CHAPTER ONE

1.0 Introduction/Background of the Research

This study primarily explores leadership and accountability in management of the Constituency Development Fund (CDF) which is an initiative created by the South Sudan Legislative Assembly (SSLA) to promote development in all the constituencies in the ten states. The study also set out to identify the linkages between the local authority, the Members of Parliament (MPs) and the communities in regards to the application and utilization of the Constituency Development Fund (CDF) that was allocated to each Member of Parliament (MP) as a support to improve services in his or her constituency. It touches the area of service delivery to examine to what extent the CDF has met the aspiration of the people. It also proposes measures that will improve the application of the CDF in promoting development and service delivery in Yei River County. This research topic is linked to the Public Administration Discipline for the reason that Leadership, accountability and Management are Public Administration principles that ensure effectiveness and efficiency in the public sectors or government institutions. The study incorporated the relevant information from secondary data regarding Constituency Development Fund (CDF) initiatives in other countries such as Uganda, Kenya and Zimbabwe which introduced the CDF in their respective Legislative Assemblies for development purposes. The secondary data intention is to seek strategies through comparative analysis as ways of providing solutions to improve management of the CDF so as to enable it achieve its objectives.
1.1 Background

South Sudan experienced a prolonged war for almost three decades between the Northern Sudan and Southern-Sudan. It was the longest civil war in Africa raging from 1955 to 2006. The first phase of the war, known as the Anya-Any war raged from 1955-1972. The second phase of the war known as SPLA war raged from 1983-2005, The second phase of the civil war between Northern regimes and Sudan People’s Liberation Army/Movement has destroyed all the infrastructures in South Sudan. During this war more than 2.5 million South Sudanese lost their lives and many others were displaced within the country and outside to the neighboring countries. South Sudan became an autonomous Government with powers of administering in its ten (10) states namely, Northern Bhar-el Gazal, Western Bhar-el Gazal, Warrap, Western Equatoria, Eastern Equatoria, Jongole, Lakes, Upper Nile, Unity, and Central Equatoria state following the signing of comprehensive Peace Agreement (CPA) in 2005. The ten states of South Sudan comprise of seventy eight (78) counties. South Sudan covers an Area of 619,745 Km2 (239,285 sq mile) according to the assessment by the Geographical Position System (GPS), (2008).

South Sudan is bordered by Ethiopia in the East, Kenya, Uganda, and Democratic Republic of Congo to the South, Central Africa Republic to the West and Sudan to the North, according to the Transitional constitution of the Republic of South Sudan. South Sudan has become an independent country through exercise of the right for self determination in a referendum held in 2011 as stipulated in the comprehensive peace Agreement (CPA) signed between the It has become an autonomous Government by the exercising their rights in the referendum in 2011 as stipulated in the CPA (comprehensive Peace Agreement) between the Sudan People’s liberation Army/Movement (SPLA/M) and National Congress Party...
(NCP) of the fundamentalist Arab Sudan under the leadership of Omer Hassan Ahmed Al-Basher.

South-Sudan has population of 8,260,490 according to the census conducted in 2008 by the Government of National Unity – the result which was disputed by the government of the South as it was not fairly conducted. English language is the official language. There are however a number of national languages spoken all over the country including Juba Arabic which is a colloquial version of Arabic Language. South Sudan became an independent state on the 9th of July 2011 after the interim period of six years following the original signing of the Comprehensive Peace Agreement (CPA) and became known as the Republic of South Sudan. The new country has established its structures which include the three levels of the government, namely the executive, the legislative and the judiciary with devolution of powers to the lower level of government to ensure service delivery in an effective and efficient manner. The National Legislative Assembly being the representative of the people has allocated some funds for members representing constituencies; the fund is known as Constituency Development Fund (CDF). So Yei county, which is the focus of this study, has received its funds to assist in the provision of basic services such as schools, health units, roads, bore-wells, etc.

Yei River County is one of the six counties of Central Equatoria State (CES) one of the ten states of South-Sudan. With the decentralized system of governance, a county is a local government which is the third level of government in South Sudan and consists of a number of autonomous local government councils established in accordance with the provisions of Local Government (Act 2009). A County is a level that brings services closer to the people in the States as provided for under Article 50(c)of the quoted Constitution. Yei County is located in Central EquatoriaState between Lainya and Morobo counties. It is bordered in the south-
east by the Democratic Republic of Congo (DRC) and in the west by western Equatoria State. The county covers an area of 9,290 KM², according to the GPS assessment (2008), it has a population of 204,443, according to the disputed census result of (2008). However, in 2010 the chiefs and the County South-Sudan Relief and Rehabilitation Commission collected their own data regarding the repatriation and returnees of the South-Sudanese from Diaspora and Khartoum which put the population of the County to 461,721 people, with the breakdown according to payams councils known as Yei town, Tore, Mugwo, Ottogo, Lasu, and the IDPs returned from Khartoum. The local language spoken is Kakwa and Juba Arabic. The county comprises of groups such as Kakwa, Mundu, Makaraka, Avokaya, Baka and the Kaliko-Kakwa and some tribes that were displaced by the Sudan conflict and are resisting going back to their original areas of residence has also contributed to the big population Yei County has today. Yei County communities are agricultural people who depend on agriculture as their main economic source for survival. The land of the County is very fertile and the weather is conducive for farming.

Initial observation by the researcher seemed to show that the MPs from Yei County treat the CDF as their own resources and projects that they can use or direct as they wish for the reasons well known to them. Hence, they assume responsibility of administering the funds without consultation with the local CDF Committees. The other concern was that the CDF did not meet aspiration of the communities who have high demands in regards to service delivery. Furthermore, the CDF is allocated by the National Government and implemented at grass root level where the states are not involved in the processes right from the planning part to the implementation. Hence, it was not clear which structures of government the CDF is accountable to for evaluation purposes. Therefore, relationship between the local
authority, the MPs, and the community is questionable because some of the communities do not access the CDF projects due to lack of representation in the South Sudan Transitional National Legislative Assembly (SSTNA).

The Constituency Development Funds (CDF) ACT 2007, Section 5, Page 7 on the Establishment of the South Sudan Management Committee stipulated that 'there shall be established a committee to be known as the South Sudan Constituency Development Fund Committee which is referred to as the South Sudan Committee.' However, the implementations of the CDF projects are done through committees; the finances are handled by the Local Committees as well as the monitoring and evaluation process in consultation with the local constituent's representatives of the respective Payams. The expenditure from the Fund shall be on the basis of, and not limited to, the annual budget, which shall be submitted to the Ministry for approval in accordance with the ACT before the beginning of the financial year to which the budget relates. The South Sudan Committee may impose reasonable requirements including restrictions, on a particular Constituency due to previous misuse of funds and such restrictions or requirements shall be reported together with monthly returns to be submitted to the Assembly in accordance with the Act. The South Sudan Committee shall, for each financial year, allocate funds to each constituency and the funds shall be reflected in the printed estimates of the particular financial year, once funds are allocated for a particular project they shall remain allocated for project and shall not be re-allocated during the financial year for any other purpose whether in that Constituency or anywhere else.

The MPs of Yei River County were allocated CDF to undertake the projects that are already approved by the South Sudan Committee. However some of the MPs did not abide with the CDF Act of 2007. Instead they misused the funds or directed
them to other projects of their choice. The evidence to this is that funds allocated for construction of a road in Minyore Boma in Yei was diverted to another project. When the community of the area knew that their fund has been diverted, they became very concerned and angry, blaming their MPs. With all these experiences, it was clear that the CDF was not protected because there is no accountability for MPs who decides alone without consultation with the community. Such acts show weakness of the leadership in managing the CDF. This has resulted in poor service delivery. As such communities do not reap the benefit of electing representatives.

The study was set in Yei River County to examine the CDF Funds, application of its leadership, accountability, skills in managing the projects and to ensure the effective and efficient participation of the community to improve their lives through CDF projects. Where there is proper system of good governance, which includes accountability, transparency and effective leadership in management, the CDF, will mean that the the young South Sudan government will be able to manage its scarce resources more effectively.

1.2 Statement of the problem

The overall aim of the CDF is to provide development in all the counties of the ten states of the Republic of South Sudan through development projects that will ensure service delivery. However, based on the researcher's personal experience through observations, there seemed to be lack of proper leadership in the management of CDF. Moreover, there seemed to be problem in the relationship between the various CDF committees.

This study focused on the issue of leadership and accountability in managing the Constituency Development Fund (CDF) which was created to promote services delivery to the people through MPs of their constituencies. The main problem of
the present study is lack of proper leadership and accountability in the management of the government allocated funds distributed to the MPs for development projects aimed to improve their constituencies and to ensure better services delivery through the community projects and priorities in accordance with the CDF legal Framework of (2007). Another concern of the present study, which is one of the problems of the present study, is the issue of coordinated efforts and poor relationship between the MPs and the Local Authority on the one hand and between the MPs and the community on the other in managing the CDF projects that address the aspirations of the people.

1.3 Research Questions

The present study investigates the use of CDF in Yei County in term of its effective utilization and management by MPS and county authorities and its contribution to development in the county. It attempts to answer the following questions:

(a) How is the Constituency Development Fund (CDF) been managed and utilized by the Members of Parliament [MPs] to promote development in their constituencies?

(b) To what extent is the Constituency Development Fund (CDF) used in accordance with the provisions of the CDF Act of (2007)?

(c) To what extent has the CDF achieved its objective in promoting development to meet the aspirations of the people within the constituencies?

(d) What is the nature of the relationship, if any, between the MPs and the community on the one hand, and the MPs and the County Local Authority on the other as it concerns the CDF?
1.4 Objectives of the Study
The present study aims to objectively and systematically examine the CDF utilization and management by MPs to promote development in their constituencies. Thus, the resent study is an attempt to:

(a) identify the ways in which the constitutional development funds (CDF) is being utilized and managed in the promotion of development in the constituencies;
(b) find out whether proper leadership and accountability processes are used in managing the CDF;
(c) explore how the Constituency Development Fund (CDF) can best be utilized to meet the development aspiration of the people in their constituencies;
(d) identify the nature of the relationship between the MPs and the community, and between the MPs and the County Local Authority in terms of CDF utilization and management and how it impact on effective use of the CDF.

1.5 Significance of the Study
The interim South-Sudan Legislative Assembly has made a very principle decision in creating the CDF fund to promote development in the constituencies and to provide support to the community-based initiatives that bring change in the lives of people. The CDF projects has been implemented in Yei River County by a committee and monitored by the MPs and the county Authority. The present study evaluates implementation of the CDF in Yei County to determine the impact it has in the communities. It attempts to identify ways and means of how the CDF can best be properly managed to promote development projects that bring change in communities. It is anticipated, on the bases of the finding of this study that, the policies and the strategic framework that were designed to serve as a guide in the
implementation of the CDF projects could be used to ensure the effective and efficient delivery of service to the people. Hence, this study will assist the South Sudan government and the Parliament in understanding the challenges that face the implementation of the CDF projects that are funded, and in assessing the style of leadership needed in the management of the CDF for the benefit of communities. The study will also assist the management committee of the CDF in the National Legislative Assembly in identifying the weaknesses and difficulties in promoting development through the CDF. Finally, it is hoped that this study will be of significance to other researchers interested in the CDF and other similar initiatives of the Government of South Sudan aimed to promote service delivery that can improve lives of people in the various constituencies.
CHAPTER TWO

2.0 Literature Review

Wellman et al (2005) defines literature review as review of research findings on a particular topic that has already been published which helps the researcher to become aware of inconsistencies and gaps that may justify further research. This chapter reviews available literature on the effective use and implementation of CDF. However, South Sudan has just emerged from one of the longest civil wars in Africa. The protracted war has destroyed all infrastructure including research and library facilities which are essential for increasing knowledge and information pertaining to the research topic. As a result, the review concentrated only on literature on Leadership, Public finance, Public Administration, Management, Good Governance, Ethics, Public Accounts, Project Management, Conflict management, and the South Sudan Legal Framework Acts and Legal Provisions.

