Public-Private Partnerships and Development in Africa: Feminist Contestations

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Feminism has long been incorporating economic issues into its agenda. This is evident from the pioneering work of those who analysed the gender dimension in development debates, to the pioneering voices from the Global South that pointed out the risks of the marketisation of governance (Taylor 2000), to the current discussions on the challenges that global financial capitalism imposes on any political programme for equality and justice (Benería et al. 2016; Sibeko 2019, 2023; Simeoni 2021). A current discussion in feminism pertains to the different possible mechanisms for financing development. The notion of financing for development refers to the mobilisation of resources that allow two issues to be addressed simultaneously: to provide for the economic and social needs that will improve the material living conditions of the population and to create the necessary structures for lasting and sustainable economic development.

The sources for financing development can be multiple, including public and private, domestic and international, direct investment and borrowing. The mix of sources that determine the possibilities for financing economic development depend on the political orientation of decision-makers, the dominant narratives, the concrete possibilities of having resources and/or attracting investments, and the perspectives and the possibilities offered by the various economic, social and political structures of the countries (AWID 2014).

Within the framework of the Sustainable Development Agenda 2030, the currently prevailing paradigm assigns a predominant role to so-called blended finance, understood by the Organisation for Economic Co-operation and Development (OECD) as "the strategic use of development finance for the mobilisation of additional finance towards development objectives". It means attracting private sector resources to invest in development projects that provide financial returns to investors. The idea is that these private resources would complement those from public budgets and official development assistance (ODA) to meet development goal financing gaps. International Financial Institutions

(IFIs) have labelled this strategy “From Billions to Trillions”, reflecting the transition in financing resources from “Billions” in ODA to “Trillions” in private investments. In other words, it is a strategy of multiplying resources by offering the private sector (mainly financial investment groups, and large transnational and national companies) a new business platform.

One of the avatars of this strategy, which is not new but has been renewed in the context of Agenda 2030, is public-private partnerships (PPPs). These initiatives have been actively promoted by the IFIs, particularly the World Bank through its investment group (World Bank Group). This model penetrates the IFIs through conditionalities associated with loans, and more fundamentally through technical support in the design of investment-enabling legal frameworks and management structures.

While there are various definitions and different types of PPPs, they can be said to consist of long-term contracts between a private party and a government entity that involve some form of risk sharing between the two to provide a public asset or service. In these contracts, the private sector is supposed to contribute a significant part of the financing, in exchange for a guaranteed return. These contracts differ from traditional privatisation: in PPPs, the initial cost is in principle borne by the private agent and then paid by taxpayers (directly, or through the State). At the end of the contract, even if the PPP has assumed management responsibilities for the duration of the contract, ownership of the asset remains in the hands of the State. This operation, which appears in theory to be simple and beneficial for all parties, is in practice neither that simple nor that beneficial.

As developed in the piece by Rodríguez Enríquez, there is a growing literature, in many cases based on case studies in countries of the Global South, that reveals tensions and contradictions. The literature indicates that PPP experiences are in many cases more costly for the State than the usual mechanisms of procurement or direct public investment. This is fundamentally due to the role that the State plays in PPP contracts as guarantor in the face of contingent liabilities. There are also experiences that report increased inequalities in accessing benefits and services developed and offered through PPPs, particularly when the cost is paid directly by users or consumers (ISER 2020). The lack of accountability of PPP projects, the obscurity of contracts and the lack of effective mechanisms for citizen participation, both in the definition of contracts and during their operation, have also been noted (Rodríguez Enríquez and Llavaneras 2023a, b).

Given the growing expansion of these PPP initiatives, and their increasingly evident impact on people's lives, the feminist agenda has begun to concern itself with them, and it is to this effort that this volume aims to contribute. This is because like any other component of economic dynamics, PPPs are not gender-neutral, but have gender-specific impacts. As will be seen in different articles in this Issue, PPPs can facilitate but also restrict women's access to essential services such as energy, health, or basic economic infrastructure. In addition, many PPP projects, particularly those linked to the development of large infrastructure projects, can affect households' livelihoods, restricting their access to resources (such as land or water) and forcing displacement (Ndoye 2023). As well, PPP projects, particularly those linked to the provision of social services, often demand a female labour force, the conditions for whom may have improved or worsened.

Secondly, the PPP agenda, driven by the search to expand business opportunities for the private sector, can change the priorities of the development agenda at the country level, shifting necessary investments away from sectors that are essential for people's daily lives but not very profitable for companies (Simeoni and Kinoti 2023).

