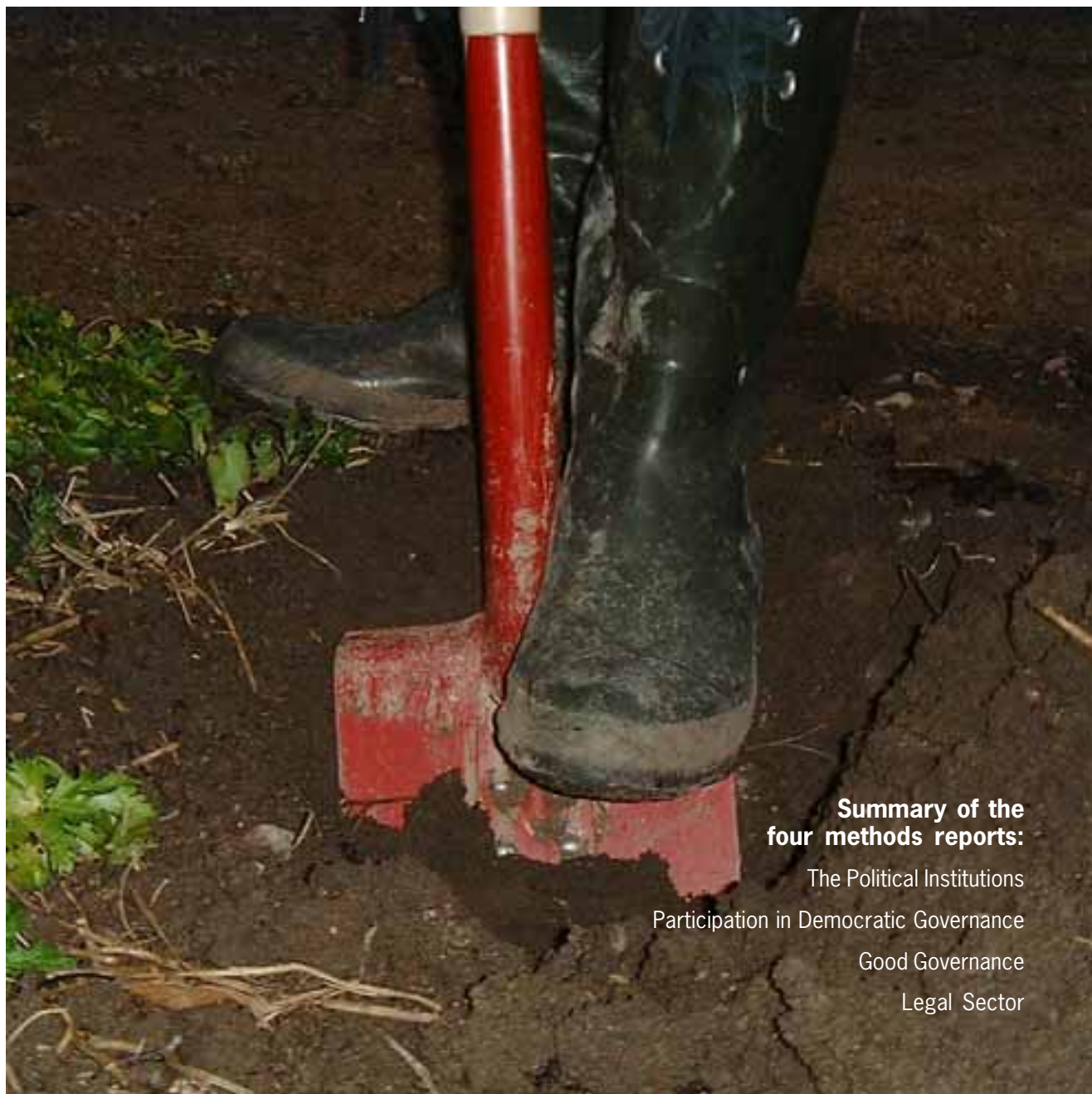


Four Reports on Democratic
Governance in International
Development Cooperation
Summary

Digging Deeper



**Summary of the
four methods reports:**

The Political Institutions
Participation in Democratic Governance
Good Governance
Legal Sector

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Synthesis and methods reports

Preface

The mission of Sida is to contribute to poverty reduction. Sustained poverty reduction requires equitable growth – but it also requires that poor people have political power. The best way to achieve that in a manner consistent with human development objectives is by building strong and deep forms of democratic governance at all levels of society.

The central message of this synthesis report is that effective governance is central to human development and poverty reduction, and lasting solutions need to be firmly grounded in democratic politics in the broadest sense. In other words, not democracy as practiced by any particular country or group of countries, but rather a set of principles and core values that allow poor people to gain power through participation in democratic processes while protecting them from arbitrary, unaccountable actions by governments, security forces or other officials.

We believe that principles such as participation, openness and transparency, accountability, access to justice, and equality in dignity and rights stand at the forefront in defining democracy. That means ensuring that political institutions and power are structured in a way that gives real voice and space as well as political equality to poor women and men, girls and boys through which those in power – through democratic processes – can be held accountable for their actions.

More practically, for an agency like Sida, it highlights the importance of devoting resources and expertise to the difficult questions of how to give these ideas practical forms by gathering lessons learned, developing methods and learning by doing in key areas of democratic governance such as political institutions (parliaments, political party systems and elections), participation in democratic governance, good governance and access to justice. These were the four areas covered in the internal methods development work carried out by staff of the Division for Democratic Governance during the last few years. This is our report.



Mr Lennart Nordström
Head of Division for Democratic Governance

Executive summary

This report presents a synthesis of the findings and recommendations arising from four methodological projects on democratic governance produced by Sida's Division for Democratic Governance (DESA).

The first chapter sets out the background to the report, its purpose and scope, and outlines Sida's perspective on democracy and human rights in the context of global trends over the past two decades. The second chapter summarises the main findings and recommendations from the four projects: Political Institutions, Participation in Democratic Governance, Good Governance, and Access to Justice. The third chapter considers the operational significance of the four reports for Sida's work on democratic governance. The fourth chapter summarises specific areas for thematic evaluations to guide future work and questions for further study and methodological work.

In Sida's view, democratic governance primarily seeks to promote the power and influence of poor people in society through a democratic political process, which is characterised by participation, equality in dignity and rights, transparency and accountability. The state's will and capacity to live up to its responsibility, and to the best of its ability, for guaranteeing the human rights and freedoms for all women, men, girls and boys, is central.

The operationalisation of policy and goals into applications and inputs in the field requires continuous methodological work. In recognition of this Sida initiated comprehensive internal projects through DESA in 1999 to develop methodologies in support of democratic governance work. When initiating the four projects (political institutions, participation in democratic governance, good governance, and access to justice), the primary intention was to identify better methods and strategies to achieve the goals and policies laid out by Sweden's government and parliament (Riksdagen). Varied backgrounds, rapid staff turnover, and frequent moves between the field and home offices indicated a compelling need to increase competence and improve Sida's organisational memory.

The choice of the four projects is dictated by their central role in the concept and practice of democratic governance. The findings and recommendations arising from the four projects form the basis of this synthesis document. The overall purpose is to operationalise goals within the four projects, and to devise better methods and strategies for support

to democratic governance, with a view to increasing the quality of development co-operation, not to redefine the concept of democratic governance or to create new policies. The intention is that the findings will be shared with other donors and form a framework for discussions with external partners.

Five main conclusions emanate from the projects:

The centrality of politics: Support for democratic governance is potentially more effective if it takes into account and promotes cross-cutting political processes, and values such as participation, equality in dignity and rights, accountability and transparency rather than merely institutions per se. A political analysis of the structures of power, power relationships, elites, and forces that can brake or promote change should form an integral element of country analyses. In work on democratic governance, where the objectives have political implications, it is particularly important that goals and methods take into account the political will that prevails in partner countries. A conflict and security perspective must also form part of the assessment of the issues involved in support to democratic governance.

Integrated support for public institutions: There should be enhanced support to individual political institutions and official bodies in the public sector, with greater focus on the interconnections between various public authorities and institutions and organisations in civil society, to ensure a more holistic and integrated approach.

Inappropriate models: Development co-operation must continue to avoid exporting standardised models to address specific problems of democratic governance. Political, economic and social conditions are country specific and must be carefully analysed before support that is neither tried nor tested or newly developed is implemented.

The time factor: Processes of democratisation often unfold over a very long period of time and it is important for all actors in development co-operation to have a realistic sense of the time frame that development co-operation requires.

Integrating democracy and human rights perspectives: There are major opportunities for integrating a democracy and human rights perspective in other branches of Sida's work.