The chapter discusses challenges in the use of public funds that are meant to address the needs of the people and how leadership and accountability are so far applied in managing the funds which are allocated for specific projects or services. It also compares the experiences of other countries like South Africa, Kenya, Uganda, Tanzania, and Ghana in terms of good governance. The main focus of this chapter is the review of the Constituency Development Fund (CDF) Legal Framework of (2007) and the Transitional Assembly Act in regards to the CDF.

The Initiation of the CDF Scheme in South Sudan in 2007 under the Constituency Development Fund Act, 2007 has been thoroughly discussed in terms of its advantages and disadvantages, as well as the implementation process which will benefit the members of the respective constituencies. Both the National Legislative Assembly MPs and the Local Authorities are contented in accepting the CDF as a
way of transforming people’s lives and improving socio-economic development of the country. The importance of this scheme is that it ensures people’s participation in decision making on issues that concerns them, and promotes democratic good governance where the MPs are accountable to the people. Hence, through exercise of good system of governance, transparency and accountability, service delivery will be enhanced.

2.1 Theoretical Underpinning of the Study to Public Administration
This present study is about leadership and accountability in the management of the public finances for effective and efficient service delivery in the public institutions. Leadership and accountability are two of the components of Public Administration which emphasises on management control, administrative control and accounting control. This present study has direct link to Public Administration discipline in the area of financial accountability and leadership which ensure that all government finances need to be accounted for and evaluated, so as to foster development with the limited resources government has in its treasury. Visser and Erasmus (2002:119) assert that financial managers in the public sectors need to know as much about financial operations as they do about planning, estimating, and budgeting. This study explores the challenges in the use of public funds in South Sudan. It focuses, in particular, on funds that are meant for development purposes such as the Constituency Development Fund (CDF) allocated for the MPs. It is argued that the application of management, leadership, accountability and transparency skills are paramount in the implementation and proper management of the CDF funded development projects. These, however, requires clear decentralization of powers as regards to the three levels of government – the National, State and the Local Government. Yet, in South Sudan, the CDF is
controlled at the National level; thus, leaving no room for accountability and transparency in the management of the CDF.

In terms of management of projects in the public sector, Chapter 13 of the Treasury Instructions of the South Sudan stresses planning, overseeing, monitoring and control of projects, from its inception to its post-implementation evaluation, as integral towards ensuring the project outputs and objectives/outcome which are to be achieved in accordance with quality, quantity, time frame specified, and more importantly within the budget. These key principles of management outlined above also entail transparency and accountability in the use of government scare resources. On the management structures of the CDF to enhance harmonized coordination system of the funds, committees at both national and local levels were established to monitor and control the operation of the CDF. Establishment of these committees were aimed to contribute towards effective and efficient management of CDF so as to promote development at the constituencies. Yet, much attention is needed on the issues of accountability and leadership of CDF projects in South Sudan if it is to compliment development initiative, whether community-based or public institutions-based, that bring change in the lives of people. This cannot, however, be addressed, unless researches such as this are conducted.

2.2 Constituency Development Fund in Theory and Practice

The Constituency Development Fund (CDF), which as stated in the introduction to this study, is an initiative of the government of South Sudan headed by the ruling party the SPLM/A in 2007 and implemented 2008. It was created as a result of the 21 years of the prolonged civil war in South Sudan which impacted negatively on the lives of the people as well as on the infrastructure. It is meant to improve the lives of South Sudanese by complementing the services rendered by public
institutions. It is established to provide development in the areas of construction of schools, health facilities, water points and other facilities such as offices that may change the lives of the. The fund is provided for implementation of the projects through respective MPs who represent the people and are charged with the facilitation of the process. The CDF Act was passed into law under CDF Act (2007), Chapter II, Section 4 by the National Transitional Legislative Assembly after a hot discussion on how the constituencies CDF will benefit the people of South Sudan as well as the management, accountability and implementation process. The debate also included the element of community participation, the structures, the aspect of monitoring and evaluation.

The South Sudan National Transitional Legislative Assembly requested the legislation of South Sudan to allocate a portion of the funds equivalent to 3% of its National Budget from the ordinary revenue to be remitted into the constituencies development Fund according to the CDF Act of 2007, Section II. The provision of CDF Act of 2007, Section II ensures that CDF is a specific portion from the annual budget for implementation of projects designed by the community in their respective constituencies. The legal implementation of the South Sudan CDF Act commenced in 2008 with focus on improving the rural areas through raising the standard of living of the poor people. It was also a way of bringing services nearer to the people, which is the SPLM policy of governance and slogan “taking town to the people and not bringing people to the town.” This means providing services to the people in the areas where they live so as to reduce poverty they encounter.

2.2.1 Constituency Development Fund in Theory

The idea of creating the CDF was seen as an excellent idea by South Sudanese. It boasted the morale of the people who were locked in the longest civil war in Africa
which caused damage to infrastructure such as schools, hospitals etc. The CDF was created to improve those vital services to the people. The CDF in its nature through the CDF Act of 2007 gave a way forward to the establishment of the CDF management committee charged with the responsibility of ensure allocation, monitoring, evaluating, and timely submission of reports from the constituencies.

In accordance with the CDF Act 2007, Chapter 2 Section 5, South Sudan Committee was formed comprising of the chairperson, undersecretary from Ministry of Finance and Economic Development, undersecretary from Ministry of Cooperative and Rural Development, and undersecretary from Ministry of Agriculture as members. A clerk from South Sudan national Transitional Legislative Assembly was charged to be the secretary of the committee. After the formation of the South Sudan Committee, another body of fifteen members known as ‘Constituency Development Committee' was constituted and formed at each constituency and convened by the South Sudan Legislative Assembly. The committee is constituted of: two councilors in each constituency, one County officer, two representatives from religious organization, two women representatives, one youth representative and one person nominated from among the NGOs in the area. This committee is to receive all projects proposals from each location and deliberate on them for consideration of those projects which are beneficial to the constituency. These processes are to be practised before implementation.

2.2.2 Implementation Process

In theory, the CDF Act of 2007, Chapter 5, Section 30, states that implementation of the project shall be done by the relevant department of the government with payment received through cheques. Purchasing of equipments shall involve the
constituency as well as the disposal of such equipments. How this is translated into practice, however, is subject to examination.

2.2.3 Community participation

The CDF projects are to be initiated by the community and shall not be imposed ideas that are not accepted by the constituency. This is because those projects that are initiated by the community are due to be supported by the community. All CDF projects are to consider the requirement of this Act. The community interest are always to be taken into consideration in any plan for the betterment of the constituency.

2.2.4 Finance & Administration

The Ministry of Finance may assign ten (10) officers when necessary to assist in management of the fund. For proper management of the fund, the act has provided for an account to be opened for every constituency where the entire fund are kept bearing the name of the constituency. All amount received and withdrawals are to be carried out in accordance with the provision of Section 8 of this Act. Utilization of the fund shall be through permission. Any accruing revenue liability from any constituency account shall be declared to the South Sudan CDF Committee together with the annual returns to avoid mismanagement of resources.

2.2.5 Offences and Penalties

The offences and penalties are meant to protect the operation of the CDF by applying the law that is spelt out in the CDF Act of 2007. In theory the Act has made it clear that any person who misappropriates the fund or applies the fund not in accordance with the provision of the CDF fund will be guilty and shall receive punishment that would not exceed 10 (ten) years or fine exceeding six hundred
Sudanese pounds. In addition, the money used has to be refunded. Hence, in theory, the CDF is well established through the CDF Act of 2007 as there are rules and provisions that guide the utilization of the funds. The element of transparency and accountability is to be applied to ensure proper management of the funds according to the CDF Act of 2007 by the MPs and the constituencies. Monitoring and evaluation of CDF project implementation are also critical to prevent misappropriation of the funds.

In theory, the CDF Act of 2007 is very clear and easy to understand. However, theory is different from practice. It is, therefore, necessary to examine how far these provisions are employed in the real practice in the course of this research.

2.3 CDF in Theory and Practice in Selected African Countries

Some African Countries such as Kenya, Uganda, and Tanzania dedicate public money to improve the status of constituencies through provision of services that may benefit people and change their way of life. The governments of these Countries thought wisely to create some options such as the Constituency Development Fund (CDF) to promote development in other ways as a means of complementing the government service delivery.

2.3.1 Constituency Development Fund [CDF] in Kenya

In Kenya the CDF is made as a tool for the decentralized development which makes it easy for the people at the grass-root level to access the service, and for building hope in the people in realizing the presence of the government to address their problems. CDF in Kenya was established, through an Act of the parliament in 2003, to devolve the national resources to enhance development at the grass-root
level. The objective of CDF was to improve the socio-economic development of the people. The establishment of the CDF in Kenya is highly recognized due to the high need of services by the community as well as building people’s capacity. According to information from Collaboration Centre for Gender and Development published in (2009) in Nairobi, Kenya has an estimate of 210 constituencies. These constituencies receive at least 35 million annually and the distribution of the amount to the constituencies is base on this criteria: 75% of the fund is distributed equally among all the members of the constituencies; the remaining 25% is for the national poverty index and those constituents which are known to have bigger population. CDF in Kenya has transformed the wellbeing of some community from the stress of poverty, and it is felt that CDF has enhanced people’s participation and has promoted good governance.

Some constituencies have done well in terms of leadership and accountability in managing CDF funded projects which resulted to improved livelihood of the people in those constituencies. However, some of the constituencies have not performed well in managing the CDF which led to freezing of the funds for those particular constituencies. Lack of community participation during planning, implementation, monitoring and evaluation is seen as one of the factors that lead to the failure of projects in those constituencies since community participation is the most critical aspect that is required right from planning stage all way through the implementation processes.

2.3.2 Constituency Development Fund (CDF) in Tanzania

The Tanzanian Constituency Development Fund was established in 2008 and endorsed by the former president of Tanzania H.E Kikwete during his address to
the National Parliament on 21st August 2008. It is meant to finance the community development plans and to be implemented at the grass-root level by the Hon. Members of parliament. Establishment of the CDF in Tanzania is aimed at assisting MPs in implementing the development projects that are initiated by the community themselves. This is done to reduce the problems that the MPs face in their constituencies. Through decentralized system of management, the CDF in Tanzania has played a great role in addressing poverty in the constituencies by providing basic services. It focused on key sectors such as health, education, administration and fiscal autonomy and local government. The CDF funds are channeled through the local government authorities on the ground that the local issues should be considered according to their own priorities and interests.

2.3.3 Management and implementation

The policy of managing the CDF is based on the introduction of formula based system in 1998 for inter-government transfer of grants from the national government to the local authority so that it addresses the development need through the grant system. The local government grant established in 2004, which is aimed to ensure proper use of CDF funds in Tanzania, is seen as the best option to underlying questions and blames of MPs by the people in regards to provision of services.

The government established CDF committee to manage projects and pay visit to the constituencies to monitor and evaluate the performance of funds as well as the completion of the projects. The CDF projects management committees are public bodies charged with the responsibility of implementation or management of the project on behalf of the community. The committees are selected from the
constituencies where the projects are undertaken in accordance with the CDF law and public financial regulation.

