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Decentralized governments: local empowerment and sustainable development challenges in Africa

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Abstract

This study examines the extent to which decentralization is being utilized as a vehicle for sustainable economic development outcomes at all levels of governance in Africa. Research shows that decentralization is missing the triple-bottom line of sustainability: economic, social and environmental prosperity that meets current needs and does not take away from future generations in regions settled by indigenous communities. In this study, selected peer-reviewed literature and reports from conservation organizations on decentralization are analyzed. This research explores ways decentralization can be integrated with sustainability to minimize the short-term and long-run consequences of human actions on the environment at local levels. Factors enabling local sustainability—the legal structures, mediating factors and the decision-making sphere—are used to identify sustainability processes and activities in the governance and decentralization outcomes. This study is guided by the argument made by the United Nations in Agenda 21 and the 2030 Agenda that local governments are best placed to implement sustainability through the development of programs that educate and engage with local communities. Under these circumstances, the best avenue to advance sustainable development initiatives is through the framework of decentralization in order to produce durable economic outcomes, minimize civil disputes and improve the living standards of local communities. The results demonstrate that there are no concrete national initiatives that have been developed to date to promote sustainability within the decentralization framework.

Keywords Decentralization · Indigenous communities · Local government · Implementation · Sustainability · Agenda 21

1 Introduction

The search for more efficient public service delivery is an ongoing exercise carried out by all countries. Many countries have settled for decentralization as one of the efficient modes, although some studies argue that it may not be a panacea for all development

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challenges (Crawford and Hartmann 2008). Governments all over the world continue to pursue political and administrative decentralization with the aim of transferring power and greater responsibility to local governments. With more power and responsibility, local governments are expected to respond to local economic and social development needs more effectively (Smoke 2015a, b; Okojie 2009). Local governmental powers can be exercised through the ability to regulate and direct public and private businesses and create a conducive environment for businesses to thrive in ways that benefit local communities and the environment (Sutinen and Kuperan 1999).

Decentralization is examined from the perspective of the United Nations in Agenda 21 and the 2030 Agenda because these agendas advocate an action plan for the development of effective, accountable and transparent institutions at all levels of government for sustainable development (SD). The 2030 Agenda is an improvement of Agenda 21 and brings into focus the development problems faced by current governments, such as rural poverty, conflicts, health epidemics and deterioration of natural resources. The delivery and implementation of SD are effected through governments but should be spread across all stakeholders, working in solidarity with communities and people in the most vulnerable situations (UN 2015).

However, studies continue to uncover unfair business practices in resource-rich regions, marginalized and within vulnerable communities that contradict the spirit of SD (Franco and Ali 2016; Kumar et al. 2015). This study explores ways sustainability can be integrated with decentralization to minimize short-run and long-run negative consequences of human actions on local communities and the environment. Because of continued unfair business practices often supported by local and national governments (Onditi 2019; Franco and Ali 2016), adoption of SD into decentralization would require a paradigm shift in both accountability and power sharing between all stakeholders. How that paradigm shift would like is beyond the focus of this study.

Decentralization outcomes, especially in resource-rich regions, have not shifted the power equilibrium from business elites that have captured local governments to ensure equity in the use and distribution of benefits from local resources (Kumar et al. 2015; Wever et al. 2012). Many local communities are still excluded from the decision-making frameworks and access to resource rents (Kumar et al. 2015). This leads us to ask the following question: to what extent have national governments incorporated sustainability initiatives within the decentralization framework to benefit local communities and the environment? To answer this question, it is important to understand that local community decisions are a function of the power exerted on them by powerbrokers (Shafritz et al. 2005, p. 322; Crook 2003). Local communities need more than mere participation in decision making; they need capacity and support to manage local resources to ensure equity and justice in the distribution of benefits and sustainable use (Kumar et al. 2015; Wever et al. 2012).

Few studies have examined decentralization and SD outcomes as well as local power imbalances in decision making regarding the use and distribution of the benefits of local resources. Most researchers have examined the success of decentralization from the perspective of purely political and administrative outcomes, such as the power of the central government, citizen participation, improved revenue sharing between national and local governments and the development of local political structures (Chanie 2009; Smoke 2003; World Bank 2003; Crook 2003).

We examine and analyze existing research to determine the extent to which decentralization has an SD impact on the lives of rural and marginalized populations using two case studies: the Maasai and Ogoni indigenous communities from Kenya and Nigeria,

respectively. It is through existing research that we can find out if ongoing decentralization includes SD policies. The Maasai people are a pastoral community that lives in the highlands of east Africa, while the Ogoni people are an agricultural community that lives on the coastal plains of Nigeria. These two communities provide ideal indigenous locations to examine how decentralization addresses the challenges facing SD implementation in Africa. While decentralization is defined as giving power and authority to local communities, there are enormous disparities of wealth and power as well as very high rates of natural resource degradation (Cabral 2011) and the appearance of land dispossession in these two regions (Olabisi et al. 2017). Among the factors enabling local sustainability (Tacconi 2007), the legal structures, mediating factors and decision-making sphere are used to identify sustainability processes and outcomes. In addition, local government development programs that usually take the form of one-size-fits-all should be successful in homogenous communities and should meet their needs without many problems (Nabben 2011).

