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Examining Challenges of Policy
Implementation:
A Case Study of the Street Vending
Policy in Blantyre, Malawi,
2002-2006

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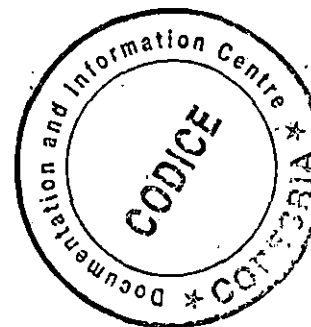
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**Examining Challenges of Policy Implementation:
A Case Study of the Street Vending Policy in Blantyre, Malawi,
2002-2006**

By

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**Bachelor of Social Science (Honors) in Policy and Development Studies
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**A Research Portfolio Submitted in Partial Fulfillment of
Masters in Social Science (Policy and Development Studies)
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At The University Of KwaZulu-Natal**

DECLARATION

This thesis was undertaken at Policy and Development Studies at the School of Sociology and Social Science at the University of KwaZulu-Natal, under the supervision of Anne Stanton. This is my own original work and has not been submitted in any form for any degree or diploma to any other University. Where the work of others has been used, it has been duly acknowledged in the text.

B. A. Matinga

Bridget Matinga-Katundu.

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ACRONYMS

BCA	Blantyre City Assembly
BDA	Blantyre District Assembly
CBO	Community Based Organization
CDC	Community Development Committees
CSO	Civil Society Organization
DLGA	Department of District and Local Government Administration
GVH	Group Village Headmen
MUFIS	Malawi Union for Informal Sector
NA	National Assembly
NABW	National Business for Women
NAHIBA	National Hawkers Association
MOA	Minibus Operators Association
OPC	Office of the President and Cabinet
SEDOM	Small Enterprise Development Organization of Malawi
SMEF	Small and medium Enterprises Fund
SVA	Street Vendors' Association
TA's	Traditional Authorities
UDF	United Democratic Front

ABSTRACT

The broad problem in this study is that of the challenges of the implementation process. The assumption of this study is that the marginalisation of street vendors in the Blantyre City Council's street vending policy decision-making led to inappropriate policy decisions and policy implementation failure. The study therefore explores the challenges of policy implementation on Blantyre's street vending policy process in Malawi.

The methodology used in this study is both qualitative and quantitative in nature. The study commenced with a literature review. Secondly, focus group discussions using semi structure checklist were conducted with key informants who are also stakeholders of the street vending policy. These included the Minister of Local Government in Malawi, Blantyre City Assembly (BCA) official and Street Vendor Association leaders. Thirdly, a survey questionnaire was used to interview street vendors. Fourthly, data was also collected using observations made during the study in which pictures were taken to aid in providing visual data substantiating what was observed.

The study has employed theories such as policy cycle, Brinkerhoff's Task Framework and narrative policy analysis technique to provide direction in analysing the policy in question.

Results from the study demonstrate that the street vending policy came as a directive from the then President, Dr. Bakili Muluzi and was forcefully implemented by the BCA without consulting vendors or letting them participate in the decision-making of the policy. This policy demanded that the vendors relocate from streets in Blantyre to a government built flea market which is located away from the city centre where most shopping is done. In this way vendors were marginalised. It is this marginalisation of the vendors in the policy-making process that has led to inappropriate policy decisions and

in turn to unworkable and unsustainable policy implementation strategies. Here vendors do not have a sense of ownership of the policy and therefore do not feel obliged to comply with BCA's policy. For the vendors moving out of the streets has meant reduced sales and consequently reduced income for their livelihood. It is due to the lack of policy ownership, lack of communication between BCA and vendors, loss of customers and income, poor positioning of the market and the feeling that BCA does not take into account of the vendors' problems that has lead to non-compliance. This non-compliance is manifested in that vendors go back to sell their merchandise in the streets. This is regardless fines that are charged against offenders when found by the BCA and police. This study is important in that it is a current problem being faced by the BCA. It offers important lessons for policy-makers on issues relating to successful decision-making and policy implementation. These lessons can be used by various governments in order to curb the challenges of policy implementation since there many countries that are faced with the challenges brought by street vending and many governments are resorting to relocating vendors away from city streets.

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DEDICATION

To my *manyuchi* Mangani and my little Tiko.

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CHAPTER 1

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1. CHAPTER 1:

INTRODUCTION

Africa and indeed the world at large are experiencing rapid governance reforms due to democratisation. For many countries, democracy has meant embracing new policies including liberal economic policies that encourage access to free markets. In some cases the free markets have been seen as an integral part of a solution towards reducing poverty. Some countries have resorted to privatising previously owned government agencies and services. This has often led to job losses for the local people. These people often resort to informal trading otherwise known as street vending like in the case of Malawi. This for them is a sustainable way of achieving a sustainable livelihood among other things.

Malawi lies in the southern part of Africa and shares borders with Tanzania in the north, Mozambique in east, south and south west and Zambia in the west¹. (Refer to Figure 1.1). It has a total area of 119,140 square kilometres² and has a population of over 12 million people³. Of these 48% are males and 52% are females⁴. Malawi is one of the poorest countries in the world. According to the United Nations Development Programme's Human Development Report (2005), Malawi has a Gross Domestic Product (GDP) per capita of US\$ 156⁵. Approximately 41% of the population lives on less than US\$ 1 a day and 64.3% of the population live below the national poverty line⁶.

Although the adult literacy level is relatively high (64.1%), employment opportunities in the formal sector are limited. Only an estimated 12% of the potential labour force is employed in the formal sector⁷. In the context of increasing unemployment rates, the populist government in

¹ African Atlas. (2007).

< <http://www.infoplease.com/ce6/world/A0831325.html> > 2007/09/17.

² Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 78.

³ DFID Country Profile: Africa.

< <http://www.dfid.gov.uk/countries/africa/malawi.asp> > 2007/09/17

⁴ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 78.

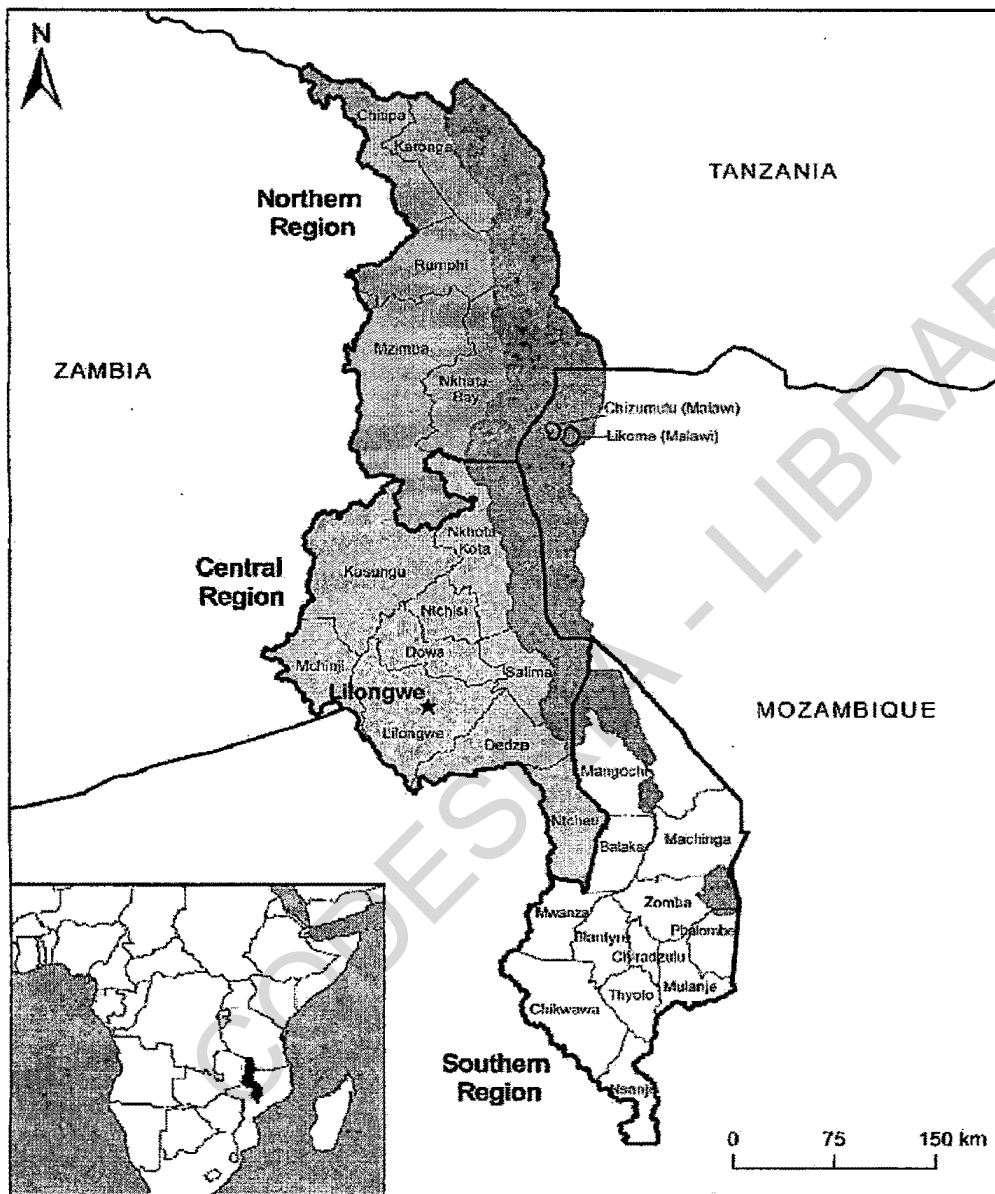
⁵ UNDP. (2006). *Human Development Index Report for 2005*. Houndsmill: Macmillan Press. Pg. 222.

⁶ UNDP. (2006). *Human Development Index Report for 2005*. Houndsmill: Macmillan Press. Pg. 222.

⁷ Tsoka. G. (2005). *Competition Regime in Malawi*. Preliminary Paper Presented in March, 2005. The National Conference Group in Malawi. March 2005. Pg.1.

1994, introduced a Poverty Reduction Programme, which provided a favourable environment for informal trading, including street vending⁸.

Figure 1.1 Map of Malawi



Source: NSO (Malawi), and ORC Macro. (2005). *Demographic and Health Survey*. Calverton: NSO and ORC Macro Press. Pg. 29.

⁸ BBC News. (2006). *Malawi Threatens Street Vendors*: 18-04-2006.
<<http://newsvotes.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4916882>> 2006/05/12.

The liberalisation of the Malawian economy in 1994 resulted in the influx of cheaper imports exposing Malawian businesses to stiff competition. Most of the local industries were forced to downsize or even to close down, and thousands of jobs in the formal sector of the economy were lost⁹. A majority of Malawians were left to depend on income made in the informal sector, selling whatever goods they could¹⁰. The goods ranged from second-hand clothes, groceries, hardware items, food and even medicine¹¹. Informal trading, such as street vending became more and more regarded as sustainable livelihood, enabling residents to be economically active and empowered.

The concept of street vending refers to micro-enterprises comprising of units with 5 to 10 employees, and is often not registered¹². The World Bank argues that despite low incomes realised from individual informal economic initiatives, informal trading remains, collectively, economically valuable to the poor¹³. It is a growing part of local and national economies, securing livelihoods of a large population thereby reducing poverty¹⁴. It is therefore important that street vendors, as part of Malawi's informal sector, be represented in the decision-making processes on policy that affect them. Ignoring the contribution of the street vendors may lead to further marginalisation of the poor.

Faced with poor infrastructure; crime; violence; a lack of transport; a lack of finance; and a lack of education, vendors often operate in environments that are not conducive to their business practices. This limits and compromises their ability to attain a sustainable livelihood¹⁵. In broader local policy decision-making, marginalization of street vendors can lead to inappropriate policy decisions, and in turn, to unworkable and unsustainable implementation strategies.

⁹ Tsoka. G. (2005). *Competition Regime in Malawi*. Preliminary Paper Presented in March, 2005 at the National Conference Group in Malawi. March 2005. Pg.1.

¹⁰ Tsoka. G. (2005). *Competition Regime in Malawi*. Preliminary Paper presented. The National Conference Group in Malawi. Pg.1.

¹¹ Bowie, C. Kalirani, L., Cleary, P. and Bowie, C. (2006). The Patterns of Symptoms in Patients Receiving Home Based Care in Bangwe, Malawi: A Descriptive Study. *Bio Medi Central Palliative Care Journal* London: BMC. Limited. 5(1):Pg.5.

¹² BBC News. (2006). *Malawi Threatens Street Vendors*.
<<http://newsvotes.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4916882>> 2006/05/12.

¹³ World Bank LED Manual. (2006). *Poverty Reduction Programmes*.
<<http://www.worldbank.org/urban/poverty/index.html>> 18/04/2006. Pg. 17.

¹⁴ Ibid.

¹⁵ World Bank LED Manual. (2006). *Poverty Reduction Programmes*.
<<http://www.worldbank.org/urban/poverty/index.html>> 18/04/2006. Pg. 18.

Problem such as these are the domain of government and policy decision-making. In the case of Malawi's street vending policy¹⁶, this study will examine issues of policy decision-making and implementation.

This study explores the challenges of policy implementation. It will focus more specifically on the policy process of the street vending policy in Blantyre, Malawi. It explores how the policy was made, how it has been carried out and where it is now. This will be discussed according to the orthodox policy cycle, Brinkerhoff's Task Framework as well as narrative policy analysis techniques in order to analyse the data that has been collected in this study. After the data analysis, results will be presented and a conclusion shall be drawn with possible lessons to be learnt and critical issues of policy processes raised.

This study is important because it is a current policy problem being experienced by the Blantyre City Council of the Blantyre City Assembly. This study will also give information on how the government conducted the whole street vendors' relocation process, and how they failed to gain support for the policy.

The broad problem in this study is that of the challenges of the implementation process. The assumption of this study is that the marginalisation of street vendors in the Blantyre City Council's street vending policy decision-making led to inappropriate policy decisions and policy implementation failure.

1.1. RESEARCH OBJECTIVES OF THE STUDY

The objectives of the study are:

1. To review the policy framework for informal trading and street vending in Malawi.
2. To establish the background of street vending in Blantyre, Malawi.
3. To trace the policy-making process of local government officials in Blantyre with regards to informal trading.

¹⁶ There are policies that prohibit vendors from selling their merchandise in the Blantyre City streets which collectively in this thesis are referred to as "street vending policy". Chapter 3 gives details of these policies.

4. To determine the local government's reasons for the relocation of vendors in Blantyre.
5. To ascertain the views of the street vendors on the relocation process.
6. To identify issues related to the street vendor policy implementation process.
7. To determine whether a neglect of public participation in decision-making policy has influenced the success of the implementation of the street-vendor policy in Blantyre, Malawi.
8. To raise important issues surrounding the Blantyre street vending policy.

In order to achieve this, the study commences with a literature review in order to conceptualise the policy framework that offers guidance on how policies are generally made¹⁷. This includes the policy cycle with an emphasis on decision-making and policy implementation which are relevant to the subject under discussion. Brinkerhoffs' Task Framework offers a systematic way of assessing and managing policy implementation. It specifies what is to be implemented and why it is to be implemented. On the other hand, narrative policy analysis is employed which generally entails making use of stories told by policy stakeholders to determine and analyse issues surrounding a policy controversy. The main purpose of this story telling is to give cohesion to shared beliefs and to transmit basic values. Understanding these shared beliefs and basic values helps in establishing reasons why certain decisions are made and why they are carried out the way they are.

The study then focuses on the case study component which gives the general background of street vending in Malawi, with specific focus on Blantyre in Chapter 3. This illustrates how the policy came about, its policy-making process and how it has been implemented¹⁸. Chapter 4 presents the findings of this study. Here important themes from data collected during the study are identified to form a synthesized story surrounding the street vending issue. These have been analysed to give meaning to data and to come up with a more

¹⁷ Colebatch, H. K. (2002). *Concepts in the Social sciences: Policy*. Buckingham: St. Edmundsbury Press. Pg. 111-115.

¹⁸ Colebatch, H. K. (2002). *Concepts in the Social sciences: Policy*. Buckingham: St. Edmundsbury Press. Pg. 111-115.

comprehensive understanding of the underlying problems with the implementation of the street vending policy.

LIMITATIONS OF THE STUDY

The field work component of the study took place during the September 2006 vacation. Since the vacation was short, I had limited time for data collection. To overcome this challenge, I employed 5 fieldworkers to assist me with data collection.

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CHAPTER 2

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2. CHAPTER 2: **LITERATURE REVIEW**

INTRODUCTION

This chapter reviews the literature that has informed this study. It provides information relating to the processes and techniques used in policy-making relevant to this study. The approach and techniques include an orthodox policy cycle, Brinkerhoff's Task Framework as well as narrative policy analysis techniques. This approach and technique will help in analysing the data that has been collected in this study. Of particular importance are the decision-making processes and the policy implementation aspects that this chapter will focus on in that the two directly inform the success or failure of how the street vending policy in Blantyre was carried out.

2.1. PUBLIC POLICY

According to Cochran and Malone the term public policy was identified in the mid 1960s as a prominent subfield within the political science field¹⁹. Since then, scholars and practitioners in the public policy sphere have grappled with the term. They have tried to determine how it should be carried out but have not yet managed to come up with one single way in which public policy should be carried out to yield positive results²⁰. Nevertheless, Cochran and Malone say that 'public policy is the study of government decisions and actions that are fashioned to address matters of public concern'²¹. It is a form of control often expressed in regulation, a law, or even in a form of order. Furthermore, Cochran and Malone argue that this control can be exerted through patronage, redistributive and regulatory policies²².

According to Cochran and Malone²³, patronage policy, which is otherwise known as promotional policy, encompass those actions performed by government which offer incentives to individuals and corporations to undertake activities that they would not have undertaken or if so, they would have undertaken reluctantly with a promise of a reward. Such policies use promotional

¹⁹ Cochran, C. L. and Malone, E. F. (2005). *Public Policy: Perspectives and Choices*. Colorado: Lynne Rienner Publisher. Pg.1.

²⁰ Ibid.

²¹ Ibid.

²² Ibid. Pg.14.

²³ Ibid.

techniques such as subsidies, contracts, and licenses to ensure compliance. On the other hand, redistributive policies control people by managing the economy as a whole. According to Lowi, redistributive policies involve changing the distribution of existing resources²⁴. This can be through fiscal policies such as taxation, and also through monetary policies that seek to regulate the economy by changing the growth rate of money supply or interest rates²⁵. These kinds of policies tend to benefit one group of people at the expense of others through the relocation of resources²⁶. With regulatory policies, government often controls the conduct of certain activities by using negative or punitive forms of control. This can be through the usage of civil and criminal penalties for certain behaviours which are contrary to governments' regulations²⁷.

The street vending policy in this study is a regulatory policy. It is a regulatory policy used by the Malawian government to control the conduct of street vending by using negative or punitive forms of control which have been enforced by arresting vendors who defy the government's regulation as well as fining them about MK 1 500²⁸.

Analysing policy is not straightforward. There are a number of factors that can influence why and how a policy is made and why it may or may not yield its intended results. One approach of analysing policy is by applying the policy cycle model.

2.2. THE POLICY CYCLE

Colebatch argues that the policy-making process can be framed as a succession of stages²⁹. These stages indicate major activities that happen during the policy-making process. According to Colebatch, these activities generally start when there is a formal statement of a policy, and it focuses on the attention of authorised decision-makers³⁰. These activities inform the extent to

²⁴ Parsons, W. (1995). *Public Policy: An Introduction to the Theory and Practice of Policy Analysis*. Cheltenham: Edward Elgar Pub. Pg. 133.

²⁵ Ibid. Pg. 15- 16.

²⁶ Ibid. Pg. 15- 16.

²⁷ Cochran, C. L. and Malone, E. F. (2005). *Public Policy: Perspectives and Choices*. Colorado: Lynne Rienner Publisher. Pg. 15- 16.

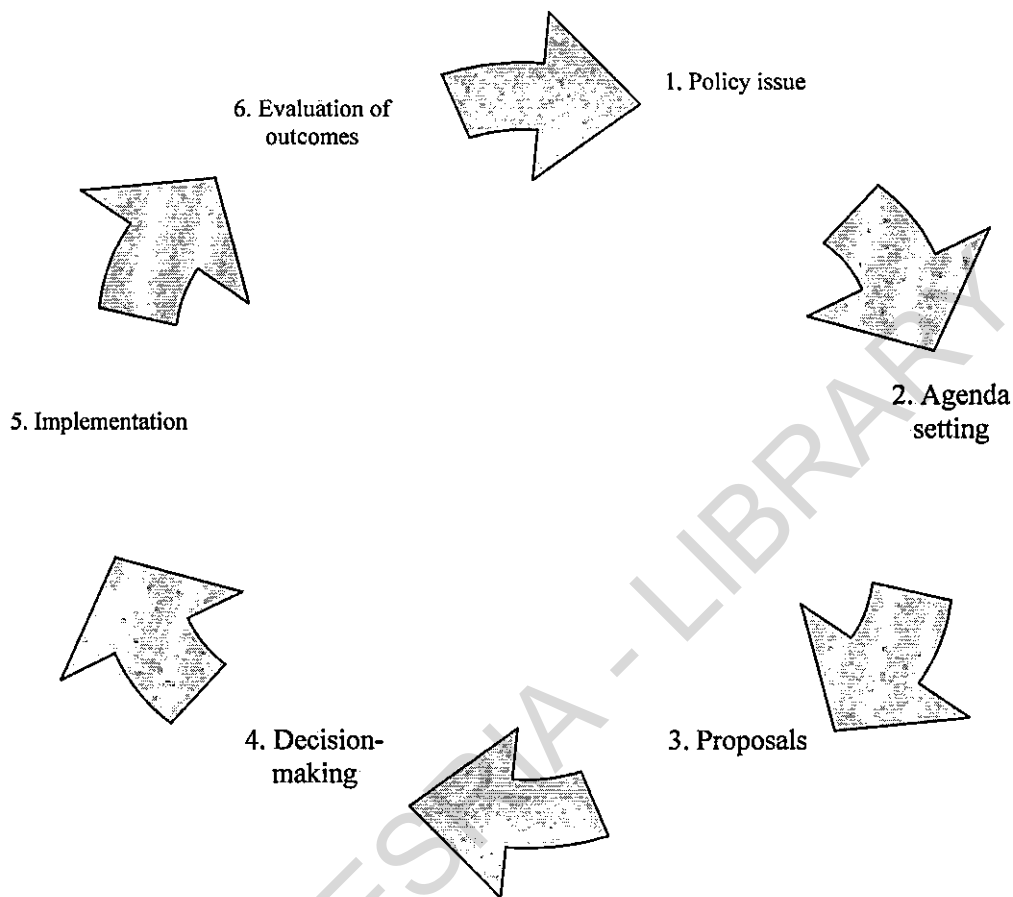
²⁸ Approximately R750.

²⁹ Colebatch, H. K. (2002). *Concepts in the Social Sciences: Policy*. Buckingham: St. Edmundsbury Press. Pg. 111.

³⁰ Colebatch, H. K. (2002). *Concepts in the Social sciences: Policy*. Buckingham: St Edmundsbury Press. Pg. 111.

which the stated policy will be or has been carried out and the extent to which it has achieved its objectives³¹. Refer Figure 2.1.

Figure 2.1: The Policy Cycle



Source: Adapted from Colebatch, H. K., (2002). *Concepts in the Social sciences: Policy*. Buckingham: St Edmundsbury Press. Pg. 111.

Kingdon, a renowned scholar in the policy field, supports the orthodox way of analysing public policy according to the policy cycle³². Theoretically, the policy cycle commences with the identification and definition of an issue or policy problem which requires a solution or an

³¹ Colebatch, H. K. (2002). *Concepts in the Social sciences: Policy*. Buckingham: St Edmundsbury Press. Pg. 111.

³² Kingdon, J. (1995). *Agendas, Alternatives, and Public Policies*. New York: Longman Pub. Pg.15.

intervention³³. When the relevant government authority acknowledges the existence of a policy issue, it becomes part of the political policy-making agenda³⁴.