The four projects and synthesis reports have identified specific areas where thematic evaluations would need to be conducted to guide future work. These include: a comparative study of Sida's support to decentralisation, as well as regional and municipal development, focusing on experiences and lessons; a comparative study of Sida's support to auditing agencies; a comparative study of Sida's support to national parliaments; and a study of the long-term, enduring, effects of Sida's public sector support up to a decade after such support has ended.

Two areas that will constitute the primary focus for continued methodological work are the functioning of public authorities in a vertical system at central, regional and local levels, with particular focus on power sharing between these levels, and horizontal studies of democratic governance at the local level.

Introduction

1 Democracy and human rights

1.1 Purpose and scope

The goals and policies of Swedish development co-operation within the operational area of democratic governance are set out in the government's communications on *Democracy and Human Rights in Sweden's Development Co-operation* (1997/98: 76), *Human Rights in Swedish Foreign Policy* (1997/98: 89), and *Sida's Programme of Action for Peace, Democracy and Human Rights* (Sida, 1998).

Sida formed the Division for Democratic Governance (DESA) in 1997 by merging the divisions for administrative assistance, and democracy and human rights, which come under the Department for Democracy and Social Development (DESO). The intention was to strengthen Sida's development co-operation work in democracy and human rights as part of its broader programme of action for peace, justice and democracy. DESA has a preparatory and advisory role in relation to the regional divisions and embassies. In addition, the division handles programmatic work, develops approaches to building the capacity of organisations and public authorities in partner countries, and promotes the integration of a democracy and human rights perspective across Swedish development co-operation.¹

The operationalisation of policy and goals into applications and inputs in the field requires continuous methodological work. In recognition of this Sida initiated four comprehensive internal projects through DESA in 1999 to develop methodologies to support democratic governance work. When initiating the four projects, the primary intention was to identify better methods and strategies to achieve the goals set up by Sweden's government and parliament. Varied backgrounds, rapid staff turnover, and frequent moves between the field and home offices, indicated a compelling need to increase competence and improve Sida's organisational memory. Most members of the division and many other Sida staff participated in the methodological work during some phase of the exercise. In the process, the work has contributed to the development of capacity and competence in DESA to plan, design, implement and follow up activities to promote democratic governance, and to clarify

¹ The task is described in the government's communication to the Swedish parliament (Riksdagen), "Democracy and Human Rights in Sweden's Development Co-operation" (1997/98: 76). The Riksdagen approved the document and mandated Sida to implement the policy.

methods and approaches that Sida can use in developing a democracy and human rights perspective in development co-operation.

The four projects are as follows: Political institutions; Participation in democratic governance; Good governance; and Access to justice. While the choice of the four projects by Sida is dictated by their central role in the concept and practice of democratic governance, these do not cover the entire ambit of the concept. The findings and recommendations arising from the four projects form the basis of this synthesis document.

The purpose of the exercise is to *operationalise* goals and policies within the four project areas, and to devise better methods and strategies for support to democratic governance, with a view to increasing the quality of development co-operation, not to redefine the concept of democratic governance or to create new policies.

Sida's official mandate was to report on the methodological work to the Government of Sweden by April 30th, 2002. This was to be done in the form of a document that provides a synthesis as a basis for dialogue between the Swedish Ministry for Foreign Affairs and Sida on the elaboration of goals and the results of the work. The intention was that the findings would be shared with other donors and form a framework for discussions with external partners.

1.2 Goals of Swedish co-operation in democratic governance

The concept of *democratic governance* originated in the Organisation for Economic Co-operation and Development (OECD) through the Development Assistance Committee's (DAC) organisational network for good governance and participation. The concept encompasses democratisation, human rights, good governance, and participation in democratic governance, with the rule of law as an all-pervading theme. Swedish development co-operation applies a broader definition than the DAC and includes not only support to the institutions of democracy, but also support for a democratic culture. On a global plane democratic governance is a new field of development co-operation, which remains underdeveloped and has achieved relatively modest results to date.

In Sida's view, democratic governance primarily seeks to promote the power and influence of poor people in society through a democratic political process, which is characterised by participation, equality in dignity and rights, transparency and accountability. The state's will and capacity to live up to its responsibility, and to the best of its ability, for guaranteeing the human rights and freedoms for all women, men, girls and boys, is central.

In partnership with the governments of partner countries and their inhabitants, Swedish development co-operation aims to contribute to strengthening the processes that raise the standards of living of poor people. Sweden regards democracy and human rights as being important starting points for tackling poverty. Poor people have the right to expect that their elected representatives will tackle problems like poverty, discrimination and marginalisation.

Subsidiary goals for *democratic governance* are to:

- promote democratisation processes and democratic institutions;
- foster a democratic culture;
- create the conditions for an active civil society;
- support the democratic and efficient exercise of central and local power;
- promote opportunities for people to participate and exert real influence in decisions that affect their lives;
- strengthen democracy as a system for dealing with conflicts.

Specific activities include strengthening legislative assemblies and other elected bodies, facilitating the development of the rule of law with an independent and efficient judiciary, and building state administrative capacities. Sida also encourages public authorities in partner countries to respect, safeguard, promote and implement human rights and freedoms.

Sida's work on democratic governance draws on a number of principles — *participation*², *transparency*, and *equality in dignity and rights of all women, men, girls and boys, and accountability* — both as norms and in institutionalised forms. These principles inform Sida's project work as they can help reveal the causes, and not only the symptoms, of the problems that development co-operation is attempting to address.³

- Political participation assumes that citizens are autonomous, there are genuine opportunities for organisation, political parties are able to function, a democratic culture that permits the voice of everyone to be heard, and trust between people;
- Equality in dignity and rights of all women, men, girls and boys encompasses, for example, non-discrimination and tolerance;
- Transparency may include the right to social information, for example, through a free and independent media and oversight of decision-making;
- A population must, directly or through its intermediaries, be able to demand accountability from its popularly elected representatives.

1.3 A democracy and human rights perspective

Human rights encompass most of the components of a broader definition of poverty, which, in addition to material needs, includes lack of opportunity, power and security.

From a human rights perspective, the international conventions on human rights are the point of departure. They form a common global core of values and are, in addition, legally binding. They draw attention to the state's responsibility to respect, protect, promote and safeguard human rights for all people. A human rights perspective can also highlight the situation of those people who believe that they have been denied their human rights and who may be inclined to resort to violence to achieve these rights. Essential to good living conditions is a democratic

² Participation refers either to direct influence, or indirect influence through the interests of those affected being represented in, for example, popularly elected assemblies.

³ Other principles include security of life and property, peaceful management of conflicts of interest, non-discrimination, legitimacy, accessibility, and tolerance.

society with respect for human rights, with equality between women and men, girls and boys.

In addressing the problem of poverty, a democracy and human rights perspective⁴ forms a set of values that centres on the individual, and provides *inter alia*:

- An instrument to identify groups which are discriminated against and power structures that contribute to uneven development;
- A clear division of responsibility that is based on principles of the state's duties and an individual's rights;
- A process of development based on principles of participation, accountability and transparency;
- An analytical tool that can be used to identify problem areas and target groups and thus leads to more effective co-operation.

One example that illustrates the utility of this perspective is to reformulate the field of "education" as "the right to education" (UNDP Human Development Report 2001). Through this formulation, and with reference to the relevant state's adoption of the *Convention on Economic, Social and Cultural Rights*, it flows that all people have this right, and consequently that the state has the responsibility to pursue measures to implement it. With these principles as a guiding theme, and in view of DESA's mandate, the broad goal of democratic social development is, in this report, limited to democratic governance.

1.4 Democracy and human rights in a global context

There has been a marked improvement in democracy and respect for human rights across the world over the past 20 years. In 1974 only 27 per cent of the world's population lived under popularly elected governments. Twenty years later, after the fall of the Berlin Wall, and the spread of multi-party systems in Africa, the figure was nearly 70 per cent. Since then the situation has again deteriorated to some extent, but over 60 per cent of the world's population continue to live in political systems with multi-party elections. This does not mean that they enjoy political freedom or live in democracies other than on the basis of a very narrow definition. The number of states where disappearances, summary executions and torture are prevalent has, unfortunately, remained almost constant.

In many new democracies, especially in Africa, there are serious restrictions on the right to assembly, and freedom of organisation and expression. The lack of reliable information is considerable, corruption is often endemic, and violence against political opponents is commonplace. Opposition parties tend to be weak and followers tend to gather around leaders rather than around ideas or policies. An increasingly common feature is the dominance of the executive over parliament and the judiciary, which has become so great that horizontal accountability is not possible. Attempts to broaden local democracy through decentralisation are often limited, because central authorities do not have the political will to delegate political power or economic resources to the local level.

⁴ The expression democracy and human rights perspective embraces several specific rights for children, women, the functionally challenged/handicapped, minorities, and indigenous people.