1.1 United Nations sustainable development framework

The United Nations has proposed two frameworks related to SD. The first one, Agenda 21, was developed in 1992. The basis for action under the United Nations "Agenda 21" is that many problems and solutions have their roots in local activities. Analysis of how indigenous communities navigate between power imbalances, government policies, cultural values and sustainable development is a good basis for examining sustainability at local levels. Local authorities in each country should be encouraged to implement and monitor programs that ensure that marginalized groups are represented in the decision-making, planning and implementation processes (UN 1992).

The 2030 Agenda for Sustainable Development was formulated in 2015 and provides a good basis for examining decentralization processes. The Agenda states that "*eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development*" (UN 2015). This study is grounded in two studies of two indigenous communities where local government policies, legislation and capacities to guide stakeholder activities have affected and will continue to affect sustainable development outcomes. The 2030 Agenda advocates for "*a sustained inclusive and economic growth where wealth is shared and income inequality is addressed. It aims to promote people-centered economies, promoting youth and women's economic empowerment and decent work for all*" (UN 2015). Governments, both national and local, are key to providing an environment conducive to realizing such outcomes. Decentralization, by enabling local governments to take the lead and direct all stakeholders involved in local economies, is therefore a central policy issue.

1.2 Different forms of decentration

Decentralization was a governance framework advanced by the World Bank and the International Monetary Fund under the Structural Adjustment Programs in Africa (Heidheus and Obare 2011; Eaton et al. 2010; Brosio 2000). Decentralization has several definitions depending on what it encompasses. Many studies define it as a political, administrative and fiscal transfer of power from national to local governments (Fatile and Ejatonibu 2015; Eaton et al. 2010). There are six forms of decentralization: devolution, deconcentration, delegation, privatization, top-down principal agency and bottom-up principal agency (Smoke 2015a, b; Hope and Chikulo 2000). Devolution is the form of decentralization that

has been implemented in both Kenya and Nigeria. It involves granting decision-making powers and full responsibility to local governments without reference back to the central government. Devolution is the strongest form of decentralization and offers local governments full discretion and broad policy guidelines under which to implement programs (Hope and Chikulo 2000). Devolution governance encompasses administrative and political decentralization.

Administrative decentralization is an exercise of a set of powers to regulate, allocate resources and sanction through penalties for noncompliance or incentives to comply with desired public preferences. In regard to sanctioning noncompliance, many local governments are unable to enforce laws to ensure equity in the use and distribution of benefits from local resources. It is through enforcement of laws that institutions are held accountable for their actions. There are two forms of accountability; public and social accountability.

Political decentralization is the increase in local political influence and participation in decision-making spheres. Through political decentralization, local jurisdictions are given powers to make laws and policies that support local needs and economic development (Fatile and Ejatonibu 2015; Okojie 2009). This represents the concept of power sharing between the central and local governments, and it involves political representation and participation in decision making (Lane 2003).

We will briefly explain the other forms of decentralization. According to Hope and Chikulo (2000), deconcentration is the least common form of decentralization and involves the passing down of selected administrative functions to lower levels of government. Delegation is the transfer of specific authority and decision-making powers to other organizations that are indirectly controlled by government, such as parastatals, but the central government retains the right to overturn decisions made. Privatization is the transfer of the responsibility for public sector program delivery to the private sector. It is designed to encourage private sector participation in the provision of public services and is implemented through contracting or concession arrangements. The top-down principal agency decentralization arises when local governments take the responsibility to implement programs but under the control and supervision of the central government. The bottom-up agency arrangement is the exact opposite of the top-down decentralization.

2 Literature review

2.1 Indigenous communities in Africa

Indigenous communities are an ideal group to consider when examining SD and the pitfalls of decentralization in Africa. Indigenous communities across the continent not only live in very biologically rich and diverse places, but they have also been marginalized economically under a centralized governance system, through resource-use disputes and nonrecognition of land rights (United Nations 2009). They stand to lose the most if natural resources are degraded in a decentralized system, when they have no equal voice in the decision-making sphere and when other stakeholders pay no attention to sustainability (United Nations 2009). Ongoing research continues to find a negative relationship between resource abundance and local poverty (Onditi 2019; Loayza and Rigolini 2016). Governance policies and initiatives that do not support the sustainable and equitable use of natural resources have driven many of these communities towards unending violent conflicts with other stakeholders and increased vulnerability to climate change impacts and other natural

shocks. This study identifies key factors that could level the playing field for the civil society, private and public sectors and incentivizes all levels of government to ensure equal access to the benefits of local resources (Franco and Tracey 2019).