From the foregoing analysis of CDF in Kenya and Tanzania, it is clear that the two countries have a strong and clear policies and laws that guide the management of the CDF. This could be due to the fact that the two countries have had long experiences of how leadership and accountability are applied in managing funds allocated for delivery of services to the public. However, these countries experienced both achievements and challenges in the implementation of community projects. Moreover, some constituencies have not performed well. This has led to the cry of the people about the poor management of the CDF including corruption practices.

These two countries are selected for comparison purposes in regards to application of proper leadership and accountability in managing the CDF since their systems and policies, which are decentralized, are similar to that of South Sudan aimed at taking services to the people. The purpose is to look for proper management systems which promote development and enhance the implementation of planned CDF projects.

2.4 Characteristics of CDF Programs in the Selected African Countries

The information in Table 2.1 on page 20 below is collected from 25th Common Wealth Parliamentary Conference held in Nairobi, Kenya in September, 2010 which Focused on the role of Parliamentarians in facilitating grass-root projects.
<table>
<thead>
<tr>
<th>Country Name</th>
<th>Official Name</th>
<th>Legal Basis</th>
<th>Funding</th>
<th>Accountability</th>
<th>Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kenya</td>
<td>Constituency Development Fund [CDF]</td>
<td>Plurality/majority: First past the post. Legislation passed in parliament 2003 and amended 2007</td>
<td>2.5% of annual budget; 75% annual allocation equal distribution per constituency, 25% dispensed on basis of poverty needs and population, this is done through the national management committee approved by the board</td>
<td>CDF Board; Constituencies Fund Committee; National Management committee; all the Stakeholders in the implementation</td>
<td>Delegation, participatory, Democratic selection of leaders, Transparent, and Reporting</td>
</tr>
<tr>
<td>Tanzania</td>
<td>Constituency Development Fund [CDF]</td>
<td>Plurality/Majority; First Past the post, MPs are allocated and have control over the use of the CDF disbursements</td>
<td>CDF committee</td>
<td>Delegation, participatory, Democratic selection of leaders, Transparent, and Reporting</td>
<td></td>
</tr>
</tbody>
</table>
2.4.1 Comparison of CDF in the Selected African Countries and South Sudan

Table 2.2 below compares CDF in the Selected African Countries (Kenya and Tanzania) versus South Sudan in terms of their status, source of funding, leadership, and accountability.

<table>
<thead>
<tr>
<th></th>
<th>Kenya</th>
<th>Tanzania</th>
<th>South Sudan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Official Name</td>
<td>Constituency Development Fund [CDF]</td>
<td>Constituencies Development Catalyst Fund [CDCF]</td>
</tr>
<tr>
<td>3</td>
<td>Funding</td>
<td>2.5% of annual budget. 75% of the annual budget allocated to the constituencies. 25% dispensed on basis of poverty need and population.</td>
<td>Funded by the National government through the Local Government Capital Development Grant</td>
</tr>
<tr>
<td>4</td>
<td>Leadership</td>
<td>Constituency Development Fund Board [CDF Board]</td>
<td>MPs are responsible over the use of the CDF Disbursement</td>
</tr>
<tr>
<td>5</td>
<td>Accountability</td>
<td>CDF Board; Constituencies Fund Committee; National Management Committee;</td>
<td>CDF Committee at the national level.</td>
</tr>
</tbody>
</table>
2.5 Leadership and Accountability:
Leadership, accountability and management are influenced by the Public Administration for the reason that it has the ability to influence other disciplines to achieve certain objective. This section examines leadership and accountability as concept within the framework of the CDF.

2.5.1 Leadership
Leadership is a process of leading and inspiring workers to carry out task-related activities of the group. It is an inherent feature in an individual. Yet, managers can acquire the most essential leadership characteristics through experience and training. On the other hand, placement into position refers to people who is placed in a supervisory capacity over people to direct, guide and influence the followers to accomplish the set task. However, in South Sudan leaders used their powers and influences to make things happen. Hence, success or failure of any project or functions depends upon the style that a leader adopts to ensure that things happened in the way they wanted them to happen. As a result, the Constituency Development Fund (CDF) in South Sudan has been led by a chairperson who has the special ability to lead the project through major strategic change plan to transform the communities.

2.5.2 Characteristics of Leadership
The major aspects of leadership include individual characteristics, job characteristics, and work situation characteristics. These characteristics are basic for motivation within the setting of leading and leadership by the project
chairperson. Hence, leadership is one of the important tools in directing CDF to enhance development in the constituencies (G. Van der Waldt & Knipe, 2001:186). In the case of South Sudan where administrative systems are not yet fully established, management of financial and physical allocation and monitoring funds require provision of training to finance managers to ensure monitoring and evaluation of the projects implemented in the counties.

The leadership that is required for directing the CDF in a right direction is the leader who has vision and has the ability to influence people to follow him or her to achieve the set objectives. Hence, leadership that is accountable to people and can apply the participatory approaches in handling the public concerns is essential for management of the CDF to the satisfaction of the people. Thus, leadership of CDF should be characterized by:

1. Provision of proper leadership to facilitate the CDF
2. Delegation of powers to the CDF committees
3. Creation of proper link between the MPs, the Local Authority and the community to enhance implementation of the projects

According to Visser and Erasmus (2002:10) development is promoted by five important aspects. The first aspect is the public sector reform that supports and is committed in promoting socio-economic and political stability of the state. The second aspect is the decentralization of authority and financial resources to the other levels of government to facilitate service delivery. This includes adequate allocation of funds and resources to finance services and capacity building at all levels of sphere. The third aspect is formulation of fiscal and monetary policies to regulate the economy, financial management, transparency and public accountability. The fourth aspect is the information management system which
plays a greater role in promoting development and good governance. And, the fifth aspect is the element of good governance.

The government of the Republic of South Sudan is trying very hard to see to it that all the structures are established including practice of good governance in all public sectors. However, being a newly born country that has just started from scratch, South Sudan has not yet reached the standard of Kenya, Tanzania and Uganda in terms of service delivery. Yet, South Sudanese people have high aspirations, hopes and expectations from it government despite the fact that the government has just come out of war and needs time to put all the structures in place for promoting development that will ensure effective and efficient provision of services to the people.

2.5.3 Management

Management is one of the key public administration components that deal with planning, directing, coordinating, implementing, financing and monitoring. It is a cross-cutting issue that exists in both the public and private sectors. The management committee of the CDF in each constituency is charged with the task of monitor the management of the resources to ensure that good approaches are used which do not exclude poor people, women, the elderly and the persons with disabilities who are always marginalized. Moreover, all levels of government, non-governmental organizations, and those who sponsor the community based organization projects shall involve the vulnerable groups in the decision making and the implementation processes of any project.

Following the attainment of its independence on the 9th of July 2011, South Sudan government is being faced with a lot of problems such as insecurity created by the tribal conflicts, economic crises, and political representation which all have a
negative impact on the provision of the developmental programmers and projects to the people. As a result, the role of the government is being played by Councilors, the parliamentarians or officers, depending on the nature of the project and the particular style of the local authority. In real practice, much of top management roles of government in any substantial projects are delegated to officers such as the chief executive officers, the treasurers and other support functions, as well as service departments (Van der Waldt et al., 2001). Top management carries a set of responsibilities which includes financial, political, legal, ethical and other considerations. However, in case of CDF management in South Sudan, issues of political and ethnic interest influence the management process that always brings failure of leadership. In the ideal practice community should have a big and determining role in every project, while the top management’s responsibility should be to ensure a sound financial management. This, however, is not the case in CDF management in South Sudan.

2.5.4 Accountability

In a paper entitle CDF as a tool of Decentralization Development, Dr. Mark Baskin (2010:5) argues that accountability is one of the traditional cornerstones that each councilor and municipal official is subject to. Absence of institutionalized accountability system makes CDF scheme popular with the politicians (MPs) and administrators who view it as an opportunity to advance personal interest and agendas. The absence of accountability system has lead CDF to become unpopular among local communities in terms of its policy or projects being funded. This assertion tallies squarely with CDF of many countries where there is no institutionalized accountability system of CDF. MPs treat the CDF as their own resources and took full responsibility of managing the funds in areas which serve
their personal interest. Hence, as Baskin (2010:15) states, CDF in South Sudan is becoming unpopular amongst the local communities.

In a research on CDF, Francis, Nekesa and Ndugu (2009: 34-35), concluded that accountability of all CDF could be achieved through publication of the facts about CDF management and discomer of the CDF books of accounts and making them open to the public; thus, enhancing transparency and accountability. This means that those responsible should report to other bodies including the public (tax-payers), and not only to their immediate higher authority in the government. The value of public accountability lies in the fact that the councilors, members of the parliament (MPs) and the executive officials are obliged to conduct a public dialogue between themselves on what they do and the suppositions on which their activities are bases. Public accountability, therefore, should not only be aimed at the internally-audited correctness of financial records: all the financial transactions should be conducted and accounted for publicly for the efficient and effective collective safekeeping of expenditure on public monies (Gildenhuys, 1997:24-25). It should be noted that monies to finances government or budget to finance government program originates from the tax-base. Hence, it is important to carry out effective monitoring and evaluation so that government is not perceived as misusing government funds.

Accountability in this present study is defined by the following characteristics:

1. Regular and detailed reporting to all structures;
2. Regular and involved engagement with communities in the work of the CDF;
3. Monitoring and evaluation of the projects;
4. Effective and efficient use of the public finance to facilitate the CDF;
Hence, when all the systems, structures and policies are put in place and reinforced, accountability of CDF would be enhanced. Furthermore, the accountability of the CDF would be ensured when all the communities are involved in the decision making process of the CDF management. Lastly, but not the least, accountability would be effectively and efficiently achieved through regular reporting, record keeping, monitoring and evaluation of all projects under CDF funding.

2.6 Legislative Framework

The Republic of South Sudan's sovereignty is vested on the people and shall be exercised by the State through its democratic and representative institutions established by this Constitution (Transitional Constitution of the Republic of South Sudan, Article (1) Section 2, page 2). This gave mandate to the government of South Sudan to create the idea of developing the constituencies through the decentralized system of government which means taking services nearer to people. The following constitute the legislative framework that underpins this study.

As an elected member of parliament, (MP), there are duties and responsibilities that legislators have to perform in representing their constituencies which includes the following:

1. Ensure that all public funds and projects dedicated to the reconstruction of South Sudan are used properly and in accordance with the basic tenets of government transparency and accountability.

2. A Parliamentarian should be the voice of his/her constituency in the Assembly and in other area where he/she has influence over the governing process. To ensure these MPs should build relationship and maintain
constant contact with their constituency so that the concerns are understood and conveyed properly.

3. MPs should communicate policies and laws that directly affect the constituency and convey these policies and laws in a way that can be clearly understood (South Sudan Legislative Assembly: A Legislator’s Guide to Gender Politics, 2010).

So, on the basis of this legislative framework of CDF which provided for the proper use of fund that is allocated to the constituencies, the MPs and the CDF committees are charged with the responsibility of ensuring the implementation of the projects in accordance with the law.

2.7 Transitional National Constitution Act (2010)
The Transitional National Constitution (2010) states that South Sudan Sovereignty is vested on the people and shall be exercised by the State through its democratic and representative institutions established by this Constitution and the law. In order to ensure and accelerate provision of service delivery to the citizens of the state, the National Constitution granted the establishment of fund to be named as Constituency Development Fund (CDF) which will be administered by the Committees. The constitution granted that:

1. An amount of money equal to 3% (three percent) of all the government ordinary revenue shall be remitted into Constituency Development Fund; provided that a percentage equal to 1.5 shall be remitted for 2007 fiscal year.