Kingdon argues that an agenda is an issue or problem to which policy-makers pay some serious attention, and for which a set of alternatives for government action are identified³⁵. These alternatives are generated in the policy stream. An important coupling occurs when a policy alternative is coupled with another alternative³⁶. These policy stakeholders, who may include civil society organizations and those who would be affected directly by the policy among others, keep their proposals ready waiting for either a problem to appear which they can just attach their solution to when a policy window opens³⁷. Kingdon identifies two factors which affect agenda setting and alternative specification in policy-making process³⁸. These include active participants or stakeholders and the process by which agenda items become prominent. Preliminary discussions of stakeholders culminate in draft policy proposals³⁹. Draft proposals and alternatives are presented and considered which then initiates the formal decision-making. The process involves selecting a preferred alternative that is regarded as being able to achieve a set goal.

The preferred alternative or policy decision is then implemented. This means that certain tasks are undertaken in order to achieve the desired policy outcomes⁴⁰. According to Van Meter (cited in Hill), 'managing policy reforms and policy implementation, encompasses those actions by public, private individuals or groups of people that are directed towards the achievement of objectives set out in prior policy decisions'⁴¹. Policy implementation is an ongoing process that is usually carried out over a long period of time.

³³ Kingdon, J. (1995). *Agendas, Alternatives, and Public Policies*. New York: Longman Pub. Pg. 3-4

³⁴ Ibid.

³⁵ Ibid.

³⁶ Kingdon, J. (1995). *Agendas, Alternatives, and Public Policies*. New York. Longman Pub. Pg. 195.

³⁷ Ibid.

³⁸ Ibid. Pg.15.

³⁹ Ibid. Pg. 3-4.

⁴⁰ Ibid.

⁴¹ Hill, M. (2002). *Implementing Public Theory: Governance in Theory and in Practice*. London: Sage Publishers. Pg. 46.

For a successful policy outcome, there is a need for monitoring and evaluating the policy that has been put in place⁴². This can be done by the government itself or by stakeholders. Evaluations can take place at various stages of the policy process⁴³. According to Weisis, these evaluations help inform stakeholders including the government on the effectiveness and/ or the feasibility the policy in question⁴⁴. At each and every stage of the policy process decisions are made which inform that guides stakeholders to achieve their decision. It is therefore necessary to examine the theory on decision-making and implementation in more detail.

2.3. DECISION-MAKING

According to Hill, decision-making in its simplest term refers to ‘choosing between alternatives that are conducive to the achievement of fundamental objectives within an organisation’⁴⁵. Howlett, and Ramesh⁴⁶ identify two main models of decision-making namely, the rational model and the incremental model.

The rational decision-making model refers to the procedures for decision-making that enable one to achieve policy goals by choosing the most efficient way⁴⁷. The model postulates prior specification of means of reaching ends or goals⁴⁸. The rational model of decision-making assumes that to make a policy decision, decision-makers would have access to all the information that would be needed. This information would be thoroughly examined and the consequences of each alternative would be identified⁴⁹. From this, a preferred alternative will be made. This approach would require full public participation by all interested and affected parties. This can be a time-consuming exercise.

⁴² Kingdon, J. (1984). *Agendas, Alternatives, and Public Policies*. New York: Harper Collins College Publishers. Pg. 87.

⁴³ Weiss, C. (1998). *Setting the Scene: Evaluation Methods for Studying Programmes and policies*. Upper Sandle River. New Jersey: Prentice Hall. Pg.45.

⁴⁴ Weiss, C. (1998). *Setting the Scene: Evaluation Methods for Studying Programmes and Policies*. Upper Sandle River: New Jersey: Prentice Hall Press. Pg.45.

⁴⁵ Hill, M. (1997). *The Policy Process in the Modern State*: Prentice Hall Hartnolls Limited. Pg. 99.

⁴⁶ Howlett, M. and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: University Press. Pg. 17.

⁴⁷ Howlett, M and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: University Press. Pg. 17.

⁴⁸ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall: Hartnolls Limited. Pg. 100.

⁴⁹ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall: Hartnolls Limited. Pg. 99.

According to Howlett, and Ramesh, due to the thoroughness needed in this approach, the rational model of decision-making exercise is a strenuous exercise and is, as such a difficult one to embark on⁵⁰. Hill argues that ‘this approach is neither adaptive to the limited human problem-solving capacities nor to situations in which there is inadequate information’⁵¹.

The incremental model of decision-making on the other hand, is a more practical approach to decision-making. It involves making successive limited comparisons of alternatives that are available or already in place and so involves the changing of policy incrementally⁵². The feasibility of this model rests on the assessment of the different policy alternatives can be made by considering a few options at a time⁵³. In this way, the model turns out to be more efficient, conserving both time and money. However, it can also (and often does) limit the potential for public participation as a policy decision is sought after as quickly as possible.

There are various factors that can influence decision-making. These include bargaining and negotiations, persuasion, and commanding⁵⁴. (Refer Figure 2.2 on styles of influencing). According to Howlett and Ramesh, ‘bargaining or negotiating is a process in which two or more parties that are in positions of power may partially adjust their goals in order to form a compromised and an acceptable course in an attempt to accommodate each other’s needs’⁵⁵. Persuasion on the other hand, involves skilfully constructing one’s arguments in a logically coherent manner in order to influence another person to think in your way⁵⁶.

⁵⁰ Howlett, M and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: Oxford University. Pg. 17.

⁵¹ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall: Hartnolls Limited. Pg. 102.

⁵² Ibid Pg. 101.

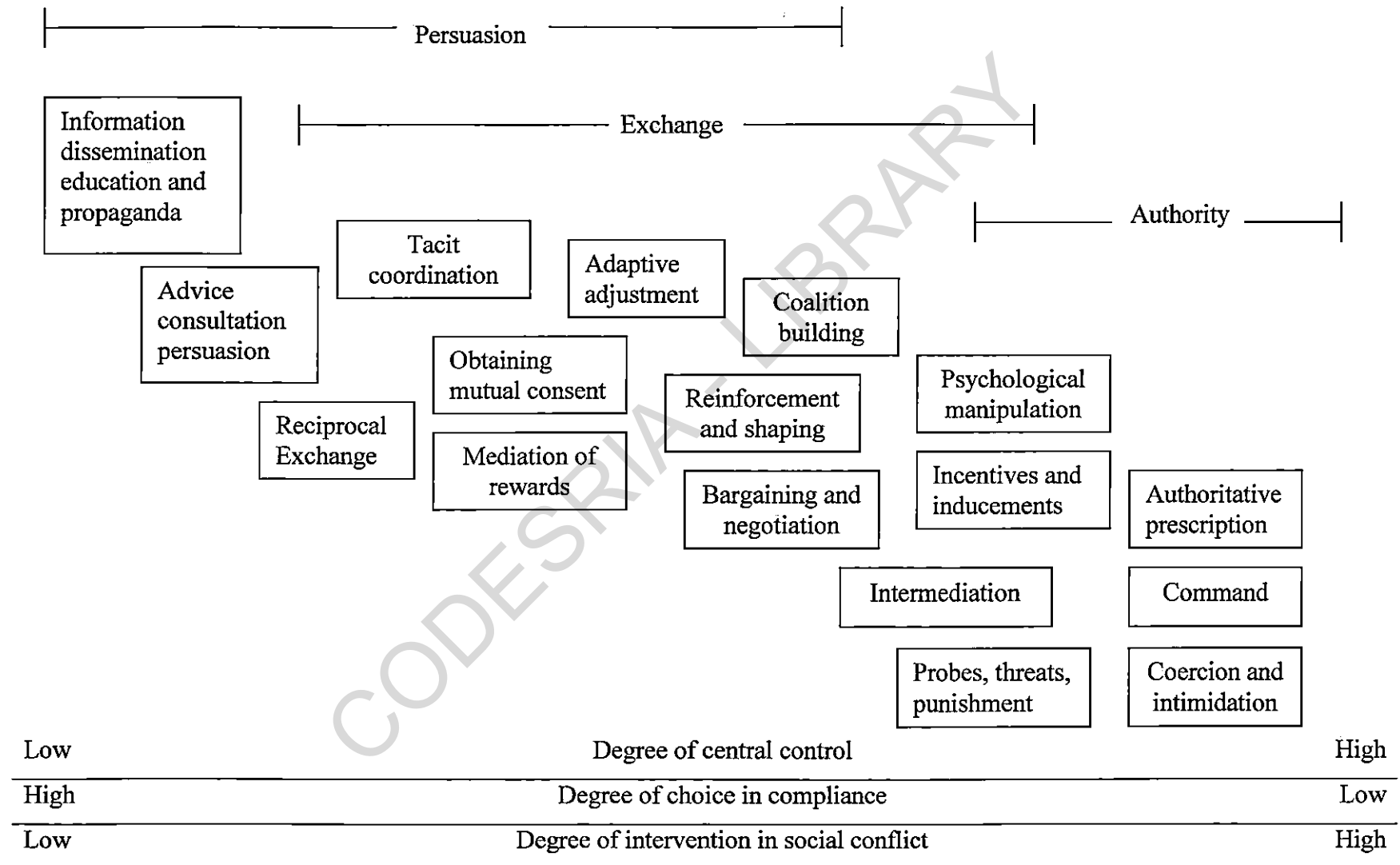
⁵³ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall: Hartnolls Limited. Pg. 101.

⁵⁴ Ibid. Pg. 18.

⁵⁵ Howlett, M. and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: University Press. Pg. 17.

⁵⁶ Howlett, M. and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: University Press. Pg. 17.

Figure 2.2: The Social Interaction Model: Styles of Influencing



Source: Colebatch, H. K. (2002). *Concepts in the Social Sciences: Policy*. Buckingham: St. Edmundsbury Press. Pg. 3.

Decisions made by commanding connotes that there was a directive that came from somebody who is regarded as being more powerful and influential than the one to whom the directives has been issued to. This implies that a command is a non-negotiable instruction.

As can be seen from the discussion above, decision-making in policy-making often involves two or more parties, to bargain with, persuade or even to command. As such government often engages with other stakeholders in carrying out policy-making processes. According to Mulama, the ideal situation in policy-making is one in which 'civil society organizations are involved in identifying what the people who would be directly affected by the policy need'⁵⁷. This is done by soliciting views of the public and through public involvement in such things as encouraging formal consultation exercises and demonstrations among other things.

Public policy involves solving social problems. According to Cochran and Malone, when policy analysis is carried out with an aim to solve public issues, it becomes prescriptive rather than descriptive since it recommends actions to be taken and not merely describe the policy process⁵⁸. Successful policy outcomes depend not simply upon designing good policies but upon managing their implementation processes⁵⁹. As such public policy is participatory in nature, including representatives of civil society. Literature on democracy identifies that public participation is crucial for the implementation of public policies⁶⁰. Participation can be thought of in terms of information sharing, consultation, collaboration, joint decision-making and empowerment. Participation is vital for transparency in decision-making and it increases legitimacy of a policy. In such a way opposition is reduced, providing an opportunity for cost sharing which in turn increases ownership as well as the provision of incentives for the beneficiaries⁶¹.

According to INVOLVE⁶², participation is 'the effort that people make in order to influence public policy decisions'⁶³. INVOLVE further argues that participation means having a 'part',

⁵⁷ Mulama, J. (2006). *Civil Society's Policy Making Role: A Work In Progress*. Global Policy Forum. Terra Viva. Pg.1.

⁵⁸ Cochran, C. L. and Malone, E. F. (2005). *Public Policy: Perspectives and Choices*. Colorado: Lynne Rienner Publishers. Pg. 4

⁵⁹ Brinkerhoff, D. and Crosby, B. (2002). *Managing Policy Reform*. Bloomfield: Kumarian Press. Pg.6.

⁶⁰ Brinkerhoff, D. and Crosby, B. (2002). *Managing Policy Reform*. Bloomfield: Kumarian Press. Pg. 65-70.

⁶¹ Ibid. Pg.6.

⁶² This is an organization that works on encouraging public participation in order to encourage democracy in various states in the United State of America.

implying that there is some level of collaboration and a shared ownership of, or responsibility towards policies⁶⁴. Participation also includes the idea of consultation which facilitates communication and involvement that is enhanced by social capital⁶⁵. Social capital relates to the essence and depth of existing social relationships between parties involved⁶⁶. Putnam (as cited in INVOLVE) argues that social capital underpins the success of participation and that more participation contributes to greater social capital⁶⁷. According to INVOLVE, ‘voluntary organizations often use dramatic campaign activities which may include demonstrations and direct action, together with policy negotiations and participation in formal consultation exercises, which the government recognizes as legitimate activities in influencing policy’⁶⁸.

This study assumes that the policy-making process is intertwined with issues of public participation. That is, the more participatory the process is the more likely that the policy objectives will be met. Participation fosters policy ownership which in turn nurtures compliance. Conversely, lack of participation can cause alienation of those affected, which in turn can lead to non-compliance. In other words, the degree of public participation can influence the implementation process of a particular policy.

2.4. POLICY IMPLEMENTATION

According to Brinkerhoff and Crosby, the policy implementation process is complex and highly interactive⁶⁹. Implementation has a technical aspect with procedures that should be followed. The technical aspect can be perceived as the ‘what’ of the implementation process or even as the tasks to be undertaken in order to achieve the desired policy outcomes⁷⁰.

According to Brinkerhoff and Crosby⁷¹, the technical aspect of implementation offers a systematic way of assessing and managing policy implementation. This is because strategic

⁶³ INVOLVE. (2005). *People and Participation: How to Put Citizens at the Heart of Decision-making Report*. Together We Can. 2005 Conference. Pg.16.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Brinkerhoff, D. And Crosby, B, (2002). *Managing Policy Reform*. Bloomfield: Kumarian Press. Pg. 6.

⁷⁰ Ibid.

⁷¹ Ibid.

management approaches and process tools are believed to be able to facilitate policy implementation⁷². This set of tools can be used by government policy-makers and reformers to increase responsiveness and accountability of government to its citizens. The strategic management approach and the process tools can also give policy-makers and reformers guidance on how to structure implementation processes, manage multiple organisations and how to deal with difficult implementation problems. Private sector, non-governmental organisations, civil society organisation members, donor agencies staff, policy analysts and managers can also benefit from these tools broadly to increase chances of successful implementation⁷³.

Brinkerhoff argues that the more complicated the policy and the greater the resistance to change, the more likely that multiple implementation strategies will be required⁷⁴. Some useful tools for implementation that he suggests include the Brinkerhoff's Task Framework and strategic management approaches to which the paper now turns.

2.4.1. BRINKERHOFF'S TASK FRAMEWORK

Brinkerhoff offers a systematic Task Framework that can be used for implementation⁷⁵. This Task Framework may help to assess where policy implementation is at a given point in time and may provide a more precise view about the steps to be taken at a particular timeframe. It may serve as a diagnostic instrument during policy implementation as it can help in identifying problems or issues that need to be addressed. The framework, he argues, can aid in mapping out implementation strategies and help officials to revisit those policy objectives that have been outlined to achieve change. When unexpected outcomes are noted, the framework may help officials to timeously adjust, and correct errors and achieve set-out objectives. The components of Brinkerhoff's Task Framework are: (i) policy legitimization; (ii) constituency building; (iii) resource accumulation; (iv) organizational design and modification; (v) mobilizing resources and actions; and (vi) monitoring progress and impact. It is important to elaborate a bit on these components because it offers a framework that can assist government officials in the formulation and implementation of policies.

⁷² Ibid.

⁷³ Ibid. Pg. 36.

⁷⁴ Ibid. Pg. 38.

⁷⁵ Ibid. Pg. 10.

(i). Policy legitimisation:

This involves convincing concerned and affected parties to agree that the proposed policy decision is important and needed⁷⁶. It is worth noting that policy change can come from government or civil society actors within a particular country, or even from external actors such as donors. This opens doors for developing ownership for change. According to Brinkerhoff 'legitimization carries with it costs such as political resources, and the willingness to risk political capital in support of the policy'⁷⁷.

(ii). Constituency Building:

According to Brinkerhoff, the term constituency refers to those who are intended to be the beneficiaries of the policy⁷⁸. It also refers to people who voted for a candidate even though sometimes they may not necessarily agree with the candidate's point of view⁷⁹. These may include consumers, service and input providers and officials whose positions will be enhanced by the policy outcomes. It also involves assuring or attempting to convince those who might be somehow negatively affected by the policy of the long-term benefits of the policy. Consequently constituency-building helps in gaining acceptance and in institutionalizing the change for the new policy to gain support and compliance and in turn building consensus.

(iii). Resource accumulation:

For a policy to materialize there is a need to accumulate resources which will help facilitate the implementation activities. This can be in terms of material, financial or even technical resources. Brinkerhoff says that resource accumulation entails securing both initial funding as well as the support funds throughout the policy process⁸⁰.

(iv). Organizational design and modification:

Implementing new policies often need specific organizational design structures to be in place, which allows the organization to implement new policies. This in itself can pose the problem of

⁷⁶ Ibid. Pg. 25.

⁷⁷ Ibid.

⁷⁸ Ibid. Pg. 26.

⁷⁹ Ibid. Pg. 26.

⁸⁰ Ibid. Pg. 27.

resistance by those involved in previous structures of the organization since they may feel that their positions could become dispensable. Some officials may choose to ignore new directives if they do not agree with them. Change in design needs to be sensitive to existing structures and procedures in order to ensure a smooth transition, and the cooperation of staff.

(v). Mobilizing resources and action:

Resource mobilization puts policy into action. It involves drafting concrete action plans, the clarification of targets and standards, and committing resources to carry out those plans. These resources can come from any of the policy stakeholders in order to ensure that the policy is carried out.

(vi). Monitoring the progress and impact of policy change:

Monitoring the policy implementation process allows for corrective measures and adjusting the implementation processes while the implementation of the policy is underway. Defining specific indicators to measure progress during implementation can help detect problems as they arise. Continuous monitoring also helps in assessing the impact of the policy changes throughout the process.

(vii) Sequence time and the implementation task:

Brinkerhoff says that generally, 'the implementation is sequential to the extent that the completion of early tasks is a pre-requisite to the success of the later tasks'⁸¹. However, it is possible to focus on a later task before the completion of earlier tasks and sometimes tasks may be tackled simultaneously⁸².

2.4.2. STRATEGIC MANAGEMENT

Generally, to be able to keep implementation tasks on track, there is a need for a strategic outlook on implementation⁸³. This implies that one needs to have a definite perspective about how one intends to carry out the policy in question. This is because policy implementation may be a long term programme. It is possible that there may be a change of government or socio-

⁸¹ Ibid. Pg. 31.

⁸² Ibid. Pg. 31.

⁸³ Ibid. Pg. 33.

political conditions of a country. It then becomes necessary that the constituencies developed should be capable of assuring that the particular policy issue remains in play and that implementation remains on track.

Brinkerhoff argues that strategic management has a three-way orientation which firstly, demands “looking out”. This entails that policy implementers need to build capacity to be able to focus beyond the boundaries of their organizations, identifying who or what is out there and figure out how to respond to it⁸⁴. Secondly, it requires “looking in”. This enables organizations to come up with efficient internal structures, systems and procedures for achieving results. Thirdly, it requires “looking ahead”. This relates to having the expertise to be able to bring together strategy, structure and resources to achieve policy goals thus having the capacity to focus and prepare for the future. Brinkerhoff suggests that policy implementation might be compromised when strategic skills are absent⁸⁵.

2.5. NARRATIVE POLICY ANALYSIS

According to Roe, ‘policy narratives are stories (scenarios and arguments) which underwrite and stabilize the assumptions for policy-making in situations that persist with many unknowns, a high degree of interdependence, and little, if any agreement’⁸⁶. Determining and analyzing these stories can serve as powerful tools for policy analysis.

Narrative policy analysis is closely aligned with the most crucial steps in the analytic process namely problem definition and problem setting⁸⁷. It concerns itself with stories that convey someone’s experience. The stories can be either in oral or written form. However, pictures may also aid in telling the story.

⁸⁴ Ibid. Pg. 39.

⁸⁵ Ibid. Pg. 31.

⁸⁶ Roe, E. (1994). *Narrative Policy Analysis: Theory and Practice*. Durham Duke University Press. Pg. 34.

⁸⁷ Fischer, F. (2003). *Reforming Public Policy*. Oxford: Oxford University Press. Pg. 161.

The main purpose of this story telling is to give cohesion to shared beliefs and to transmit basic values. Like any other story, a narrative is structured sequentially with a beginning, a middle and end⁸⁸. It has a plot, a meaning and a resolution among other things⁸⁹.

It should be noted that 'stories or narratives are the products of social groups in which they emerge; as such they can help to offer social interventions and motivations'⁹⁰. Narratives also convey political experiences and are interpretive in nature. This is because they have their own operating principles and criteria for a well-formed narrative explanation⁹¹. In this way, experiences are understood according to their context.

Policy-makers convey their interpretations through story telling whether for purposes of argument, claims-making, or expression of individual identity. Fisher argues that stories are the only means by which policy-makers negotiate the realities that confront them⁹². According to Fischer, policy-makers translate the narrative structure into public policy⁹³. The beginning of the story is about a problem situation to be solved by the policy maker, the middle action or event in the story introduces an intervention and the end turns to the consequences of a policy outcome⁹⁴. This is because through narrative structuring of experiences, 'players in the policy arena learn about an intervention, articulate vague goals and ambitions'. In addition, to understand a problem, one need to ask what the story is⁹⁵. This enables the one analysing the stories to discover what is important and what is marginal. According to Fischer, multiple constraints which are often conflicting are realised indicating the extent to which they enable or limit actions of those involved, and suggests courses of action by predicting consequences to those involved⁹⁶.

According to Fischer, recognising the constitutive role of stories of politics and policy-making enables us to consider how such practices can themselves be understood as narratives. Of

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid. Pg. 163.

⁹¹ Fischer, F. (2003). *Reforming Public Policy*. Oxford: Oxford University Press. Pg. 163.

⁹² Ibid. Pg. 167.

⁹³ Ibid.

⁹⁴ Ibid. Pg. 168.

⁹⁵ Ibid.

⁹⁶ Ibid. Pg. 168.

particular importance is the recognition that in analysing narratives in the policy field, there are various competing stories told from different perspectives of policy stakeholders. To overcome the problem of the competing narratives in policy controversies, there is need to focus on the coherences of narratives. This is a 'structural approach to narrative policy analysis that can help to reframe a problem and identify a potential resolution'⁹⁷.

Fisher offers four basic steps to follow when engaging in narrative policy analysis⁹⁸. Firstly, an analyst has to identify convention or accepted stories that dominate a policy controversy⁹⁹. Secondly, he should identify the existence of other narratives that are related to the issue in question. These are also known as counter stories. These stories do not conform to the dominant policy narratives. The third step requires that these two kinds of narratives discussed above be compared to tell a synthesised story otherwise known as a meta-narrative¹⁰⁰. This entails that intractable elements of a controversy may be removed or eased thereby enabling the discussion to move to new grounds. Fourthly, an analyst needs to determine if or how the meta-narrative frames or recasts the problem in such a way as to make it more amenable to an observed policy as an analytical tool¹⁰¹.

According to Fischer, 'the advantage of using meta-narratives is that they tend to be suitable for situations that are characterized by high degrees of problem uncertainty, social complexity and political polarization'¹⁰². This is because meta-narratives often resist change or modification even in the presence of contradicting empirical data since they continue to underwrite and stabilise the assumptions for decision-making in such uncertain circumstances¹⁰³. Despite having this advantage, using narrative analysis poses the problem of difficulty in reading one or all the competing narratives thereby affecting the results of analysis¹⁰⁴. This is so because the narrative policy analysis relies on one's interpretation of the story making the technique very subjective.

⁹⁷ Ibid. Pg. 172.

⁹⁸ Ibid. Pg. 172.

⁹⁹ Ibid. Pg. 173.

¹⁰⁰ Ibid. Pg. 173.

¹⁰¹ Ibid.

¹⁰² Ibid. Pg. 179.

¹⁰³ Roe, E. (1994). *Narrative Policy Analysis: Theory and Practice*. Durham: Duke University Press. Pg. 2.

¹⁰⁴ Ibid. Pg. 74.

This study will use the narrative policy analysis technique in order to analyse the case of the street vending policy in Blantyre, Malawi. This is because the case seems to have a high degree of problem uncertainty; social complexity and political polarisation as it will be seen as issues unfold in the study. In addition, the data collected informing this study has been mainly in the form of stories told by the Blantyre City Assembly officials and the vendors¹⁰⁵. This makes the narrative policy analysis techniques a suitable tool for analysing the key issues in the implementation of the Blantyre street vending policy.