2.2 Factors that determine sustainability

2.2.1 Legal structures

Through decentralization, local governments should be empowered to facilitate formal negotiations among all stakeholders in the management and use of resources, settle disputes, adjudicate conflicts when they occur and try to prevent conflicts from occurring (Senewo 2015). The legal framework levels the playing field in situations where stakeholders of an issue do not have equal voice or power and, hence, the more powerful can easily trample on the less powerful and voiceless. While SD is framed as development that meets the needs of the current generation without compromising the ability of future generations to meet their needs (Seghezzo 2009), the current use and sharing of environmental resources in many regions is fraught with pervasive and intractable disputes (Onditi 2019; Castro and Nielson 2001). Legislation and agreements that draw clear boundaries with consideration of the socioeconomic, intergenerational and transactional effects of stakeholder decisions are critical to move society towards the sustainable use of resources.

2.2.2 Mediating factors

Mediation is a structured process centered on dialogue to bring consensus around sustainable solutions that serve the interests and needs of all stakeholders (Caser et al. 2017). Mediating factors go beyond the court systems and economic and political interests to develop a framework for formal participation and true collaboration between all stakeholders. Mediating factors are essential for the success of a decentralized governance system. As explained in the 2030 Agenda, mediation involves extending the dialogue to all available technical and nontechnical knowledge as well as the values and interests of stakeholders to ask for their contribution to the decision-making process (UN 2015). Such a dialogue leads to improved participation in and legitimacy of final decisions, promotes accountability and minimizes disputes between local communities, local governments and the private sector (Caser et al. 2017).

2.2.3 Decision-making sphere

In settings where there are a variety of conflicting interests in the use of resources, there should be an appropriate balance of power between private and public interests in decision making (Caser et al. 2017). The use of the same resource for different purposes by different stakeholders creates competition, incompatibility of use and sometimes dispossession for some stakeholders (Caser et al. 2017). This is clearly displayed in the two case studies; the Maasai want to use their land for pastoral activities, while the national and local governments have greater interest in tourism activities, and private sector entities want the land for commercial wheat farming. In Ogoni land, almost the entire area has been converted from agriculture to commercial oil production and exploration. This region continues to experience some of the worst resource-use conflicts in Africa.

2.3 Decentralization, resource use and resource management

Many rural and resource-rich areas are characterized by underdeveloped conditions that prevent effective stakeholder collaboration, participation and access to the use and benefits of local resources (Franco and Tracey 2019). The motivations driving priorities for decentralization include the transfer of responsibilities to local levels, promotion of economic opportunities, empowerment of local governments and efficient delivery of public services (Crawford and Hartmann 2008; Crook 2003). Decentralization as designed does not include SD activities, instead, has brought about life-changing choices that include extractive developmental tendencies at local levels (Wever et al. 2012). In Kenya, there is a collaboration between Pikolino (the multinational company) with the Maasai community (Olabisi et al. 2017) but not in Nigeria where Shell Oil Company together with both local and national government has had unending violent conflicts with Ogoni community (Senewo 2015).

Local governments are expected to balance the preferences of local communities with national goals and provide those communities with greater influence in decision making, but this has not occurred in most places (Franco et al. 2018). Decentralization outcomes may often appear successful as perceived from a top-down lens in government but not at local levels (Franco et al. 2018). As this is not happening, natural resource benefits continue to accrue to a "few hands, leading to a deterioration in many aspects of community livelihoods and wealth distribution" (Franco and Ali 2016). In addition, as in the two case studies in this study, there is a trend of the shift of wealth from local people to local elites and from local elites to multinational corporations in many resource-rich regions (Franco et al. 2018). These circumstances would require a real paradigm shift in the governance processes and the decentralization framework to contain local power brokers and level the playing field for all stakeholders.

Most national governments still deliberately lack or weakly enforce accountability measures targeting local elites, leading to a disconnect between private sector priorities and the interests of indigenous communities (Wever et al. 2012). Local communities and other marginalized groups that live in resource-rich regions are particularly affected by policies that appear to trend towards the degradation and an appearance of dispossession of resources that they depend on for their livelihoods. The degradation of natural resources and dispossession of ownership brings about impoverishment and the disruption of cultural values (Wever et al. 2012). Some of the challenges facing SD approaches are finding an appropriate mix of decentralization governance policies and arrangements that can manage distant local resources existing under customary institutional protections that are now exposed to profit-hungry global enterprises (Turner et al. 2011).

For many years, conservation decisions have remained local and culturally driven, but this is no longer the case when most global enterprises and other domestic private sector companies have begun to contest the role of government in public sector management (Smoke 2015a, b; Hope and Chikulo 2000). With decentralization, local decision making regarding the use of natural resources is being greatly influenced by changing economic activities, which consume increasing amounts of resources and yield high benefits for very few stakeholders (Turner et al. 2011). Ogoni land, which was originally very suitable for agricultural purposes, to the satisfaction of the local communities, is now an oil producing region with damaged agricultural potential, and no stakeholder is happy. Moreover, in countries that have implemented decentralized governance, it is clear that accountability is not an automatic outcome partly because of strong local elites and corporate greed that

push social responsibility to the periphery (Franco et al. 2018). The Maasai community's pastoral lifestyle has been eroded by immigration and the introduction of commercial agricultural activities that are completely incompatible with pastoralism.