2. Any moneys accrued to or received by the Southern Sudan Committee from any other source
3. The expenditure from the fund shall be on the basis of, and not limited to, the annual budget, which should be submitted to the minister for approval in accordance with this Act before the beginning of this financial year to which the budget relates.

4. There should be paid out of the fund payments in respect to any expenses incurred in pursuance of the provision of this Act.

5. If the Act comes into operation mid-way in a financial year, then the minister shall, within one month of the assent, table in the house the amount proposed to be put into the fund and the allocation to each constituency, and the amounts so proposed shall be allowed through supplementary estimates.

The foregoing provision of the Transitional National Constitution, therefore, provided for the establishment of fiscal and financial allocation and monitoring commissions to allocate funds equivalent to 3% for the implementation of the constituencies’ projects. It is aimed to ensure that the expenditures of annual budget shall be submitted to the Minister and any payment shall be done according to the provision.

2.8 Constituency Development Funds (CDF) Act 2007

The CDF is established by the Legislation of the parliament passed in 2007 to ensure that specific portion of the annual budget is allocated to address the gaps of service delivery in the constituencies. The Act has emphasized on the implementation of the provisions in accordance to the Act, 2007.

CDF is meant to accelerate development that addresses the needs of the people. The Act was passed following long discussion on the responsibilities of the CDF
and the faith of the beneficiary as well as accountability purpose. The Act covered all the concerns and provided for the law that protects the CDF. The Act has also mentioned the services that are supposed to be catered for which include: rehabilitation, reconstruction, rebuilding, and fight against poverty at the community level by supporting the community based projects. By so doing, it would at least relieve the government from the heavy burden of shouldering all the concern of development. As a result, the government allocated funds to the constituencies through the MPs for development purposes.

2.9 Composition of the Constituency Development Fund Committee
In order to ensure good governance in managing the Constituency Development Fund (CDF) to promote development in the constituencies, the Act has spelled clearly, in Chapter 5 Section 27, the establishment of the Constituency Development Fund Committees to direct the projects implementation at all levels of government as follow:

1) There shall be a Constituency Development Committee for every constituency, which shall be constituted and convened by the member of SSLA and shall have a maximum of fifteen members, comprising of:
   (a) The member of SSLA;
   (b) Two councilors in the constituency;
   (c) One member County officer in the constituency;
   (d) Two person representing religious organizations in the constituency;
   (e) Two men representatives from the constituency;
   (f) Two women representatives from the Constituency;
   (g) One person representing the youth from the Constituency;
   (h) One person representative from among the active NGOs in the area, if any;
2) The member of the Assembly for every constituency shall, within the first year of a new Assembly and at least once every two years thereafter, convene location of meetings in the Constituency to deliberate matters in the location, the Constituency and the County.

3) Each location shall come up with a list of priority projects to be submitted to the Constituency Development Committee.

4) The Constituency development Committee shall deliberate on project proposals from all the locations in the Constituency and any other projects which the committee considers beneficial to the Constituency, including joint efforts with other constituencies, then draw up a priority projects list both immediate and long term, out of which the list of projects to be submitted to the Assembly in accordance with Section 12 shall be drawn up.

5) The member of the Assembly for every Constituency shall be chairperson of the Constituency Development Committee unless he or she opts out in which case the Committee shall elect one amongst its members to be the chairperson.

6) The quorum of the constituency Development Committees shall be one half of the total membership.

The implication of the composition of the CDF is that there are a lot of committees formed right from the national level to the State level such as South Sudan Management Committee (SSMC), South Sudan Legislative Assembly Committee [SSLAC], Constituency Fund Committee (CFC), County Committees (CC), and County Project Committee (CPC). Moreover, the existence of these committees
has involved many people and delivery of services is hindered by the long bureaucracy. It also confuses the system of monitoring the performances of the projects. For instance, at county level, there are two committees – the county project committee and the county committee. Yet, the CDF Act has not clearly spelt out which committee is accountable to which. Leadership and accountability cannot be rightly applied and achieved when there are a lot of committees where many people are involved. Involvement of many committees entails that all the resources will be used for maintenance of these committees and the communities get less development due to in proper management of the CDF.

2.10 The Functions of the South Sudan Management Committees

The Constituency Development Fund (CDF) Act of 2007, Chapter 2, Section 6, states clearly the functions of the CDF Committees which are:

(a) to ensure allocation and disbursement of the funds to every Constituency;
(b) to ensure prudent management of the fund;
(c) to receive and discuss annual reports and returns from the Constituencies;
(d) to ensure the compilation of proper records, returns and reports from the constituencies;
(e) to ensure timely submission to the Assembly of various returns, reports and information as required under the Act; and
(f) to perform such other duties as the Southern Sudan Committee, in consultation with the Minister, may deem necessary from time to time for proper management of the Fund.

The functions of the South Sudan CDF Committees mentioned above relates to the highest committee of the CDF which is to ensure proper allocation of resources, prudent management of funds, proper reporting on time, receiving communities’ projects, completion of projects and perform any duty assigned by the committee.
In this case, leadership and accountability is the main player in the project as well as the sustainability of those projects. It also ensures the effective and efficient performance of the community projects.

2.11 Key provisions of the Constituency Development Fund (CDF) Act 2007

The key provisions of the Constituency Development Fund (CDF) Act of 2007 are stipulated in Section 50 (1) and (2) which emphasized on the interpretation and implementation of the government programs and allocation of resources, as it states:

1. The provision of this act shall be complimentary to any other development efforts by the government or any other agency and nothing in this Act, shall be taken or interpreted to mean that an area may be excluded from any or other development programs by the Government or any other agency

2. For the avoidance of any doubt, normal Government development allocations shall continue alongside the projects under this Act.

The CDF Act of 2007 as a legal provision established the funds as essential and model for supporting South Sudan decentralized system of governance and provided for formation of the local CDF Committees and financial management system to monitor the implementation of the projects, and the Hon. MPs to facilitate the formation of the committees.

The Act further stipulated that the committee is to be composed of representatives of the relevant offices at the level of the counties: commissioner, county finance officer, special interest groups, special groups’ representative and other opinion leaders from all the Payams. These Local Committees are charged with the responsibility to receive and keep in safe custody the funds from the CDF pooled
money and consult with the Local Constituents to identify and prioritize the projects, and to oversee efficient utilization of the funds and to report to the higher CDF Parliamentary Committees and later to be submitted to the clerk of the Assembly for auditing.

Implementation of the CDF projects is, therefore, meant to be in line with the Public Administration Management principle such as Leadership, accountability, Management and control for better results. These can, however, only be achieved when the government sticks to its obligations.

2.12 Leadership Framework of the CDF (CDF) Act 2007
Leadership is one of the important tools in managing the Constituency Development fund (CDF), particularly in the implementation process of the planned projects at the County levels. Hence, without good leadership in the exercise, the project will never succeed and the idea of having CDF will collapse. According to Kippra (2010), the Kenyan CDF of 2007 and subsequent amendments established the various entities and components of the CDF program that are crucial to the operation of the funds. Likewise, in South Sudan, the CDF Act of 2007 developed leadership framework to guide operation of the CDF by establishing leadership at all levels aimed for proper management of the funds.

2.13 Establishment of County Projects Committee
The CDF Act of 2007 provided for the established of the County project committee which is charged with the responsibility to coordinate the implementation of the projects, and perform any duty assigned to by South Sudan committee. The county projects committee is to discharge function under this Act and make official visits to the projects from time to time for monitoring purpose. Leadership and
accountability are, therefore, very important in this unit to enhance project implementation and project monitoring according to the Act.

2.14 Conclusion

This Chapter has provided insights from programs in different countries in relation to the South Sudan experience which shaped better understanding of the entire research outlook. From the above review of literature, the following few conclusions can be drawn: CDFs are becoming increasing significant tools of decentralized resource allocation in developing countries. CDF deficiencies generally result from lack of a clear and effective mechanism for overseeing the CDF projects, and lack of separation of powers delineate in CDF policy which leads to corruption, disillusioned constituencies and waste of money. Inability of the local population to grasp the aggregate cost of all CDF projects result to misuse and underutilization of CDF by individuals purportedly supposed to manage it. This also contributes to diminishing degree of efficient utilization and effort to monitor such disbursements.
CHAPTER THREE

3.0 Research Methodology

Research methodology describes the approaches that the study conceptualized on as a process of arriving at the intended solution to the problem of improper management of the CDF which is meant to improve the lives of the people in South Sudan. The study undertook a qualitative approach techniques and methods in order to gather data to answer the research questions. The relevancy of this qualitative approach was to set direction in identifying the data the research liked to collect and to ensure quality of the data that answer the questions. It guided the researcher in decision making on the selection of the right group of people or individuals for the study purpose.

3.1 Qualitative Research Method

This study applied the qualitative approach where by the respondents were interviewed. This, however, necessitated physical visit to the respondents for fact findings mission which enabled the researcher to collect information on leadership and accountability in managing the Constituency Development Fund (CDF), and meaningfully interpreted the data which integrated all the values, and understanding of the matter, attitudes, perceptions, and experiences. This study emphasized on obtaining information directly from the targeted respondents. As a result, the researcher gave maximum opportunity to the respondents to describe
and express their views with regard to situation without force or undue influence. This was in accordance with Maree (2010:99) who asserts that in a qualitative research method as a way of collecting information, the researcher should try to get the first hand information and its meaning as it is interpreted, rather than imposing, forcing the respondent, or dominating the interview process.

The disadvantage of the qualitative method was that, since the information was collected using different data collection tools and different responses were made by the respondents, the data analysis process from different data collection instruments was rather the most difficult part of the research work. It required sorting out of the raw data materials obtained, coding them, clearly understanding and analyzing the perceptions of the different respondents, which in turn were put together for processing to provide a quality data. It was indeed a costly and time consuming exercise.

3.2 Data Collection Techniques

Data collection process involved the data collection techniques that helped in gathering information required by the researcher to answer the research questions. In the present study, these included interviews, focus group discussions and participant’s observation. These instruments contributed in providing ways of getting information directly from the respondents. These techniques were applied in accessing the information because the population was already aware of the existence of the CDF to improve the lives of the people in the constituencies of Yei River County. The study required the respondents to participate and react to the techniques' requirements. This was in accordance with Johann Mouton's (1998:141) assertion that depending on the nature of the particular source data and the manner in which it was collected, human being are aware of the situation, and when they get the opportunity to participate in the research, they tend to react to it.
These techniques which were used during the study ensured a very high response rate because the researcher in advance explained to the respondents about the importance, the relevance and the purpose of the academic research with regards to the CDF Projects implemented in the constituencies. Furthermore, the researcher clarified the research questions to their expectations which made it simpler to the respondents to understand, and which granted them freedom to express themselves.

3.2.1 Interview

For the purpose of this present research, the verbal interview technique was applied during the process of data collection, and was conducted through meeting individual respondents and interviewing and talking to them. The second technique was the Focus Group Discussion in which the respondents were organized in groups of 2-4 people. The researcher met them and provided them with the questions to respond to through a participatory discussion. The other technique used was observation which was purposely aimed to take critical observation on what was going on in regard to projects implemented under CDF.