2.6. CONCLUSION

From the discussion above, it is clear that the policy-making process can be conceived of in terms of a policy cycle which has various sequential stages. Although analysing policy as a policy cycle offers such categories, in the real world, policies do not necessarily happen in such an ordered sequence. This is because the policy-making process is continuous and the suggested stages interact with each other, or may overlap even to the extent of happening at any point of the policy process. Such being the case, policy cycle should be taken mainly as only offering a workable way of understanding in general the policy process. Of particular importance has been during the decision-making stage and the implementation stage of the policy cycle. Brinkerhoff's Task Framework has been considered as a model that may be used to reflect on the extent to which the Blantyre City Assembly has or rather should have adopted the procedures of Brinkerhoff's Task Framework in their design of the street vending policy. This tool is also important in that it will help in explaining and assessing the extent to which the policy has failed or succeeded.

This chapter has explained narrative policy analysis tool which will be also be used to analyse data in this study. The use of narrative policy analysis in this paper is appropriate due to its ability to deal with policy issues that have a high degree of social complexity and political polarisation as is the case of the Blantyre street vending policy.

¹⁰⁵ This has mainly been through stories which emerged when the stakeholders were answering open-ended questions.

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CHAPTER 3

3. CHAPTER 3:

GENERAL BACKGROUND TO THE STUDY

INTRODUCTION

This chapter presents the background to street vending in Malawi in order to offer an understanding of poverty levels in Malawi and why street vending is important to Malawi and its economy. The chapter also outlines Malawi's policy framework which will help in understanding how the street vending policy came about as a policy issue.

Since this study is mainly concerned with vending in Blantyre, this chapter will give some background on Blantyre, and the Blantyre City Assembly's structure to further the understanding of the process through which the street vending policy underwent. From the above outline, a conclusion shall be drawn concluding the chapter.

3.1. STREET VENDING IN MALAWI

Jimu submits that street vending offers self-fulfilment and socio-economic opportunities with a promise of a better life to most of the unemployed people¹⁰⁶. The World Bank argues that despite low incomes realised from individual informal economic initiatives, it remains collectively, economically valuable to the poor¹⁰⁷. It is a growing part of local and national economies, securing livelihoods of a large population and reducing poverty¹⁰⁸. Even though literature on the contribution of informal trading to Malawi's GDP is limited, Jimu contends that local revenue collected by local authorities through such ventures like vending contributes to the gross domestic and national products¹⁰⁹. Street vending encourages the production of small and micro-production of goods and services leading to the development of micro-entrepreneurship thereby providing market for small formal manufacturing firms¹¹⁰. Street vending provides easy access to

¹⁰⁶ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4):37.

¹⁰⁷ World Bank LED Manual. (2006). *Poverty Reduction Programmes*.

<<http://www.worldbank.org/urban/poverty/index.html>> 18/04/2006. Pg. 17.

¹⁰⁸ Ibid.

¹⁰⁹ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4):37.

¹¹⁰ Ibid.

goods and services. It creates jobs for the majority of the poor who are unemployed and it generally helps in the generation and distribution of income¹¹¹.

Street vending takes place on pavements, corners, sidewalks, construction sites, around sports complexes and along main transport nodes such as bus stops, lorry parks, and railway stations¹¹². This venture is undertaken by both men and women. However Mitullah argues that street vending is dominated by women¹¹³. There seems to be various factors why women tend to more engaged in street vending than men. Most women in Malawi are poor, illiterate and lack skills for formal jobs¹¹⁴. For most poor, illiterate women street vending is their only better option. Additionally, street vending for these poor women seems to be compatible with their role as child bearers and child rearing who often requires flexible time schedules which street vending allows for compared to formal employment.

According to Jimu, the practice of street vending in Malawi can be traced back as far as 1966 when the local government in the Malawi's Constitution indicated that there was a need to regulate street vending¹¹⁵. During Dr. Hastings Kamuzu Banda's dictatorship, Dr. Banda contended that cities ought to be clean¹¹⁶. Dr. Banda urged the city authorities to keep the streets in the cities clean by limiting and regulating street vending¹¹⁷. In 1967, City Assembly officials and policemen from all the three cities in Malawi namely, Lilongwe, Blantyre and Mzuzu, collaborated in the street vendor clean-up exercise, viewing the vendors as a nuisance to the city and to government as a whole¹¹⁸.

The change of political regime from Banda's dictatorial regime to Bakili Muluzi's multiparty regime in 1994 brought about a change in the way street vendors operated; from repression, fear

¹¹¹ Ibid.

¹¹² Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies Press. Pg. 5.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4): Pg. 39.

¹¹⁶ Ibid. Pg. 39-45.

¹¹⁷ Ibid. Pg. 39-45.

¹¹⁸ Ibid. Pg. 39-45.

and confiscation of merchandise during Banda's regime to trading freely in the streets of Malawi¹¹⁹.

When Malawi embraced liberal economic policies in 1994, the result was an influx of cheap imported goods which eventually stifled local businesses. Most of the manufacturing industries were forced to downsize or even to close down, leading to the loss of thousands of jobs in the informal sector of the economy¹²⁰. Most of the unemployed people resorted to vending in the streets of Malawi. This led to the rapid expansion of street vending¹²¹. In 1994, in the context of increasing unemployment rates, the populist government in Malawi, introduced and encouraged its Poverty Reduction Programme, which provided a favourable environment for informal trading, including street vending¹²². Under the umbrella of democracy, the Malawi government made a legislative provision that "every person has the right to freely engage in economic activity...and to pursue a livelihood in Malawi"¹²³. As people embraced this concept of democracy as promoting free trade, human rights and freedom they neglected the accompanying duties and responsibilities to adhere to the by-laws in Malawi¹²⁴.

As a democratic country, Malawi adopted the decentralisation policy on 26 January 1996¹²⁵. This implied that powers and responsibilities were devolved and transferred from the central government to the local authorities for effective implementation of policies and policy processes¹²⁶. Thus, policies can come from any level of government, depending on the need. Even though in theory powers and responsibilities have been transferred, there is still a heavy use of top-down approach in which the president, ministries and their department's headquarters formulate and issue directives, orders and instructions to various implementing sections or city and district based offices through

¹¹⁹ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4):45.

¹²⁰ BBC News. (2006). *Malawi Threatens Street Vendors*.

<<http://newsvotes.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4916882>> 2006/05/12.

¹²¹ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4):40.

¹²² BBC News. (2006). *Malawi Threatens Street Vendors*.

<<http://newsvotes.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4916882>> 2006/05/12.

¹²³ The Malawi Constitution. (2004). 29. Chapter IV. 29.

¹²⁴ Mangani. Blantyre City Assembly's official. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 10 July, 2006.

¹²⁵ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat).

Pg. 78.

¹²⁶ Ibid. Pg. 78.

regional offices¹²⁷. The lower government levels implement the directives and submit progress reports to the respective headquarters and then to the Office of the President and Cabinet (OPC). In addition, the OPC being the overseer of the government machinery, it has the powers to accept or refute policies that come from other levels of government if they seem to jeopardise the wellbeing of the country. In light of this, much as it can be said that in Malawi all levels of government have powers to make policy decisions, the central government through the OPC exercises more powers than all other levels of government. Although this is the case, the Malawi government has a policy framework for conducting its policy-making processes to which the paper now turns to.

ASSOCIATIONAL LIFE OF THE VENDORS

The importance of associational life can not be over emphasized. It is an important resource for small and micro-entrepreneurs such as street vendors. For the vendors, associational life is usually in the form of Street Vendors Associations (SVA).

SVAs help to ensure that vendors have secure welfare and business environment¹²⁸. This is done by establishing and defending legal rights of vendors; setting up effective channels for member representation; protecting vendor's interests thereby raising the vendors' profile; building leadership through empowering members¹²⁹.

Despite of the important roles that SVAs perform, most vendors in Blantyre do not belong to any Vendors' Association even though they are convinced that these Associations are important. Before the vendors relocated from the streets to the markets in 2006, SVAs in Blantyre and Limbe were generally disorganized. There were numerous SVAs for each street in both Blantyre and Limbe before the vendors were relocated to designated markets¹³⁰. Most of the Street Vendors' Associations in Blantyre were not registered, although they are considered as legitimate representatives of street vendors¹³¹. These got disbanded when the vendors occupied the markets.

¹²⁷ Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies Press. Pg. 5.

¹²⁸ Ibid. 10.

¹²⁹ Ibid. 10.

¹³⁰ Mangani. Blantyre City Assembly's official at the treasury department. (2006). In an interview in this study in Blantyre, 10 July, 2006.

¹³¹ War On Want. (2006). *Forces for change: Informal Organizations in Africa*. > 21/11/2006. Pg. 40.

This may have affected the extent to which these Associations as policy stakeholders may be able to influence the policy-making process.

3.2. MALAWI'S POLICY FRAMEWORK

Malawi is a liberal constitutional democracy. Authority is separated into Executive, Legislative and Judiciary authority¹³². According to Malawi's Constitution, the Executive (or the Cabinet) is responsible for the initiation and the implementation of policies and laws¹³³. According to the Constitution, all legislative powers are vested in parliament (or Legislature).¹³⁴ Acts of parliament are subject to the Constitution¹³⁵. Parliament is made up of the Head of State (the President) and the National Assembly (NA)¹³⁶. The NA is elected through voting by citizens in various constituencies. The election process is overseen by the Electoral Commission¹³⁷.

There are three levels of government in Malawi namely national, regional and local government¹³⁸. At the national level, the central government administration system is managed by the Office of the President and Cabinet (OPC)¹³⁹. The OPC co-ordinates all functions of the central government as well as those of the local authorities. This is done through various ministries and the Departments of District and Local Government Administration (DDLGA).

Several ministries are involved in formulating policies specific to their sectors. Each government department prepares its own development proposal for policy-making. These proposals are then consolidated into one proposal which is then presented to the Treasury Department in Ministry of Finance for review. Matope contends that the reviewed proposal is submitted to the Parliament where it is approved for funding¹⁴⁰. Each ministry or department controls, regulates and conducts its own procedures. Refer to Figure 3.1: Malawi's Policy Framework.

¹³² The Republic of Malawi Constitution. 4. (2004). Chapter I.

¹³³ Ibid. 7. (2004). Chapter I.

¹³⁴ Ibid. 48.1. (2004). Chapter VI.

¹³⁵ Ibid. 48.2. (2004). Chapter VI.

¹³⁶ Ibid. 49.1. (2004). Chapter VI.

¹³⁷ Ibid. 62.1 Chapter VI.

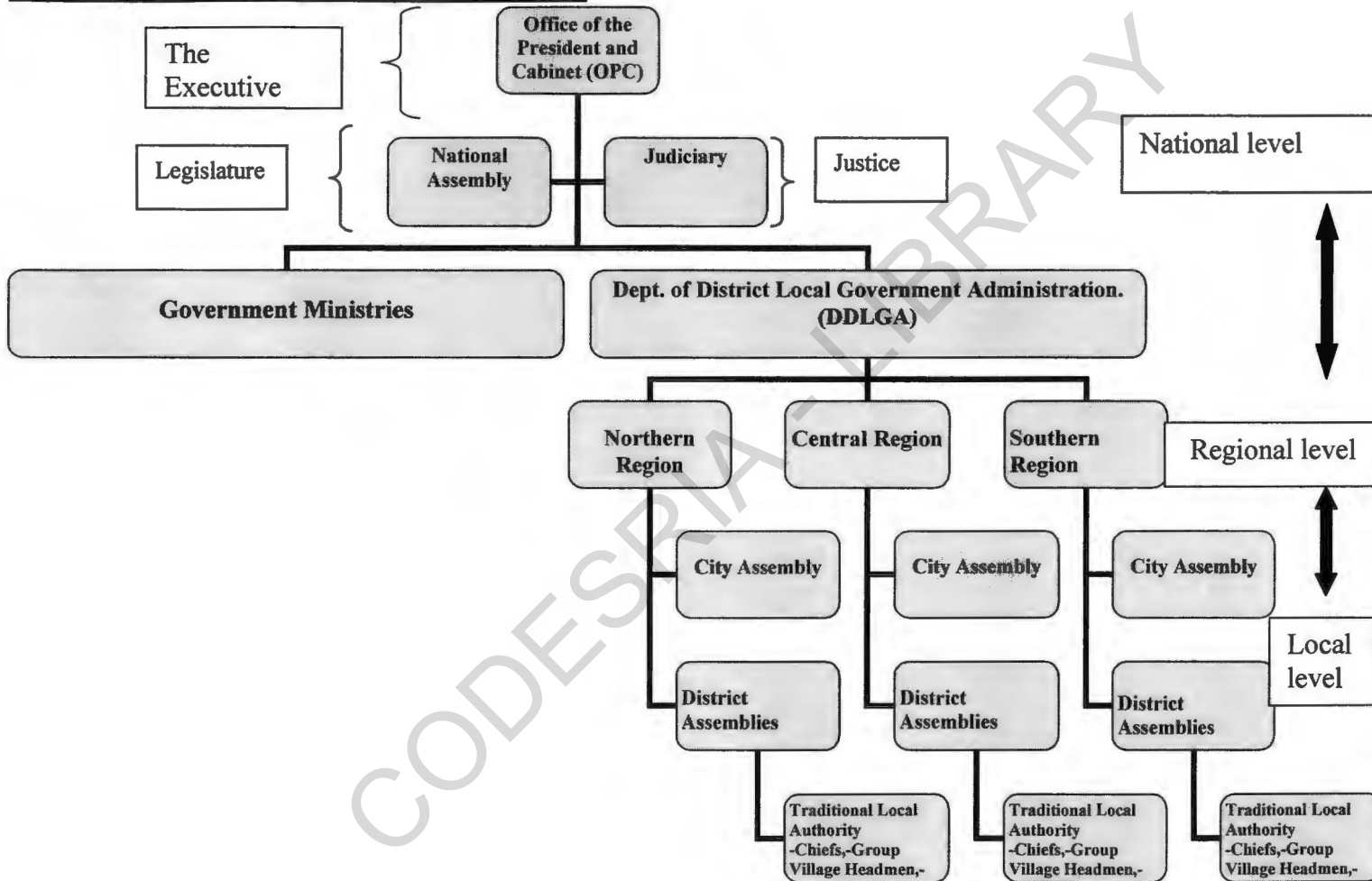
¹³⁸ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat).

Pg.15.

¹³⁹ Ibid. Pg. 72.

¹⁴⁰ Ibid. Pg. 84.

Figure 3.1: Malawi's Policy Framework



Adapted from Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg.125.

Malawi as can be seen from Figure 2 is a small country. It is politically and geographically divided into three regions namely: northern, central and southern regions. Each region has regional offices that link them up with the DDLGA as well as various ministries present in Malawi to enable them to carry out their activities at regional level. Each region has one city making a total of three cities. Each city has got its own city Assembly. The DDLGA is responsible for the management of cities in general. It is responsible for the formulation of policies and strategies pertaining to local government administration and operations¹⁴¹. Additionally, DDLGA, coordinates, monitors local authorities and controls local authority finances.

At the local level, there are 28 districts in Malawi and each district had its own District Assembly¹⁴². The local government structure comprises City Assemblies and District Assemblies. Although in theory these two manages the cities of Malawi, in practice the District Assemblies manage the cities to a smaller extent¹⁴³. The two are concerned with formulating policies and strategies of cities¹⁴⁴. The local government has got a traditional administrative structure comprising Traditional Authorities (TAs) or Chiefs; Group Village Headmen (GVH) and Village Headmen (VH)¹⁴⁵. City Assemblies comprise Mayors, Councillors, Ex-officios and Appointed (non-Voting) members¹⁴⁶. Since 1995, there have been no councillors in the City Assemblies since elections for the positions were delayed¹⁴⁷. According to Matope, this has left a huge political vacuum for the assembly affecting the effectiveness in the implementation of policies in the city¹⁴⁸. In some cases, the City Assemblies may come up with policies which are submitted to relevant Ministries depending on the issue in question. It is the Ministry involved that forwards the proposals to the OPC¹⁴⁹. However, the City Assembly may formulate a policy

¹⁴¹ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 71.

¹⁴² NSO (Malawi), and ORC Macro. (2005). *Demographic and Health Survey*. Calverton: NSO and ORC Macro Press. Pg. 30.

¹⁴³ Ibid. Pg. 77.

¹⁴⁴ Ibid. Pg. 73.

¹⁴⁵ Ibid. Pg. 74.

¹⁴⁶ Malawi's Local Government Act. No. 42. (1998).

¹⁴⁷ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 92.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid. Pg. 72.

based on directives from authorities that are above the Assembly as will later be seen from the Blantyre street vending policy¹⁵⁰.

The government of Malawi and its structures are not the only actors in the policy-making processes. Often, there are other policy-stakeholders such as the private sector and the popular sector¹⁵¹.

For effective co-ordination and participation in planning, implementation and monitoring at the local government, the Malawi government has a three tier structure which is comprised the District development Committee (DDC), Area Development Committees (ADC), and Community Development Committees (CDC). The DDC co-ordinates various activities of public agencies in the district, screens, approves community based projects and monitors them. ADC and CDC mobilize communities and encourage public participation. These two also channels projects to DDC, City Assembly, Government or other donors for funding¹⁵². Matope argues that even though there such channels for co-ordination, in practice for the Malawi government power and responsibility is centralised undermining the co-ordination roles of the DDC and the collaborative planning at the district or city level¹⁵³. This is worsened by lack of resources, institutional culture that is characterised by ill defined responsibilities and lines of authority which often lead to confusion¹⁵⁴.

The Malawi government policy framework has inadequate systems of monitoring and evaluation for its policy implementation activities¹⁵⁵. In most cases only performance reports are sent to respective headquarters in order to satisfy requirements. This deprives the government of important feedback on government policies which would help improve government's policy

¹⁵⁰ Mangani. Blantyre City Assembly's official. (2006). Interviewed by Matinga-Katundu. B. Blantyre, 10 July, 2006.

¹⁵¹ Grevulo Blantyre City Assembly's Clerk. (2006). Interviewed by Matinga-Katundu, B. Blantyre. 1 July, 2006.

¹⁵² Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 78.

¹⁵³ Ibid.

¹⁵⁴ Ibid. Pg. 88.

¹⁵⁵ Ibid.

processes. Lack of monitoring and evaluation exercises also pose the problem of accountability due to the inadequacy of such structures that help in identifying gaps.

The framework given above indicates how policies are made in Malawi. It is important because it illustrates how different levels of government interact and relate. It exposes the different levels of decision-making in Malawi. It shows different roles that are performed by different structures of government such as issues of co-ordination, responsibility, accountability, monitoring and evaluation of government's programmes and policies. All these are important for the understanding of how the street vending policy came about.

3.3. BLANTYRE

The two main locations in which vending are rampant in Blantyre are (i) Blantyre City Centre; and (ii) Limbe. However, this study focuses on Blantyre City Centre. Blantyre is considered as the commercial and industrial capital of Malawi¹⁵⁶. It is located in the southern region of Malawi, covering a total area of 228 square kilometres¹⁵⁷. Refer Figure 3.2.

According to the last national census conducted in 1998, Blantyre had a total population of 478,155¹⁵⁸. Blantyre has a high poverty level. It is estimated that 65% of households in Blantyre live below the poverty line¹⁵⁹. Matope reports that of the 478,155 people in Blantyre, approximately 50,600 people have employment. Of these 8.9% (4,500) are informally employed¹⁶⁰. The informally employed category is largely street vendors. Refer to Table 3.1

¹⁵⁶ Ibid. Pg. 12.

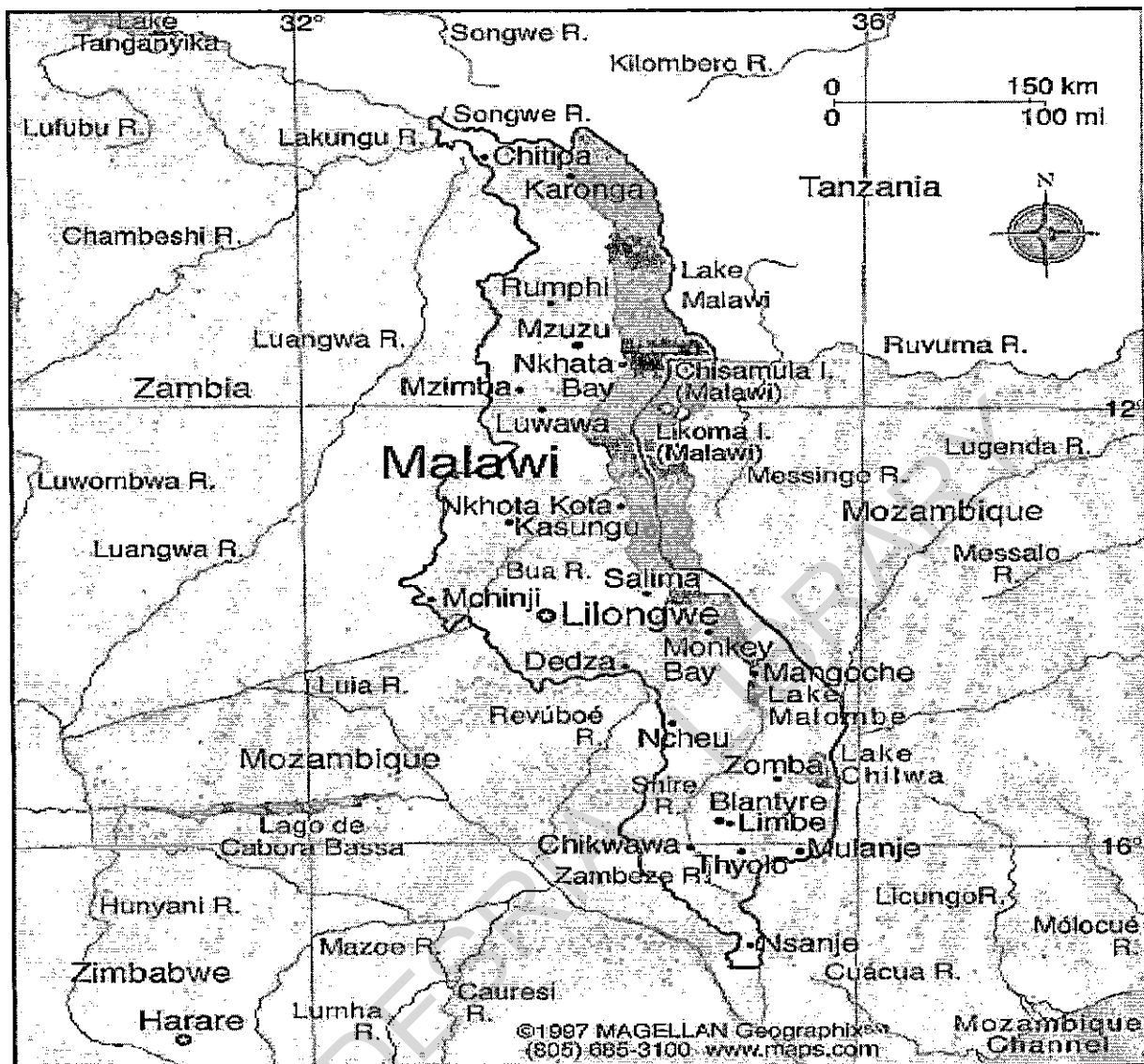
¹⁵⁷ Ibid.

¹⁵⁸ Ibid. Pg. 20

¹⁵⁹ Ibid.

¹⁶⁰ Ibid. Pg. 21.

Figure 3.2 Map of Malawi



Source: Africa Atlas: <<http://www.infoplease.com/atlas/africa.html>> 2007/09/17.

Table 3.1: Employment Distribution by Sector in Blantyre

Sector	Number of Employees	Percentage of Employees
1. Primary Industry (raw material processing industry)	1, 200	2.4%
2. Secondary industry (manufacturing and accounts)	18, 824	37.2%
3. Tertiary (service industry)	26, 074	51.5%
4. Informal employment	4, 500	8.9%
Total (Formal and Informal) Employment	50, 598	100%

Source: Adapted from Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 20.