Recent years have seen significant progress in the establishment of political institutions of a formal democratic character. At the same time, many of the old power structures still exist in the new political systems. This primarily affects poor and weak groups that have few possibilities of organising and defending their interests. The assault on the human rights of children can be viewed against this background. If the distance between formal democratic institutions and the prevailing political situation becomes too great, there is a risk of watered-down democracy and weak citizenship. In such a situation people will either retreat from political life and accept an authoritarian regime and executive dominance, or resort to radical, perhaps violent, methods of bringing about change.

The end of the Cold War initially entailed an increase in the number of armed conflicts. During the second half of the 1990s the number decreased, only to rise again in recent years, largely due to the prevalence of armed conflicts in Africa. Almost all armed conflicts during the past decade have been civil wars, and a large proportion have assumed a regional dimension. Armed conflicts cause and perpetuate poverty and make development difficult, if not impossible. It is often said that the greater the degree of democracy, the less the likelihood of internal armed conflicts, but in countries that are in transition from authoritarian rule to elected or constitutional democracies, the risk that the regime will not deal with armed conflicts in a peaceful manner is especially significant.

The majority of people in developing countries now live under elected governments, but for many it is not a question of a constitutional or consolidated democracy that increases people's ability to exert an influence over their own situation in a meaningful manner. Authoritarian relations and structures at all levels of society inhibit the peaceful resolution of conflict, and are a major factor in the lives and well being of the poor.

The number of countries that have adopted the six major human rights conventions has increased over the past decade.⁵ For example, the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) is the convention with the highest number of reservations, which some countries have signed but only after stating that they will not be bound by certain paragraphs, thus undermining their commitment. This development can be compared to the spread of democracy, at least in terms of the number of countries that hold regular multi-party elections. An increase in the number of countries that have ratified human rights conventions entails an improvement of safeguards for large numbers of people, but at the same time political will and the state's capacity to be accountable for the implementation of these conventions is often absent. Further, many states have weakened the practical force of the conventions through a range of exclusions and caveats. This makes it more difficult to facilitate the growth of a democratic culture. The approach and attitude of the state to children, not least girl children, are central questions, and violence against children is a major problem for many states.

⁵ Among these conventions, special reference should be made to the convention on civil and political rights, the convention on social, economic and cultural rights, the convention on the elimination of all forms of racial discrimination, the convention on the elimination of all types of discrimination against women, the convention against torture and other cruel, inhuman or humiliating treatment or punishment, and the convention on the rights of the child.

1.5 The challenge of democratic development

Development characterised by democratic governance assumes that state actors have the will to pursue a policy that alleviates the situation of the poor, based on respect for democracy and human rights. A state committed to principles of democratic governance by striving towards democracy and adopting the central conventions of human rights can be called a *democratic developmental state*. Such a state is characterised by democratic political institutions and development policies that have significance for the living conditions of poor people.

A democratic developmental state can be regarded as an ideal to which no nation succeeds in living up to all the time, but it is reasonable that the starting point for development co-operation should be the definition of democracy. The difference between ideal and reality needs to be analysed on the basis of the actual political, economic and social conditions in each country. What characterises a democratic developmental state? The most important feature is clearly a government that has been freely and fairly elected, which confers it with popular legitimacy. At the core of such a state is a functioning judicial system with equality before the law as a guiding principle. Another condition is that the state should contribute to and maintain a system for the peaceful resolution of conflicts within and between different groups in society.

One of the two major areas of accountability which a democratic developing state must respect is the people's needs and expectations, formulated through a democratic political process, and reflected in policy priorities. The second area of accountability consists of the human rights conventions that a country has or has not adopted, and adherence to these conventions. A democratic developmental state will attempt to meet its responsibilities under human rights conventions by pursuing development policies that respect both the population's subjective needs and expectations, and adopt and live up to the provisions of the core human rights conventions.

It is important to emphasise that the state must be effective in the implementation of developmental policy that adheres to the provisions of core human rights conventions. It cannot be achieved without a process in which the people affected, and their organisations and institutions, are permitted to participate in policy formulation. *Participation, transparency, equality in dignity and rights of all women, men, girls and boys, transparency, and accountability* can, in this way, contribute to effective development policy by drawing on the problems and needs formulated by the population.

What should such developmental policies look like? Democracy based on these values fosters an individual's dignity, abilities and opportunities and counteracts poverty, insecurity and vulnerability by redistributing resources so that poor people benefit. Such developmental policies necessarily lead to a focus on certain policy areas which, *inter alia*, aim to:

- Guarantee an individual's human rights and freedoms;
- Provide individuals with opportunities for genuine political participation;
- Ensure an individual's safety and security;
- Reform the tax system to increase the state's income;

- Offer better social services;
- Increase employment;
- Secure the right to land and fixed property;
- Ensure that everyone has access to the judicial system;
- Guarantee free and open social information.

The successful implementation of such developmental policies will counteract poverty, independently of gender, class, age, disabilities, religion, ethnic, political or sexual preference. Support for the establishment of a democratic developmental state is thus a very important element in increasing poor people's standard of living. The four fundamental principles mentioned above – participation, transparency, equality in dignity and rights of all women, men, girls and boys, and accountability – provide guiding principles for development co-operation, from small-scale projects to broad programmatic support, informed by a democracy and human rights perspective.

Sida's vision, within the framework for a democratic developmental state, is to contribute to strengthening its partners' ability to promote, safeguard, respect and satisfy human rights. In the long-term this should be manifested in improved living conditions for the people of partner countries.⁶

The persistence of poverty and inequality reflect the underlying structures and distribution of power. It is thus important to analyse the constitution, electoral system, political party system and the situation in the central, regional and local public sector. What formal and genuine opportunities exist for people to organise themselves or make demands on policy priorities? What forms do power structures assume at different levels in society and how do these affect people's ability to contribute to policy formulation?

It is also important to look at the role of the private sector, especially transnational companies, in Sida's approach to democracy, human rights and poverty reduction. Finally, one should not neglect the influence that international donors have on development in partner countries. Increased integration of trade and development policies, for example through the Cotonou treaty between the EU and the ACP (Africa, Caribbean and the Pacific) countries demonstrate how international agreements have a direct influence on development co-operation and policy.

⁶ The operational implications for Sida are outlined in Chapter 3 of this report.

2 Summaries of the four projects

This section of the report summarises the overall conclusions and the findings and operational recommendations of the four projects.

Each project summary begins with an explanation of the purpose and scope of the exercise and a review the underlying conceptual issues, followed by a presentation of the salient points and recommendations contained in each report.

2.1 Overall conclusions

The centrality of politics: Support for democratic governance is potentially more effective if it takes into account and promotes cross-cutting political processes, and values such as participation, equality in dignity and rights, and accountability and transparency, rather than institutions per se.

A political analysis of the structures of power, power relationships, elites, and forces that can brake or promote change should form an integral element of country analyses. In work on democratic governance, where the objectives have political implications, it is particularly important that goals and methods take into account the political will that prevails in partner countries. A conflict and security perspective must also form part of the assessment of the issues that are involved in support to democratic governance.

Integrated support for public institutions: There should be enhanced support to individual political institutions and official bodies in the public sector, with greater focus on the interconnections between various public authorities and institutions and organisations in civil society, to ensure a more holistic and integrated approach.

Inappropriate models: Development co-operation must avoid exporting standardised models to address specific problems of democratic governance. Political, economic and social conditions are country specific and must be carefully analysed before support, that is neither tried nor tested or newly developed, is implemented.

The time factor: Processes of democratisation often unfold over a very long period of time and it is important for all actors in development co-operation to have a realistic sense of the time frame that development co-operation requires.

Integrating democracy and human rights perspectives: There are major opportunities for the integrating a democracy and human rights perspective in other branches of Sida's work.

2.2 Political institutions

2.2.1 Purpose and scope

The aim of the project on political institutions was to contribute to the development of strategies and methods for the promotion of democracy in Sida's partner countries.⁷ The work concentrated on Sida's support for three key political institutions – elections, political party systems, and parliaments – in the context of transition from authoritarian to democratic rule.⁸ This section examines definitions and concepts of democratisation and regime characteristics, and summarises the findings and recommendations of the project on political institutions under three headings: support for political parties, electoral assistance, and legislative assistance.