3.2.2 Focus Group Discussion

The Focus Group Discussion (FGD) was usually used by the researcher after interviewing individual members. The interviewed participants were organized in group and were guided by the researcher through a discussion process on topics pertaining to the research study. The respondents who were covered under the focus group discussion method included Women groups and Youth aged between 18 to 55 years. The advantage of this technique was that it was so fast, cost effective, accurate and less time consuming, as many people were involved at ago. It also gave the participants the opportunity to have a direct interaction and exchange of ideas regarding the CDF.
3.2.3 *Participants observation*

The participant observation technique enhanced the research work because it enabled the researcher to receive first hand information on how the CDF was utilized, accounted for and who actually benefited. Observation made it possible for the researcher to see for herself the projects that have been implemented by the CDF fund in some constituencies compared to other projects. The observation exercise was cost effective and less time consuming. During the process of the observation the researcher used some instruments such as camera to take photos and recorded some voices to ensure direct and accurate information from the respondents identified by the research study.

3.3 *Target population.*

The main focus of this present study was the application of leadership and accountability in managing the CDF funds to promote development in the constituencies of Yei River County: Ottogo, Mugwo, Lasu, Tore and Yei Payam. This involved different stakeholders from whom the study was intended to collect information on the use of the funds. Bless & Higson Smith (1995: 87) defined target population as a set of elements that the researcher focuses upon and which the results obtained by testing the sample can be generalized. Thus, this study targeted the MPs, the County local authority, the CDF committee at the National level and the stakeholders (Development Agencies) of the five constituencies of Yei River County by using the sampling method of selecting few from the bigger number and interviewed them through focus group discussion and individual interview. These enabled the researcher in gaining more understanding as to whether the services rendered to the constituencies by the CDF has effected development and ensured change in the lives of people. The present study targeted twenty (20) participants from the total population of the five constituencies of Yei
River County mentioned above. The following section details the sampling method and sampling size used for this population.

3.4 Sample and Sampling Method
According to Babbie, E. & Mouton, J. (2008:37), sampling is one of the technical methods used to collect necessary data to test and prove a hypothesis that had been formulated by the researcher. Hence, sampling is a systematic explanation for observed facts and laws that related to a particular aspect of life. Sampling enabled the researcher to study a relative small section of the population targeted by the research from whom the researcher was able to gather information that represented the whole population. The sample size considered by the researcher for this study exercise was a manageable number of only 20 respondents, constituting 0.0097% of the total population of Yei River County as per the national census of 2008. It included 5 Members of Parliament, 1 Chairperson of the CDF committee, 1 National Deputy Speaker, 3 County local CDF committee chairpersons, 1 County chief, 1 County Local authority and 1 civil administrator. Others included 4 representatives of women groups, 1 representative of youth group, and 2 local councilors, as shown in the table below.

Table 3.1 Sample Population Size Considered During the Study

<table>
<thead>
<tr>
<th>No.</th>
<th>Sample</th>
<th>Sample size</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>National Parliament</td>
<td>Deputy speaker Members of Parliament</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>02</td>
<td>Local council authority</td>
<td>Commissioner County chiefs Local councilors</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>03</td>
<td>CDF committees chairpersons</td>
<td>County level</td>
<td>3</td>
</tr>
<tr>
<td>No</td>
<td>Sample</td>
<td>Sample size</td>
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<tr>
<td>01</td>
<td>National Parliament</td>
<td>Deputy speaker</td>
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<td>Members of Parliament</td>
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<tr>
<td>02</td>
<td>Local council authority</td>
<td>Commissioner</td>
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<td></td>
<td></td>
<td>County chiefs</td>
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<td></td>
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<td>Local councilors</td>
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<td>CDF committees chairpersons</td>
<td>County level</td>
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<tr>
<td></td>
<td></td>
<td>Chairperson CDF Committee</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
<td>15</td>
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</table>

**Table 3.2 Sample Population Size that was interviewed**

**Table 3.3 Sample Population size which participated in Focus Group Discussion**

<table>
<thead>
<tr>
<th>No</th>
<th>Targeted participants</th>
<th>Women group</th>
<th>Youth representative</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td></td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
</tbody>
</table>

**3.5 Ethical Considerations**

The researcher upheld Ethical consideration which served as a guide line that protected the rights of the respondents from harm or from suffering consequences.
that could be intentionally done to expose the respondents to danger. The researcher assured the respondents of the confidentiality and respect of their values, cultures and traditions during the entire study exercise. These ethical issues such as voluntary participation, confidentiality, and informed consent were strongly considered and observed to avoid conflict between the researcher and the respondents. Before interview could take place, the researcher explained to the participants that the importance of this academic research was to address issues and improve the management of the CDF and not to expose them to danger. The researcher assured the participants that the results and findings of the study will benefit the people not only in those constituencies targeted by the researcher but the whole of South Sudan, and in particular Central Equatoria State. The researcher and participants understood each other on issues regarding the confidentiality and respect that could be provided during the interview or in the group discussion. After the study was completed, the researcher ensured that in order to protect the participants from danger or harm, all the information shared during the research study was to be kept confidentially until it was analyzed and processed and the result will be presented in a manner that will not create dispute, harm or finger point any of the respondents in future. This is in accordance with Kobus Maree's (2008:298) assertion that during study, the researcher should strive to be honest, respectful and sympathetic towards all participants, and if by any chance the participants required briefing after an interview, the researcher should provide this, or make the necessary referral to a professional who should provide such a service.

Before conducting the study, the researcher sought for permission in writing and direct meeting with the Deputy Speaker of the National Transitional Legislative Assembly of the Republic of South Sudan, and permission was obtained from the
Governor of Central Equatoria State to inform the Commissioner of Yei River County from where the research study is to be conducted. During the process of consultation with the above level of governments, the researcher was granted the permission to conduct the academic research assessment which will contribute in improving the implementation of the CDF in the constituencies. Lastly, during the interview process, the researcher conducted herself as simple as possible to create a friendly conversation between the researcher and the respondents.

3.5.1 Community Cooperation
The Community leaders and the respondents representing their constituencies cooperated highly with the researcher during the data collection process. This helped the researcher in conducting personal interviews and facilitating focus group discussions from which a lot of information about CDF Management was disclosed by the respondents and recorded. The respondents were of the opinion that CDF implementation was not followed, monitored and accounted for. They perceived the researcher as one of the monitors sent by the parliament to investigate the beneficiaries.

3.5.2 Government Cooperation
This research was made possible due to the high cooperation of the leadership of the South Sudan Transitional Legislative Assembly, Central Equatoria State Government, and Yei River County Authority. The cooperation of these three levels of government contributed greatly to the success of this study. The county authority in particular provided personnel as a guide to enable the researcher to move from payam to payam for purpose of collecting data and to see for herself physical projects of the CDF in all the four constituencies of Yei River County, in addition to provision of maximum security to ensure that the research is conducted without any conflict. This cooperation made it possible for the researcher to fix
appointments with government key respondents and conduct in-depth interviews with the local government officials who contributed a wide spectrum of ideas, views, and opinions on the management of CDF in the county.

3.5.3 Financial support
The financial contributions from the Central Equatoria State Government and fraternal friends made it possible for the researcher to conduct the research within the stated research period. The financial support made it possible for the researcher to facilitate her movements from one payam to the other without any hindrance in terms of transport facilities. The financial support enabled the researcher to avail for herself drinks, accommodation, meals, and refreshments during field study, in addition to purchase of stationary, printing and production of the research reports. Hence, with the support of the Governor of Central Equatoria State and friends, it was easier to conduct the research study at low cost and peacefully. The support made data collection easier as the respondents were informed earlier before the research could take place.

3.6 Limitation Based on Experiences during the Research Study.
3.6.1 Bad Weather
Yei River County, which was the setting of the present research, is located in Central Equatoria State (CES) in the Republic of South Sudan (RSS). Yei River County is characterized by heavy rains and moderate temperatures. The research study was conducted in the months when the county was experiencing heavy rains. This disrupted the research implementation programs as movements to the field for observation purpose, appointments for in-depth interviews and focus group discussions were many times postponed. These consumed and wasted a lot of time.
It was also cultivation season when most of the rural target respondents were attending to their agricultural fields. Hence, they could not easily be accessed for interviews.

3.6.2 Poor Roads communication
As a young country which has just emerged from 21 years of civil war, the development of infrastructure such as roads is still at its lowest end. The existing roads are seasonal and completely in need of urgent repair. The bad roads, coupled with bad terrain and heavy rains, made the research areas inaccessible. This resulted to unnecessary delays and time waste. For instance, out of the targeted four payams, only three were covered by the research. The researcher could not go to the forth payam (Lasu Payam) due the problem of bad roads.

3.6.3 Misinterpretation of the Research Study
Due to rural poverty, and mistaking the research study as being heavily funded by donors, some of the respondents demanded to be paid first before they could participate in the research study or accept to be interviewed. This necessitated the researcher to make a lot of explanations and elaborations on the purpose of the study. In some cases, it necessitated the intervention of the local leaders to make complementary explanations. It was time consuming and led to the excusion of some of the target beneficiaries from the study.

3.6.4 Perceived Information
Being the first research study of its kind on CDF in South Sudan, there was perhaps a perceived misconception that the study was a government inspired investigation into the alleged mismanagement and embezzlement of CDF, and that the study was an investigation aimed at obtaining evidence to facilitate arrests and prosecution of individuals involved. This led to concealment of information and
records on amounts received and spent which the beneficiaries mentioned only a few.

3.7 The Scope of the Study
The study was conducted in Yei River County from July to December, 2012 for the reason that during this period, Yei County was accessible and the security situation was calm within the whole territory of its border. Yei River County has five Constituencies allocated on the basis of the census of 2008 with representation of eleven members both in the Council of States and the Legislative Assemblies, i.e. the Transitional National Legislative Assembly and the State Transitional Legislative Assembly. The study sample size was 20 respondents which was a measurable size and easier to identify and interviewed. By having few respondents as focus of the study enabled the researcher to gather a spectrum of information in a proper manner on the CDF. The study was limited only to Yei River County which has a mixture of people with different cultures and cultural traits from whom the researcher collected different ideas, views and opinions. A sample of only 20 respondents was covered due to limited resources and time factor which could not permit a wider area and large population sample coverage. The study was only conducted among the South Sudanese aged 18 years and above. Participation of children was excluded on the ground that they had little or no knowledge of CDF and did not understand what it was all about.

3.8 The Study Period.
The entire research program was conducted within a period of 6 months starting from the 1st of July and ended on 30th December 2012. Table 3.4 on page 47 summarizes the various research activities and the duration they took. The research
was conducted successfully with the application of the above mentioned techniques and the support of local authority to ensure that correct information is gathered.

Table 3.4: The Study Program Implementation Period

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<thead>
<tr>
<th>S/NO</th>
<th>Activity</th>
<th>Period covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Consultations with the South Sudan Parliament, the State Authority and the local authority</td>
<td>1 week</td>
</tr>
<tr>
<td>2</td>
<td>Developed and distributed of research materials</td>
<td>3 weeks</td>
</tr>
<tr>
<td>3</td>
<td>Data collected from the field</td>
<td>1 months</td>
</tr>
<tr>
<td></td>
<td>Writing the research project chapters</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td><strong>Chapter One:</strong> which covers introduction and background to study, problem statement, research objectives, research questions, significance of the study</td>
<td>1 week</td>
</tr>
<tr>
<td>5</td>
<td><strong>Chapter Two:</strong> Literature review</td>
<td>3 weeks</td>
</tr>
<tr>
<td>6</td>
<td><strong>Chapter Three:</strong> Field study: Gathered information using the research methodology</td>
<td>4 weeks</td>
</tr>
<tr>
<td>7</td>
<td><strong>Chapter Four:</strong> Data analysis, interpretation and Presentation of the Findings</td>
<td>1 month</td>
</tr>
<tr>
<td>8</td>
<td><strong>Chapter Five:</strong> Conclusion &amp; Recommendation</td>
<td>2 weeks</td>
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</tbody>
</table>

3.9 Conclusion
Research methodology is a part of research design which helped the study to be conducted in a manner that created relationship between the researcher, respondents and the local authority. Application of the methodology or techniques
such as interview and focus group discussion contributed to the successful gathering of information.