3 Methodology—case studies

Kenya and Nigeria share some similarities in the way they have conducted decentralization. Both have followed ethnic boundaries as their local government boundaries. In addition, the Maasai and Ogoni case studies show how the external interests of multinational corporations and immigrants have changed local community economic foundations as well as cultural and social values. Research findings from these two regions can broadly tell the extent to which decentralization incorporates SD values in Africa.

3.1 The Maasai in East Africa

The Maasai are an indigenous community living in both Kenya and Tanzania within the rift valley in southwestern Kenya and northwestern Tanzania and number approximately one million people. Their main economic and social lifestyle has been pastoralist activities on the vast savannah. They count their wealth in terms of the number of cows, and their land has been communally owned until recently, when immigrant farmers started settling in the region. As a result, they now face enclosures, privatization and fencing that exclude them from both access to and use of formerly communally owned lands (Olabisi et al. 2017).

The Pikolino Group, a multinational family-owned company operating in over 60 countries, adopted pro-social, empathy and altruism values to create a partnership with the Maasai community (Olabisi et al. 2017). This approach enhanced community participation, leading to improved local resource utilization, gave sovereignty to the community over local resources and provided empowerment and development of entrepreneurial skills.

3.2 The Ogoni in Nigeria

The Ogoni are farmers living in the Niger delta in Rivers State, southeastern Nigeria, and occupy four local governments (LGAs): Tai, Eleme, Khana and Gokana (Senewo 2015). The Ogoni are "part of the early indigenous settlers of the Eastern Niger Delta for and have been there for now about 2000 years" (Senewo 2015). The Niger Delta is the most populous region in Nigeria and Africa, with an average of 498 persons per square kilometer, and Gokana has 1844 persons per square kilometer (Population Commission 2007). Land is therefore a scarce resource, such that any signs of land dispossession result in very violent conflicts. Oil extraction has changed land use through oil spills, dispossessing local communities of their agricultural mainstay.

In the Ogoni case study, the British-Dutch-based Shell Corporation started mining oil in Nigeria's Delta region in 1958. The company has reaped over 60 billion US dollars since then and inflicted approximately 10 billion US dollars' worth of environmental damage to the region (Szabo 2015). These case studies present us with an opportunity to examine whether decentralization (devolution), which is defined as giving local governments the authority and power to manage and meet their communities' needs, has been successfully carried out, and if not, why and what can be done about it.

3.3 Data sources

Data from peer reviewed literature and reports of conservation organizations covering decentralization in Africa between 2000 and 2015 are analyzed. The list of organizational reports that were analyzed are presented in Table 1 and the peer reviewed literature in Table 2. A total of nine organizational reports and 14 peer reviewed articles were analyzed. These articles are selected based on three criteria:

  i.   They were published between 2000 and 2015
 ii.   They discuss public sector reforms in relation to decentralization and land use changes.
iii.   They examine indigenous communities in relation to public sector reforms

The organizational reports and peer reviewed literature between the years 2000 and 2015 were selected for two reasons: (i) this is the period when the two countries share the most real decentralization activities. Acts authorizing political, administrative and fiscal decentralization were enacted in 1999 in Nigeria and in 2010 in Kenya. (ii) This is also the period between the formulation of SD action plans, Agenda 21 in 1992 and 2030 Agenda in 2015, whose aims were to put the world on a path to SD. During this period, Agenda 21 underwent two modifications, first in 2002 and then in 2005. The 2030 of Agenda 2015 is an improved and broader SD action agenda for governments and all other stakeholders. The literature written during this period is therefore ideal for examining the extent to which decentralization comprise SD activities. Tables 1 and 2 show a list of data sources.

3.4 Qualitative analysis

We followed a constructivist grounded theory framework (Olabisi et al. 2017; Fereday and Muir-Cochrane 2006) to examine the existing literature and establish a connection between what governments say they are doing, the activities of private sector organizations and the conditions of indigenous communities in relation to SD. This approach is best suited for this study because, according to Olabisis et al. (2017), data can be generated from the interactions of researchers, organizations and communities. Franco and Tracey (2019) and Franco and Ali (2016) have also used the same approach, reviewing peer-reviewed literature to determine the relationship between capacity building and sustainability.

Qualitative analysis using NVivo10 is conducted on the literature and organizational reports to generate key words and themes that can tell the extent of sustainability adoption and sustainability outcomes in the activities that are arising out of decentralization, private sector corporations and local communities (Saldana 2013; Fereday and Muir-Cochrane 2006). This is followed by coding guided by the three determinants of sustainability identified by Tacconi (2007): legal structures, mediating factors and the local government decision-making sphere. Words with similar meaning and following a specific pattern are coded. Codes form themes that help make sense of the direction and nature of the changes taking place.