Thirdly, the usual obscurity of PPP contracts and their portrayal as a technical issue that is difficult for most people to understand, limit the possibility of citizen participation, both in investment decisions and in the forms of their management, depriving people of mechanisms to claim their rights.

Fourthly, experience (some of which is presented in this Issue) also shows that organisation and resistance against threatening PPP projects have managed to mitigate the negative impacts, thereby opening up opportunities for citizen monitoring and prevention of private sector profit goals in these initiatives from overriding the guarantee of the rights of the public impacted by these initiatives.

It is for these reasons and in this sense that this volume aims to add to the literature that studies PPPs from a feminist perspective.

The multiplicity of ways in which neoliberalism as an economic paradigm manifests and reproduces itself across regions continues to be debated and its outcomes contested (Hall and Lamont 2013). In Sub-Saharan Africa (SSA), the early independence countries used State-driven development in infrastructure and social amenities provision as the means to expand democratic governance, social justice, inclusion, and equity. However, the crises in the late 1970s and subsequent implementation of structural adjustment programmes (SAPs) under the auspices of the Bretton Woods Institutions, shrank the role of the State in development. As a corollary to these shifts, a mix of privatisation and PPP arrangements started to emerge. In many countries policy alignment to the needs of the market became part of the shifts. As Mkandawire argues,

> … at the structural level, the process of globalization has forced all governments to rethink and restructure the state-market relationships in their respective countries and to pay greater homage to "market forces" (2001, 294).

The various ways in which Africa's developmental states operated, namely through direct intervention in economic and social policy implementation, policy autonomy and sovereignty, and the promotion of national agendas, became compromised (Gebremichael 2023). As Temesgen (2022) has shown, the developmental state is still operational in some instances on the continent, albeit with diverse outcomes as demonstrated in the cases of Mauritius and Ethiopia.

The intensive privatisation of many parts of life and development in Africa started 40 years ago. It was recognised soon after that the market could not be relied upon to drive development, especially in sectors with limited profit potential. This highlighted the continuing relevance of the State and the need to regulate the market. The resultant effects include policy shifts that foster PPPs across the region. The piece by Sue Godt shows the expansive nature of PPPs on the continent and its multiple implications for women, the poor and other vulnerable social groups.

Depending on the regions, the intensity of the PPP-led economic model varied. However, the turn to PPPs in the region is made apparent in the legal and policy frameworks enacted by many countries from the early 2000s (Torvikey and Ohene Marfo 2020). A few examples will illustrate the pervasive character of PPPs in Africa and their embeddedness in governance. Ghana's PPP policy was enacted in 2014 while its Public Private Partnership Act, 2020 (Act 1039) ("PPP

Act") was signed in December 2020. Others are: Public Private Partnership Act No. 18 of 2010 and an amendment in 2014 (Tanzania); the Public-Private Partnership Act, 2010 (Sierra Leone); Public Private Partnership Act No. 15 of 2013 (Kenya); Public Private Partnership Act 2014 (Uganda); Infrastructure Concession Regulatory Commission Act (Establishment, etc.) Act 2005 and National Policy on Public Private Partnerships, 2009 (Nigeria); and Proclamation No. 1076/2018 facilitating Public-Private Partnership (PPP), 2018 (Ethiopia). According to the World Bank's Public-Private Partnership Legal Resource Centre, only three out of 48 SSA countries (Eritrea, Lesotho, and South Sudan) are not developing some form of PPP unit and enabling environment. Even with these regulatory regimes, PPP proponents are frustrated about the so-called weak PPP governance regimes, project cost and low profitability (Leigland 2018).

Since the 1970s, we have witnessed the rise of an economic orthodoxy that aggressively advocates for market fundamentalism and relegates the State to play a residual role in both politics and economic affairs. As a result, global markets, international finance and economic institutions and multilateral organisations have become more prominent in guiding their development process. The approach has been "legitimised" in the *Africa Rising* (Economist 2011) narrative promoting economic growth and has been integrated into the African Union's *Agenda 2063* (AU 2014) and *African Continental Free Trade Area* (AU 2018) as well as the UN Economic Commission for Africa strategies (UNECA 2021). The influential African Development Bank Group PPP strategic framework (AfDB Group 2021) has actively promoted the mechanism by strengthening PPP enabling environments, supporting the development of bankable PPPs and directing its financing instruments to both PPP project companies and governments to meet financing costs.