CHAPTER FOUR

4.0 Data Analysis, Interpretation and Presentation of the Findings

4.1 Introduction

This chapter presents data analysis, interpretation and discussion of the research on the leadership and accountability in managing the CDF in South Sudan. The analysis and discussion of data here compare information from secondary sources (literature review) with findings from the field. The chapter presents the technique that was used to filter the raw data into quality information for public consumptions. In the course of data analysis and interpretation, ethical considerations on the views, ideas and perceptions of the respondents was highly maintained for the purpose of achieving a well balanced and valid report.

4.1.1 Analysis of Primary and Secondary Data

4.1.2 Primary Data Analysis

The qualitative primary data collected from the informants from the field through interviews, focus group discussions and observation was analyzed using a code matrix technique. It was a principal data analysis tool in which the researcher consolidated all information for ease of interpretation. Responses emerging from the identified themes such as identification of CDF, leadership characteristics, accountability, management, community participation in the CDF decision making process, legal basis of CDF implementation, organs and individuals mandated to implement the CDF, as well as projects under CDF, were all recorded, in addition
to typical powerful quotes from interviews and project photographs to reinforce and emphasize the findings. Other essential information recorded included: the CDF target groups' awareness of CDF, monitoring of the CDF projects, utilization of funds, behaviors of individuals managing the fund, the best practices, successful projects and challenges. The tool made it possible to put together all the above information under particular themes, which in turn, aided the interpretation of the data collected.

The socio-economic and demographic characteristics of the respondents were analyzed to describe the study characteristic using percentages, modes and means. The results were compared to the qualitative information findings and secondary data for purposes of easy data presentation.

4.1.3 Secondary Data Analysis

Data analysis from the secondary sources included analysis of South Sudan government CDF reports, the previous research reports from other countries implementing similar CDF programs, Mass media publications, and articles on CDF in South Sudan, as well as report on Best Practices on CDF by the CENTRE (Collaborative Centre for Gender and Development). These were analysed in order to extract the relevant and reliable information for purposes of this study. Reports on CDF implementation and management from the selected African countries by Centre for International Development, the South Sudan CDF legal documents such as the constitution and CDF Act, which constitute the legal basis and structures of CDF establishment, were also considered. The secondary data analysis mainly concentrated on reports from Kenya and Tanzania CDF management experiences and research Studies. The analysis process took into consideration issues of the validity, formats, and biasness so as to ensure high quality data and to keep within
the objectivity expected in the research report. Lastly but not the list, secondary data analysis included relevant literatures on public finance, administration and management to guide data interpretation process.

4.1.4 Data Interpretation

During the data interpretation process, the researcher upheld Ethical consideration which served as a guide line for the production of the report which protects the rights of the respondents from harm or from suffering consequences which would result from being intentionally exposed. The respondents' confidentiality and respect of their values, cultures and traditions were taken into consideration during data interpretation process for purpose of attaining a valid research report of a high quality which would not be perceived to carry personal bias or offend the sensibility of individual respondents, or create dispute between the researcher and the respondents.

Other variables taken into consideration to ensure validity and quality information during data interpretations process were the socio-economic and demographic characteristics of the respondents such as age, sex, marital status, source of livelihood, and social status of the respondents.

4.1.5 Data Presentation

The qualitative data after being analyzed and interpreted was organized into preliminary report and edited of computer errors and spellings. The final research report was produced as descriptive data using paragraphs, tables, pie charts and graphs inscribing modes, percentages and means. Powerful quotes from interviews are included in the report to emphasize the findings. Finally, conclusion and recommendations of the research were then drawn up.
All in all, the process of data analysis and interpretation enabled the researcher to filter the raw data into refined and quality research findings complemented by powerful quotes from interviews to emphasize the findings, as well as the use of tables and graphs to illustrate the findings as presented in the following sections.

4.2 Socio-Economic and Demographic Characteristics of the Respondents

The research collected information on the socio-economic characteristics of each respondent as significant variables of the study. The purpose was to compare the socio-economic and demographic characteristic findings with the qualitative findings for purposes of easy interpretations.

4.2.1 Respondents by Age

Table 4.1 below shows the reported distribution of the respondents by age. The respondents aged between 18-23 years of age were found to be 20% of the total respondents; those between the age group 24-29 years were exactly 30% of the total respondents; those between the age group 30-35 constituted 35% of the total respondents; and those above the age of 35 years were only 15% of the total respondents.

Table 7: Showing Reported Distribution of the Respondents by Age.

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 – 23</td>
<td>4</td>
<td>20%</td>
</tr>
<tr>
<td>24 – 29</td>
<td>6</td>
<td>30%</td>
</tr>
<tr>
<td>30 – 35</td>
<td>7</td>
<td>35%</td>
</tr>
<tr>
<td>Above 35</td>
<td>3</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td><strong>20</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
4.2.2 Respondents by Sex

Table 4.2 below summarizes the reported distribution of the respondents by sex. The research study also undertook a gender consideration in gathering information from the field. Out of the total respondents, 12 respondents constituting 60% of the total respondents were male; while there were 8 women representing only 40% of the total respondents.

Table 4.2: Distribution of Respondents by Sex

<table>
<thead>
<tr>
<th>Sex</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>12</td>
<td>60%</td>
</tr>
<tr>
<td>Women</td>
<td>8</td>
<td>40%</td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>100%</td>
</tr>
</tbody>
</table>

4.2.3 Respondents by Employment

Figure 4.1 on the next page shows the reported distribution of respondents by employment source. The research study identified the employment status of the respondents. Out of the 20 respondents, 80% were found to be employed by the government and other employing agencies; 15% were found to be self employed, and only 5% were unemployed.
4.2.4 Respondents by Marital status
The research collected information on the marital status of the respondents. The research identified the marital status of the respondents by the marital status. Out of the total 20 respondents, 18 respondents representing 90% of the total respondents were married; only 2 respondents making up only 10% of the total respondents were found unmarried.

4.2.5 Respondents by Education
The present study also gathered information about participants' educational levels to identify the highest education levels of the respondents. Figure 4.2 on the next page shows the distribution of the respondents by education. Out of the 20
respondents, 10% were found to be degree holders; 35% were diploma holders; 35% were secondary certificate holders; and 5% were of primary education.

**Figure 4.2: Pie Chart showing the education level of the respondents**

4.3. CDF Leadership

4.3.1. Knowledge about the CDF

The respondents were asked what they know about the Constituency Development Fund (CDF). Overall, 75% of the respondents knew something about the CDF; while the rest of the respondents (25%) reported they heard the word CDF but did not know what it is all about. The existence of the respondents without knowledge about the CDF program, which was initiated six years back, could be viewed as a result of lack of awareness raising and publicity about the CDF program in the constituency. It is not well exposed to the community what the CDF does for the people.
Sentiments on lack of knowledge about the CDF are captured in the following quotes from some of the respondents:

‘I don’t know what CDF is, and this is the second time for me to hear this word from a committee that was formed by the MPs at the local level. What it means and how it is managed I know nothing’. [Emma Meling]

‘This is my first time to hear about the CDF. It is an English word which I don’t understand what exactly it does. I was looking for explanation but I could not find any.’ [Betty Sarah]

‘I heard about it but I don’t have any idea’. [Suad Bako]

‘We the youth of Minyori Boma, we don’t want to be deceived by the MPs whom we elected. CDF is what? Where did CDF come from? Who is responsible? Is CDF money that is to be distributed to the people? ...’ [Youth FGD. Minyori Boma]

Among the 75% of respondents who knew something about the CDF, there were variations in the knowledge and perception about, and definitions of CDF across all the respondents’ categories and socio-economic characteristics (sex, age, education level and employment). The proportion of the respondents who knew much about the CDF increased with the level of education and employment by the government. Full knowledge on the specific issues about the CDF program was found to be higher amongst the national level and the State level targeted respondents (MPs, CDF Committee members, County Project Committees members and the local chiefs) than other categories of the respondents.

Whereas, the majority respondents acknowledged CDF as National Government initiative to foster and accelerate development of infrastructure such as health,
education, water and sanitation facilities, as well as improving the life of communities at the constituency level, others looked at the CDF as the special transfer of funds from the national government to the constituency to facilitated development. Only few of the respondents viewed it as the incumbent ruling party's (SPLM) political initiative aiming at extending development programs to the constituency through the MPS to implement the policy of taking towns to the people and not bringing people to the town. Despite these variation in the views of respondents, what seemed to be common in all the expressed views and opinions in interviews and focus group discussion (FGDs) by the respondents is that the CDF is a development initiative to change the lives of people.

The respondents' acknowledgement of the term CDF is depicted in the following quotations from legislators:

‘CDF is a constituency development fund established so that services reach to the people at grass root level’ [Hon. Jenifer Yabu]

‘CDF is the project of the national government initiated to meet the challenges and interest of the communities’ [Hon. Ester Sadia]

‘Establishment of the CDF was an idea of the government borrowed from Kenyan government aiming at extending the services to the people at the constituency, that is the grass root level, to improve their socio economic status. It was a wise developmental idea of the government designed for her people’ [Hon. Daniel Lokoroto]

Some typical quotations from answers given in reference to the question 'What is CDF?' include the following:
‘CDF is a grant from the government to the people, to boost the morale of the people in terms of development. It’s a good initiative created to address the issues of the suffering people resulting from the effects of war’’ [Hon. Councillor James Juma, Yei county]

‘CDF according to my understanding is money given by the government of South Sudan to the constituency to make development of schools, health, water and improve the lives of the people.’’[Sarah Natalino, Women. Assoc.]

‘The results of the national population census 2008, led to the formation of the national constituencies of which Yei River County (YR) was granted five constituencies based on its big population size. The Constituencies include Yei, Tore, Mugwo, Lasu and Ottogo. Therefore CDF is a fund created from the national budget to improve services to the grass root people’’ [Executive Director; Yei River County]

The above views, ideas and perceptions on the CDF by different respondents who knew about the CDF are in agreement with the explanation by the Chairperson of the Constituency Development Committee in the National Legislative Assembly Hon. Beatrice Aber who stated that CDF is an amount equivalent to 3% of the national budget remitted into the fund and governed by the CDF Act of 2007. The purpose of CDF is to develop and fight against poverty at the constituency level. This is in line with the government philosophy of taking towns to the people through delivery of basic services based on the dire needs of the constituency.
4.3.2. Knowledge on the CDF Leadership

Pursuant to the South Sudan Constituency Development Fund Act of 2007, the implementation of the CDF is to be enhanced nation-wide through establishment of different levels of leadership, purposely to ensure transparency and accountability in terms of the management system of the fund. The Act identifies the South Sudan Management Committee, the CDF Finance Officer and Administrator, the CDF Committee, the National Parliament, and the County Project Committee, and the County Local Government Departments as the main leadership structures for successful implementation of the fund.