3.5 Quantitative analysis

A quantitative analysis is conducted based on two questions obtained from a 2015 FAO survey: (i) what forest policy and regulatory frameworks exist to support the implementation

Table 1 Data sources for qualitative analysis—organizations

Conservation organizational reports

Organization	Year	Title of report
1. United Nations	2015	Transforming our world: the 2030 Agenda for Sustainable Development
2. IUCN	2015	IUCN—Standard on Indigenous Peoples
3. The World Bank	2013	Decentralization indicators
4. Future Agricultures—Overseas Development Institute	2011	Decentralization in Africa: Scope, Motivations and Impact on Service Delivery and Poverty
5. The World Bank—Global Environmental Facility	2007	Indigenous Communities and Biodiversity
6. United Nations—Department of Economic and Social Affairs	2005	Decentralization: Poverty Reduction, Empowerment and Participation
7. World Wildlife Fund (WWF)	2005	Mainstreaming WWF Principles on Indigenous Peoples and Conservation in Project and Program Management
8. World Wildlife Fund (WWF)	2000	Indigenous and Traditional Peoples of the World and Ecoregion Conservation
9. United Nations	1992–2012	United Nations Conference on Environment and Development, Rio de Janeiro, Brazil—Agenda 21

Table 2 Data sources for qualitative analysis—peer reviewed literature

Peer reviewed articles—between 2000 and 2015

Author	Year	Manuscript title
1. IkpoBariDumletamSenewo	2015	The Ogoni Bill of Rights (OBR): Extent of actualization 25 years later?
2. Paul Smoke	2015	Rethinking Decentralization: Assessing challenges to popular public sector reforms
3. Migai Akech	2015	Institutional Reform in the New Constitution of Kenya. Nairobi: International Centre for Transitional Justice
4. Rudie Hulst et al	2016	Fifteen years after decentralization by devolution: political-administrative relations in Tanzanian local government
5. Antonio Estache et al	2016	Shared Mandates, Moral Hazard, and Political (Mis)alignment in a Decentralized Economy
6. Caldeira et al	2015	Decentralization in Africa and the nature of local governments' competition: evidence from Benin
7. Matthew D. Turner et al	2011	Conflict Management, Decentralization and Agropastoralism in Dryland West Africa
8. Bjorn Vollan	2011	Pitfalls of Externally Initiated Collective Action: A Case Study from South Africa
9. Terrell G. Manyak and Isaac Wasswa Katono	2010	Decentralization and conflict in Uganda
10. Kempe Ronald Hope, Sr and Bornwell C. Chikulo	2000	Decentralization, the New Public Management, and the changing role of the public sector in Africa
11. PaulosChanie	2009	Disconnect between public sector management and decentralization reforms: An empirical analysis of the Ethiopia situation
12. John W. Bruce and Anna Knox	2008	Structures and Stratagems: Making Decentralization of Authority over Land in Africa Cost-Effective
13. Pauline E. Peters	2008	Challenges in Land Tenure and Land Reform in Africa: Anthropological Contributions
14. Richard C. Crook	2003	Decentralization and Poverty Reduction in Africa: The politics of local–central relations

of sustainable forest management? (ii) How are stakeholders involved in decision making regarding publicly held forestlands? These questions are important because how decentralization responds to these questions will explain how decentralization supports the cultural and spiritual values of indigenous communities, sustainable forest management and the extent of the participation of each stakeholder. The data related to these three questions are broken down in Table 3. Community environmental and socioeconomic values and private sector development interests do not always converge naturally but rather through specific government policies and regulations that are designed to bring about SD (Fereday and Muir-Cochrane 2006).

The presence of policies and regulations that sustainable forest management and stakeholder involvement is represents as either a "yes" or "no" answer, and these answers determine the legal structure. The proxy for SD is the existence of an institution responsible for environmental protection. Other variables that determine SD outcomes include local/indigenous peoples' participation in planning and decision making, the existence of national and local policies, and national and local regulations. Local people's participation in planning is an indication that planning takes into account the input from local levels. Other variables include rural poverty as a percentage of GDP and local population density. The study takes a descriptive approach to highlight the major SD challenges as identified in the literature and the activities of local governments.

4 Findings

The study finds evidence that decentralization lacks SD policies, thus exposing local economies to transformation in ways that do not facilitate the adequate adoption of sustainable development activities at local levels. Although decentralization reforms are presented

Table 3 Variables that can reconcile community and development interests. *Source*: FAO (2015) and Tacconi (2007)

Factors determining SD	Variables	Level		Kenya	Nigeria
Institutions	Ministry/department			Yes	Yes
Decision-making sphere	Stakeholder involvement	Planning level		Yes	Yes
		Operational level		Yes	Yes
		Review level		Yes	Yes
Mediating factors	Political space	Local	Public	Yes	Yes
	Policies supporting SFM			Yes	Yes
			Private	Yes	Yes
		National	Public	Yes	Yes
			Private	Yes	Yes
	Human population density			Low	High
	Poverty			High	High
	Private companies			Pikolino	Shell oil
Legal structures	Regulations supporting SFM	Local	Public	Yes	Not reported
			Private	No	Not reported
		National	Public	Yes	Not reported
			Private	Yes	Not reported

as locally focused (Agenda 21), this argument masks the continuing unsustainable use of local resources and, in some places, the marginalization of indigenous communities and rising social inequality. The conflicts between indigenous communities and private sector enterprises resulting from the unequal sharing resources and the actions of local and national government agencies and immigrants are problems that precede decentralization. It is logical to assume that such well-known problems would take center stage in the design of policies and development of legislation within the decentralized governance systems to address all the underlying causes of factors that undermine sustainable development.