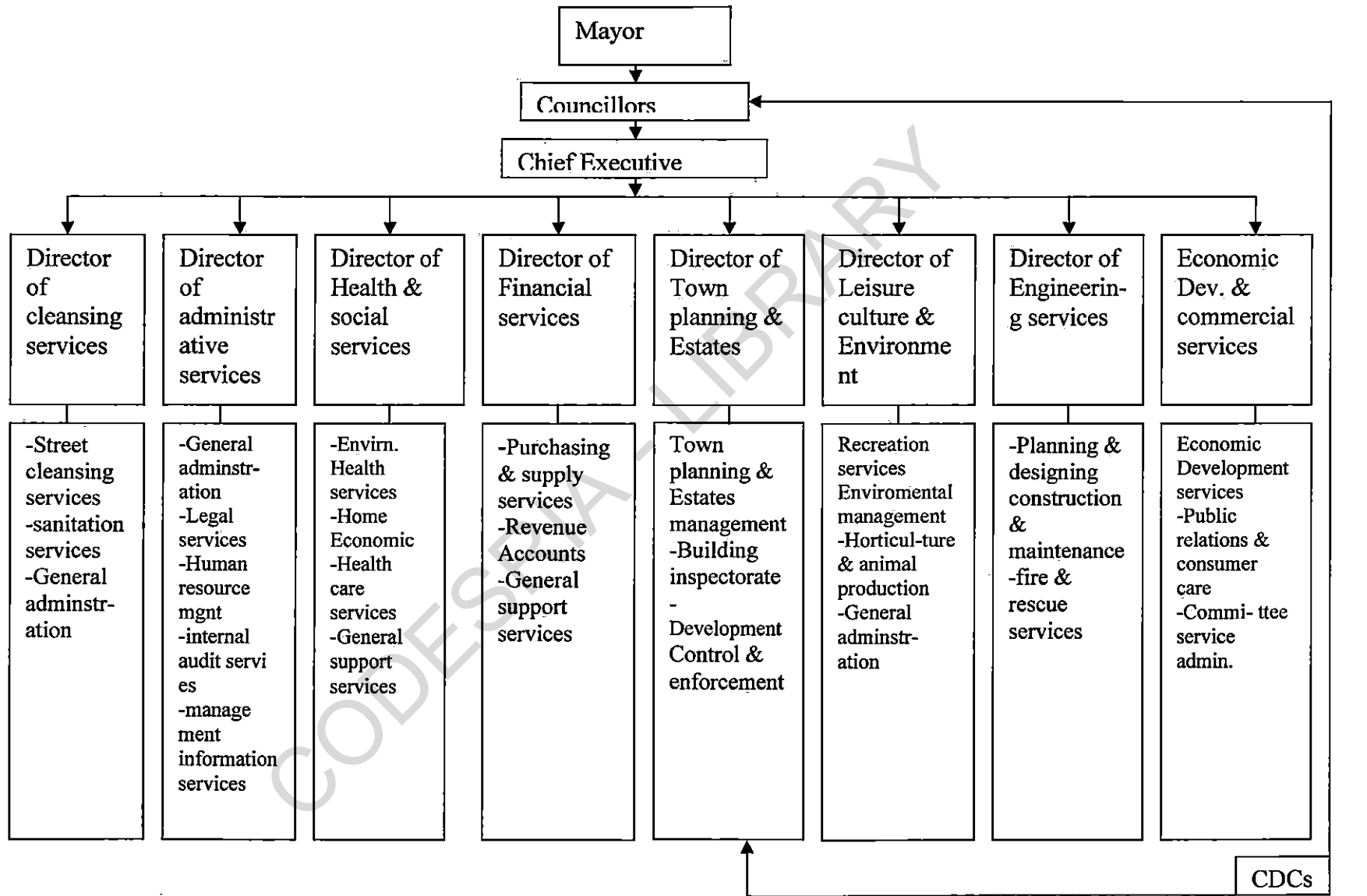
From the Table above the tertiary industry comprises the greatest share (51.5%) of number of employees. However, these have low levels of income due to their low levels of education and skills. According to Matope, these employees spend about 60% of their disposable income on food, hence a large number of people in Blantyre are said to be living below the poverty line¹⁶¹.

3.3.1. ORGANISATIONAL STRUCTURE OF BLANTYRE CITY ASSEMBLY

The organisational structure of the Blantyre City Assembly (BCA) is a hierarchical one. Power and responsibilities are concentrated at the apex and the subordinates receive and implement directives from the apex. Generally, when policies are formulated they are channelled through the hierarchy. Below is Figure 2.1: shows the organisational structure of the Blantyre City Assembly.

¹⁶¹ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 21.

Figure 3.3: Organizational Structure of Blantyre City



Source: Matope, J. J. (2000). Blantyre City Environmental Profile. United Nations Centre for Human Settlement pg. 73 (b).

At the apex, is the Mayor of the city¹⁶². The Mayor heads and oversees the activities of the BCA. He/ she is followed by City Councillors, Ex-Officio and Appointed members. These are elected members representing the constituencies from which they were elected and together they form the “political arm” that makes policies at the BCA¹⁶³. Councillors represent respective communities, and they are linked to their constituencies (communities) through Community Development Committees (CDC).

BCA has a secretariat comprised of Directors of all the City Assembly’s departments. The secretariat coordinates the activities of the various departments and is headed by Chief Executive of the BCA. These directors represent the following departments:

- Cleansing Services
- Administration
- Health and Social Services
- Finance
- Town Planning and Estates
- Leisure Culture and Environment
- Engineering; Economic Development and Commercial Services.

The above are regarded as necessary to implement urban functions and services that are expected to be provided by the local authorities. These are helped by sectoral public agencies, NGOs, private and popular sectors.

¹⁶² Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4):73.

¹⁶³ Ibid. Pg. 74.

3.3.2. STAKEHOLDERS OF THE STREET VENDING POLICY IN BLANTYRE

The Blantyre City Assembly (BCA) in conjunction with the Blantyre District Assembly, the Traditional Authorities (TA's), Chiefs, Group Village Headmen (GVH) and Village Headmen (VH) took part in the making of the street vending policy. According to Matope, the above mentioned stakeholders contended that street vending was exacerbating traffic hazards, pollution and deterioration of environmental conditions which threaten peoples' health and safety¹⁶⁴.

It should be emphasised that although the organisational structure of the BCA requires that the Mayor and the City Councillor should take part in the policy-making process, in the case of the street vending policy-making process there was neither a Mayor nor a councillor. This is because since December 1995, Malawi's local authority political structure was abolished by the Government; as such the Blantyre City Assembly does not have a Mayor and a Councillor who are supposed to oversee the Blantyre City Assembly's policy-making process¹⁶⁵. According to Matope, the above mentioned has left a huge political vacuum for the assembly affecting the effectiveness of decision-making and policy implementation processes in the City Assembly¹⁶⁶.

Apart from BCA, BDA and TAs, other stakeholders of the street vending policy included the popular sector such as the non-governmental organisations (NGOs). These include the National Hawkers Association (NAHIBA), Small Enterprise Development Organization of Malawi (SEDOM), National Business for Women (NABW), Small and medium Enterprises Fund (SMEF), Minibus Operators Association (MOA)¹⁶⁷. Community Based Organisations (CBO) and private businesses such as the Press Trust Cooperation which provided funds for the building of the government flea markets were other stakeholders in the street vending policy-making process¹⁶⁸. In addition to these, statutory bodies were also involved. These included Blantyre Water Board, ESCOM and the Malawi Housing Cooperation¹⁶⁹. This means that, when policies

¹⁶⁴ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 74.

¹⁶⁵ Ibid. Pg. 80.

¹⁶⁶ Ibid. Pg. 92.

¹⁶⁷ This is because the vendors would also sell their products to people boarding minibuses.

¹⁶⁸ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 77.

¹⁶⁹ Ibid. Pg. 75.

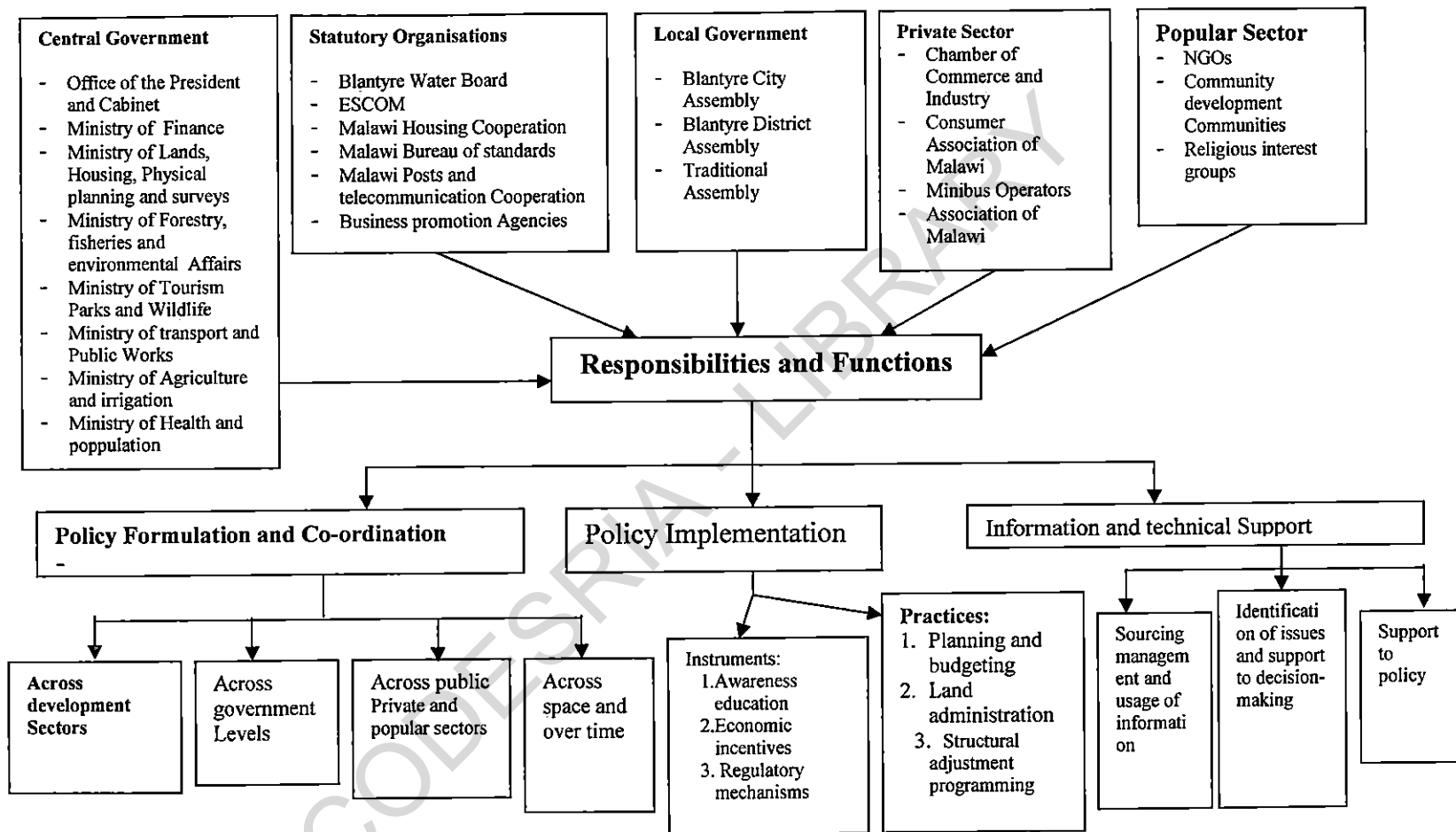
are being formulated at BCA, the local government (the BCA, BDA, and the TAs), statutory bodies and popular and private organisations take part in the policy-making process¹⁷⁰. (Figure 3.3.2).

CONCLUSION

This chapter has explored issues of informal sector in Malawi as a whole as well as in Blantyre. It has also shown the Malawi policy framework and the Blantyre City Assembly organisational structure in order to determine the relations that exist between the various levels of government and various departments. These relations are important in understanding the role undertaken by various levels of government and departments. This brings in perspective how policies in Malawi are formulated, co-ordinated and implemented. The chapter has also discussed issues of decision-making, accountability and responsibilities within the Malawi government structure. This is crucial for the understanding of how the street vending policy came about in that it help in clarifying some issues that will arise in proceeding chapters.

¹⁷⁰ Ibid. Pg. 15.

Figure 3.3.1: The Organisational Structure of Key Stakeholders of Blantyre City Assembly



Source: Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 7.

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CHAPTER 4

4. CHAPTER 4:

RESEARCH FINDINGS AND ANALYSIS

INTRODUCTION

This chapter presents the findings of the study. It illustrates that the street vending policy process has been complex. It starts by submitting in detail the research methodology that has been used in the study. After which stories from various stakeholders of the street vending policy will be exposed. Out of these a meta-narrative (a synthesised story) emerging from the various stakeholders' stories forming the analysis of the thesis will be given. The case study component in this thesis shows that the problem of street vending policy in Blantyre, Malawi is mostly one of decision-making. In turn the manner in which decision-making takes place influences the implementation process and policy outcomes.

RESEARCH METHODOLOGY

For the purpose of presenting valid results, the research employed multiple methodologies and multiple measures of construct, otherwise known as triangulation¹⁷¹. Triangulation helps to validate research findings by comparing information gathered through different means¹⁷². Firstly, triangulation in this study was done through literature review which helped generate both qualitative and quantitative data. Secondly, the use of semi-structured interviews with the stakeholders of the street vending policy helped to generate qualitative data. Those interviewed in the study include vendors, leaders from the Street Vendor Association and government officials. Through the use of open-ended questions during the interviews with the stakeholders of the street vending policy a number of stories emerged surrounding the street vending policy. This chapter offers a summary of these stories told by the various stakeholders. Thus, data obtained from the interviews represent the dominant stories of the respective stakeholders. Thirdly, findings are based on observations made during the study and literature such as newspapers which commented on the street vendor issue as it unfolded. Fourthly some data was collected by using a survey questionnaire checklist that helped generate quantitative data through close-ended questions and in

¹⁷¹ Babbie, E. (1992). *The Practice of Social Research*. (6th ed). Belmont: Wadsworth Publishing Company. Pg. 142.

¹⁷² Ibid.

some cases qualitative data through open-ended questions. Fifth, some data has been collected through observation made during the study and are captured in the form of pictures.

That is, the chapter presents findings of the study broadly, incorporating the quantitative data based on close-ended questions from the survey checklist and relevant literature; and qualitative data based on open-ended questions during the interviews with the stakeholders, pictures taken and observations made during the interviews.

SAMPLING

The study site was limited to the city of Blantyre in Malawi. Purposive sampling was used to obtain a sample for the study in order to determine key informants such as the BCA government officials, the Minister and the Street Vendor Association leaders. The officials include the BCA's Treasurer (who during the time of implementation of the vendor relocation exercise was coordinating the relocation activities of the BCA), the BCA clerk, the Public Administrator and the Communications Officer. These were responsible for the implementation of the policy and were interviewed in order to gain the opinion and experiences of the Blantyre City Council. Focus group interviews were conducted with the Leadership of the Association. The SVA was consulted before conducting the interviews with the vendors. In addition, 50 vendors were interviewed out of the estimated 140 vendors who sell fresh vegetables and accessories in the Blantyre City Market¹⁷³. The interviewees were randomly sampled from a recently drawn register of vendors from Blantyre City Assembly offices. The Street Vendor leaders showed me where I could find the vendors.

Due to the wide variety of goods sold by the informal traders in Blantyre, only vendors of fresh vegetables and accessories (for example combs, children's toys, hair clips, and picture frames), were interviewed since these two products make up the majority of goods that are sold by vendors in the Blantyre City Markets.

¹⁷³ These figures have been obtained with reference to Sampling Table from Krejcie, R.V. and Morgan, D. W. (1970). *Sample Size for Research Activities: Educational and Psychological Measurements*. London. Sage Publishers. 30, 608

This study was feasible because funding was available to employ 5 fieldworkers who helped in administering the close-ended questionnaires. To ensure that quality data was collected, I accompanied the field workers to the market when collecting the data, checked it for errors each day they collected the data. Where data was not clear or missing, I consulted the field worker working on that particular questionnaire.

DATA ANALYSIS

In this study, both qualitative and quantitative tools were used. 'Qualitative research methods refer to non- numerical examination and interpretation of observations and data, for the purpose of discovering underlying meanings and patterns of relationships'¹⁷⁴. It involves a set of methods that are used for organising, displaying, summarising, and interpreting words and image based information¹⁷⁵.

Qualitative data was analysed using thematic analysis. Thus, the issues raised during the study have been categorised in thematic areas and reported in tables, charts and pictures. Some of the information in the semi-structured questionnaire especially answers emerging from the close-ended questions is quantified and analysed by using SPSS.

As already indicated, various stories from various stakeholders of the policy were told during data collection. These stories have been put together to form a new story, meta-narrative. This meta-narrative will be a synthesis presenting of the findings of the study. These will be discussed in line with the stages of the policy cycle outlined in chapter 2 of this thesis. That is, the chapter shall discuss issues concerning policy identification, formulation, agenda setting, decision-making, participation, implementation and issues concerning monitoring and evaluation of the street vendor policy. Through this, the challenges of policy implementation faced during the street vending policy-making process by the Blantyre City Council will be identified. A conclusion of the chapter shall be drawn.

¹⁷⁴ Babbie, E. Mouton, J. (2001). *The Practice of Social Research*. Cape Town: Oxford University Press. Pg. 646.

¹⁷⁵ Ngulube, P. (2003). *Preservation and Access to Public Records and Archives in South Africa*. Ph. D. Thesis. University of Natal: Pietermaritzburg. Pg. 21.

The objective of this chapter is to integrate various findings into a synthesised analysis of the street vending issue.

The first part of this chapter offers the findings of this research. For logic and coherence, the findings are categorised according to relevant themes.

4.1. ISSUES OF HOW THE STREET VENDING POLICY CAME ABOUT

As it is possible for the Head of State in Malawi to raise an issue for policy consideration, in 2001, the then Malawi president, Bakili Muluzi identified street vending as a policy issue. The then president of Malawi, Muluzi, like Dr. Banda, his predecessor urged City Assemblies in Malawi to take action and create clean cities¹⁷⁶.

How the Agenda was Set

The Minister of the Local Government, the minister submitted that in 2002, the issue of where vendors should sell their merchandise took a twist¹⁷⁷. In his speech at the inauguration of Malawi Switch Centre, Bakili Muluzi contended that it was a major source of pollution in cities¹⁷⁸. He issued a directive ordering City Assembly officials to regulate and restrict vending in all the three cities of Malawi¹⁷⁹. Bakili Muluzi claimed that “he has been to many countries in the world but there is no-one who sells things on the streets not even in democratic countries like Britain”¹⁸⁰. Such sentiments do not convey the reality of the matter. This is because there are many democratic countries where street vending takes place¹⁸¹. Such statements indirectly compelled City Assemblies to overlook legislation that allows people to freely pursue any economic activity for their livelihood and started to prohibit street vending¹⁸². Hendricks,

¹⁷⁶ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 45.

¹⁷⁷ Dr. Chaponda. The Minister of the Local Government (2006). Interviewed by Matinga-Katundu, B. Capital Hill in Lilongwe. 20 June 2006.

¹⁷⁸ Ibid.

¹⁷⁹ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4): Pg. 49.

¹⁸⁰ Ibid. Pg. 44.

¹⁸¹ Ibid. Pg. 37-44.

¹⁸² A vendor. (2006). Interviewed by an enumerator in this study. 6 June 2006.

comments that because of such tendencies, socio-economic rights of people in Malawi deteriorated in the first ten years of democracy¹⁸³.

At the time the street vending policy was being formulated, some of the stakeholders shown in Figure 2 in Chapter 2 of the thesis, for instance the Press Cooperation waited with their solutions ready to attach to the problem when the policy window opened. This is in line with Kingdon's idea that some stakeholders wait with their proposals to attach to a problem¹⁸⁴. In light of this when the BCA started formulating the policy; the Press Cooperation attached their solution to the BCA's problem. According to Jimu, the city authority's policy decision was to build flea markets with fences, fix kiosks and to push the street vendors to overcrowded produce markets which are away from the centre of the city where most shopping is done¹⁸⁵. The City Assembly officials consented and formulated a policy that restricted vendors from trading in cities of Malawi. They coupled their solution that they had come up with after the president's directive with the Press Cooperation's idea of building flea market.

4.2. STORIES TOLD BY VARIOUS STREET VENDING POLICY STAKEHOLDERS

These stories have been categorised into three main domains, the first category, the stories told by government officials. These include the Minister of the Local Government of Malawi and the BCA officials. The second domain, the stories told by SVA leaders and the third, the stories told by vendors.

4.2.1. STORIES TOLD BY GOVERNMENT OFFICIALS

THE MINISTER OF LOCAL GOVERNMENT'S STORY

According to the Minister of Local Government, Dr. Chaponda, street vending became a problem during President Bakili Muluzi's regime (1994-2003). This was due to his economic policies that advocated liberalised trading. During this time people were allowed to trade anywhere. There were

¹⁸³ Hendricks, N. (2006). *Analysis of Current Political Situation in Malawi, with Special Emphasis of Human Rights Situation*. Denmark: Danish Institute for Human Rights Press.

¹⁸⁴ Parsons, W. (1995). *Public Policy: An Introduction to the Theory and Practice of Policy Analysis*. Cheltenham: Edward Elgar Publishers. Pg. 194.

¹⁸⁵ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 45.

neither limits nor any form of control. Particularly street vendors were encouraged to pursue their trade. Dr. Chaponda, submitted that President Dr. Bakili Muluzi used to refer to himself as “vendor number one”. Paradoxically, in 2002, Muluzi directed that vendors should relocate from streets to flea markets. This was not implemented due to a lack of political will since he would also depend on the vendors for political support.

Upon being elected into power in 2004, Dr. Bakili Muluzi’s successor, Dr. Bingu Wa Mutharika together with his cabinet noted that street vending was getting out of hand and decided that Bakili’s directive should be implemented. The reason was that street vending was seen to exacerbate the problem of theft, harassment of women, illegal dumping of waste and the increase in unhygienic conditions in the city since vendors would defecate, urinate and dispose of waste wherever they vended.

Cabinet decided that the vendors should relocate in April, 2006 and occupy flea markets. Dr. Chaponda argue that the vendors were given ample time to relocate (about four months). Vendors were notified through the Minister’s statement, press releases, and through Malawi’s Town and Country Planning Act, 2006. Dr. Chaponda submits that the public was not given the opportunity to participate in the decision-making process of the street vending policy. Instead, the public was just informed through a campaign about government’s decision on the issue. He claims that, generally people were happy with the decision.

Dr. Chaponda contended that government had foreseen the problems that would arise from the decision that was made but decided that they would respond to the issues as they arise. According to him, this approach is effective and was undertaken after researching thoroughly both nationally and internationally in order to establish the best practice that could be adopted.

Dr. Chaponda argues that ever since this decision to relocate the vendors was implemented, the security in city streets, compliance to country regulations and laws; and the cleanliness has improved leading to improved health conditions and an atmosphere that is conducive to trade and investments. In short, he was satisfied with the policy implementation process and outcome.

THE BLANTYRE CITY ASSEMBLY OFFICIALS' STORY

According to the BCA officials, street vendors were allowed to carry out their business venture anywhere due to market liberalisation policies that were adopted during President Bakili Muluzi's regime. The officials argued that vendors took advantage of Muluzi's statement such as "do not tamper with vendors" to mean that they could conduct their business ventures without any responsibility and accountability. According to the BCA officials, when they would try to enforce the city's by-laws, restricting vendors from trading in the streets, they were faced with contradictory statements from the President. With this BCA officials feared losing their jobs.

Apart from the problems that the Minister of Local Government cited as having been made worse by vendors prior to the relocation, the BCA officials added that street vending was preventing them from collecting enough revenue from the vendors in the form of a market fee as they would if vendors were selling their commodities in the market. In addition, shop owners were complaining that the vendors were taking away customers who would have gone to buy from them since some vendors used to stand outside shops calling at customers to buy from them. The BCA felt that it was failing to provide essential services such as piped water, toilets and sweepers for the vendors while in the streets since they were generally not in one place and were disorganized.