Through these linkages and regulatory regimes, privatisation and PPPs are normalised and become a constitutive part of economic development with widespread acceptance among policymakers and the population. The model requires compliance, though it is often enforced through subtle coercion. Growing catastrophic levels of indebtedness, exacerbated by the COVID-19 economic crisis, however, are increasing State vulnerability to pressure to continually relax PPP regulatory and enabling environments in Kenya, for example, despite documented risks of such actions (Munda 2021; Olotch 2017).

Rooted in the same market-oriented logic that underlay the SAPs, PPPs should be seen as advancing the cause of privatisation as the SAPs did a few decades ago. In the African context, the PPP discourse should be read in tandem with forty years of privatisation, its fallouts and how men and women experienced its variegated outcomes. And yet, even though PPP follows a similar logic as privatisation, it has not been met with the same kinds of resistance that privatisation generated, because the State is still seen as playing a role in such partnerships. Unlike the debates that emanated from the privatisation era, the PPP logic remains more watered down and dominated by mainstream acceptance. The late entry of scholars into these debates is due to the normalisation of privatisation promoted by global institutions and transmitted through the State to individuals for decades.

Similarly, African states operate a hybrid system of economic development where neoliberal ideas are deliberately fused into governance frameworks, laws, policies and regulations. The outcomes of this fusion, we argue, are value extraction, which is prioritised over value creation, the emphasis on competitiveness rather than competition, deepening spatial segregation and the near absence of the State apart from its regulatory and legal guidance roles. Increasing evidence shows a direct negative impact by private actors on people's livelihoods and well-being, often due to intentional non-compliance with official contracts (Ndoye 2023). Indirectly, PPP design and related high costs of financing and risk assumption are reducing the State's fiscal and policy space, which in turn impacts negatively on content and delivery of essential health and education services. Overall governance is undermined as states focus more on meeting financial actor demands and less on engaging with their citizens. Despite these dimensions, however, the fact that PPPs are making footprints in SSA more sluggishly than anticipated, with its ebbs and flows tied to economic downturns (Leigland 2020), reflects its cautious deployment in Africa. The fact that PPP contracts are cancelled or renegotiated also sheds light on their developmental dimensions such as low poverty reduction impacts and high costs in comparison to public projects.

An important characteristic of the heterogeneous effects of concepts and economic models such as PPPs is the way debates account for winners and losers.

Torvikey and Ohene Marfo's feature article used the development of shops and stalls in a local food market in Ghana to demonstrate the multiple implications of the PPP in deepening the class character of the market, thereby fragmenting the leadership and its rank and file. The authors show how contested models such as PPPs can benefit a few and leave many more behind. They reflect on how PPPs articulate and intersect with local governance decision-making processes. They show that the central government's inadequate financial allocations to local governments have embedded developmental responsibilities for the latter. PPPs have therefore become a revenue mobilisation strategy at the local level.

Among the contested issues regarding PPPs is their profit-centeredness. Their profit motivation adversely affects social inclusion and equity, which is a key concern to feminist researchers interested in macroeconomic policies and their implications for women and the socially marginalised. The elite control of the State, with its associated transparency and accountability deficits, is also concerning in a PPP context. Unlike the State, both PPP and privatisation models prioritise profit over social goals, and this directly undermines the state-building project because companies act in the name of the State but recoil from state responsibilities which do not generate profit.

Regardless of these dimensions, some still argue that, in fact, people simply want satisfactory services without paying attention to who provides them. Bovaird notes in a contestation of PPPs

> Many service-users are unaware of (and uninterested in) the precise legal standing of the organization which provides their service — and quite content with whatever configuration is used to provide service, as long as the service quality is satisfactory (2004, 204).

This position reflects the African context where people have lived in the shadows of social service privatisation for decades. In addition, government service delivery has been inadequate, and conditions have deteriorated. Ndlovu and Pophiwa's article echoes this position with a major contribution about student accommodation deficits in higher education institutions in South Africa. Such student housing gaps remain a daunting challenge in many countries in Africa. The authors reflect on the problem, arguing that PPPs can be considered in the context that access to safe housing promotes access to education. However, given the racial disparities in that country, they raise concerns that PPP housing schemes should be well governed and affirmative housing allocation based on gender, race, sexuality, and class should be considered an essential element of social inclusion.

Penelope Sanyu's Standpoint reflects on the dilemma of PPPs in Uganda's health sector. This dilemma unfolds from its many contradictions and implications. She believes that countries seeking to rapidly develop their social sectors can do so through various means, with PPPs being just one of many economic models. However, the implications of PPPs for women and other vulnerable groups, particularly in the health sector, must be recognised and mitigated. She submits that people-centred laws, including those on PPP arrangements, are needed to ensure that the public sector plays an effective role in monitoring the implementation of PPP projects.