2.2.2 Definitions and concepts

The report defines democratisation as a political process in which the point of departure can either be authoritarian rule, formal electoral democracy or constitutional democracy, with the overall goal of a *consolidated* constitutional democracy.⁹ At the same time the process of democratisation should not be regarded as a linear evolution from one stage of political development to the next, but as a long and difficult process that is prone to reversals, and which sometimes results in new forms of authoritarian rule (see section 3.2.1).¹⁰

With this framework as a point of reference, many of countries currently in receipt of Swedish development co-operation are engaged in a process of transition from electoral to constitutional democracy, while others have not experienced significant change. Some states meet certain formal criteria for democracy, such as the holding of regular multi-party elections, but these can exist alongside an extreme concentration of power in the executive. In such states, the judiciary and government institutions are weak, human rights are not respected, and political participation (besides the electoral sphere) is very restricted.

A basic requirement for electoral democracies to develop into constitutional or consolidated democracies is the existence of horizontal accountability, premised on a balance of power between the executive, the legislature and the judiciary. A key challenge is to strengthen national legislative institutions as a means of diluting excessive concentration of power in the executive. Such an outcome requires the development of three fundamental political institutions: political parties, general elections and parliament, each of which is closely interconnected. In this regard, the political party system – the source of power and legitimacy of popu-

⁷ The work was led by a small group of DESA staff. The group had meetings with, among others, the National Democratic Institute (NDI) and the International Foundation for Election Systems (IFES) in the U.S., the Department for International Development (DFID) and the Westminster Foundation in the U.K., and the International Institute for Democracy and Electoral Assistance (International IDEA) in Sweden.

⁸ Popularly elected assemblies with decision-making authority at the local level were originally to be included, but were left out due to resource constraints and will be examined in a later study. See Chapter 4.

⁹ Electoral democracies are characterised by limited participation, lack of respect for political and civil rights, and extreme concentration of political power. In constitutional democracies there is horizontal accountability, a deeper level of popular participation and respect for human rights. Consolidated democracies are those where democratic values of tolerance and willingness to compromise are entrenched, and political institutions function according to the norms and values of democracy. Bratton, M. and N. van de Walle, *Democratic Experiences in Africa: Regime Transitions in Comparative Perspective*, Cambridge: Cambridge University Press, 1997, and Diamond, L., "Towards Democratic Consolidation, *Journal of Democracy*, Vol. 5, No. 3, July 1994.

¹⁰ Carothers, T., "End of the Transition Paradigm," *Journal of Democracy*, Vol. 13, No. 1, January 2002.

larly elected representatives – needs to be developed and stabilised if the central legislative assembly or national parliament is to be strengthened. To guarantee the representativeness and legitimacy of elected assemblies, general elections should be held on the basis of democratic principles of freedom, equality (one person, one vote) and justice.

The report emphasises that efforts to reinforce horizontal accountability are concerned with strengthening democratic rules, principles and values in the form of accountability, legitimacy, transparency, tolerance, representation, participation, and peaceful resolution of conflicts of interest within and between political institutions. This forms the basis for a crucial and desirable shift in the balance of power from the executive to a popularly elected legislature within the parameters of a given form of democracy.

2.2.3 General findings

The transition to democracy in various parts of the world in the 1990s generated considerable interest in support for political institutions and processes. In the early part of the decade the focus was on elections and civil society, whereas political parties have more recently become the focus for development co-operation efforts. It is widely recognised that, in the absence of functioning political parties, support to elections and parliaments will have limited impact in the long term.

Political institutions are by no means neutral in their functioning. For example, a parliament can function either as a tool for the government and the elite to exert political control over the general public, or as an institutional arena for open political debate, legislation, review of the executive powers, representation and peaceful resolution of conflict.

It is these latter functions that development co-operation must seek to promote, but Sida should take care not to privilege certain institutional forms of democracy above others. Instead, in discussion with co-operating partners, Sida should emphasise that the choice of institutions and systems has a significant impact on the political process and discuss the advantages and limitations of alternative systems. For this reason, political institutions imbued with basic democratic values, principles and processes may not always result from dialogue with partner countries.

International donor support to democratisation suffers from a lack of investment in long-term capacity building and institutional development with sustainable inputs in partner countries. A realistic time frame for such processes should probably be estimated in terms of decades rather than years.

There is a related tendency for donor support for political institutions to focus on the symptoms rather than on the causes of persistent problems. These are often to be found in underlying political, economic and social power structures, in interests, loyalties, traditions or historical legacies that can either promote or act as a brake on the process of democratisation. For example, support for institutional or technical reforms of parliament runs the risk of being ineffective, or even counter-productive, if the basic reasons for legislative weaknesses are not analysed and dealt with effectively.

One reason for the low degree of effectiveness of much development co-operation in this field can stem from the monopoly of power exercised

by the executive and the dominant governing party's lack of interest in a more powerful and pluralist decision-making legislature. Such an approach clearly requires more in-depth political analysis focusing on political will and state capacity in preparatory and strategic work in the partner country.

2.2.4 Support for political parties

Political parties play an important role in democracies. First, they devise policies and programmes and put up candidates for public office through general elections. Second, they provide links between the population and elected assemblies. Third, they can integrate and socialise citizens into political life. Fourth, they function as channels for organised interests and social movements in the political sphere.

The problem faced by many partner countries, especially in Africa, is one of concentration of political power in the hands of a dominant single party that has a large parliamentary majority and faces a weak and divided opposition. One party dominance is characteristic both of proportional electoral systems and majoritarian ('first past the post') systems. In such situations the promotion of proportional systems may only have a limited impact (increased opportunities for women candidates to be elected), and that other approaches to restructuring and reinforcing the party system may also be required. Experience suggests that the expected outcomes of electoral support, parliamentary support and many other forms of support for democratisation will not be achievable unless the party system in partner countries becomes more representative of public opinion, less polarised, less dominated by a single party, and less transient.

Several donors are in the process of developing and improving methods for supporting political parties and the party system. Donor support to political parties is usually provided through intermediary organisations, such as political foundations (Germany and the US), specialised political funding bodies (Netherlands and the UK), or multilateral institutions like the International Institute for Democracy and Electoral Assistance (International IDEA) and the International Foundation for Election Systems (IFES).

Swedish support for political parties in developing countries and Eastern and Central Europe is channelled for the most part through party-affiliated organisations, amounting to approximately 35 million SEK in 2002. Funds are disbursed in accordance with party representation in the Swedish parliament. Sida is responsible for disbursement and administration of funds and follow up, but has limited influence over the content and direction of programming.

The overall lesson emerging from Swedish experience is that political party projects have generally functioned well and largely achieved their objectives, namely to strengthen political parties.¹¹ However, it was not possible to determine conclusively whether Swedish party-affiliated organisations were able to assist the development of a stable and pluralistic party system as the primary objective of this type of support. In other

¹¹ Swedish support to political parties was the subject of an evaluation commissioned by Sida. For details see Bennich-Björkman, L., F. Ugglå et. al, *Rapport från utvärdering av stödet till de partiknutna organisationerna* (Report of an evaluation of support to organizations associated with political parties), Uppsala University, 2000.

words, support for individual parties was more visible in its impact than support for the party system as a whole. More than half the support goes to countries that can be regarded as established democracies, largely in Eastern and Central Europe. Half the funds have been directed towards small parties with less than ten per cent of voter support. The majority of support is for building up organisations and capacity centrally with less attention to regional and local branches.

Operational recommendations for Sida are as follows:

- (1) Future support should be focused on the development of a functioning party system to a greater extent through joint projects for the benefit of two or more political parties, and not only on bilateral support between Swedish political parties and party-affiliated organisations and their counterparts;
- (2) Support should be restricted to political parties and party-affiliated organisations (such as youth and women's leagues);
- (3) Swedish support should be balanced geographically between developing countries and Eastern and Central Europe.
- (4) Based on the guidelines issued by the Swedish government, Sida is expected to play an expanded role in promoting an exchange of experience and knowledge between support for political parties and other forms of democracy assistance to ensure that projects are formulated in the broader context of support to democratic governance. Sida will also maintain close contact with Swedish political parties and party-affiliated organisations so as to benefit from their expertise and include them in joint activities.
- (5) The task of ensuring quality control and co-ordination remain issues to be addressed by a reference group consisting of Sida, the Swedish Ministry for Foreign Affairs, and representatives of Swedish political parties and party-affiliated organisations. The current reference group has raised some concerns regarding the division of roles, mandates and responsibilities between parliament, government, and an independent government agency like Sida.

2.2.5 Electoral assistance

In line with most other donors, Sweden considers elections to be a fundamental pre-requisite of democracy. Without free and fair elections, the will of the people cannot be expressed and political rights guaranteed. Support for improving the *quality of elections*, and not the holding of elections per se, should be regarded as an essential component of donor efforts to promote democracy. However, Sida does not equate elections with democracy, and elections are only one component in a wider process of democratisation.

Electoral assistance refers to a broad set of activities for government institutions and civil society organisations involved in planning and conducting elections that range from the drafting of electoral legislation and procedures for vote counting and that are not confined to election observation and monitoring.