The greatest concern is that there are policies and legislation on paper that should support SD, but there are no real and tangible efforts being factored into ongoing decentralization to enhance SD values across all stakeholders. For example, as shown in Table 3, there are institutions dedicated to environmental protection and stakeholder involvement in the decision-making sphere in both countries at the local and national levels. However, the mediating factors as well as the legal structures show mixed outcomes, which could be the reasons why SD initiatives are missing as core issues of concern for decentralization. The role of the government, national and local, is to enforce public sector decentralization reforms that should broadly protect the environment, but these reforms are not reflected in the decentralization literature. Research by the Future Agricultures Consortium found that "*decentralization in Africa is widespread and politically motivated but not deep and consists mostly of the deconcentration of administrative functions rather than the true devolution of powers*" (Cabral 2011).

The true devolution of powers would facilitate stronger legal structures that regulate all stakeholders, bottom-up decision making and activities that support SD. The Maasai community is fortunate in that the Pikolino group has developed business partnerships with the community and helps with the processing of local resources and finding a market for them (Olabisi et al. 2017). This partnership does not degrade land resources. However, the region is faced with the immigration of people from other communities who are looking for farmland, thus putting pressure on local land (Olabisi et al. 2017). The land carrying capacity of the region cannot support thousands of farmers and be expected to stay within the threshold of sustainable use.

On the other hand, in addition to high human population density, the Shell oil company is responsible for farmland degradation in the Delta region of Nigeria. Much of the land that had high agricultural potential is now a wasteland due to oil spills. In addition, the human population of up to approximately 1844 persons per square kilometer (World Bank 2008) puts tremendous pressure on land use beyond the threshold of sustainable use. The global population is expected to grow from the current 7 billion to 10 billion in as little as 30 years (UN 2019). It is likely that both local and national governments will continue to struggle to manage conflicts, social and economic inequality, marginalization of the poor and the degradation of indigenous community values. It is therefore critical that SD activities be incorporated into all public and private sector activities as one way to reduce the effects of these expected negative outcomes.

4.1 Decentralization outcomes

It is apparent that the primary focus of decentralization initiatives is not on the development of the local Agenda 21 and sustainability. The reports of conservation organizations generally agree that "*the prerequisites for effective decentralization are still emerging and are not altogether clear in their focus. Effective decentralization invariably means that there is*

devolution of power and that participation, empowerment and accountability of communities is attained" (UN 2005), but this has not been the outcome so far. This statement holds true for the two study communities. Participation, empowerment and accountability cannot emerge in regions that have limited capacity to meet all the local development needs. The UN (2005) and other organizational reports demonstrate that local needs are not adequately met in a way that guarantees SD. As reflected in the following summary, decentralization is founded on the transfer of responsibility and services to local governments, but in practice, it does not tend to result in the transfer of all powers or much-needed resources to local leaders. "*In some cases, decentralization may not be a real transfer of power but rather an opportunity for politicians and power groups to capture power and extract rent at the subnational level. The main concern is the lack of understanding of precisely what is meant by decentralization and its core attributes*" (Bruce and Knox 2009; UN 2005).

When they have no real powers (administratively and politically), local jurisdictions cannot enforce regulation or ensure compliance with legislative mandates (Atisa 2020). Administrative and political powers are exercised through legal structures. As shown in Table 1, Nigeria does not report the existence of legal structures or regulations that support SFM. We can assume that in all likelihood, they do not exist. Similarly, Kenya does not have regulations targeting the private sector at local levels.

Although there is support from international agencies, there are no clear legislative or policy support guidelines within the decentralization framework provided by national governments to local governments that support SD activities at local levels. Therefore, international agencies have focused more on "*co-management, rights-based approaches, participation, human rights, promotion of sound agriculture and practices that utilize indigenous knowledge and not the political or administrative impacts of government agencies*" (IUCN 2015). In the absence of effective legislation, local communities are exposed to "*significant effects from degradation and loss of their natural environments, and they can also be directly affected both positively and negatively, by development projects and other interventions*" (IUCN 2015).

4.1.1 Kenya

Kenya's efforts to undertake decentralization of government were driven by the need to end the perceived political manipulation, marginalization and exclusion of local communities that had contributed to interethnic conflicts (Akech 2010). One would assume that addressing marginalization and exclusion of communities should always include the broader SD goals, but this is not the case. Instead, decentralization provides "*Kenyans with an environment where individuals and communities are respected and their liberties guaranteed without discrimination*" (Akech 2010), without clear SD policies. The 2010 Constitution that establishes and governs decentralization governance says that it provides "*all Kenyans with a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law*". While these are some of the SD attributes, they do not directly support and guide the sustainable use of natural resources.