The power dynamics of the structure of PPPs is a critical issue that should centre discussions on the context appropriateness of the model. More importantly, a consideration of a robust governance regime is critical. Patriarchal power systems transmitted through global institutions often articulate with local institutions. The feature article by Hussainatu Abdullah reflects on these dimensions of PPPs with heterogeneous partnerships and varied effects. She argues that while national projects such as electricity generation are urgent, their implementation blurs the line between questions of social equity and the wider project impacts on communities. She emphasises the role of IFIs which champion PPPs on the assumption that they will promote gender equality. The paper shows how the criteria for project financing by the African Development Bank and the World Bank, among others, which include gender equality, equity and social inclusion, can be set aside in mega projects. Using the Addax Energy PPP with the Sierra Leonean government for energy generation and its accompanying land acquisition, and its effects on agricultural production, land dispossession, food security, ecological implications, and labour practices, the author illustrates not only the power dynamics of PPPs but also their diverse effects on communities and women. She shows that even the anticipated energy provision eluded the Sierra Leonean people. Within the socio-cultural context of women's resource poverty, the PPP project deepened the structural problems confronting women in the rural agrarian areas where available land shrank and water bodies were polluted while women were the least employed group by the company. Here again, it should be pointed out that in their negative impacts, PPPs are not much different from privatisation efforts. The listed impacts of Addax Energy, including land dispossessions, food insecurity, and deleterious labour practices, have also been observed in the aftermath of privatisation. The disjuncture between IFIs' gender equality framing of programme financing and reality as experienced by women also reflects what Kelleher (2017, 134) called the "'tyranny of the log-frame'" which critiques orthodox economic development's obsession with numbers. Abdullah shows the pervasiveness of the instrumentalisation of women in development through "largely quantitatively driven monitoring and analysis frameworks" which do not account for women's experiences in a socially constructive manner.

There are commonalities in the arguments that have emerged from this issue. The first is that the State is important in development and must reinforce its developmental roles through the equitable distribution of resources and by leveraging its power to achieve progressive and transformative development. NAWI-Afrifem's Collective and the Initiative for Social and Economic Rights (ISER), whose work has been discussed in this volume, have been at the forefront of reinforcing the role of the State in service provision and the promotion of the public sector in development. While ISER outrightly rejects PPPs, the organisation shows alternative ways public infrastructural development can be funded devoid of private interference; that is, through blocking illicit financial flows (IFFs) and ensuring the equitable and effective use of State resources, among many others.

The second thematic thread shows the development dilemmas in Africa and how and why States can or cannot deploy PPPs. The bifurcated and contradictory undertones are made apparent in the reflections about development needs in Africa, whether in the provision of economic spaces in local markets, health infrastructure and student housing, or national-level infrastructural needs such as electricity. The authors consciously argue that PPPs can only be deployed in extremely necessary circumstances, and even then, the presence of robust people-centred laws is important in ensuring transparency, accountability, social inclusion, equity, and gender equality.

Finally, this *Issue* reflects on the structural conditions and regimes that are required for contested development models such as PPPs to address the multifaceted dimensions of development and its own contradictions. These include a need for some activism, advocacy, law, and guidance in a manner that ensures that both the State and citizens are active in areas where PPPs are used. Resistance to PPPs as shown in Torvikey and Ohene Marfo's article shows the contestations of the economic model and its outcomes. Their essay shows how collective action, whether planned or spontaneous, sustained or ad hoc, can yield some successes.

The analysis of PPPs in Africa must focus on the influence of colonialism, capitalism, and neoliberalism on the economic models and paradigms adopted by countries. The deepening socio-economic crises amidst episodic economic booms in selected countries on the continent offer a window for intellectuals, policymakers, citizens and the civic community to ponder over the history undergirding the status quo.

History should guide countries that have long traditions of privatisation forced on them. PPPs are not privatisation, but their inherent character is similar – that is, they reduce the State's role in development by using State laws to back private sector companies engaged with the State to embed extractive forms of development.

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Endnotes

1. See Kabeer (1994) for a history of gender/feminist perspectives in development.
2. Crystal Simeoni, interview by Susan Spronk, The Blended Finance Project, November 16, 2021.
3. https://www.oecd.org/dac/financing-sustainable-development/blended-finance-principles/
4. https://pubdocs.worldbank.org/en/622841485963735448/DC2015-0002-E-FinancingforDevelopment.pdf
5. https://ppp.worldbank.org/public-private-partnership/overview/international-ppp-units

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