Election assistance has played a significant role in the democratisation process of many countries. But the process of democratisation does not end with elections. Government commitment to upholding political and

civil rights and to improving the conduct of elections through legislation and regulations is a key test of political will. A key recommendation is that Sida and other donors should focus more on the transition from *electoral democracy to constitutional democracy* since political participation and respect for civil and political rights tend to be restricted in electoral democracies.

Lessons from experience suggest that electoral assistance has often been too short-term in orientation and overly focused on the conduct of the next election. There has been a marked tendency among donors to concentrate their support in the period before and shortly after the holding of elections that mark the transition from authoritarian rule. There has also been excessive concentration on election observation and monitoring. Experience suggests that electoral assistance tends to raise the cost of elections and undermines the ability of partner countries to conduct elections using their own resources. Donor funding often entails the use of expensive imported hardware that creates enormous expectations and unrealistic models. Donors tend to concentrate their assistance on the national level to the neglect of local and regional elections, where the scope for improving the quality of elections and fostering popular participation is greater.

A key challenge for donors is to avoid the temptation of making short, rapid, visible, and expensive inputs that only become symbolic, but instead to strive for an enduring effect. Regional bodies designed to promote exchange of lessons and good practices in elections may be more cost-effective and worthy of support.

Swedish support for elections amounted to SEK 195 million over the four-year period between 1995/96 and 1998/99, covering some 40 countries. More than half the funds (54 per cent) was in the form of technical or financial support for the conduct and implementation of elections, while 28 per cent was for election monitoring and observation and 15 per cent for voter education and election information. Implementation was usually through government authorities and electoral commissions, and NGOs in the case of voter education and information projects.

A review of Swedish electoral assistance in the late 1990s came to the following conclusions: projects were often based on limited analysis and served short-term foreign policy objectives rather than long-term development co-operation goals; the time frame was usually too short and focused on up-coming elections; objectives were framed in general terms; a gender perspective was usually lacking; issues related to legitimacy and sustainability were not addressed; and most monitoring and observation projects relied on international expertise and did not build domestic capacity. In recognition of some of these problems, several more recent interventions supported by Sida have focused on building long-term election administration capacity. Recent EU guidelines advocating more in-depth preparation for election missions have also influenced Sida's approach to election monitoring and observation.

Key operational recommendations are as follows:

- (1) Election assistance projects should develop clearer objectives, identify the expected results and address fundamental questions of sustainability, feasibility and ownership.

- (2) Decisions concerning electoral support need to be based on in-depth studies of the pre-requisites for free and fair elections and the expected impact of elections on further democratisation.¹²
- (3) Technical assistance is required at an early stage and should continue between elections.
- (4) Activities should be focused on a smaller number of countries and promote regional initiatives.
- (5) A gender perspective should be integrated in the planning, design and implementation of projects, and projects that promote women's political participation should be encouraged.
- (6) There should be greater emphasis on long-term institutional capacity building, centred *inter alia* on independent election commissions, election management and registration bodies.
- (7) There should be greater emphasis on local and regional elections.
- (8) Priority should be given in election monitoring and observation missions to long-term observers to improve the quality of elections and assessment of their impact; short-term interventions are only appropriate for first elections and in post-conflict situations to promote peace and enhance the credibility of the exercise. Better training and field guidance is required for election observers, and recruitment methods for observers should be reviewed.
- (9) Sida should take an active part in EU exploratory missions to countries that are high priority for Swedish development assistance.

2.2.6 *Support for legislatures*

A parliament functions as a law and policy-making body and as a body of representation (where popular sovereignty is ceded to elected individuals), also provides checks and balances on the system of governance and oversight of government performance and use of budgetary resources, so as to ensure accountability. Parliaments also provide a platform for political debate and consensus building among different interests in society, including those of the poor.

Most developing countries, especially those that have experienced years of authoritarian rule, have young and inexperienced legislatures that need to evolve clear roles, effective methods and efficient organisational structures. Poorly functioning legislatures lack credibility and public support, thus eroding faith in political institutions.

Most donors recognise that assisting legislatures to become more efficient, effective and accountable is essential for further democratisation. At the same time, such assistance is considered to be politically sensitive as it involves external support for a country's highest law making body. Most bilateral and multilateral donors support parliamentary strengthening programmes, along with specialised bodies and fora (such as the Inter-Parliamentary Union) operating at regional and international levels.

¹² Such studies should address the issues of sustainability, political commitment, and risk of donor dependence. Criteria could be established for making well-informed decisions on electoral assistance such as respect for civil and political rights (freedom of speech and of free assembly), the existence of an independent election commission, and the consent of the main political partners, NGOs and professional associations. Advice for assessing electoral assistance and monitoring can be sought from specialised international institutions such as International IDEA and regional centres.

Most legislative assistance programmes have three central objectives: challenging the predominance of the executive; increasing the effectiveness of the legislature; and making it more effective. Four types of activities are common in such programmes: training and technical assistance for members of a legislature; study tours to observe the functioning of Western legislatures; infrastructure support; and supporting NGOs and institutions that monitor legislative activity and offer advice to parliamentarians.

Legislative assistance programmes of the international donor community are often problematic and many result in failure. This may stem from lack of knowledge about the political and personal dynamics of legislative institutions, a determination to apply inappropriate models, frequent turnover of elected members, and a focus on technical solutions to political problems. Perhaps the major obstacle is lack of interest in reform on the part of the power-holders in transitional countries, especially when ruling parties control the overwhelming majority of seats in legislatures. External factors also hamper the functioning of legislatures, such as constitutional provisions that guarantee executive dominance, the type of electoral system, political culture, level of voter education, and campaign finance laws. These weaknesses indicate the need to design assistance programmes that take into account the wider context that shape legislative functioning, such as the political party system, the executive, and groups in civil society that can advocate for increased accountability and transparency.¹³

An institutional weakness common to many legislatures in transitional countries is the lack of women parliamentarians. Political factors play a key role in shaping women's parliamentary representation. Electoral systems based on proportional representation return larger proportions of women to parliaments, whereas single-member district majority systems are consistently found to be detrimental to women's representation. This has generated interest in various strategies for enhancing women's representation in parliaments, ranging from stronger linkages among women MPs, better support from political parties and women's organisations outside parliaments, and affirmative action policies that provide quotas for women parliamentarians.¹⁴

As future voters and potential representatives children also fall within the ambit of legislative assistance programmes. This may take the form of education on democratic rights and procedures in school curricula, and experiments with 'child parliaments' along the lines promoted by UNICEF.

Sida has considerable experience of legislative assistance work, through various parliamentary bodies and specialised research and consulting institutions. It also finances legislative strengthening activities through international organisations. Parliamentary assistance remains a cornerstone of Sida's democracy and human rights work as mandated in various government directives.

A preliminary review of Swedish experience in this field suggests the following broad conclusions: political commitment to reform is an

¹³ This discussion draws heavily on Carothers, T., "End of the Transition Paradigm," *Journal of Democracy*, Vol. 13, No. 1, January 2002.

¹⁴ For details, see International IDEA, *Women in Parliament: Beyond Numbers*. Stockholm (1998).

essential pre-requisite of success; an assessment of the nature and processes of democracy and democratisation is required; explicit attention should be given to the underlying structures of power, authority and interests in a given society; legislative support programmes should be complemented by support to groups outside the legislatures that promote reform; institutional approaches alone will be limited in their impact; and care should be taken not to impose Swedish institutional solutions where these may not be appropriate.¹⁵

Three key operational recommendations arise from this analysis and review of Sida's experience:

- (1) The primary aim of Swedish legislative support should be to increase the capacity of parliamentarians to contribute to poverty eradication through democratic governance and to develop a culture of parliamentarianism;
- (2) Swedish assistance should be predicated on an assessment of political will, and the underlying structure of political power, authority and interests;
- (3) Swedish parliamentary assistance should support values and principles such as transparency, accountability, participation and balance of power, rather than short-term institutional interventions designed to improve legislative effectiveness.