When the political regime changed from Dr. Muluzi to Dr. Mutharika, the BCA was empowered to implement the street vending policy that Dr. Bakili had previously come up with. According to the BCA officials, leaders of the street vendors were consulted because they were given the opportunity to choose a market design of their choice even though their preferred choice was not taken. Instead, it was the Press Trust Cooperation's idea that was taken. The BCA officials contended that vendors were given a number of incentives in order to coerce them into adopting the policy. For instance, vendors were taken to Zimbabwe among other countries so that vendors could see how the markets are run. According to the BCA clerk, vendors were taken to Sun and Sand Holiday resort¹⁸⁶ for two days in order to influence the vendors towards accepting the policy. In addition, leaders of the SVAs were called to attend meetings with the BCA officials where they

¹⁸⁶ This is an expensive holiday resort in Malawi.

could be paid for attending the meetings. The BCA clerk claimed that in another meeting where 28 SVA leaders were invited, each leader was given MK5 000¹⁸⁷. These were unbudgeted for costs. The BCA Clerk in addition, argues that in some instances, vendors were given loans amounting to MK10 000¹⁸⁸ each which have to date not been repaid.

According to the BCA Clerk, apart from consulting the vendors, other stakeholders were consulted. These include the councillors, Ministers of Parliament, SVA leaders, shop owners and the Press Trust. The BCA officials submitted that it was the Press Trust that built the Blantyre Flea Market and sponsored the trips with the vendors. However, according to the BCA clerk, the Press Trust stopped building other markets that it was initially supposed to build since vendors were refusing to occupy the flea market.

Although these markets were built to help curb the problem of poor service delivery, the BCA is still failing to meet the demands of the vendors. For instance the markets are still faced with the problem of shortage of toilets, trading space which would accommodate all vendors and refuse collection services. The BCA is also facing difficulties in regulating some of its by-laws. These by-laws include proper disposal of refuse by market occupiers¹⁸⁹, prohibition of cooking and selling of food in the flea market¹⁹⁰ and more importantly in this case, the prohibition of street vending¹⁹¹. Failure to comply with such by-laws would attract “a fine of MK2 000¹⁹², and in the case of a continuing offence a further fine of MK 200¹⁹³ for each day during which the offence continues after conviction thereof or to six months imprisonment or both¹⁹⁴”.

¹⁸⁷ Equivalent to R500 at that time.

¹⁸⁸ Equivalent to R1 000 at that time.

¹⁸⁹ The Malawi Gazette Supplement: Rules and regulations. No. 7. (2003). The Blantyre City Assembly By-Laws. Local Government Notice No. 13 from The Local Government Act No. 42 of 1998. Section 16.7. Pg. 62.

¹⁹⁰ Ibid. Section 19.8.2. Pg. 77.

¹⁹¹ The Malawi Gazette Supplement.: Rules and Regulations. No. 7. (2003). The Blantyre City Assembly By-Laws. Local Government Notice No. 13 from The Local Government Act No. 42 of 1998. Section 19.13a & b. Pg. 78.

¹⁹² Equivalent to R100 at that present rate.

¹⁹³ Equivalent to R10 at that now.

¹⁹⁴ The Malawi Gazette Supplement.: Rules and Regulations. No. 7. (2003). The Blantyre City Assembly By-Laws. Local Government Notice No. 13 from The Local Government Act No. 42 of 1998. Section 14. Pg. 60.

During the interviews with the BCA officials, the BCA clerk said that he is looking forward to getting the feedback from this study since he feels that it could help the BCA to improve its policy-making processes in future.

4.2.2. STORIES TOLD BY THE STREET VENDOR ASSOCIATION LEADERS

The street vendor leaders interviewed in this study contended that they were not consulted. Instead they were only informed of government's decision to relocate vendors to the Flea Market. Among them, there is a general feeling that vendors were consulted more during President Bakili Muluzi's regime unlike in President Muthalika's regime. As the relocation exercise took place during Muthalika's regime, vendors argue that government did not inform them about it. They only heard from the radio and read about it in newspapers.

The leaders submitted that they are concerned that they were promised to be given funding for their business during Bakili's regime but up to now they have not received any. They feel there exists no relationship between the BCA and the vendors due to poor communication that exist between the two parties. The SVA vendors expressed the wish to have meaningful discussions with the BCA.

4.2.3. STORIES TOLD BY VENDORS

Vendors generally feel that they were not consulted on the issue of relocation, except for some of the SVA leaders who were affiliated to the United Democratic Party (UDF), the then ruling Party. The vendor argued that the leaders reaped the benefits from the parties in that money and site seeing. For the vendors, relocating from the streets to the Flea Market has significantly affected their sales in terms of the number of customers visiting them has decreased. Due to this they are not able to realise as much money as they previously did before relocating to the Flea Market and conversely they are not able to meet their daily needs as they used to before the relocation. The vendors are also concerned that the conditions at the Flea Market are not better than what they had while in the streets. This is because there is poor sanitation, poor waste management, not enough toilets and a few taps of water at the market. For them relocating to the Flea Market had made

them to be worse off than they were in the streets. These challenges have led them to feel that the BCA does not understand the problems of the vendors.

In spite of the challenges, vendors admit that the streets in the city are now cleaner than they were when they were selling their commodities in the streets. However, most of the vendors feel that if they would be given a chance to go and sell their commodities on the streets they would go.

4.3. A SUMMARY ANALYSIS OF INTERVIEW FINDINGS

4.3.1. GENERAL DATA ON VENDORS

Respondents in this study are generally male and female Malawian nationals. The composition is as indicated below.

Figure 4.3.1: Sex of respondents

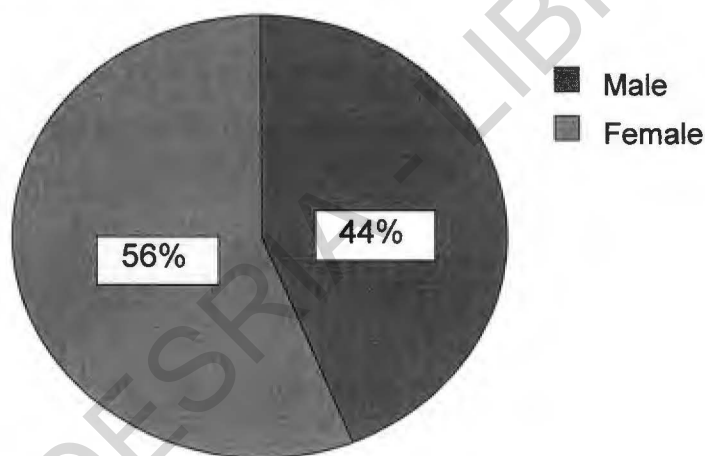


Figure 4.3.1 indicates that the study is made up of 56% female respondents and 44% male respondents. The average age of the respondents is 31 with the youngest age being 18 and the oldest age being 55. This implies that generally, vendors in this study are in an age group that is economically active which they would have otherwise been employed in the formal economy. Refer Figure 4.3.2.

Figure 4.3.2 Marital Status of Vendors

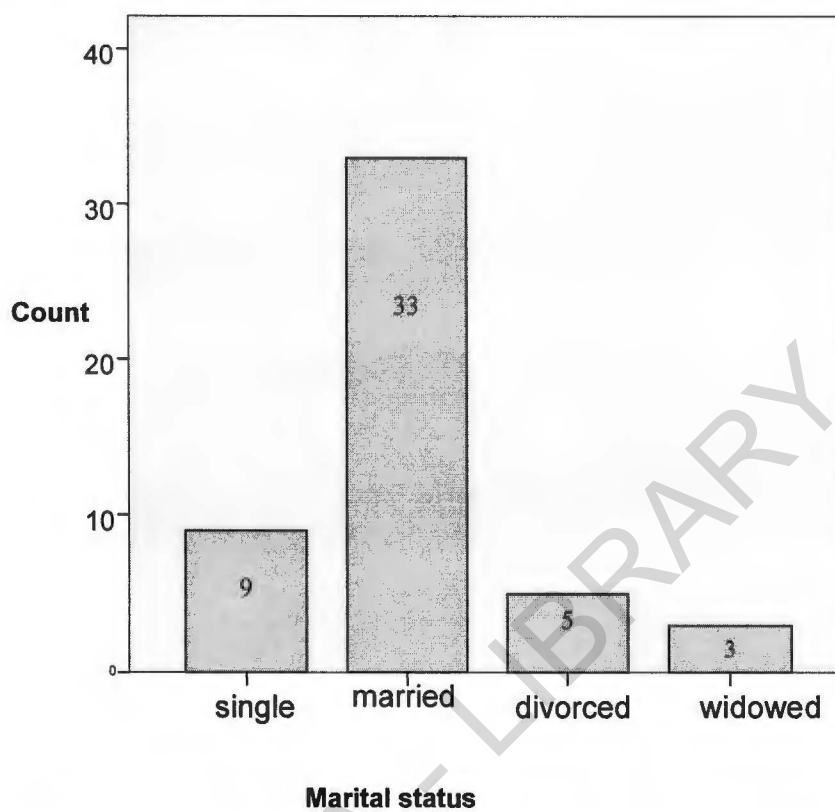


Figure 4.3.2 indicates that most of the vendors in this study are married. This gives them the responsibility of fending for their families.

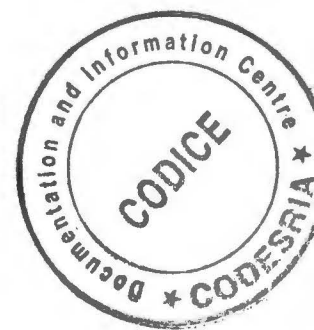


Figure 4.3.3 Marital Statuses According to Gender

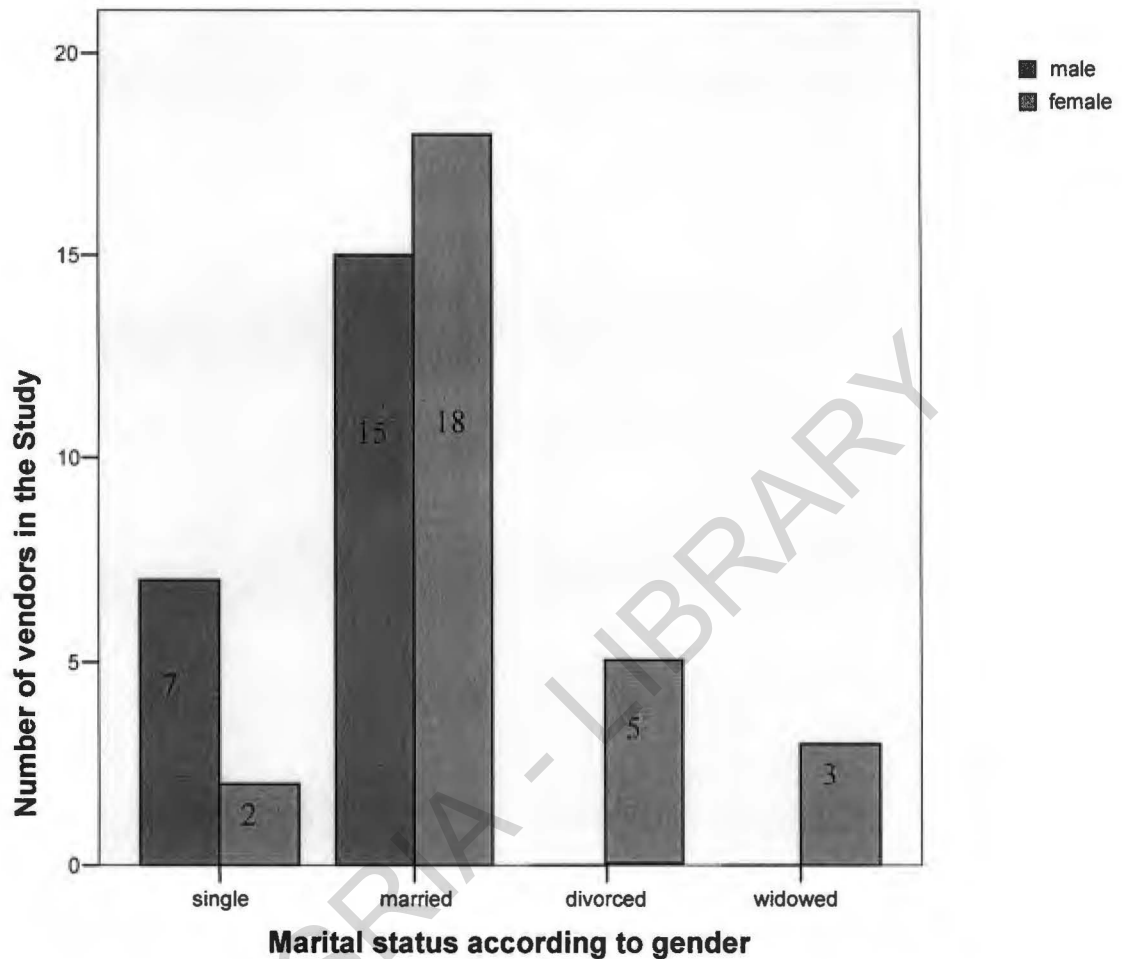


Figure 4.3.3 above indicates that most women in the study are generally married. Unlike men who are either single or married, there are a considerable number of divorced or widowed women. Generally women are considered to be the most disadvantaged group. This is partly because they often earn low but have bigger responsibilities. This was also observed in this study. Most women in this study are bread winners for their families. This is in line with Mitullah's observation that street vending generally attracts the disadvantaged and marginalized segment of the society such as the divorced and the widowed¹⁹⁵.

¹⁹⁵ Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies Press Pg. 5.

It has been observed in this study that most of the vendors have low education levels. Refer Figure 4.3.4.

Figure 4.3.4: Education Levels of Vendors in this Study

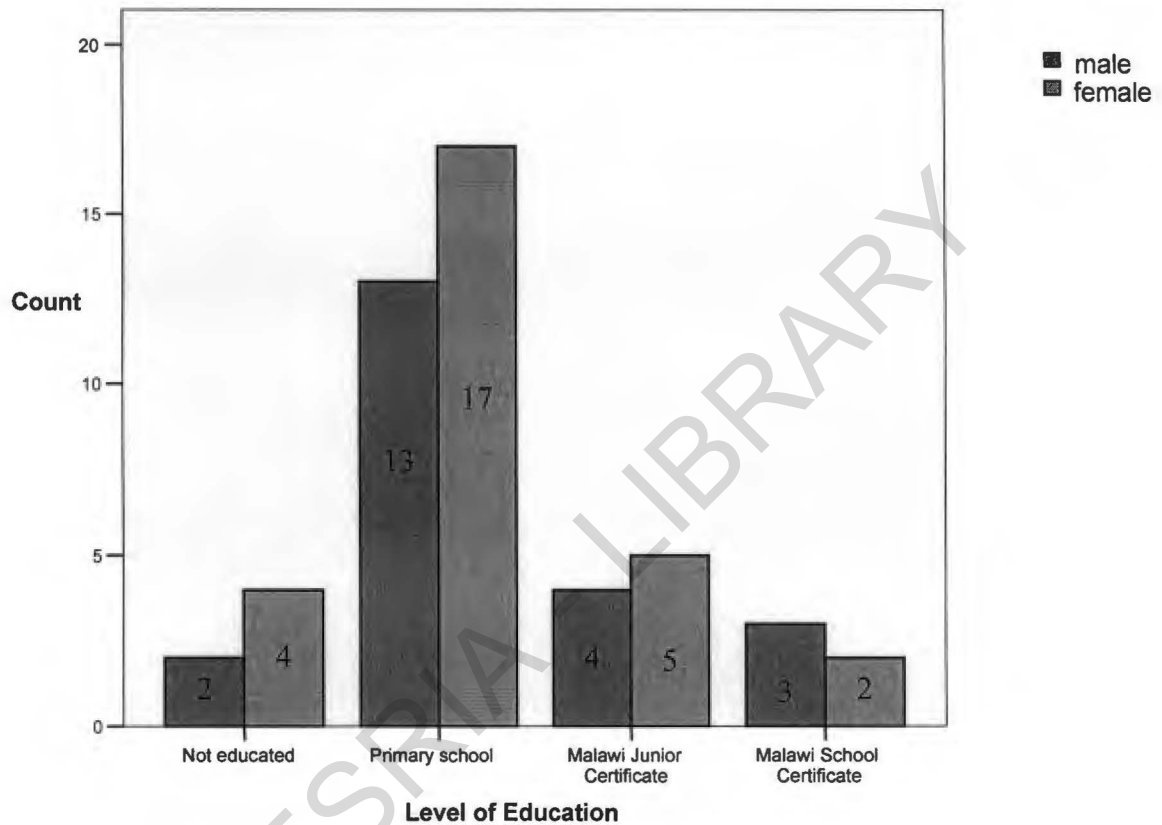


Figure 4.3.4 shows that most (30) vendors acquired the minimum education level which is the primary education with the highest being the Malawi School Certificate (A-Level). The graph also indicates that in the study, among the interviewed vendors, the number of women with primary education is greater than the number of men in the same category. The number of men with Malawi School Certificate education is greater than women. This is in line with Mitullah's point that most women vendors have lower education levels, than men¹⁹⁶. According to Mitullah, for most poor, illiterate women street vending is their only better option than being formally employed¹⁹⁷. In addition, street vending for these poor women seems to be compatible with their

¹⁹⁶ Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies.

Pg. 5.

¹⁹⁷ Ibid. Pg. 5.

role as child bearers and the responsibility of raising children that these mothers often assume. These roles and responsibilities often require flexible time schedules which street vending allows for as compared to formal employment¹⁹⁸. Mitullah adds that street vending attracts the disadvantaged segment of society with low levels of education, limited skills, limited capital and have the responsibility of child care¹⁹⁹.

It has been observed in this study that most men involved in street vending prefer to sell products with a higher profit margin, and which would also keep well for a long time. These often fetch them relatively more profits. These products include personal accessories among other things. On the other hand, most women sell perishables which are usually small in quantity. These perishables include vegetables and fruits.

Table 4.3.1 A indicates that 80% of females in the study sell vegetables and fruits, while only 20% of them sell personal accessories. While Table 4.3.1 B indicates that 74% of males were selling personal accessories and only 26% of males were selling vegetables and fruits. Mittullah suggests that this is so because male vendors have better access to capital than female vendors²⁰⁰. This is in line with the claim that most women who also happen to be main providers in the home sell perishables to get a quick turnover even though this comes with a low profit margin so as to be able to provide for the home with daily necessities unlike most men who do not often have such obligations²⁰¹.

¹⁹⁸ Ibid

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ Ibid.

Table 4.3 A and 4.3 B: Products Sold by Vendors Categorized According to Gender

Question asked to the vendors: What do you sell?

Product sold	Male	Female	Total percentage
Food	20%	46%	66%
Personal accessories	24%	10%	34%
Total percentages	44%	56%	100%

Figure 4.3.6: Reasons for Vending

Question asked to the vendors: 'Why are you involved in informal trading?'

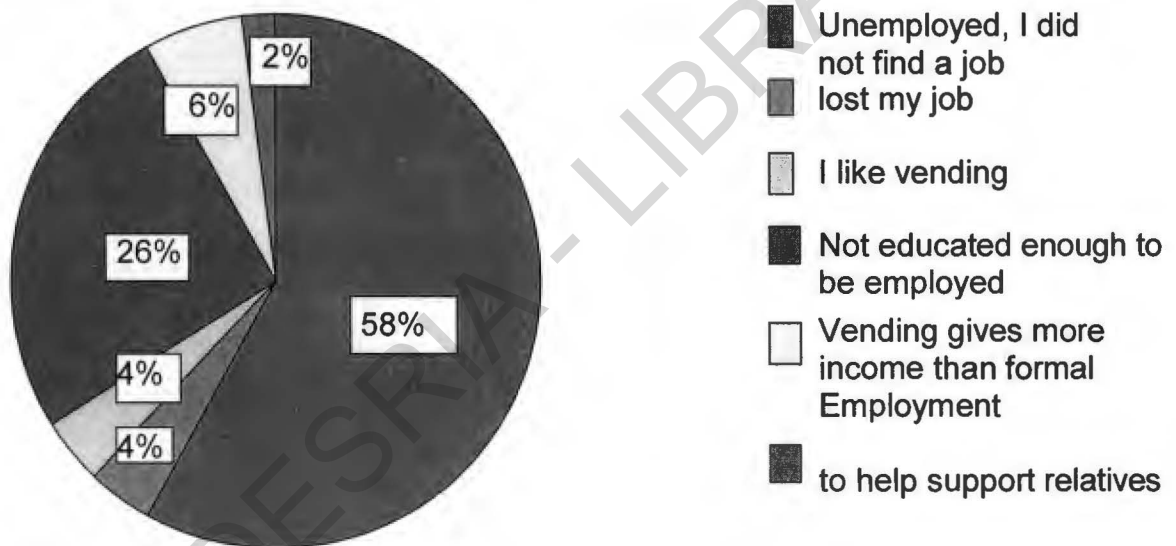


Figure 4.3.5 indicates that most vendors engage in vending because of a lack of employment opportunities and their low education levels which keeps them from finding employment in the formal sector.

Figure 4.3.7: Ability to Save Income from vending

Question asked to the vendors: Are you able to save some money from your business?

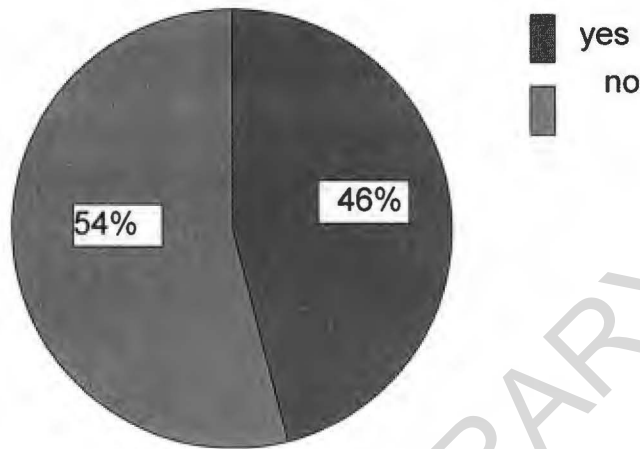


Figure 4.3.6 above indicates that about 46% of the vendors are able to save some money from their sales while about 54% are not able to make any savings from their sales. This suggests that vendors rely on sales made from merchandise for their livelihoods.

4.4. ISSUES RELATING TO CONSULTATION, PARTICIPATION AND DECISION-MAKING

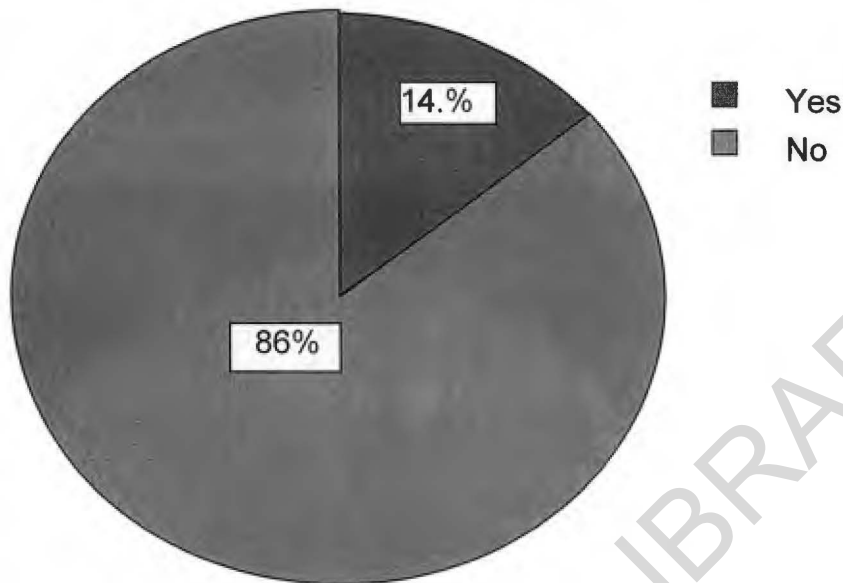
For the case of this street vending policy, consultation has been a challenge. This has been due to various factors. The factors are discussed with relevant examples below.

Council versus Vendors

In this study, only a few vendors reported to have been consulted about the place to which they should relocate. Refer Figure 4.4.1.

Figure 4.4.1 Council versus Vendors

Question asked to the vendors: Were you consulted on the flea market relocation?