4.1.2 Nigeria

Nigeria expanded the number of states from 19 in 1976 to 36 in 1996 and the number of local governments from 300 to 774 (World Bank 2008). This was done mainly to "satisfy the demands of local and ethnic groups by granting them their administrative units while

consolidating the strength of the federal government. However, "*there was no real power-sharing between the central government, the states and the local governments*" (World Bank 2008). To date, Nigeria's Delta region is fraught with political and economic conflicts fueled by weak governance structures that continue to skew benefits from oil mining to political elites and Shell Oil company. "*Decentralisation has often been used to expand the power of the ruling elite to local levels or to neutralize challenging forces emerging from below*" (Cabral 2011).

There are also major gaps from the perspective of accountability. Rather than community-government relations, patronage due to weaknesses in state structures enables elites to control the entire process from national to local politics. Therefore, "*Decentralization has not necessarily empowered local citizens and can simply strengthen local power brokers or state agents instead*" (Cabral 2011; Boone 2003). "*Many countries do not legally recognize indigenous people's customary laws on collectively owned lands, land-use rights and management practices*" (Stevens 2014). It is clear from the foregoing analysis that all forms of decentralization, political, administrative and fiscal, lack a built-in mechanism to facilitate respect for and recognition of indigenous peoples' values, especially when they conflict with economic development goals.

4.2 SD outcomes

For SD goals to be seen as a primary responsibility of local governments, macroeconomic institutions, social organizations and cultural values with explicit SD policies must be developed at local levels as platforms for all stakeholders. Findings from the existing literature show that local governments have not developed policies and local legislation that force private sector organizations and individuals to internalize environmental costs, such as the effects of pollution and the management of resources for long-term rather than short-term private benefits (Esty and Charnovitz 2011). When SD is framed in terms of human wellbeing (utility), a picture of an intergenerational form of development that does not decrease the capacity to provide utility for infinity (Neumayer and Dietz 2007) emerges.

The two case studies present different processes for government and private sector involvement and SD outcomes. The Kenya government has been trying to dismantle the "*Maasai communal land ownership which Hardin (1968) describes as open access and thus the most inefficient form of land use*" (Seno and Shaw 2001). Long before real decentralization took root, the government introduced system group ranches as a way to dismantle communal land ownership and induce the Maasai to adopt a sedentary way of life and engage in commercial livestock production (Seno and Shaw 2001). However, the Maasai have kept their communal treatment of land and pastoral way of life intact during and after the implementation of the decentralized governance systems. The local partnership with Pikolino has complemented government efforts, adding entrepreneurial skills to the Maasai community. The SD challenges come from outside the community, as private individuals buy land from the group ranches and start commercial agriculture. This places more pressure on land use and is likely to affect SD efforts in the region.

In the Ogoni case study, the private sector (Shell Oil Company) has marginalized not only the role of the local government in the management of natural resources but also the role of local communities. Local community involvement in decision making is important for three reasons (Young et al. 2013): (i) normative—to strengthen democratic cultures and processes, (ii) substantive—to add knowledge and value to decision making, leading to better decisions, and (iii) instrumental—in increase legitimacy and trust and reduce the

intensity of conflicts. Although the government reports that there are channels for communities to participate in decision making (FAO 2015), this is not reflected in the relationship between Shell Oil company and the local community.

5 Discussion

Existing measures of decentralization outcomes often do not capture the actual devolution of power, participation, empowerment, accountability and equity issues, which are also core elements of SD. While decentralization has been as driven by the local communities, many of the outcomes have been shaped by other actors within the private sector institutions and behind the scenes by political elites. These other actors are not sensitive to SD goals and have brought about outcomes that do not support accountability but tend to reduce the ability of the local communities to participate effectively in the governance processes. As the implementation decentralization has progressed, it has become clear that SD activities have yet to be part of this governance framework. Therefore, linking SD and indigenous communities helps governments identify better development processes and opportunities within the governance systems.

At the local level, there are challenges regarding how to reform the role of the private sector and how to deal with political elites. Given these challenges, how should decentralization be organized in Africa to make governments accountable to citizens and allocate authority to the right places in the governance framework? How should national governments reconfigure authority and create local governments that support both community aspirations and private sector goals along with SD? Clearly, there is an authority gap coming from the national governments that creates space for manipulation by the private sector and local political elites whose goals do not align with community aspirations and SD goals.

In addition, Kenya and Nigeria have decentralized based on ethnic boundaries, thus creating homogenous communities that should have made it easier to customize policies to meet specific local SD needs. However, these reforms have not created strong local governments with powers that allow them to direct all stakeholder interests and have not facilitated adequate accountability; therefore, local communities are still marginalized in governance functions. This is evident in these two case studies. The SD issues arising from these two communities can be found in many other indigenous communities in the world. Boone 2003 argues that "*the effectiveness of reforms is determined by broad features of political-economic context in which reform is carried out*". Solving such problems might require an approach in which local boundaries are left fluid so that they can be customized to address specific policy problems (Hooghe and Marks 2003).