Future parliamentary assistance work might centre on the following list of issues for further analysis and interventions:

- (1) *Strengthening parliament's legislative functions:* Analysing the capacity of parliaments to initiate, enact and alter legislation, and training for parliamentary staff in developing and drafting bills, managing committee business, and interacting with policy institutes and civil society. Information sharing between parliaments and parliamentarians who have recently undergone their own reform programme and others who have recently embarked on the process could be encouraged and supported.
- (2) *Strengthening parliament's oversight functions:* Analysis of mechanisms that exist to make the executive more accountable, to inhibit abuses of power, and to prevent the executive from ignoring or overriding legislative decisions. Donor support to the offices of the Auditor-General and the ombudsman would strengthen parliamentary oversight, and improve capacity to review government budget priorities.
- (3) *Strengthening parliament's representative functions:* Analysis of a parliament's representativeness and support for its ability to articulate views and concerns of constituents, especially minorities and disadvantaged groups, as well as increased representation and influence of women parliamentarians. It would also be useful to focus on parliaments and strengthening MP's role in debating and the poverty reduction strategy papers of the IBRD, based on broader participation and inputs. One option for Sida to explore would be to develop forms of assistance to parties in the legislature that strengthen their ability to fulfil

¹⁵ A review of all legislative assistance financed by Sida and a thematic evaluation of this support as recommended in the project was due for completion in May 2003.

their functions of representation, law-making and oversight, that are non-partisan and equitable.

- (4) *Strengthening parliament's function as an arena for conflict resolution:* Assessment of the extent to which a parliament serves as an instrument for national integration and reconciliation, and support for processes that increase voice of communities most affected by and excluded from planned legislation.

It would be highly desirable if Sida could identify a partner which would be interested in designing and implementing projects regarding improved implementation of the international human rights instruments through parliamentary institutions: MPs could monitor progress made in adherence to international treaties, by using general guidelines and recommendations of treaty monitoring bodies, and the criteria provided to assess national laws and the steps which should be taken to give effect to these obligations. Legislators could lobby for the ratification of international conventions and guarantee that as few reservations as possible are made to curtail in any way the scope and objectives of the conventions. They could also make use of their parliamentary right to introduce legislation to address discrepancies between international conventions ratified by their governments and conflicting national legislation. It should be noted, however, that in many cases MPs are unaware of the existence of international treaties and their practice, and may have difficulty in accessing recent national legislation.

In summary, Swedish parliamentary assistance programmes can also promote efforts to increase the accountability, transparency and openness of legislative bodies; demarcate more effectively the functions of the executive, judiciary and legislature; improve political participation by fostering constructive engagement of MPs with their constituents; strengthen parliament's role in improving legitimacy and constitutionalism, and bringing about peaceful resolution of conflict. Overall, such interventions can complement support for other public institutions in order to contribute to the broader goals, principles, and processes to ensure that projects are formulated in the broader context of Swedish support to democratic governance.

2.3 Participation in democratic governance

2.3.1 Purpose and scope

The purpose of the project on participation in democratic governance was to provide an overview of the methods that can be used to reinforce the relationship between the state and society through participation in democratic governance. This section reviews the range of measures that can be supported by Sida to promote participation in democratic governance. It examines the meaning of participation from a democracy and human rights perspective, and then reviews the findings and insights from Swedish experience of support to state institutions, civil society, and dialogue between representatives of the state and civil society, as a means of promoting participation in democratic governance.¹⁶

¹⁶ The work was carried out by a small group within DESA. The group analysed current research and experiences of development co-operation in this field through a questionnaire sent to a number of Swedish embassies. In addition, some prominent Swedish non-governmental organisations were interviewed and some external support from experts was obtained.

2.3.2 *Definitions and concepts*

Participation, influence and representativeness are the fundamental concepts underpinning this project. Participation in democratic governance is defined as the process by which people take part in, and influence, political decisions that affect their lives.¹⁷ There are important links between rights of participation and expression and freedom from discrimination and poverty, since people who enjoy economic, social and cultural rights are better able to assert themselves in efforts to secure their civil and political rights. Promotion of social, economic and cultural rights without promotion of civil and political rights at the same time tends to become technical, top-down and less demand-driven. Participation can take place at different levels, on a rising scale from being informed, consulted, having genuine influence over decisions, to being fully engaged in decision making through voting.

From a democracy and human rights perspective, participation is seen as a right manifested both as a process and as an end in itself. It can only be constructive if it takes place within structures that enable people to have some minimal impact on decisions and events. An active civil society, democratic political processes, and decentralisation all play an important mediating role in this regard, as they enable direct and indirect participation to have an impact on and influence outcomes.

The state has responsibility for allowing, stimulating and creating arenas where people, particularly marginalised groups, can participate. Genuine participation can improve state efficiency, deepen oversight, accountability and strengthen a democratic culture.¹⁸

A human rights approach to participation stems from the recognition that men, women, girls and boys from all groups in society have rights and therefore should be consulted and empowered. Efforts to broaden participation should also be directed at groups not officially classed as citizens, but which live within the boundaries of a state, such as refugees or people without identity cards or not registered to vote. A democracy and human rights approach focuses on empowering such groups through their inclusion into the citizenry, in the process creating new avenues for participation and the protection of political rights and the right to information.

2.3.3 *General findings*

Experience shows that opportunities for active participation are greater at the local level. Lessons from interventions that promote people's participation and democratic decision-making at the grassroots are a logical starting point for a review of general insights and findings.

- (1) Strengthening participation is not the same as strengthening or supporting non-governmental organisations. Support to NGOs needs to be complemented by dialogue with and support to municipal administrations. Issues of representation apply to both direct and indirect participation and are important to consider.

¹⁷ The project report on participation on democratic governance mainly focuses on direct and indirect forms of participation.

¹⁸ Participation also has global dimensions. The capacity and competence of developing countries to negotiate in, for example, the World Trade Organisation (WTO) is extremely weak. These complex questions are addressed in more detail in another Sida publication. See de Vylder et al. *The least developed countries and world trade*. Stockholm: Sida, 2001. (Sida studies)

- (2) Decentralisation is another way of bringing decision making closer to the people, but successful outcomes depend on a number of factors: elected bodies at lower levels need to be provided with adequate funding, adequate powers over bureaucrats, and mechanisms to ensure that bureaucrats are accountable to elected representatives, and elected representatives are accountable to the people. The right to information and organise play important roles in this regard.
- (3) Training in human rights and democracy, for example, voter training and civic education, is another important area for support. Such training can be directed at policy makers, teachers, and ordinary people to influence policy and disseminate knowledge about rights. Children and young people are crucial target groups in strengthening democratic behaviour and thinking from early development as their views are of importance for provision of services.
- (4) Support to legislation that affects participation, the media, civil society and other related actors can be provided in parallel to national governments and non-governmental organisations that are in a position to affect legislation.
- (5) One strategy to promote participation by marginalised groups is to develop special programmes and laws, including legislation, which gives such groups more space, encouragement, and perhaps resources with which to assert themselves.
- (6) Promoting dialogue between similar groups of actors from different countries – civil servants, politicians at national and local levels, and civil society representatives – can be an effective means of enhancing participation.

2.3.4 Support to state institutions

Support to state institutions to stimulate participation in democratic governance assumes many different forms: these include inter alia developing laws, procedures, and policies that encourage participation; increasing access to budget information and how budget decisions affect different groups in society; increasing the knowledge of government decision makers about human rights, including the rights of women, children and the disabled; the dissemination of public information to societal groups in the form of civic education, and through statistics, surveys and research.

Three key operational recommendations that flow from Sida's experience:

- (1) The implementation of reforms that aim to decentralise decision making and power to lower levels of the political system are critical for promoting participation and should be encouraged.¹⁹
- (2) Support for decentralisation should rest on the extent to which the government devolves sufficient powers and funds to decentralised bodies, the existence of mechanisms to foster accountability and transparency at the local level, and whether participatory mechanisms are truly inclusive and legitimised by the people.

¹⁹ Decentralisation offers a way of strengthening the relationship between the state and the individual, as it brings decision making closer to the people. However, to perform effectively in this regard, elected bodies at lower levels need to be provided with adequate funding, powers over bureaucrats, and mechanisms to ensure that bureaucrats are accountable to elected representatives and locally elected representatives are accountable to people.

- (3) Development assistance can support the creation of mechanisms for inclusive participation, such as seat reservations for women in popularly elected local assemblies, encouragement to people with disabilities to vote in elections and participate in decision making, and methods to collect the views of children and adolescents below the official voting age, such as consultations, child and youth parliaments, opinion polls and surveys.

2.3.5 Support to civil society organisations

The nature and role of civil society should also be analysed from the point of view of participation, preferably in co-operation with other donors, before the question of giving support arises. Civil society organisations vary greatly from country to country and do not always possess a democratic organisational culture or represent disadvantaged and socially excluded groups. Inequality and intolerance can lead to conflicts of interest and make participation more difficult. The challenge lies in promoting pluralism in the organisations of civil society and preventing certain groups being excluded from direct and indirect participation. Analysis of civil society organisations in a given country should include an analysis of power and a poverty, gender, and child perspective, to identify the political consciousness of marginalised groups and their ability to exert influence.²⁰ Support for training in democratic management and participatory methods can be useful in this regard.