From Figure 4.4.1 above, 86% of the vendors that were interviewed in this study said that they were not consulted when formulating the street vending policy, only 14% of the vendors admitted to having been consulted on the issue to relocate to Flea Market. As can be seen from above, most of the vendors were not consulted of the decision that was made by the council to relocate them. This is in agreement with the minister of Local government of Malawi that street vending policy came as a directive and vendors were just informed about it.

Figure 4.4.2: Vendors Being Informed of the Decision to Relocate

Question asked to the vendors: Were you informed of the decision to relocate from the streets to the Flea Market?

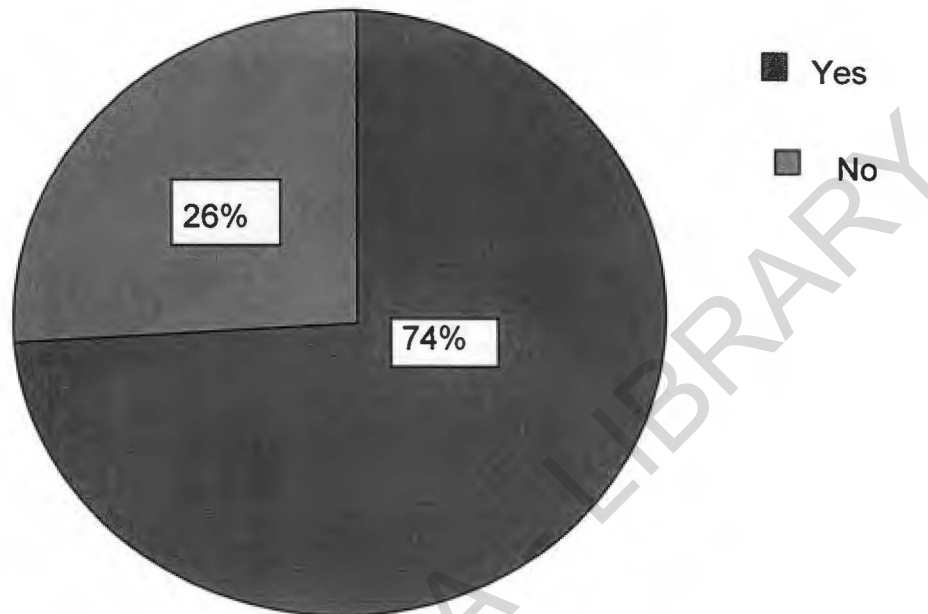


Figure 4.4.3 above indicates that after the BCA had made the decision to relocate the vendors, about 74% of the vendors were informed. Mangani admits that government did not consult vendors before deciding on the issue of vendor relocation he submitted that ‘we did not consult many vendors. Most vendors were just told to relocate to the flea markets’²⁰².

Council versus Street Vendor Associations

Leaders of the existing small SVA at this time present at the consultation meetings proposed that instead of occupying the flea markets, government should allow street vendors to continue trading in the streets pledging that they would make sure that they abide by the City Council by-laws and keep the streets clean²⁰³. According to Mangani, vendors believe that selling in the streets is the most viable way for them to make profits since customers do impulse buying when

²⁰² Mangani. Blantyre City Assembly’s official. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 10 July, 2006.

²⁰³ Ibid. Pg. 41.



they see the vendors' merchandise being sold along the streets²⁰⁴. This enables the vendors to sell a lot of commodities in a day. As can be seen from issues raised by vendors and government official, the needs of the street vendors were not necessarily taken into consideration by the government as such vendors feel that the City Council does not understand the problems of the vendors²⁰⁵.

Figure 4.4.3: Vendors' Perception on Seeing Vending as a Problem.

Question asked: Were vendors a problem in the streets?

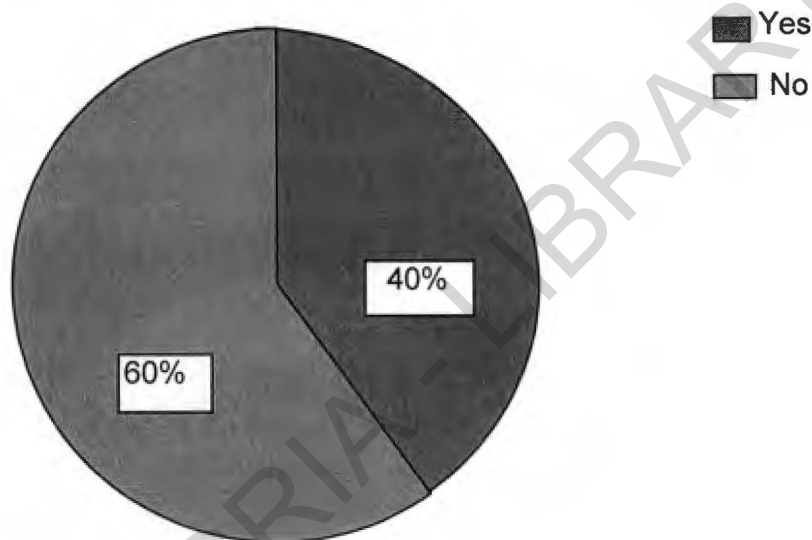


Figure 4.4.4 above indicates that vendors 60% of the vendors do not perceive themselves vending in the streets as a problem. Vendors contended that selling in the streets was better than in the market. This is because they were sparsely dispersed reducing competition of similar merchandise and had the freedom to place their merchandise where they wanted to²⁰⁶.

Among the vendors who agreed to have been consulted included some of the leaders of the Street Vendors' Association. These leaders admitted to have been consulted about the street vending

²⁰⁴ Ibid.

²⁰⁵ War on Want. (2006). *Forces for change: Informal Organizations in Africa*. < www.waronwant.org > 21/11/2006. Pg. 62, 88.

²⁰⁶ Vendors who were interviewed in this study.

policy in the past during Muluzi's regime but lamented that vendors have no power under the leadership of Dr. Munthalika the present president of Malawi²⁰⁷. The leader said that even though he had participated in suggesting alternatives to government's solutions to the problem of street vending by choosing the place where the new market was to be located, the BCA officials refused to adopt this suggestion²⁰⁸. In fact, the BCA clerk disclosed that although the BCA tried to incorporate the vendors in deciding on the site for the flea market, it was the Cabinet that actually made the decision on where to relocate the street vendors in an effort to implement the directive from the president²⁰⁹. This clearly shows that vendors' ideas were not considered during the time the BCA was the making decision. This seems to have led the vendors into feeling that the council does not understand their concerns. Below is a pie chart illustrating the vendors' perception on City Council's understanding their problems.

Figure 4.4.4: Perceptions of vendors on City Council's Understanding of Vendors' Problems

Question asked to the vendors: Do you think the City Council understands your problems?

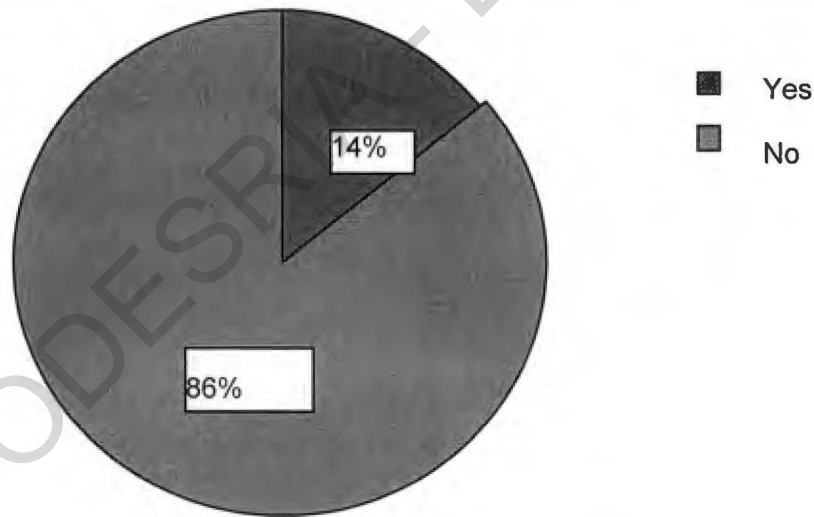


Figure 4.4.5 above indicates that 86% of the vendors interviewed in this study felt that the council does not understand the vendors' problems hence they relocated them to a site that was away from

Leader of the Street Vendors' Association. (2006). Interviewed by an enumerator of this study in Blantyre. 30 June, 2006.

²⁰⁸ Ibid.

²⁰⁹ Mangani. Blantyre City Assembly's official. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 10 July, 2006.

the city centre where most shopping is done without consulting them and without taking into consideration of how such a decision would affect them. It was observed during the study that associational life of the vendors is problematic in that vendors are generally disorganized. They have numerous unregistered SVAs. This keeps the Blantyre City Assembly's officials from knowing the appropriate person whom they can contact. This is because most vendors belong to the unregistered SVAs which are not formally recognised.

VENDORS' ASSOCIATIONAL LIFE

Another challenge in consultation on the street vending policy has been in terms of vendors' associational life. As already pointed out in this thesis associational life for vendors is usually in the form of Street Vendor Associations (SVA). SVAs help to ensure that vendors have secure welfare and business environment²¹⁰. This is done by establishing and defending legal rights of vendors; setting up effective channels for member representation; protecting vendor's interests thereby raising the vendors' profile; and building leadership through empowering members²¹¹.

In this study, when vendors were asked if it is worthwhile to belong to a Street Vendor Association. 45 vendors out of 50 agreed that it is important to belong to a Vendor Association. When the vendors were asked to give their opinion on why it is important to belong to an SVA, they mentioned that SVAs promote the interests of the vendors, they mediate in case a dispute arises and that SVAs help solve various problems among the vendors. Below is Table 4.2 indicating their response.

²¹⁰ A Street vendor leader. (2006). Interviewed by Nyalo, G. Blantyre. 30 July 2006.

²¹¹ Ibid.

Table 4.4.1: Vendors Opinions on Why They Think it is Worthwhile to Belong to A Vendors Association (out of all the Interviewed Vendors)

Question asked to the vendors: Why is it worthwhile being a member of the association?

Vendors' Response to the Question Above	Frequency
I do not know the benefits	17
SVAs promotes the interests of vendors	12
SVAs mediates between vendors and city council	3
SVAs help solve vendors' problems	13
Total	45

Table 4.4.2: Vendors Opinions on Why They Think it is not Worthwhile to Belong to A Vendors Association

Question asked to the vendors: Why is it not worthwhile being a member of the association?

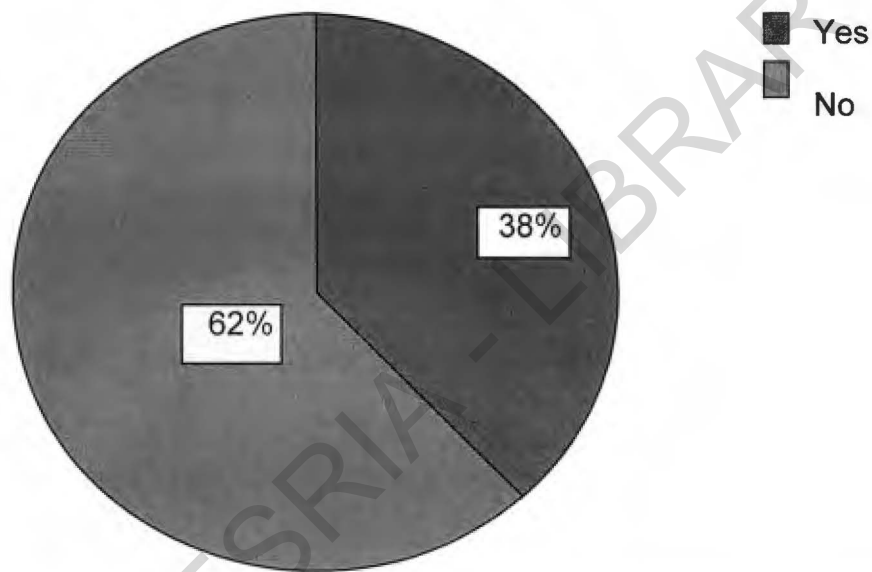
Vendors' Response to the Question Above	Frequency
It is not worth, council just does not take heed to other peoples' views	4
There is a lot of violence at the SVA meetings	1
Total	5

5 of the vendors interviewed in this study said it is not worth while being a member because BCA does not take heed of vendors' ideas and that there is violence during vendors meetings.

When asked whether the vendors themselves belong to an SVA, the following were the results.

Figure 4.4.5: Vendors belonging to Vendors Association

Question asked to the vendor: Do you belong to vendor association?



Despite their wide spread belief that SVAs are important; Figure 4.4.6 above indicates that 62% of the vendors do not belong to any vendor association. According to Grevulo, it is because of such reasons as not belonging to SVA that to some extent government is not able to consult vendors²¹². Additionally, since the vendors occupied the markets, the SVAs which the vendors belonged to got disbanded and have not formed new ones since. These observations are similar to Mitullah's point that most vendors do not belong to any Vendors' Association and that vendors are generally disorganized²¹³. Mitullah adds that lack of organisation among vendors reduce their bargaining

²¹² Grevulo Blantyre City Assembly's Clerk. (2006), Interviewed by Matinga-Katundu, B. in Blantyre 1 July, 2006.

²¹³ Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi. Institute of Development Studies. Pg. 11.

power as such their concerns are rarely brought forward for consideration by local authorities²¹⁴. This often leads to failure on the part of the vendors to participate with one voice in a meaningful manner during negotiations which would in turn influence the policies that affect them. The Blantyre City street vending issues are a case in point. Disorganisation of the vendors seems to have limited their bargaining power. This has prevented their voice from being heard.

Grevulo submitted that most of the vendors who were SVA leaders were the ones who were consulted and that generally these were members of the ruling United Front for Democratic (UDF) party²¹⁵. Only a few vendors from the then ruling party, was consulted on the policy. This is in line with Gyimah-Boadi's idea that many civil society organisations in African have turned out to be more political-action committees than civil society, they affiliate themselves to ruling political parties and the state bureaucracy as such they have trouble defining their roles²¹⁶.

As of now, there are two registered SVAs in Malawi namely the Malawi Congress of Trade Union (MCTU and Malawi Union for Informal Sector (MUFIS)²¹⁷. In 2002, MCTU made efforts to represent vendors when the policy was being formulated²¹⁸. However, MCTU has been criticized by the MUFIS to have little knowledge and relation with vendors which has led the MCTU to fail to articulate the needs of the street vendors²¹⁹.

Despite efforts made by the vendors to participate in the decision-making process, the government's agenda managed to get support from other stakeholders such as the Press Trust Cooperation. The Press Trust provided funds for building markets for vendors. This led to the adoption of the street vending policy in 2002 which stipulate that "(a) no person shall exhibit goods for sale on roadways, pathways, or passages, or even any drain; or (b) leave a board, box,

²¹⁴ Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi. Institute of Development Studies. Pg. 11.

²¹⁵ Grevulo Blantyre City Assembly's Clerk. (2006), Interviewed by Matinga-Katundu, B. Blantyre: 1 July, 2006.

²¹⁶ Gyimah-Boadi, E. (1996). *Civil Society in Africa*. *Journal of democracy*. John Hopkins Press. Pg. 5.

²¹⁷ War on Want. (2006). *Forces for Change: Informal Organizations in Africa*.

< www.waronwant.org > 21/11/2006. Pg. 56.

²¹⁸ This a registered trade union in Malawi.

²¹⁹ War on Want. (2006). *Forces for Change: Informal Organizations in Africa*.

< www.waronwant.org > 21/11/2006. Pg. 56.

basket, tin, sack or other container over or upon such roadways, stairway, passages or drain²²⁰. The Assembly in its legislation also prohibits the establishment of private markets and street vending within the Assembly unless a written permission is obtained from the Assembly²²¹.

4.5. RELOCATION OF THE STREET VENDORS

For the case of the street vending policy, implementing the street vending policy has not been easy on the part of the BCA and indeed for the Malawi government. On many occasions it has been met with resistance from the street vendors. In November 2002, while trying to relocate the street vendors from the city streets to Blantyre Flea Market, the Blantyre City Assembly officials experienced a number of ‘clashes’ with street vendors²²². This is because the vendors were refusing to occupy the market saying:

“the markets are not enough to accommodate all the vendors; they have limited storage space; have poor designs; they are not conveniently located and therefore could lead to loss of business; there are high market fees/ rates and they fear witchcraft that is present in the market (which would be exacerbated by stiff competition since vendors with similar commodities would be located within the same section in the market)²²³.”

Several other forms of resistance continue to occur in the Blantyre. In 2002 the vendors were told to move to the Blantyre Market. Vendors relocated but only stayed for a short time. In the same year, they went back to the streets. At that time the government was not serious in its efforts to implement the policy. According to Mangani, the ruling party was depending on vendors’ support since it was only a year before presidential and parliamentary elections²²⁴. According to him, BCA officials could not enforce the policy because they feared that they would lose their job because it

²²⁰ The Malawi Gazette Supplement. (2003). Local Government Act: Blantyre City Assembly By-laws, Government Notice 19. Sect 13. a and b.

²²¹ The Malawi Gazette Supplement. 3. (2003). Local Government Act: Blantyre City Assembly By-laws, Government Notice 19.

²²² War on Want. (2006). *Forces for Change: Informal Organizations in Africa*. < www.waronwant.org > 21 /11 /2006.Pg. 62.

²²³ War on Want. (2006). *Forces for Change: Informal Organizations in Africa*. < www.waronwant.org > 21 /11 /2006.Pg. 62.

²²⁴ Mangani. Blantyre City Assembly’s official. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 10 July, 2006.

would have been like they were working against government²²⁵. After the elections, Dr. Bingu Wa Muthalika, who represented the ruling United Democratic Front (UDF) party won and became president, taking over from his predecessor Bakili Muluzi.

In 2005, the political situation in Malawi took yet another twist. Dr. Munthalika left the ruling party, UDF and formed another party known as Progressive People's Party (PPP). He had the political will to implement the street vending policy so that streets would be clean²²⁶. Efforts to relocate street vendors to the market started. The BCA embarked on a forceful relocation exercise in February, 2006. According to IRIN African Newspaper²²⁷, in February 2006, the government directed the vendors to move or face eviction from the streets by April 2006. This led to further protests and resistance by the street vendors. On 19 April 2006 the government used police force to demolish all shacks and benches used by street vendors to ensure that no vendors could trade in the streets²²⁸. It is at this point when the street vendors were left with no alternative but to relocate to the Flea Market.

It is worth noting that even though the vendors relocated to the Flea Market, the majority of them do not understand why they were prohibited from selling in the streets. Figure 4.14 indicates that the vendors they do not understand why they had to relocate to the Flea Market.

Figure 4.5.1 indicates that out of the 50 interviewed vendors, 44 of them said that were forced to relocate by the BCA. These 44 vendors do not understand why the government used force to relocate them. They claim that they would have easily relocated if government had consulted them and let them participate in the policy-making process. This is in line with Brinkerhoff's idea that lack of consultation leads to difficulty in 'buying in to' a policy since the stakeholders do not understand the reasons for adhering to the policy. In this case, the vendors find it difficult to adhere

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ IRIN Africa News. (2006). *Malawi: More clashes with Vendors, 33 arrested.*

<http://www.irinnews.org/report.asp?ReportID=52862&SelectRegion=South_Africa> 2006/05/12. Pg. 2.

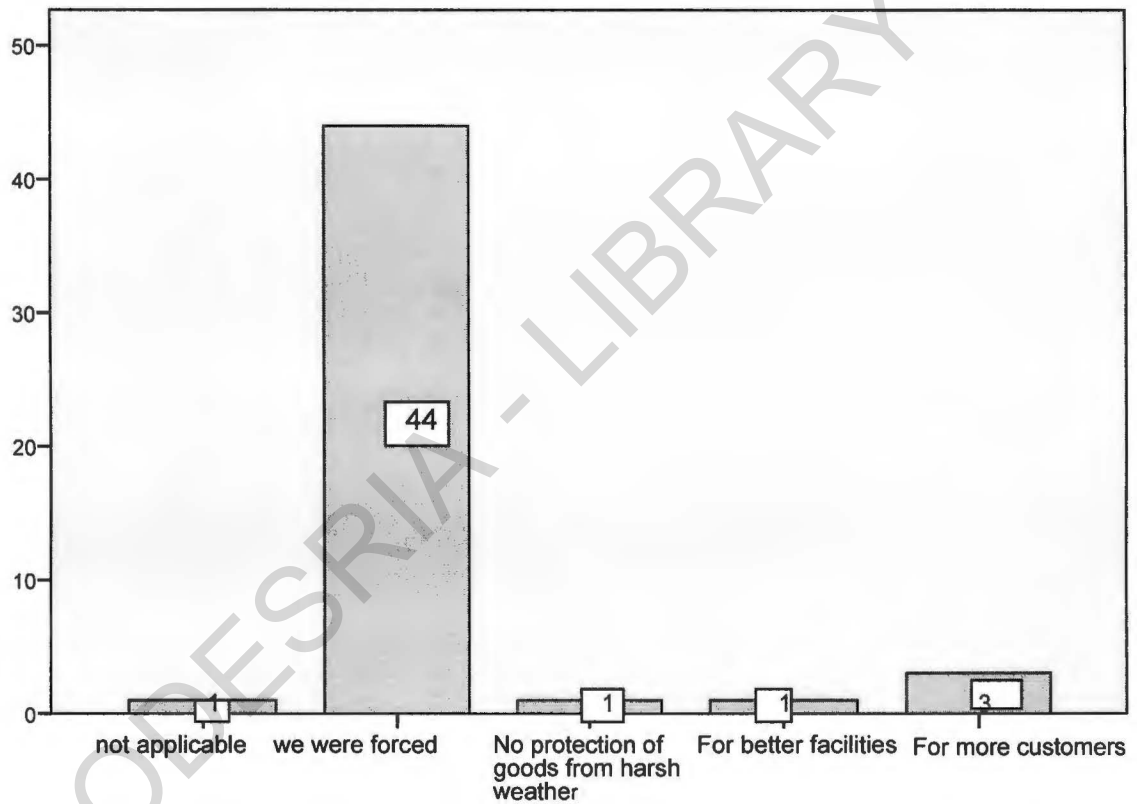
²²⁸ IRIN Africa News. (2006). *Malawi: More clashes with Vendors, 33 arrested.*

<http://www.irinnews.org/report.asp?ReportID=52862&SelectRegion=South_Africa> 2006/05/12. Pg. 2.

to BCA's street vending policy because they do not understand why they should relocate to Blantyre Flea Market.

Figure 4.5.1: Reasons Given by the Vendors for Relocating From Street to Blantyre Flea Market

Question asked: Why did you relocate to the Flea Market?



The use of force in this case was perceived differently by the vendors. Below is Figure 4.5.1 indicating vendors' perception on the use of force during the relocation exercise.

Figure 4.5.2: Vendors' Perception on the Use of Force During the Relocation Exercise

Question asked to the vendors: What do you think about Government's use of force during the relocation exercise

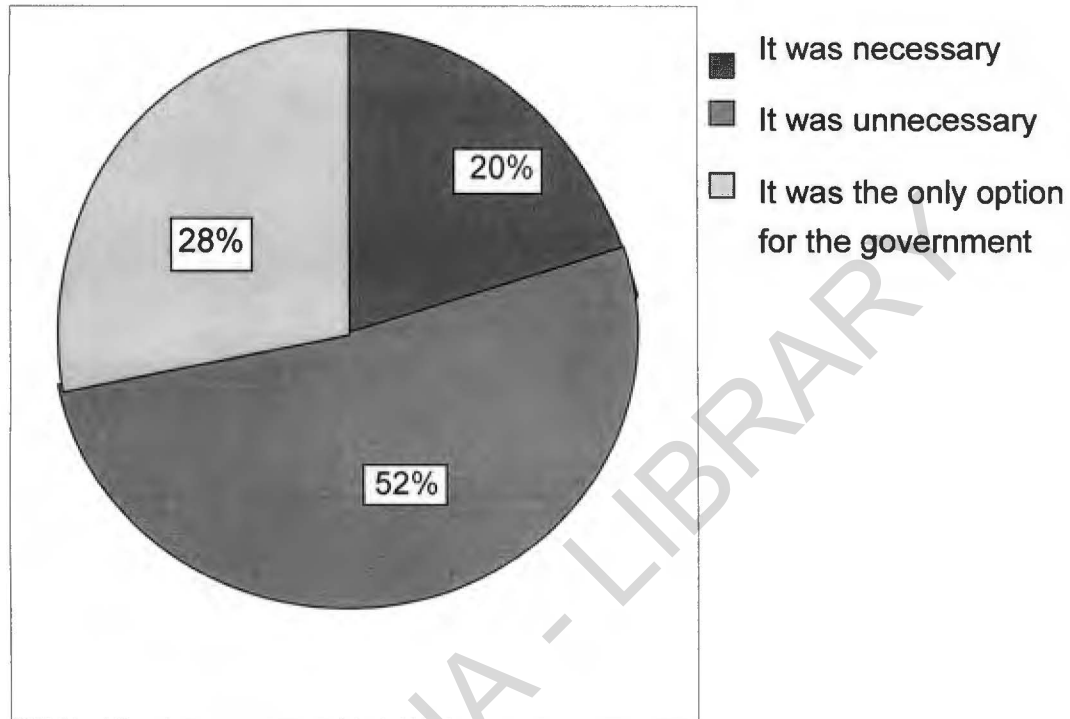


Figure 4.5.2 above indicates that only 20% of the vendors in the study think it was necessary to use force to ensure that the vendors relocated to the Flea Markets. 28% thought using force was the only option that government had in order to relocate the vendors to the market while 52% of the vendors think that it was unnecessary to use force for them to relocate to the Flea Markets. These vendors claimed that they would have relocated if they were consulted properly. This means that a lot of the vendors think it is not necessary for government to use force. Lack of this understanding may have led to a lack concession hence many vendors say that if given a chance, they would go back to the streets. It was observed during the study that some vendors had already started going back to sell their commodities at the streets.