These two case studies demonstrate a clear lack of harmonious coexistence between indigenous communities, local governments and all other outside interest groups. The local Agenda 21 document states that "*each local authority should enter into a dialogue with its citizens, local organizations and private enterprises and adopt a local Agenda 21.*" The local Agenda 21 can only be realized in an environment where local authorities are honest brokers between all competing interests and are able to direct stakeholders to meet the triple-bottom line of meeting economic needs and social–cultural aspirations and without degrading environmental resources.

The challenge faced in these cases is the lack of administrative and political empowerment of local communities and laws to prohibit or change the behavior and attitudes of

powerful stakeholders. Addressing these issues would involve strengthening the mediating factors, legal structures and decision-making sphere platforms. Platforms in this context are management processes and social partnerships that span socio-cultural and economic forces. Platforms can facilitate preservation of the cultural environment, enable successful policies, build quality human capital and provide institutional and infrastructural support (Atisa 2020; Roundy 2017). Social partnerships that span across sectors and facilitate collaboration between the public sector, the private sector and civil society are the best foundation for solving complex problems that are difficult for a single organization acting independently to resolve (Atisa 2020; Olabisi et al. 2017).

5.1 Conclusion

The decentralization framework as designed does not contain SD policies to empower local communities and local governments to enforce rules that make all stakeholders comply with broader community and environmental interests. It is clear from what is happening in the Maasai and Ogoni communities in Africa that the adoption of a "local Agenda 21" and the implementation of 2030 Agenda goals currently faces serious obstacles and will continue to face challenges for a long time in the future. National objectives are slowly changing local values and priorities away from SD goals, which will likely lead to more conflicts, limited access to primary resources, marginalization of poor communities and increased environmental degradation. Unless local governments develop clear conservation policies and goals for the sustainable use of resources, decentralization will do irreparable damage to localities and indigenous communities, and vulnerable groups will pay a heavy socioeconomic price.

Local governments lack the policies, capacities and abilities to influence stakeholder behavior through regulatory frameworks. Those benefiting the most from indigenous communities' natural resources should be made to invest in and support the Maasai pastoral lifestyle and land reclamation/rehabilitation in Ogoni land. This can be done through real empowerment of local governments should exercise their administrative powers to develop binding regulations and enforce compliance by all stakeholders. There should be a local economic development and land use planning that safeguards and protects indigenous values, provides a social safety net for all local stakeholders and minimizes conflicts.

The declining living standards of local communities, which contrast sharply with the abundant revenues generated from the activities carried out on their lands, are not a good sign for sustainable development. The damage from oil spills to the local farms in Nigeria and from the immigration to Maasai land reduces the land carrying capacity and has a negative impact on the sustainability threshold of lands in these regions. It is important to develop equitable formulas for sharing profits to cover land damage from oil spills and institutionalize philanthropic activities that can help stimulate socioeconomic progress. In addition, the local governments should be empowered to determine how land that has been under their care for hundreds of years should be used and compensated when damages occur.

5.2 Implications for local governments

The ongoing political and administrative decentralization is designed to make public institutions more accountable, improve service delivery and accelerate economic growth, but it does not contain policies and legislation to support SD outcomes. From a sustainability

viewpoint, by the time SD goals are realized under the current development trajectory, the entire social, economic, and environmental landscape in Africa will be transformed further away from sustainable use and environmental values. Economically and socially speaking, the expected changes will be positive, but they are likely to come at a great cost to the environment. It is necessary therefore for both the national and local governments to make a deliberate effort to include practical and actionable SD policies within the decentralization framework.

Although most studies argue that administrative and political decentralization gives local governments and communities the authority to make local decisions, it is clear that authority alone is not sufficient. Environmental policies, legislation and regulations that support SD need much more than just administrative and political authority. According to Atisa (2020), stakeholder participation platforms (SPPs) are avenues where stakeholders and individuals who may or may not hold the same values discuss issues that they agree or disagree on so they can collectively address their concerns. SPPs can lead to better SD outcomes because they provide linkages between stakeholders (government officials, policy makers, private sector enterprises and communities) to rationalize their interests and SD goals. Since decentralization is a constitutional process, SD policies should also be constitutionally mandated, and therefore, the constitution becomes an ideal SPP.

Local governments and indigenous communities are ill-equipped on many fronts especially because they lack the administrative and fiscal capacity, human resources and technological base to stand up to corporate interests and political elites. Decentralization should therefore include re-assignment of staff from the national government to local governments who have both the expertise and clout of the national government to neutralize biased stakeholder interests. These re-assigned staff can also facilitate local capacity building initiatives to develop skills for local communities (Franco and Tracey 2019) so they are able to negotiate effectively with all other stakeholders. National governments have done a poor job of understanding local communities' values and aspirations while showing preferential treatment towards corporate and commercial interests. The study proposes a paradigm shift within governments to make legal structures more effective, reshape the mediating environmental factors and develop the decision-making sphere to make SD part of the decentralization agenda. Making legal structures more effective would requirement clear and written contractual relationships between communities and the government on one side and private sector interests on the other.

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