In view of the above levels of leadership, the respondents were asked about the CDF leadership in South Sudan and whether the leadership is elected by the constituency electorates or appointed by high authorities. The overall majority of the respondents (80%) knew about all the CDF leadership structures. However, out of the 80% who knew about the CDF leadership, only 55% respondents knew the CDF Committee and County Project Committee; while 20% of the respondents did not know anything about the CDF leadership. Moreover, only 25% of those who knew about all the CDF leadership structure actually knew how the South Sudan Management Committee (SSMC) and CDF committee are constituted and what each committee comprises of in terms of membership. However, interview with the National Speaker and the MPs revealed that the membership to the SSMC is done by appointment by the Minister of Finance and Economic Planning. Where as the CDF Committee membership was supposed to be appointed by the South Sudan National Parliament. In the case of the County Project Committee, it was reported that it was formed when the County MP, the Commissioner, heads of government authorities, the chairpersons of the CDF Committees, County development Officer, and relevant county management staffs constituted themselves into the County
Project Committee under powers entrusted to them by the CDF Act of 2007, and elected amongst themselves the chairperson and the secretary to conduct the committee business.

Whereas the CDF Act of 2007 allow the community to have a chance to nominate a representative to the County Project Committee to represent their special interest in any CDF project being undertaken in their area, evidence from FGDs showed that the County Project Committees had no members representing the community – an indication that their interests are not considered. Information from FGDs showed that poor representation of the community members on the County Project Committees is the result of lack of community sensitization on the CDF programs and projects.

Sentiments on poor community representation on the County Project Committee are captured by the following quote:

‘According to the CDF Act of 2007, the community has to be part in identifying the needs and decide on what they want right from planning to implementation process. However, they are not even aware about the CDF. The responsibility is only left to the committees and the MPs. While they were supposed to account to the constituency who elected them, practically this is not happening........’. He went on to say: ‘The management of the CDF in Yei County is not proper. As community we don’t understand how the CDF is implemented and we are not adequately involved – even the community is not informed on how much money has been disbursed to the CDF bank account.’’ (Gimunu Boma Chief)

On the basis on the foregoing opinions and perceptions on the CDF leadership, there is need to emphasize involvement of the communities during planning and
implementation of the CDF projects. There is also need for participatory method of leadership between the CDF leaders and community leaders to enhance effective coordination and consultations on CDF implementation and monitoring as well. The CDF leadership needs to integrate best practices of management principles to ensure effective service delivery to the community.

4.4. Management of the Constituency Development Found

4.4.1 The CDF Management Structures and Linkages

The South Sudan CDF Act of 2007 defines the CDF Management Structures and their specific roles and responsibilities in the management of the CDF in the Country. The Act clearly defined the functions of South Sudan CDF Management Committee, the South Sudan Transitional Legislative Assembly Committee, the CDF Committee, the County Project Committee, the Government Departments, the Community, the area MPs, and the Minister of Finance and Economic Planning.

The respondents were asked about their knowledge on the specific functions and roles played by the above CDF Management Structures and their linkages for effective and efficient management of the fund. Overall, a slight majority of the respondents (55%) knew much about the roles and functions of the CDF management structures and their linkages; while only 15% of this total percentage of the respondents did clearly elaborate the functions and roles of the CDF Management Structures.

A typical sentiment of the respondents about poor understanding of CDF Management Structures and linkages are captured by this quote:
‘The CDF management Structures are not really clear, because the MPs come direct to the people. The CDF legal frameworks are written in English and the majority local people don’t understand.’” [Female FGD, Yei Payam]

However, the proportion of the respondents who knew about the functions and roles of the CDF Management Structures increased with the level of education and employment by the Government. Knowledge on the specific functions and roles of the National level CDF management structure was higher amongst the national level target respondents – Deputy Speaker, SSLA Chairperson for CDF and MPs – than the lower community level target respondents.

Some of the quotations obtained from the local government officials and community members on the knowledge about functions of the CDF management structures include the following:

‘When the CDF was established in the Payam, the committee was formed comprising of the seven people and this committee worked with the community to decide for that school project and the linkage between the committee and the community is very good.’ [Elias Nigo, Ag. Director Mugwo constituency]

‘The CDF Committees are the bodies that are responsible for the Management of the project. In Tore, Lasu and Yei all the committees are formed. Hon. MP Henry Danga. Is one of the committee members’ [Moses Timon, Mugwo constituency]

Further interview with Hon. Moses Bidali revealed that the roles of the National Parliament Committee include, among others, approval of the CDF Budget and making of the CDF legislations. The State Government Authority, according to the CDF Act of 2007, is not part of the CDF Management Structure but is only to be
informed of the CDF implementation progress. The County local government authority was reported to be responsible for implementation of the CDF project in terms of management of CDF payments, conduct of procurement activities, monitoring of the projects, maintaining CDF project records and reporting all CDF activities to SSMC.

4.4.2 Successes and Failures of CDF Management Structures and Linkages

The respondents were further asked about the successes and failures of the CDF management structures and linkages in execution of their functions and roles to implement the CDF in accordance with the CDF Act of 2007. Information from interviews and FGDs identified the following successes and failures of each management structure.

Successes of the South Sudan Management Committee with regards to the CDF Act of 2007 were viewed in terms of effective execution of mandate to approve, allocate and disburse the funds to the constituencies and timely and adequate preparation of the CDF reports for submission to the National Parliament. However, evidence from the qualitative information indicated that the South Sudan Management Committee has failed to ensure prudent management of the CDF program which has, in turn, resulted to personalization of the programs by the area MPs – an act contrary to the provisions of the CDF Act of 2007.

Sentiments of respondents on inadequacy of CDF Management Structures and linkages are captured in the following quotes:

‘After the community came with their decision on project to be funded under CDF, the MP rejected it and come with their own’ [Youth; FGD]
'The management of the CDF is carried out by the MPs. Although there was a committee formed and my name was included as the member without my consultation; still the MPs take full responsibility of the CDF.' [Sarah;Women Group]

‘Linkage is poor between the MPs and the local authorities. The MPs come immediately to the ground and start digging the foundation [referring to construction of the school] without consulting the local authority.’ [Female; FGD Yei]

Successes of the Constituency Development Fund Committee (CDFC) with regards to the CDF Act of 2007 were also revealed by the participants in the FGDs and interviews with key informants of the research study. These included overseeing the implementation of the CDF program and considering various proposals from different constituencies for funding upon making recommendations to the clerk of the National Parliament. However, the major identified failure of the CDFC is its inability to use its mandate to review the CDF legal framework set out for improved CDF service delivery to the target beneficiaries.

Although the local government departments were praised for release of the CDF payments through cheque payment as an efficient measure of transparent and accountable management system, evidence from the FGDs showed that the departments failed in the areas of effective implementation of the CDF program in terms of conducting relevant procurement needs, failure to monitor the programs, as well as, inadequacies in record keeping as required under the Act. Lack of the CDF implementation records, lack of accountability and transparency were the major weaknesses identified with the County CDF Committees and the area MPs.
In general terms, the successes of the CDF Management Structures in Yei River County is evidenced by the existence of the CDF Projects which include: Nyombgwe Primary School, Ottogo Primary School, Mitika Primary School, Mugwo Secondary School, Marju water borehole, Adiyo Grinding Mill, the Mundu water system, Tore borehole, and Minyori road, to mention only a few. However, despite these successes, the roles of the CDF management structure have remained ambiguous for a number of reasons. First, it is not clear between the CDF management committees, on the one hand, and the local government departments on the other, which body is chiefly liable for the financial accountability. Second, the CDF stakeholders are left outside the project approval and implementations as requested by the CDF Act of 2007. The county project committee, the community and local chiefs are "toothless" and have been marginalized in the management of the CDF. Hence, due to absence of formal and clear specification of the roles and functions of the CDF management structures, opportunities abound for abuse of the CDF Program which has resulted into more failures than successes.

4.4.3 Professionalism in the Management of the CDF

Recruitment of the professional members to the CDF Management Committees is a real and critical ingredient for managing and sustaining the CDF in the right direction. According to the CDF Act of 2007, qualification for the South Sudan Management Committee membership should be decided on the bases of ones academic qualification in areas relating to finance, accounting, engineering, economics, rural development and law. However, information from the interviews and FGDs indicated that majority of the membership in the CDFC and CPC were recruited without consideration of their professional and academic qualifications.
This has, in turn, contributed to the problems of poor records keeping, poor accountability, and poor monitoring, to mention but a few.

Evidence from the FGDs revealed that there is lack of autonomy by the CDF committees in execution of their functions within an independent and professional manner due to the influence of the MPs. Independence of the CDF Committees was viewed by the respondents as a key factor for the successful implementation of the CDF. Members of the CDF committees were to execute their roles and functions in a professional manner without undue influence, fear or favor. However, information from the FGDs respondents indicated that the CDF committees run CDF programs with maximum interference of the area MPs who, disregarding the provisions of CDF Act of 2007, assume the overall management of the funds, take decisions on the projects to be implemented and identify the potential beneficiaries. This had resulted into slow pace in the implementation of the programs and rendering of the committees non-functional and non-operational.

A typical quote from the respondents highlighting interference by one of the MPs in the CDF committee work is as follows:

‘In the case of Yei, most CDF committee members are not aware about the CDF implementation. The programs are done without the consultation of the committee members. The Honorable goes straight and makes agreements with the building contractors without the knowledge of the community.’

[Male; FGD Yei]

4.4.4 The Primary Target Beneficiaries of the CDF Program

In accordance with the CDF Act of 2007, all projects to be initiated under the CDF program must be community based and must ensure prospective benefit to the widespread spectrum of all the social groups including the marginalized and
vulnerable social groups inhabiting the particular area. Respondents were asked about any known specific CDF project which was initiated to benefit the most marginalized groups (PWDs, Elderly, Chronically ill, Women living with HIV/AIDS, Orphans). An overwhelming majority of the respondents (90%) indicated that they did not know of any specific project that targeted the most marginalized groups in the society. Lack of a specific CDF projects initiated to benefit the most marginalized groups was viewed to be the result of poor planning by the County Project Committees to initiate specific project which target the most vulnerable groups.

Information from the FGDs with the youth revealed less involvement of the youth in the CDF programs and committees and their views were not integrated in the CDF work plans. Sentiments on poor youth representation on the CDF committees and programs were captured in the following quotes;

‘The community does not know about the CDF and we the youth hear the CDF on the radios.’’ [Youth; FGD Yei]

‘The CDF Committee does not involve the youth. The elected members decided to select the CDF projects they wanted, without considering the interests of the youth.’ [Youth; FGD Yei]

‘.......For instance, the construction of the CDF school Projects did not take into consideration the accessibility needs of the PWDs.’ [PWDs; FGD Yei]

4.4.5 Transparency and Accountability in CDF Management

The South Sudan CDF Act of 2007 has provisions for ensuring transparent and accountable management of the CDF by all the CDF structures, organs and
individuals involved in the implementation of the fund. In respect to transparency, the Act provides for the nature and number of the projects to be funded, the criteria of selecting the CDF projects, and the functions and powers of the CDF committees. Other transparency related issues of the CDF program, as stipulated in the Act, include holding of regular meetings by the committees, application of the government procurement regulations of tendering and quotation for procurement of equipment, works and services central to CDF projects implementation.

As far as CDF accountability is concerned, the Act provided for expenditure control, checks and balances in the management of the CDF programs. This include the provisions about all payments of CDF to be made through cheques, operating a separate bank account designated for CDF, maintaining accurate and updated records on all CDF transactions which must be audited on the regular basis. Other accountability provisions in the Act include provisions about strict financial regulations and operational procedures with respect to the cash withdrawals, savings, revenue and receipts management, accruals and unutilized funds, as well as presentation of receipts obtained from expenditures. Beside these, the Act provided for the supervision, monitoring and evaluation of the CDF projects to determine their impact and value for money.