4.6. EXISTING ISSUES AND CONDITIONS OF VENDING OPERATED FROM IN BLANTYRE

Before relocating to the flea market, vendors used to sell their merchandise on any open space along the Blantyre City streets. Vendors argue that they were able to provide necessary commodities to the general public without walking for long distances to access what they want. In such a way, vendors would make more sales thereby collectively contributing to the economy of Malawi as well as boosting their livelihood. In light of this, vendors saw themselves as self-sufficient and not a problem. However, according to the BCA clerk, BCA felt that the vendors were blocking passers-by from freely passing along the pavements²²⁹. Vending was causing pollution since buyers would buy and dispose any where the waste generated from the things that they would buy from the vendors thereby polluting the streets. Some of the buyers especially women were harassed by the vendors. Generally, vendors would defecate and urinate anywhere in the streets. They were also causing noise pollution since they had to call out to passers by to come and buy from them.

Although the BCA feels that the relocation of the vendors to the Flea Markets have improved the image of the city, there remain a number of critical issues which may in fact threaten the sustainability of the relocation exercise. For example, after relocating to the market, it was observed that the Blantyre market does not have adequate space to accommodate all the vendors. During the study it was noted that one side of the market was extended with temporary timber structures built by the vendors themselves with other vendors still displaying their commodities on any available land in and around the market. The result is overcrowding. There are inadequate sanitation facilities, waste disposal facilities; there is pollution, vendors dumping in the Mudi River. Vendors and their customers do not usually dispose the waste that is generated at the market properly. The market has trenches which are not covered. This is in line with Matope's argument that street vending is the main contributor of waste as well as increasing water, air, noise and visual pollution in cities. Street vending also leads to congestion in the city when left unchecked²³⁰. Below are pictures taken in and around the Blantyre Flea Market.

²²⁹ Grevulo Blantyre City Assembly's Clerk. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 1 July, 2006.

²³⁰ Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat). Pg. 14.



Self made timber structure for vending



Vending outside the Flea Market



Pollution in the Mudi River, with clothing for the sale displayed on the bridge.



A Trench at the Flea Market



Illegal dumping of wastes.

Vendors argued that they were told that the conditions will be better at the market because the market would be better serviced unlike when they are in the streets. In this study when asked whether they are now better serviced after the relocation the following was their response. Here services include such things as sanitation (provision of tapped water and toilets), trading and storage infrastructure and waste management services.

Figure 4.6.1: Quality of service at the Blantyre Flea Market

Question asked: Are you better serviced in the Market after relocation?

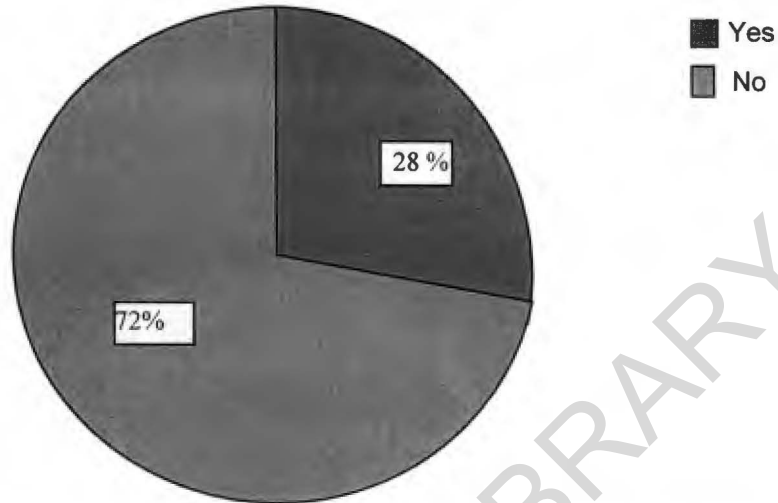
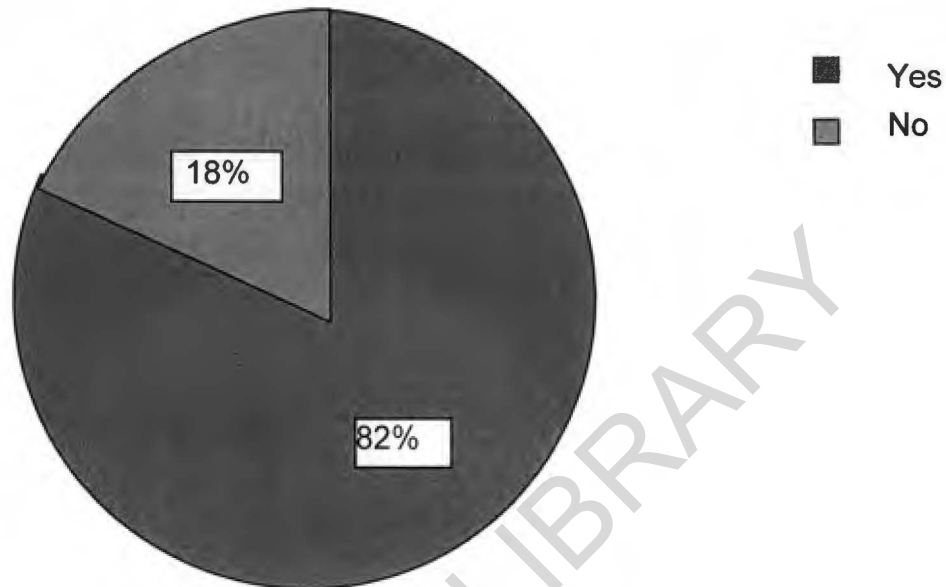


Figure 4.6.1 above indicates that 72% of the vendors feel that they are not better serviced by the BCA. This means that the vendors feel that there are inadequate toilets, tapped water and that refuse is not frequently removed from the market. Vendors submitted that if given a chance they would go back to the streets as figure 4.16 below indicates.

Figure 4.6.2: Vendors' Opinion on Vending in the Streets Again

Question asked: Given a chance would you as a vendor go back to the streets



From the figure above, 82% of the vendors seem to be dissatisfied with the services that the BCA renders them at the market at which they relocated to. Lack of good services at the market is creating an environment that is not attractive to customers. This leads to reduced sales by the vendors.

According to a BCA official, one of the main concerns of the BCA was that before the vendors had relocated to the flea markets, it was difficult to provide them with services such as water, electricity and toilets to the extent that some vendors would just urinate against walls in town and that the vendors would dump refuse any where making the town dirty since they were not in one place²³¹. However these problems seem to have not been properly addressed despite relocating the vendors to the flea markets.

²³¹ Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development Journal* Vol. XXX(4): Pg. 45.

The BCA seems to have failed to regulate its by-laws that prohibit food from being sold at the Flea Markets. This has been observed at the Blantyre Flea Market where vendors sell cooked and uncooked food despite the fact that the market does not have facilities for such merchandise.



Unlawful Selling of Food Outside Blantyre Flea Market

The unhygienic conditions seen in the picture above are hazardous to health. They are conducive to breeding disease causing organisms and are favourable conditions for spreading of diseases. This shows that the flea market is not properly regulated to the extent that prohibited sale of food still takes place in it. Additionally, there is insufficient provision of essential services such as water, electricity, toilets and refuse collection services are poor.

4.7. CONSEQUENCES OF RELOCATING VENDORS TO THE FLEA MARKETS

Lack of Policy Legitimation

According to Brinkerhoff, in order to legitimise a policy there are some costs that are incurred. These costs include political resources, and the willingness to risk political capital in support of a policy²³². In the case of the street vending policy, when the BCA noted that the vendors were non-compliant, BCA decided to incur costs in order to persuade the vendors to agree and abide by the policy. Each of the costs is discussed below.

In trying to secure cooperation, the BCA together with the Press Trust Cooperation embarked on a number of market visits that are outside Malawi. For instance the vendors were taken to see the Mpezanamo market in Zimbabwe. However, the vendors did not want to go on this trip nor want to have markets built for them. This is because vendors generally believed that customers engage in impulse buying from the market as they would when they are in the streets²³³. Such trips were sponsored by the Press Trust Cooperation and only a few vendors went on these trips.²³⁴

The vendors that went on these trips chose market designs which they preferred but the BCA and Press Cooperation built markets that had different designs to those chosen by the vendors²³⁵. The designs used were from the markets that traditional witchcraft doctors and herbalist use in Zimbabwe at Mbale²³⁶. This made the vendors feel that the BCA ignored vendors’.

According to the Chronicle newspaper, other incentives included local trips. For example, in 2004, ‘the Blantyre City Assembly ‘wasted’ nearly a million Kwacha (Euro 7,500) which was unbudgeted for from public money, taking vendors on a trip to Lake Malawi, in Mangochi despite

²³² Brinkerhoff, D. and Crosby, B. (2002). *Managing Policy Reform*. Bloomfield: Kumarian Press. Pg. 31.

²³³ Mangani. Blantyre City Assembly’s Official. (2006). Interviewed by Matinga-Katundu, B. Blantyre, 10 July, 2006.

²³⁴ Ibid.

²³⁵ A Leader of the Street Vendors’ Association. (2006). Interviewed by an enumerator of this study in Blantyre. 30 June, 2006.

²³⁶ A Leader of the Street Vendors’ Association. (2006). Interviewed by an enumerator of this study in Blantyre. 30 June, 2006.

the City Assembly's outstanding debts which were estimated to be around K17 million (Euro127,000 at that time)²³⁷.

As can be seen from the discussion above the street vending policy was highly politicized. The Chronicle newspaper submits that one of the vendors in Blantyre said that the above mentioned trip to Mangochi was a celebratory trip for helping the United Democratic Front (UDF), the then ruling party, into power for the second term of office since UDF was using vendors for political support²³⁸. This is in line with Brinkerhoff's idea that policy implementation is to some extent political in nature²³⁹. The Chronicle newspaper further contends that when the vendors had gone for the Mangochi trip, each vendor was offered an allowance of K3 000.00 per night while the Blantyre City Assembly officials received K1 500 as night allowances²⁴⁰.

Despite providing such incentives, the vendors refused to receive the K 3 000.00 (R300) allotted to them. They were demanding K10 000.00 (R1000) per night instead²⁴¹. When they were refused to get such sums of money, they bit the UDF staff, deflated UDF vehicle tires and returned to Blantyre in the middle of the night²⁴². The paper adds that every time the vendors were called by the Blantyre City Assembly for meetings on issues concerning the flea market, they were paid for attending such meetings²⁴³. The media here seems to suggest that the BCA tried to gain legitimisation in rather dubious ways. Despite these incentives the Blantyre City assembly failed to influence the street vendors to view the street vending policy as legitimate.

Another form in which the policy appeared to have been politicised was when politicians started to incite vendors to return to streets with an intention of amassing political votes. According to the

²³⁷ The Chronicle Newspaper. (12/07/2004). *Misuse of Public Funds, Blantyre, Malawi*. <<http://www.afrol.com/articles/13610>> 09/11/2006. Pg.1.

²³⁸ The Chronicle Newspaper. (12/07/2004). *Misuse of Public Funds, Blantyre, Malawi*. <<http://www.afrol.com/articles/13610>> 09/11/2006. Pg.1.

²³⁹ Brinkerhoff, D. et.al. (2002). *Managing Policy Reform*. Bloomfield. Kumarian Press. Pg. 25.

²⁴⁰ Ibid. Pg. 1-2.

²⁴¹ The Chronicle Newspaper. (12/07/2004). *Misuse of Public Funds, Blantyre, Malawi*. <<http://www.afrol.com/articles/13610>> 09/11/2006. Pg. 1-2.

²⁴² Ibid. Pg. 2.

²⁴³ Ibid.

National Newspaper²⁴⁴, this was when the UDF was no longer the ruling party in 2006. The Nation Newspaper²⁴⁵ submits that after vendors had relocated to the Blantyre Flea Market, a Member of Parliament (MP) was inciting vendors to go back to the street. In fact the former President of Malawi, Muluzi on his return from a trip he had made to United Kingdom, in July 2006 during a press conference, he said he is the president of vendors²⁴⁶. This was just after the new President Bingu Wa Mutharika had managed to forcefully evict the vendors from the street to the Flea Market. He portrayed himself as having the interest of the vendors at heart and would help the vendors to go back to the streets if they would give him the political support that he needed.

It was observed during this study that vendors are going back to the streets to sell their commodities again. In order to curb this non-compliance, the BCA officials with the help of the Malawi Police Force (MPF) started to patrol streets in Blantyre. It was also noted that the vendors who were caught were prosecuted and fined for having not complied with the Blantyre City Assembly's regulations²⁴⁷. The minimum fine for offenders who would go back to sale their commodities is K1, 500 (R150).

Loss of Customers

Relocating the vendors to the new market seems to have affected the income that vendors get after their sales. This is because there are now fewer people buying from the vendors. See Pie chart below.

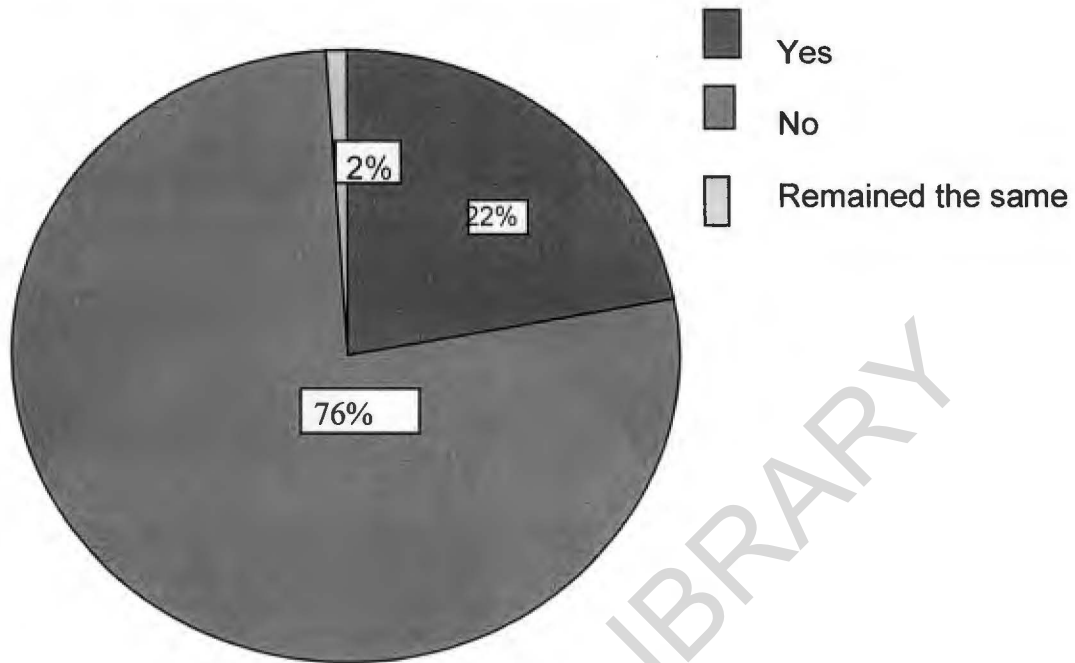
²⁴⁴ The Nation Newspaper. (12/07/2004). *Police Arrest Vendors*.
<<http://www.nationmalawi.com/print.asp?articleID=18254>>21/08/2006.

²⁴⁵ The Nation Newspaper. *Police Arrest Vendors*.
<<http://www.nationmalawi.com/print.asp?articleID=18254>>21/08/2006.

²⁴⁶ This was a few months after the vendors were evicted from the streets.

²⁴⁷ A vendor interviewed by an Enumerator in this study.

Figure 4.71: Have the Number of Customers at the Blantyre Flea Market Decreased?



This chart indicates that 76% of the vendors noted a decrease in the number of customers visiting them at the Flea market as compared to the streets where they were before the relocation. This for them means that there is a decrease in income that they get from their sales. According to some vendors interviewed in this study, there are some vendors who have decided to abandon vending because of the sharp decrease in the sales realised from their products²⁴⁸.

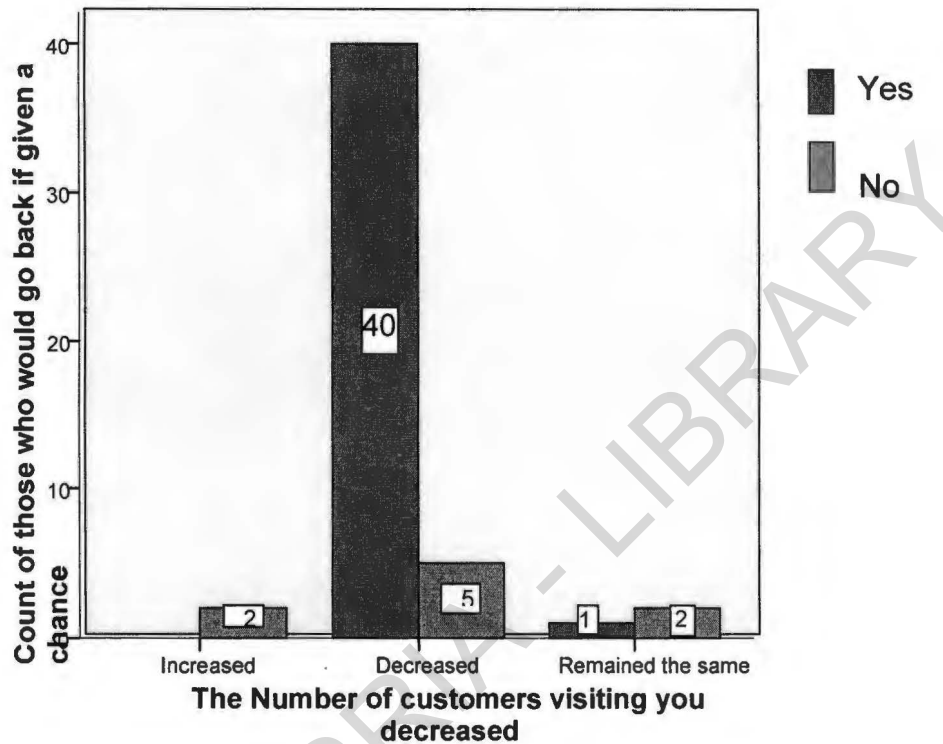
To establish whether there is a correlation between the decrease in the number of customers visiting the vendors at the market and the vendors' wish to go back to the streets to continue selling their products there, the two variables were cross tabulated by use of SPSS²⁴⁹. Below are the results that have been yielded.

²⁴⁸ Vendors who were interviewed by an Enumerator in this study.

²⁴⁹ Computer analysis package.

Figure 4.7.2: Relationship between decrease in number of visiting customers and the wish to go back to sell in the streets.

Question asked: Have the number of customers decrease, remained the same or it has increased?



Of the 45 vendors who said that the number of customers visiting them has decreased, 40 of them said that they would go back to the streets to sell their merchandise if they would be given a chance. 5 of the 45 vendors said they would not go back to the streets because they have now seen that the streets are cleaner without the vendors selling their merchandise in the streets. Only 2 of the 50 vendors said that they feel that the number of customers at the market has increased. They argue that the market is more hygienic than it was in the streets and customers are freer to do their shopping because there is no harassment as it was on the streets.

3 out of the 50 vendors said that the number of customers visiting them has remained the same. Of these, 1 said that if given a chance he would relocate to the streets because he liked vending at the street while the other 2 said if given a chance to go back to the streets they would not go. They

have seen the positive changes that have taken place in the city in terms of cleanliness, less pollution and less harassment to passers-by in the streets. From the findings submitted above, it can be deduced that there is a co-relation between the vendors who want to go back to sell at the streets and the vendors who have experienced a decrease in sales.

Since the majority of vendors want to go back to sell their goods at the streets because of the decrease in customers visiting the vendors at the market, it can be implied that the vendors are not able to realize as much income as they used to when they were selling on the streets. Vendors argue that there is stiff competition at the Flea Market because vendors selling similar products have been put together. This has been worsened by the fact that the market has been positioned away from the main city centre where most shopping is done. The vendors add that there is poor sanitation at the market as already indicated earlier in the thesis.

From the discussions above, it seems that BCA used the limited/ bound rationality decision model in which they envisaged the problem as being dirty streets, congestion, violence and crime. From this they developed a solution which required vendors to relocate to the Blantyre Flea Market. This begs the question that this was the best solution for who? From the findings in this study, it seems that the solution was best for the BCA not the vendors.

CONCLUSION

In theory, the BCA's street vending policy was formulated by various stakeholders. However, the main policy stakeholders, the street vendors, were not properly consulted in determining their real needs and justifiable concerns around vending issues. For the few vendors who were consulted about the policy, their views were not even incorporated in the policy. What was implemented was a top-down government directive. This has resulted into a continuous problematic policy implementation process to the extent that even though the BCA tried to use incentives and in some cases punitive measures such as imposing fines, the vendors are still going back to the streets to sell their goods. This is because vendors do not feel that the policy is not for them. Results from this study also indicate that the street vending policy issue is becoming a political rallying point. Vendors make up a large percentage of the voting public. This was manifested when politicians

tried to pursue their own interests thereby using the vendors vote to get into office, but then ignoring their policy concerns.

The relocation of the street vendors to the Blantyre Flea Market has managed to keep Blantyre City streets clean; less congested, and improve the trade and investment conditions in Blantyre. It seems it has reduced the crime level, harassment of citizens especially women and pollution in the city centre. However, the issue goes beyond cleaner streets to that of poverty alleviation. The study showed that the majority at the vendors are making less money at the Blantyre Flea market and that most would go back to the streets. The BCA has to use punitive measures such as fines or using the police force to remove street vendors. This indicates that it is a policy that cannot be sustained without the BCA's power to punish the offenders. Such a policy is surely not desirable.

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CHAPTER 5

5. CHAPTER 5:

CONCLUSION OF THE STUDY

“Many so-called implementation problems arise precisely because there is a tension between the normative assumptions of government - what ought to be done and how it should happen, the need to bargain and compromise - that represent the reality of the process by which power/influence is gained and held in order to pursue ideological goals”²⁵⁰.

According to Howlett and Ramesh, public policy is a decision-making process that is carried out by government to give directions and to guide actions in order to achieve certain goals²⁵¹. These government decisions and actions are fashioned to address matters of public concern²⁵². Policy-making processes are complex, technical as well as political in nature. Whatever decisions that are made at the formulation stage affect the implementation process thereby affecting the outcomes of a policy.

One element that is important for successful policy outcomes is participation of those who will be directly affected by the policy that is to be made. INVOLVE argues that participation means having a ‘part’, implying that there is some level of collaboration and a shared ownership or responsibility for the policy²⁵³. Participation includes the idea of consultation which facilitates communication and involvement²⁵⁴. This, as pointed out earlier in the chapter, should start right at the conceptualisation stage of the policy and should be done at every stage of decision-making and throughout the policy process in general.

Decision-making is important at each and every stage of policy-making. Of the two methods of decision-making, presented in this thesis namely, a rational and incremental model, the

²⁵⁰ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall: Hartnolls Limited. Pg. 152.