Many civil society organisations in partner countries are heavily dependent on external donor support and few have an independent financial base. It is widely believed that active participation will be stronger if members have a sense of ownership of the organisation. Support that reduces incentives for collecting fees and voluntary contributions should therefore be discouraged.

These considerations suggest that several different strategies should be pursued in supporting civil society efforts to deepen participation:

- (1) Specialised NGOs that work for the rights of a given societal group should be considered for support, provided that they promote the active participation of marginalised individuals or groups.
- (2) Support can be provided directly to a specific remote geographical region where minority groups reside or to a specific marginalised group or minority.
- (3) There is a need for active dialogue on the part of donors with governments on the role of civil society in promoting participation, especially where there is a lack of political will to open up opportunities for people to participate in decision making.

Efforts to promote south-south exchanges among civil society groups should also be promoted on a greater scale.

2.3.6 Dialogue and co-operation with public authorities

Direct support to the organisations of civil society can often be combined with support for dialogue and co-operation with central, regional and

²⁰ Three issues could be pursued through further studies: how the poor pursue their own interests, the participation of children and youth, and the participation of people with disabilities.

local public authorities to stimulate greater participation. Three kinds of problems can arise from efforts to promote such interaction: civil society organisations run the risk of legitimising an authoritarian regime, they risk being manipulated by politicians, and they can seldom continue with their work of exerting influence.

- (1) A review of the prevailing structures of power would focus on the strength of people's involvement and organisation, their interest in change, and their capacity to utilise the space created by the state or civil society for direct or indirect influence.
- (2) Support for genuine partnerships between governments and civic organisations in service delivery can help government officials become more tolerant of civil society, provide greater space for it to function, and engage more constructively. Civil society organisations can also help governments make better use of their resources.
- (3) Support to civil society organisations that work in collaboration with public authorities in areas of service delivery that have traditionally been regarded as the state's responsibility should be treated with caution; either the state can seize the opportunity to shift a key area of responsibility to individual citizens and non-governmental organisations, or civil society organisations cannot function effectively because the state monopolises certain types of services.

2.4 Good Governance

2.4.1 Purpose and scope

The project on good governance deals with the responsibility, accountability, openness, and transparency of public authorities, and measures to promote participation through decentralisation.²¹ Also included in the scope of this project, from the perspective of democracy and participation, are budget and financial management, taxation, auditing, statistics and land surveying. Corruption and measures to combat corruption also feature as a component of good governance. This section reviews the experience of Sida and other donors active in the good government field as a basis for operational recommendations to guide future work.²²

2.4.2 Definitions and concepts

In the Swedish conception good governance is concerned with the exercise of executive power on the basis of the rule of law, responsibility, openness, integrity and efficiency. It also embraces the accountability and transparency of public authorities and the relationship between public authorities and citizens. Key institutions of good governance include a democratic constitution, an elected government, parliament, a central bank, national and local authorities, an independent judiciary, an independent mass media, and an active civil society.

Participation, transparency and accountability are closely interconnected concepts. The content and priorities of a national budget, for example, must be clear both to an elected member of parliament and the

²¹ The scope of the project is limited to good governance and does not address the full range of issues encompassed by the broader concept of democratic governance outlined in section 2.

²² The work of the project group on good governance was led by a small group of staff members at DESA who received support from other Sida colleagues and external resource people. A series of meetings and discussions with representatives of relevant public authorities and organisations in Sweden was held on areas such as auditing, budget work, corruption, and land surveying.

individual citizen who holds them accountable for decisions. A system for controlling and monitoring how public authorities implement budgetary decisions and mechanisms to hold the government accountable must also be in place. Effective accountability assumes that elected representatives, public servants, the media, civil society and private individuals all have access to adequate and accessible information on the national budget.

It is recommended that DESA should employ a concrete definition of good governance that incorporates the following components: responsibility and accountability, transparency, predictability, the rule of law, efficiency and participation, with a particular emphasis on a rights perspective. Aspects of globalisation and the influence of global institutions over national governance should also be taken into consideration. DESA should work in collaboration with the World Bank and the OECD/DAC in work on formulating indicators of good governance.

2.4.3 *General findings*

The roles of the state and the public sector have undergone major changes in recent decades, especially in industrialised countries. This in turn affects the manner in which development co-operation with public agencies should be designed and executed. Three stand out for particular attention: how the state can promote healthy commercial activity; competing forms of public service provision; and decentralisation of powers and decision making.²³ These have been accompanied by various policy innovations in the public sector: results orientation, regulatory reforms, ethical codes of behaviour, user charges for public services, performance measurement, financial transparency, contracting out and outsourcing through the private sector, and modernisation of human resource management, all of which have influenced Sida's approach.

Democratic culture within the public sector in partner countries should receive increased attention in work on good governance, with an emphasis on principles of collaboration, influence and reason.²⁴ This requires public institutions to place a high premium on accessibility and courtesy, to be able to account for which services are offered to the public, and provide citizens an opportunity for dialogue. Simple, clear and comprehensible language that can be widely understood should be a feature of a democratic public sector. Support for public sector reforms should include analyses, for example, on how information on the civil service can be rendered accurate, comprehensible and easily accessible, how citizens can exert influence over the civil service, and how in turn the public sector can promote active citizen participation.

Sida's strategy for democratic governance should incorporate a policy commitment on *decentralisation and local development* with a clear link to poverty eradication as this is expected to gain increased significance in future programming in line with other bilateral and multilateral donors (see previous section).²⁵ It should be preceded by a major comparative study of Sida's support for decentralisation and regional/municipal

²³ The project does not encompass questions of local democracy and the functioning of the system of central, regional and local public administration. Such questions will be the focus of a future study to be commissioned by DESA.

²⁴ See The Government Commission on Swedish Democracy, 2000.

²⁵ Sida's support to date has principally focused on competence and capacity building within decentralised institutions rather than the decentralisation process itself in partner countries. Details are given in the DESA project report on Good Governance, pp. 31–34.

development that focuses on experiences and lessons from development co-operation in this area. DESA should develop special competence on decentralisation to be able to advise other departments in Sida and Swedish missions.

There is scope for developing a greater variety of methods of development co-operation for good governance in the form of long-term twinning arrangements between public authorities in partner countries and Swedish counterparts (which have been found to be an effective method for organisational co-operation), sectoral and programme support (see Chapter 4), and technical co-operation financed through short-term contracts.²⁶ Twinning arrangements should be extended to embrace not only specialised Swedish government institutions but also other types of Swedish organisations when their activities are closely related. Lessons learned from such experiments should be disseminated more widely within Sida by DESA.

Sida's support for building the capacity of the public sector in partner countries is regarded as being in the right direction. Thematic areas that have been central to Swedish support over the past two decades – civil service reform, tax collection, auditing, and statistics – should continue, while other areas, such as budget work, should be developed further. The resources allocated by Sida to this area, however, permit only a very modest increase in the volume of activity in the short term.

2.4.4 Civil service reform

In the area of personnel and organisational reforms in the civil service and public sector, Sida should continue to support the gradual implementation of reforms, in the context of a broader approach that embraces the whole public sector. In the 1990s the dominant approaches were downsizing and staff cutbacks, efficiency measures, and institutional reforms designed to instil a public service ethos, and promote greater openness and accountability in the public service. In short, civil service reform has evolved from a device to achieve expenditure savings through personnel reductions, to emphasise capacity building and institutional development within the public sector.

Experience suggests that reforms should be implemented on the basis of a clearly thought-out and more comprehensive strategy for the public sector, with greater emphasis on decentralised implementation to overcome bureaucratic structures and bottlenecks. The key feature of Sida's approach in recent years has been to combine a careful and gradual staff reductions with an emphasis on organisational reforms within the public sector to achieve efficiency gains. Openness, transparency, and participation of civil society and the media should be key ingredients in Sida's approach to service delivery and reform work.

2.4.5 Tax reform and administration

In its continued support for taxation reform and administration Sida's point of reference should be the poverty dimension (impact on human rights, especially of the poor), and the democracy dimension (fairness,

²⁶ DESA has not resorted extensively to the use of Contract-Financed Technical Co-operation (KTS) an instrument for developing competence in partner institutions in areas where Sweden has a comparative advantage, but has the potential to complement twinning arrangements as a means of organisational co-operation with the public sector in partner countries.

transparency, accountability, and citizen orientation). It follows that Sida should prioritise activities such as broadening the tax base, encouraging the equitable redistribution and poverty reduction potential of the tax system, simplifying the system of tax collection, and making it more user-friendly for tax-payers.

Computerisation is a useful tool for reforming the tax system, simplifying procedures and reducing corruption within tax authorities. Linkages between support for tax administration and other parts of the public sector (such as statistical services and population registration) should receive particular attention. Twinning arrangements with the Swedish National Tax Board have been very positive, and have facilitated the introduction of user-friendly and client-oriented approaches in partner countries.