The respondents were, on the basis of these Act provisions, asked about their knowledge on the transparency and accountability issues related to the CDF management in South Sudan. The overall majority of the respondent (85%) reported the existence of lack of transparency and accountability problems in CDF management. The proportion of the respondents who reported the existence of lack of transparency and accountability irregularities increased on the bases of level of education; while knowledge on specific issues of accountability was high amongst the local government legislative members. The following are some of the
quotations from respondents on lack of transparency and accountability in CDF management.

‘There is no accountability of CDF; the CDF Committee even doesn’t know how much is being disbursed’ [Hon. Jenefer Yabu CES]

‘There is a lot of corruption since there is a lot of complaint about the CDF money by the community’ [Hon. Lokoto CES]

‘Transparency does not exist in the CDF management because no meeting has ever been conducted with regard to the CDF; nor has the community been informed about amount disbursed and spent on the CDF projects’ [Chairperson Women Assoc. Yei]

‘There is no transparency and accountability in CDF management. A clear example is the case of Nyombgwe Primary School which is under construction. All the constructions taking place is completely different from what the community previously agreed upon. For instance, out of the eight classes agreed initially, only seven were constructed, and the MP shares the biggest blame’ [Female; FGD Yei]

Information from the Interviews and FGDs showed that CDF accountability problems are due to the personalization of the CDF management by the MPs and their direct interference in the CDF Committees work. Others factors contributing to lack of transparency and accountability were believed to include undermining of the local government departments, lack of professional conduct amongst the CDF Committee members, and the CDF implementers failure to abide to the government procurement regulations and procedures. Information from FGDs further revealed that absence of the checks and balances in the governance structures created a room for the abuse of the CDF. The MPs are offered too many powers in the CDF Management: the MPs enact the CDF laws, have the powers to
determine the allocation amounts, develop the policy, and have the final say on the issues of the CDF implementation. MPs influence the appointments of the CDF Committees and sit on them as chairpersons. Moreover, in some instances, they influence the decisions on the implementations of CDF Projects which turn the projects to be their own de facto projects.

Some typical quotes given in reference to transparency and accountability problems in CDF due to MPs influence include the following:

‘The criterion of selecting the school was not clear; the County Department of Education was not informed about the school construction program’ [Education Officer. Yei]

'The community raised a complaint about the standard of the structures of the CDF schools. The materials are of poor quality and the standard measurements are not right’ [County Engineer. Yei]

'The MPs should abide by the legal CDF framework and work in consultation with the local authorities and the local communities. They should not undermine the county local government departments.’ [County Physical Planner Yei]

According to Hon. Henry Danga, who is the Constituency representative, some projects in Yei River County were successful in integrating some best transparent and accountability practices. For example, in Mugwo constituency, a Secondary School is being constructed under the CDF program to benefit children of the Mugwo payam and other neighboring payams. Accordingly, when the CDF was established in the constituency, the CDF committee was formed comprising of seven councilors and community members. The committee, working in consultation with the community members and the MP, identified the construction of the secondary school as the major priority need of the community. They formed
a clear linkage with the local government departments for effective and efficient management of the CDF School Project. A separate CDF Bank account was opened with a commercial bank and three signatories were appointed to manage the bank account. For transparency purposes, two councilors and one community member were appointed as co-signatories with powers to sign cheques, bills of exchange and other lawful instructions pertaining to the said bank account.

The project implementation team was following the government procurement regulations in the procurement of equipment, works and services central to the construction of the school. The site engineer made requests through the committee which gave consent and approval for the next course of action based on the laid down procedures.

The community also confirmed that some MPs such Hon. Henry Danga visited the constituencies regularly to monitor the CDF project, as well as checking on the progress and to rectify shortcomings. The MP regularly convened meetings with all the stakeholders to brief them about the project progress and to build consensus on important decisions relating to the project requirements. As a result, there was a high sense of ownership of the project among the community members since they were involved in all stages of the project development. This was reflected in their willingness to provide labor for the project, as well as dutifully attending the regular project meetings.

### 4.5 Conclusion

The research findings revealed a lot of contradictions in the South Sudan CDF program as a concept and in practice. As a concept, the CDF Act of 2007 provided for structures, procedures, and guidelines for successful implementation of the CDF program which in practice were not adequately adhered to and this resulted
into inefficiency in the execution and performance of the CDF project. As far as the CDF leadership is concerned, all the structures as provided in the CDF Act of 2007 were not properly established to link the national committees and the local level communities for effective coordination of the CDF Program. The state government level was left out of the CDF structural legal framework which created a room for interference, abuse, mismanagement, and embezzlement of the CDF funds by MPs and local authorities. Beside these, the majority of the CDF committees which were established did not allow full participation of the community members in all CDF operations which resulted to unpopularity of the CDF program amongst the local communities.

For management of the CDF to promote development in the constituencies, the elected committees should operate in accordance with the provisions of CDF Act of 2007. However, MPs took chance of dominating every project process including planning, implementation, financing, monitoring and evaluation. Besides this, implementation of the CDF was supposed to be done through the relevant departments of the local government in the counties. Yet, in the actual practice, it did not happen in all the constituencies. This has resulted to some projects being well implemented while others were disputed by the communities. Therefore, monitoring and evaluation of the CDF projects by the community is very important in assessing the performances of both the committees and MPs since all of them are accountability to the communities.

Transparency and accountability in the management of CDF were spelt out as crucial elements in the CDF Act of 2007 for effective CDF implementation. However, in the real practice, these elements were not fully applied by individuals in all CDF committees at grass root levels. This resulted into complaints by the communities about lack of transparency and accountability over funds and projects
of CDF in terms of the amount of funds allocated to each MP for implementation of community projects, expenditures, and quality of materials procured. Finally, the respondents' views and opinions about the CDF as a concept, leaves no room to underestimate the importance of the CDF in creating positive impact in terms of development at the grass-root level and advancing the welfare of the people through community projects.
CHAPTER FIVE

5.0 Conclusion and Recommendation

5.1 Conclusion

CDF being a new phenomena initiated by the government of South Sudan to promote development in the constituencies, it is not yet well understood and popular amongst the various sections of the community such as the youth, women, persons living with disability [PWDs], and communities who are not represented in the parliament. Knowledge and awareness about CDF was found to be higher amongst the highly educated, government employees and local councilor respondents, than the less educated and private employed respondents. In the same way, knowledge on the CDF Leadership and Management Structures was also higher amongst the highly educated respondents and those in government leadership, than the less educated and those working outside the government framework.

The CDF in South Sudan according to the CDF Act of 2007 was found to be implemented through various structures. The main identified CDF leadership structures included: the South Sudan Management Committee (SSMC), the CDF Committee, the County Project Committee (CPC) and Government departments. Knowledge about these CDF structures was higher amongst the MPs and CDF Committee Members than other categories of the respondents. Successes and failures of the CDF were highly identified with the County Project Committee than other CDF committees provided in the CDF Act. Although the structures and guidelines are in place, they are not strictly followed by MPs due to lack of precise specifications of penalties for those who abuse or misuse CDF funds.
The CDF Act of 2007 provided management procedures, roles and functions of various actors to guide in the implementation of the CDF Projects. However, lack of independency, constant interferences of the MPs and non professional conduct of the CDF Committees, were viewed to be the major hindrance factors which resulted to inefficient performance by CDF Committees. The proposed Community representatives in the CDF Committees, as provided under the same CDF Act, were also inadequate due to lack of knowledge about the CDF practices by the local community. According to same Act, the primary target groups for the CDF projects were all categories of people living in the project area without discrimination in terms of sex, age, gender, religion, political affiliation, tribe and social status. Yet, where minimum CDF project developments such as schools, roads, safe water and grain mills were attained, the community at large was less involved. This resulted into inefficiency, mismanagement and poor monitoring of the some projects.

The absence of checks and balances in the CDF management structures created a room for the abuse of the CDF implementation processes. For instance, the duplicity of the roles of the MPs from enacting the CDF laws, determining the funds allocation, developing the policies, to the chairing of the CDF Committees, enabled them to have much influence on the CDF Projects. Hence, transparency and accountability problems were identified as the major threats to the very foundation order of the CDF establishment in South Sudan. Less involvement of all stakeholders in all CDF processes, conduct of procurement activities outside the government procurement policy regulations, poor record keeping, and poor monitoring and supervision of the projects were also viewed as the major transparency and accountability challenges affecting CDF Management.
5.2 Recommendation

In view of the noted current implementation challenges of the CDF in Yei River County, and in view of the opinions of the respondents, the researcher has come out with the following recommendations

1. The level of knowledge and awareness about CDF Program amongst the community needs to be addressed to ensure optimal participation, involvement and benefit from the CDF Projects. This should be tackled through community sensitization, given that the community was identified as the main target beneficiary of the program. Concerted efforts should be made to target and empower the women, the youth, PWDS as their level of knowledge about CDF was lower. The community sensitization programs should address, among other issues, the basic facts about CDF purpose, CDF committees, CDF leadership and management structures, types of projects funded, community participation, implementation arrangements, finance and administration.

2. To ensure widespread information about the CDF, the local councilors should liaise with the CDF committees chairpersons for wider coverage of the whole county to enable information about CDF reach the local communities.

3. Regarding the CDF Act of 2007, there is a need for the National Parliament to make the necessary amendments in the Act to make it cope with the current challenges in the implementation of the fund, more particularly, the regulations governing the process by which the projects are selected and determined, the manner in which funds should be awarded and implemented, as well as the reporting mechanisms.
4. The CDF Management structures should, as a matter of policy, involve the community members, the youth, the women, the PWDs, and the relevant local government departments in decision making process of all matters concerning the CDF implementation. Active involvement of all the stakeholders could be a way of increasing the sense of ownership, encourage empowerment and equal benefits from the program. This would also go a long way in addressing the problem of disillusionment amongst the local communities resulting from their exclusion in all CDF processes of project identification, project proposal selection, project approval and implementation.

5. Responsibility of monitoring the CDF Projects should be emphasized and encouraged. The County Project Committee should constantly monitor and review the proceedings of the project oversights. The local government departmental heads should keep in contact with the County Project Committee on the project monitoring related issues. One of the monitoring tool should be to take project site photos before, during and after the project is initiated.

6. There is a strong need to address the CDF accountability and transparency deficiencies resulting from the lack of clear and effective mechanism for oversights, and separation of powers between the MPs and the CDF committees, on one hand, and the MPs and the government departments on the other. This would go along to address the problems of improper, dishonest, inaccurate and untimely preparation of CDF reports, the problem of corrupt officials, as well as the problem of community disillusionment mentioned above.
7. There is a need to address the problem of inefficiency in the misallocation, misuse or underutilization of the CDF disbursements to the constituency, resulting from corrupt tendencies of some officials and inability of the local communities to understand the aggregate cost of the CDF. Because CDF money come directly from the central government as block grants, it is treated as ‘‘free money’’, which creates a diminishing degree of efficient utilization of the funds and less efforts to monitor such disbursements by the CDF committees, government department and local communities. People must be explained the long term cost and hidden cost of the CDF, as well as its impact on the national budget.

8. Since most of the identified CDF Projects involve high level procurement of equipment, works and services central to the implementation of the projects, there is need to set out clear procurement and disposal regulations of the CDF projects to address corruption, embezzlement of CDF funds, procurement of poor quality products and procurement related irregularities of the CDF management.

9. According to the CDF Act of 2007, the State Government Authority is excluded from the CDF management structure which created a gap in the monitoring of the CDF program and poor reportings at the local level which is answerable to the state government. Therefore, it is recommended that the state government should be included in the management of the CDF programs implemented at county local government levels which is under the jurisdiction of the state government.
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