²⁵¹ Howlett, M and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*. Oxford: University Press. Pg. 5.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid.

incremental decision-making approach is a preferred option. Unlike the rational decision-making which was initially adopted by the BCA, it is considered as liable of yielding better results in terms of yielding successful policy outcomes. In the case of the BCA, BCA had assumed that they had access to all the information that was needed which they assumed to have examined thoroughly having identified all consequences for each alternative they had²⁵⁵. When one critically examines the process of decision-making that BCA had used, it can be seen that at best the decision was only a good decision from the BCA's perspective. They probably did not think of potential problems such as the loss of customers and the effect this would have on the vendors' livelihoods. Instead, the BCA assumed that it had the best alternatives to the problem of street vending; it just carried a directive which overtime has proved not to be the best decision as the vendors are still going back to the streets²⁵⁶. The incremental decision-making approach on the other hand would have allowed BCA to decide incrementally on fewer but better ways of dealing with the street vending problems facing the BCA in the policy implementation process without time wastage and spending money exploring worthless possible solutions.

The approaches to consultation and participation in terms of policy conceptualisation, planning, designing and implementation seems to have been poorly thought through by the Blantyre street vending policy. Only a few vendors were consulted by the BCA on the idea to relocate street vendors affording only but a poor representation of the vendors. In addition to this, when the few vendors that were consulted gave their opinions on the issue to about where to position the market, the government did not incorporate the vendors' ideas into the policy that was made. This frustrated the vendors leading them to feel that they have no part in the street vending policy. This lack of policy ownership will continue to contribute to difficulties in policy implementation thereby affecting policy outcomes if lack of communication and consultation persists.

²⁵⁵ Hill, M. (1997). *The Policy Process in the Modern State*. Prentice Hall Hartnolls Limited. Pg. 99.

²⁵⁶ The Nation Newspaper. (2006). *Police Arrest Vendors*.

<<http://www.nationmalawi.com/print.asp?articleID=18254> >21/08/2006.

According to Mulama, Civil Society Organisations (CSO) should be involved in identifying what the beneficiaries of a policy need²⁵⁷. As already discussed earlier on in this thesis, this is seen to provide important social capital aspect that links the government and those to be directly affected by the policy in question. In the case of the BCA policy-making process, for the few Street Vendor leaders that were consulted there was low representation of the vendors since most of the Associations that they belong to are not registered as such they are not recognised by the government. The Malawi Congress of Trade Union (MCTU) who attempted to represent vendors when the policy was being formulated failed to articulate the needs of the street vendors since MCTU were not close enough to the vendors to know the needs of the vendors²⁵⁸. MUFIS which is considered to be an umbrella CSO for the Vendors' Associations did not actively participate in the street vending policy-making process²⁵⁹. Thus there was no sound representation of the vendors who could have articulated the real needs of the vendors during the policy-making process. In addition, most vendors in Blantyre do not belong to any Vendors' Association and do not know the two registered Vendor's Associations namely MCTU and MUSIF even though they are convinced that these Associations are important. There were numerous, unregistered and disorganized SVAs in Blantyre. This entails that there is a diverse array of interests among vendors affecting unity of goal and purpose. Lack of unity and purpose among Associations causes the members to lose direction to the extent that they do not meaningfully participate in policy-making processes thereby failing to effectively influence policy processes²⁶⁰.

Most of the Street Vendors' Associations in Blantyre are not registered, although they are considered as legitimate representatives of street vendors²⁶¹. This affects the extent to which these Associations as policy stakeholders influence the policy-making process. Mitullah adds that lack of organisation among vendors reduce their bargaining power as such their concerns are rarely

²⁵⁷ Mulama, J. (2006). *Civil Society's Policy Making Role: A work In Progress*. Global Policy Forum. Terra Viva. Pg. 1.

²⁵⁸ War on Want. (2006). *Forces for change: Informal Organizations in Africa*. < www.waronwant.org > 21/11/2006. Pg. 56.

²⁵⁹ Ibid.

²⁶⁰ Makino, K. (2004). The Social Security Policy Reform in Post-Apartheid South Africa: A focus on The Basic Income Grant. *Centre for Civil Society Research Report* Durban. Centre for Civil Society.. No. 11. Pg. 25.

²⁶¹ War On Want. (2006). *Forces for change: Informal Organizations in Africa*. < www.waronwant.org > 21/11/2006. Pg. 40.

brought forward for consideration by local authorities as observed in this case study²⁶². This has led to failure on the part of the vendors to participate in a meaningful manner during negotiations which would have in turn positively influenced the street vending policy.

Gyimah-Boadi argues that many CSOs in Africa have turned out to be more political-action committees than civil society²⁶³. For instance in Blantyre, Malawi, some of the Street Vendor Associations had some of their leaders who were also affiliated to the ruling political party and the state bureaucracy as such they have problems defining their roles²⁶⁴. This prevents the Associations from being independent, an attribute that allows CSOs to meaningfully participate in policy-making processes on behalf of those who are directly affected by the policy in question²⁶⁵.

BCA seems to have failed to address the very problems it initially endeavoured to address. These problems include that vendors lay their merchandise on bare ground and that the environmental conditions in which the vendors were operating were hazardous to health. This is evident in that vendors still face the problem of a shortage of space at the Blantyre Flea Market to the extent that vendors display their merchandise on bare ground and there are still hazardous conditions in and around the market. These include uncovered trenches and a polluted river. The site is also characterized by several illegal dumping of waste and waste that is not properly disposed of. The resistance shown by vendors indicates failure on the part of government to influence the vendors as in seeing the importance of the policy.

It should be noted that ever since the policy was put in place, monitoring of how the relocation of vendors is fairing has mainly been done by use of police force. This force has been used to check on whether the vendors are still occupying the market or not. All these indicate that BCA is still facing challenges in terms of vendors being non-compliant. No monitoring and evaluation studies have been conducted on the relocation of street vendors yet.

²⁶² Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies. Pg. 11.

²⁶³ Gyimah-Boadi, E. (1996). *Civil Society in Africa*. *Journal of Democracy*. Pg. 5.

²⁶⁴ Grevulo Blantyre City Assembly's Clerk. (2006). Interviewed by Matinga-Katundu. Blantyre. 1 July, 2006.

²⁶⁵ Gyimah-Boadi, E. (1996). *Civil Society in Africa in Journal of Democracy*. Pg. 5.

All these issues discussed above have affected the implementation process indicating that whatever happens at the formulation stage of a policy and whatever policy decision that are made affects the implementation processes of a policy that are going to follow thereby affecting the outcomes of a policy. Pressman and Wildavsky put it well when they say that implementation is an interactive process between the settings of goals and actions geared towards achieving them²⁶⁶. As such policy is bound to be affected by various factors.

This study has managed to expose some challenges of policy implementation faced by the BCA during the Blantyre City street vending policy-making process. The findings in this study show that vendors were not properly consulted and that policy legitimisation and constituency building did not take place. In such a way vendors were marginalised and kept from participating in the decision-making of the street vending policy. Thus the marginalisation of street vendors in the BCA's decision-making led them to problematic consensus building and difficulties in building a sense of ownership among vendors.

Following these results, the meta-narrative/ new story that this thesis comes up with is that the decision-making on the street vending policy was more of a command which did not lead to the vendors 'buying in' the policy. Instead it bred non-compliance. This then means that if the BCA is going to achieve better policy outcomes there is need for proper communication between the BCA and the SVAs (be they registered or unregistered), the vendors in general and all the policy stakeholders. This will mean that the BCA and the vendors should be willing to bargain and negotiate for a compromise. This is because such efforts would ensure policy legitimisation which would eventually translate into the vendors 'buying-in' the street vending policy.

As a starting point, the street vending policy stakeholders may work on the positive aspect that is there- that at least BCA and the vendors agree that the Blantyre streets have improved after the relocation of the vendors. However, the BCA needs to acknowledge that the relocation of the vendors has meant less income to the vendors. An aspect that is vital for the livelihood which if not properly addressed will mean that the vendors will continue to return to the streets. BCA should

²⁶⁶ Pressman, J. L. and Wildavsky, A. B. (1973). *Implementation*. Berkeley: University of California. Press. Pg. 39.

also change its mind set by starting to consider that informal economy is important. Collectively, it adds up to the national GDP of a country and helps in providing sustainable livelihoods of people. BCA should realise that use of command or force as is in the case of the Blantyre street vending policy is expensive and unsustainable as there is no 'buying in' and no voluntary compliance of the policy from the vendors. The key criterion that the BCA may wish to use is a decision that must not make the vendors worse off than they were when they were in the streets so that vendors should have a sustainable source of income and be self sufficient. On the other hand vendors should also see vending in the streets as a problema as already seen in this thesis and that they should belong to registered SVA which are recognised by BCA. This would help them articulate their ideas to the BCA formally. A possible compromise would be that BCA should construct a Flea Market at the centre of the Blantyre City where most shopping is done. This can only be done through participation of all stakeholders.

It would be helpful if further studies on the effects of the relocation of the vendors has had on the livelihoods of the vendor would be done.

Appendices

Appendix I



Questionnaire to be administered to Government officials and Blantyre City Council Officials in Malawi

Interviewer: _____

Date: _____

I am carrying out a research project on some of the issues regarding the Blantyre City Council's decision to relocate street vendors. The information given here will be used to write a thesis on policy making and implementation. This research project aims to find out whether street vendors were involved and consulted in this government policy decision. Any information given will be held in the strictest confidence.

1. May you give some background to street vending in the city of Blantyre

Why did the city council see street vendors as a policy problem?

What problems are associated with street vendors?

2. What has been the Municipality's biggest concern with regard to street vending?

3. Have the problems and concerns always been there

4. Were the problems on the increase or not

5. Why did it take so long for government to regulate street vending?

6. When was the decision made to move vendors to the designated flea markets

Who made this decision

7. Why did the council decide to relocate street vendors

8. How did the government decide on the sites for the construction of the flea markets?

9. Was the public given an opportunity to make suggestions on the policy decision

10. What efforts were made to incorporate the street vendors in deciding on the relocation?

11. Did the street vendors have an opportunity to participate in the decision making process?

- a. If yes, did they participate?
- b. If no, why not?

12. What mechanisms were put in place to facilitate the relocation of street vendors (i.e. threats, fines, incentives, punishments etc)

13. Why did it take so long for vendors to relocate to the flea markets?

14. Why do you think the vendors did not want to relocate?

15. Does the city council agree that relocation to the flea markets means income loss to the vendors?

16. Were the flea markets designed to accommodate the number of street vendors at the time of construction?

17. Do you think the designated flea market can accommodate all the vendors?

18. If not what plans are there to provide sufficient facilities for the vendors?

19. Did the city Council foresee the problems experienced during the relocation of vendors

20. What benefits are there for street vendors in relocating to the flea markets

21. How could you describe the current relationship between the vendors and the city council?

22. Did the city council consult the representatives of the vendors before making the policy?

23. If a new policy could be designed regarding street vendors, what would your recommendation be? Would you do things differently?

24. Do you think problems currently being faced with the informal trading be solved. Any suggestions in this regard

25. How adequate are the following facilities to the flea market

- a. Waste management _____
- b. Sanitation _____
- c. Water _____
- d. Security _____
- e. Trading spaces _____

Any comments

Thank you for your participation and time

Appendix II



Questionnaire for key informants (Leaders of street vendors)

Interviewer: _____

Date: _____

Position of the interviewee _____

I am carrying out a research project on some of the issues regarding the Blantyre City Council's decision to relocate street vendors. The information given here will be used to write a thesis on policy making and implementation. This research project aims to find out whether street vendors were involved and consulted in this government policy decision. Any information given will be held in the strictest confidence. Your participation is voluntary.

1. When was the association formed? _____

2. Why was it formed

3. How many members are registered in this association?

4. What are the goals and objectives for this association?

5. How does the association communicate with the vendors? (For example when there is a meeting)

6. How does the association communicate with the city council?

7. How would you describe the current relationship between the association and the city council?

8. Do you feel like you are able to participate in local government's policy making?

9. Were you informed about the city council's proposal for relocation of vendors?

10. Were your opinions asked for or were you invited to participate in the local council's policy making process on this issue?

11. What are the street vendors' major concerns?

12. Why are you for or against relocating the street vendors to designated free markets?

13. Were any incentives offered to street vendors to relocate?

14. Were the vendors threatened with punitive measures if they would not relocate?

15. What compromise/ or agreement would you be happy with?

16. Would you have raised your opinions if the city council would have asked you? Yes No

17. What is the relationship between the city council and the vendors now?

18. Are you kept up to date with developments concerning the city council's decisions concerning the vendors?

Thank you for your participation and time.

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Appendix III



Questionnaire to be administered to street vendors in Blantyre, Malawi

Interviewer: _____

Date: _____

I am carrying out a research project on some of the issues regarding the Blantyre City Council's decision to relocate street vendors. The information given here will be used to write a thesis on policy making and implementation. This research project aims to find out whether street vendors were involved and consulted in this government policy decision. Any information given will be held in the strictest confidence. Your participation is voluntary.

Respondent No.: _____

1. Age: _____

2. Sex: M F

3. Nationality: _____

4. Marital status: Single Married Divorced Widowed

5. Size of your household: 1-3 4-6 7-9 10/more

6. How many people do you support with this business? 1-3 4-6 7-9 10/more

7. What is your level of Education Not Educated Primary school JCE MSCE University

8. What are your main sources of income? Business Salary Family assistance Pension income from vending

9. Year when business started: _____

10. Why do you vend? unemployed Lost my job I like it not educated to be employed Gives more income than being employed

11. How long have you been vending? <1yr 1-2 yrs 3-4yrs 5 +yrs

12. Are you able to save some money from your business Yes No

13. What do you sell Food Personal accessories
14. Do you employ others in your business: Yes No
15. If yes give number of employees:
16. What are their levels of Education?
17. Not Educated Primary school JCE MSCE University License/ registered:
 Yes No
18. Value of your stock in Kwacha:
19. Do you have regular customers who buy from you? Yes No
20. How much do you need to sell in order to survive? <MK500 MK500-1000
MK1001-1500 MK 1501-MK2000 MK2000 >
21. Before relocating to the flea market how can you describe your vending conditions better
 Yes No
- i. If yes Why? Easy access to customers Better waste management less crowding
and competition Freedom of where to position goods
- ii. If not why? Theft of goods no protection of goods from harsh weather conditions
22. Why did you relocate to the flea market? Why did you relocate to the flea market? we
were forced no protection of goods from harsh weather conditions for better facilities
 More customers Theft of goods
23. After being removed from the streets, have vending conditions
 Improved Remained the same Worsened
- iii. If improved, why?
 Government regulation Better sanitation Better waste management
 Provision of better trading infrastructure lobbying by vendor association
- iv. If not why?
 Competition (too many vendors) Lack of trading facilities
 Poor sanitation Poor waste management Poor positioning of trading premises
24. Were you informed of the decision to relocate you from the streets Yes No
25. Were you aware of the datelines that were set for relocation Yes No
26. Were you consulted when deciding the location of the flea market. Yes No
27. Were your ideas incorporated in the decisions that led to your moving from the streets
 Yes No

28. Were your ideas used in deciding on facilities to be offered by the flea markets

Yes No

29. Do you belong to vendors association? Yes No

30. Do you think it is worthwhile being a member of this group? Yes No Please explain

31. Selling in the streets was better than in the markets Yes No

32. Relocating to the markets has not affected my sales and income Yes No

33. The facilities in the markets are enough for the vendors moved from the streets Yes
No

34. Have all vendors relocated to the flea market Yes No

35. Are you better serviced by the city council now that you are in the flea market
Yes No

36. Sanitation in the flea market is better than in the streets Yes No

37. Number of customers visiting us in the flea markets has
Increased Decreased remained the same

38. Are you happy that you relocated to the flea market Yes No

39. Do you think that vendors were a problem in the streets Yes No

40. The streets are better without vendors Yes No

41. Given a chance, I will go back to the streets Yes No

42. Do you think the city council understands the problems of the street vendors Yes
No Please explain your answer

43. How do you feel about the government's use of force to move vendors from the streets It was necessary It was unnecessary It was the only option left for government to enforce the policy Other Specify _____

44. What major problems do you experience as a vendor Crime Lack of capital Lack of proper storage facilities Bad publicity of the quality of our goods Poor sanitation too much bargaining by customers Other (specify)

45. What do you think could have facilitated street vendors' relocation to the flea markets?

46. Is there anything else that you would like to say concerning the relocation of street vendors?

Thank you for your participation and time.

CODESRIA - LIBRARY

BIBLIOGRAPHY

(i) PRIMARY SOURCES

a. Place of interviews: Malawi

b. Interviews

Group-A Street vendors. 26-30 June 2006. Blantyre Flea Market, Blantyre.

Group-B Leaders of Street Vendor Associations. 30 June 2006. Blantyre Flea Market, Blantyre.

Group-C Government officials. 06-15 July 2006. Blantyre Flea Market, Blantyre., and Capital Hill, Lilongwe.

(ii) SECONDARY PUBLICATIONS

a. Official publications

NSO (Malawi), and ORC Macro. (2005). *Demographic and Health Survey*. Calverton: NSO and ORC Macro Press.

The Republic of Malawi Constitution. 4. (2004). Chapter I

The Republic of Malawi Constitution. 7. (2004). Chapter I.

The Republic of Malawi Constitution. 48.1. (2004). Chapter VI.

The Republic of Malawi Constitution. 48.2. (2004). Chapter VI.

The Republic of Malawi Constitution. 49.1. (2004). Chapter VI.

Ibid. 62.1 Chapter VI.

The Malawi Gazette Supplement. (2003). *Local Government Act: Blantyre City Assembly By-law*. Government Notice 19. Sect 13. a and b.

b. Books

Babbie, E. (1992). *The Practice of Social Research*. Belmont: Wadsworth Publishing Company.

Babbie, E. & Mouton, J. (2001). *The Practice of Social Research*. Cape Town: Oxford University Press.

Brinkerhoff, D. and Crosby, B. (2002). *Managing Policy Reform*. Bloomfield: Kumarian Press.

Cochran, C.L. and Malone, E.F. (2005). *Public Policy: Perspectives and Choices*. Colorado: Lynne Rienner Publishers.

Colebatch, H. K., (2002). *Concepts in the Social Sciences: Policy*. Buckingham: St. Edmundsbury Press.

Hendricks, N. (2006). *Analysis of Current Political Situation in Malawi, with Special Emphasis of Human Rights Situation*. Denmark: Danish Institute for Human Rights Press.

Hill, M. (2002). *Implementing Public Theory: Governance in Theory and in Practice*. London: Sage Publishers.

Kingdon, J. (1995). *Agendas, Alternatives, and Public Policies*. New York: Longman Publishers.

- Krejcie, R.V. and Morgan, D. W. (1970). *Sample Size for Research Activities: Educational and Psychological Measurements*. London: Sage Publishers.
- Matope, J. J. (2000). *Blantyre City Environmental Profile*. United Nations Centre for Human Settlement (Habitat).
- Mitullah, W. (2004). *A Review of Street Trade in Africa*. University of Nairobi: Institute of Development Studies Press.
- Mulama, J. (2006). *Civil Society's Policy Making Role: A work In Progress*. Global Policy Forum: Terra Viva.
- Neuman, W. (2000). *Social Research Methods Qualitative & Quantitative Approaches*. (4th ed.). Boston: Mass, Allyn & Bacon Press.
- Parsons, W. (1995). *Public Policy: An Introduction to The Theory and Practice of Policy Analysis*. Cheltenham: Edward Elgar Publishers.
- Pfeffer, J. (1992). *Managing with Power: Politics and Influence in Organizations*. Boston: Harvard Business School Press.
- Pressman, J.L. and Wildasky, A.B. (1973). *Implementation*. Univ. of California. Press: Berkeley.
- Tsoka, M. G. (2005). *Competition Regime in Malawi*. Preliminary Paper presented at the 2005 National Conference Group in Malawi.
- Weiss, C. (1998). *Setting the Scene: Evaluation: Methods for Studying Programmes and Policies*. Upper Sandle River. New Jersey: Prentice hall.

Weimer, D.. (2005). *Policy Analysis: Concepts and Practice*. New Jersey: Pearsons Education Incorporation.

c. Periodicals and Internet

BBC News. (2006). *Malawi Threatens Street Vendors*.

<<http://newsvotes.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4916882>>

2006/05/12.

Beyme, K. (January 1984). Do Parties Matter? The Impact of Parties on Key decisions in The Political System. *Government and Opposition*. Vol.5. Pg. 381-396.

Bowie, C. Kalirani, L., Cleary, P. and Bowie, C. (2006). The Patterns of Symptoms in Patients Receiving Home Based Care in Bangwe, Malawi: A Descriptive Study. *Bio Medi Central Palliative Care Journal* 5(1).

Gyimah-Boadi, E. (1996). Civil Society in Africa *Journal of Democracy*. 7(2). Pg. 56-57.

INVOLVE, (2005). *People and Participation: How to Put Citizens at The Heart of Decision-making Report*. Together We Can 2005 Conference.

IRIN Africa News. (2006). *Malawi: More Clashes with Vendors, 33 Arrested*.

<http://www.irinnews.org/report.asp?ReportID=52862&SelectRegion=South_Africa>

2006/05/12.

Jimu, I. M. (2005). Negotiate Economic Opportunity and Power: Perspectives and Perceptions of Street Vending in Urban Malawi. *Africa Development*, Vol. XXX(4). 35-51.

Makino, K. (2004). The Social Security Policy Reform in Post-Apartheid South Africa: A Focus on The Basic Income Grant. *Centre for Civil Society Research Report No. 11*. Durban. Centre for Civil Society.

The Chronicle Newspaper. (12/07/2004). *Misuse of Public Funds, Blantyre, Malawi*. <<http://www.afrol.com/articles/13610> > 09/11/2006.

The Nation Newspaper. (2006). *Police Arrest Vendors*. <<http://www.nationmalawi.com/print.asp?articleID=18254> > 21/08/2006

UNDP. (2006). *Human Development Index Report for 2005*. Houndsmill: Macmillan Press. United Nations Map of Malawi <<http://www.irinnews.org/pdf/map/Malawi.pdf> > 25/08/2007.

War on Want. (2006). *Forces for Change: Informal Organizations in Africa*. < www.waronwant.org > 21 /11 /2006.

Walker, R. March, (2006). Public Management Reform and Organizational Performance: An Empirical Assessment of Labour Government in Public Service Improvement Strategy. *Journal of Policy Analysis and Management*: Vol.25(2). 371-393.

World Bank LED Manual. (2006). *Poverty Reduction Programmes*. <<http://www.worldbank.org/urban/poverty/index.html> > 18/04/2006.

d. Unpublished work

Abdulla, Q. (2002). *Environmental Impact: A study of Policy Implementation*. An Unpublished Masters of Social Science Thesis. Dept. of Policy and Development Studies: University of Kwa Zulu Natal.

Duka-Magaqa, N. (2003). *A policy Analysis of The Implementation of Outcome Based Education: A Case Study of Four Schools in Pietermaritzburg*. An Unpublished Masters of Social Science Thesis. Dept. of Policy and Development Studies: University of Kwa Zulu Natal.

Levieux, C.A. (1998). *The Meaning of Community and Participation in Public Service Delivery: Whose Interests are Served?* An Unpublished Masters of Social Science Thesis. Dept. of Environmental and Development: University of Natal.

Ngulube, P. (2003). *Preservation and Access to Public Records and Archives in South Africa*. An Unpublished Ph. D. Thesis. University of Natal: Pietermaritzburg.

Ottachi, N. (1999). *Public Participation in Development Projects: The Case of The Grassroots Initiative Support Project in Lesotho*. An Unpublished Masters of Social Science Thesis. Department of Sociology: University of Natal Pietermaritzburg.

Rankoe, T. (2003). *A literature Review on The Effectiveness of Policy Networks in Alleviating Implementation Failures: The Need For Public-Civic Social Capital*. An Unpublished Masters of Social Science Thesis. Dept. of Policy and Development Studies: University of Kwa Zulu Natal.

Sisule, P. M. (2003). *Constraints on Micro-business and The Livelihoods of Petty Traders in Nairobi and Kampala: An Essay on The Policy Cases of Want*. An Unpublished thesis, UK: University of Birmingham.

