disapproval to an administrative court, but these courts are also appointed by the President [DL Section 79].

It would be better, I would suggest, if the powers of the centrally appointed prefects and governors were limited to monitoring and advising their municipal and regional councils. Any objection that a prefect or governor may have against a local council's actions should not prevent the action unless the objection is sustained by an appropriate court.

The ability of national leaders to quietly prevent the local elected officials from doing anything, simply by withholding the required approval, raises a serious danger that the promises of decentralization could be nullified whenever actions by local elected officials seem

inconvenient to national leaders. We should recognize that, when local elected officials can provide better public services to their communities, a potential comparison with disappointing services of the national government could itself be a motivation for national leaders to raise objections. So there must be some effective mechanism for defending the promises of decentralization against the threat of excessive central regulation.

Effective decentralization has been promised to the people of Cameroon, and the ultimate defense of decentralization may be in the court of public opinion. So when the efforts of elected local officials to serve their communities have been frustrated by restrictions from a centrally appointed supervisor, the local officials should have an option to appeal to the broader court of public opinion in the nation and the world. In this regard, however, it is extremely troubling that the Decentralization Law includes a provision that requires local officials to abstain from any public statement or demonstration that would discredit national institutions [DL Section 146]. People's hopes for the potential of decentralization in Cameroon may depend on an agreement that such provisions should never be used to punish local elected officials for publicly criticizing decisions of their central supervisor.

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