2.4.6 The budget process and auditing procedures

Support for work on the national budget and budget process should be developed further on the basis of improved donor co-ordination and sectoral support. A basic precondition for external support to the budget process is strong political will and country ownership. While this is a relatively new area for Swedish assistance, DESA's contribution should take the form of highlighting and clarifying the implications of national budgetary allocations from a democracy and human rights perspective, in relation to the dissemination of information and increasing people's understanding of the consequences of budget decisions.

Swedish support for budget work should seek to incorporate gender and children's perspectives into state budget processes. In its dialogue with partner countries Sida should endeavour to strengthen accountability as well as to increase openness and transparency in government policies and the budget process, by improving parliament's ability to debate the budget, holding public meetings, and disseminating judicial decisions.

External auditing of government agencies involves both financial audit, to ensure that the appropriate regulations have been followed and that accounting reports are accurate, and performance audit, which is primarily to determine how the results of designated activities compare with previously determined objectives. An effective auditing process generates timely and accurate information for parliamentary scrutiny and oversight as a means of fostering improved government accountability. Effective auditing procedures also have the potential to prevent or mitigate corruption.

Work on national auditing should be supported by means of co-operation and twinning arrangements between auditing agencies in Sweden (the Swedish National Audit Office) and in partner countries, capacity building, and refinement of auditing methods. Support to parliamentary institutions, the mass media, and civil society to develop the knowledge and capacity to understand and scrutinise audit reports can reinforce the opportunities available to the public to demand greater accountability.

Sweden's experience in this area of co-operation has been mixed. Effective support depends on durable political commitment and managerial capacity in the national audit institution. Sida should evaluate the-

matically its support to audit institutions with a view to improving the efficiency of national auditing and reinforcing measures to counteract corruption.

2.4.7 Statistics, land surveying and mapping

Support for statistics is intended to improve the collection of basic information and reliable data in a quantitative, aggregated and numerical format. Official statistics are collected by institutions that form a country's public statistics system, usually a central statistical agency and a number of designated line ministries. The link between the collection of statistics and development goals, especially those related to problems of poverty and poverty reduction is of fundamental importance. Access to information also plays a role in fostering state accountability and performance in a democratic society.

The collection, processing and publishing of statistics should remain a priority for Sida and support for statistical capacity building should be increased. Support in this area should extend to related areas like civil registration, tax collection, electoral administration, and population registration. The collection, processing and publishing of statistics should follow international norms and conventions to ensure that information is kept free from political interference. Experience suggests that building up effective statistical services and public authorities requires a long time frame. Twinning arrangements between Statistics Sweden and national statistical agencies have proved effective in building the overall capacity and competence of institutions. There is recognition that twinning arrangements with a central statistical agency can be extended to draw in line ministries, users and other stakeholders.

In some countries, especially in Eastern Europe, Sida has made direct contributions to building up the institutional infrastructure required for land surveying and mapping and has supported activities like property registration, mainly through divisions other than DESO/DESA.²⁷ Geographic information has direct implications for democratic governance: for example, the delimitation of electoral wards and constituency boundaries for voter registration and the administration of elections requires information from topographical and cadastral maps. Similarly the determination and sanctioning of user and owner rights through land surveys potentially has a democratic and conflict-reducing function, and considerable significance for poverty reduction.

2.4.8 Anti-corruption measures

Sida believes that strategies for tackling corruption are a key ingredient of work on good governance. While Sida does not have a specific anti-corruption programme, it recognises that isolated inputs to address the problem of corruption are unlikely to be effective and that a multi-pronged approach is required. In addition to civil society and the mass media, the office of the public prosecutor and the judiciary, there should be more direct checks on financial administration, through strengthening of auditing and control, and greater transparency in public procurement

²⁷ Sida's support in this area is normally administered by the Department for Infrastructure and Economic Growth. Whether or not DESA should directly support institutional capacity building for land surveying is a question of the division of roles and work in Sida's organisational structure and on how resources should be allocated.

procedures. Corruption prevention should be more distinctively integrated in support to state institutions and civil society organisations. In its dialogue with partner countries, Sida should emphasise efforts to strengthen accountability and increase transparency in government policies, budgets, widen the role of parliaments in debating the budget and convening open public meetings, and promote greater openness in tax administration.

More attention should be given to work on promoting anti-corruption conventions at a regional and international level, such as the African Union and the OECD. Sida is in the process of revising its guidelines on corruption in connection with bilateral assistance, and Sweden will actively adhere to the OECD/DAC recommendations on prevention of corruption in aid procurement. Future work on this area will require closer co-operation between DESA and other divisions within Sida, and between Sida and the Swedish Ministry for Foreign Affairs.

2.5 Access to Justice

2.5.1 Purpose and scope

The purpose of this project was partly to improve the methods used in development co-operation in access to justice, and partly to develop further the work undertaken by Sida's *Committee for Development Co-operation within the Legal Sector*, which sought a basis for continued discussion between the various actors involved in development co-operation within the sector.²⁸ This section examines some definitional issues and summarises the lessons and insights arising from Swedish co-operation in this sector.

2.5.2 Definitions and concepts

Access to justice is defined in the following manner. At its core are public mechanisms in the form of institutions, laws, and measures to counter crime. Its main objective is to strengthen the functioning of states governed by the rule of law, through legislative processes and national institutions in the legal system, like the ministries of justice and home/internal affairs, the courts, public prosecutors, the police service, prisons and correctional services, the institution of the ombudsman, legal training, and similar institutions. Lawyers are clearly part of the judicial sector. Also included in the legal arena are those parts of civil society that function primarily as pressure groups that seek to strengthen the rule of law.

The rule of law and particularly the judicial system are an integrated part of a broader system of governance. The quality of the rule of law is a critical determinant of a society's economic and social development. DESA's definition of good governance encompasses the central characteristics of responsibility and accountability, transparency and openness, predictability, legal rights, efficiency and participation. When it comes to the question of accountability and transparency of a country's administration in a broader sense, the judicial system plays a crucial role, since a well functioning legal system is the best guarantee that citizens will be able to exercise their rights.

²⁸ The project group involved both Sida personnel and outside experts for parts of the study. In the appendices to the project report, ideas are developed around preconditions and principles for the respective experiences of development co-operation in access to justice.

This project takes as its starting point the problem that a majority of the population in Sweden's partner countries does not have *access to the formal system of justice*. Thus they lack the necessary safeguards that the state, through national laws and international obligations, is duty-bound to provide for all people who reside in its territory. The poor and those with access to few resources are particularly badly affected. Lack of knowledge and information make the judicial system inaccessible to large groups of people. The daily lives of the poor are greatly affected by how well the judicial system functions, and they face economic obstacles in using the judicial system. Trust between the actors and users of the judicial system is low and the legitimacy of the system is often in doubt. Women and children face many infringements of their human rights and a functioning legal system offers an important means of redress.

In many partner countries full access for the whole population to a functioning legal system of the western type is not a realistic goal in the short to medium term, due to the prevailing political climate, prohibitive costs, and the lack of trained personnel. Most of the legal problems that affect the poor are dealt with through informal structures, often based on customary laws, which often discriminate against women, especially as regards land rights, inheritance, access to credit and so on. These are the main concerns shaping future Swedish development co-operation work in the legal sector.

2.5.3 General findings

Successful interventions require a holistic approach to the judicial system, to include both the formal systems and customary structures, and to determine how well these meet the needs of poor people and those who are most vulnerable. Strengthening institutions in the formal legal system is perhaps not sufficient in a short-term perspective without first safeguarding an individual's right to freedom from fear, injustice and discrimination. At the same time, increased awareness about good legislation on par with internationally accepted norms is not sufficient in itself to guarantee the legal rights of individual citizens.

An important lesson from experience of development co-operation in access to justice is that a well-established and functioning legal system requires extensive, long-term and sustainable support. The central point of departure for Swedish inputs is support for basic tenets of the rule of law, namely, legal rights, equality before the law, security of life and property, and accessibility of the law, embodied in the constitutional provisions of the partner country. The goal is that a country's laws and regulations should be widely known and applied in a predictable and equitable way for all citizens.

A fundamental issue for Swedish co-operation concerns the methods used to give the majority of the population better access to the judicial system. Few donors have refined their strategies and methods and here continued developmental work is required, along with greater harmonisation of inputs and co-ordination between donors, to avoid fragmentation of effort.

Swedish development co-operation in the legal sector has been relatively modest in comparison with other areas of democratic govern-

ance, with the exception of Central and Eastern Europe.²⁹ In the judicial area it has mainly covered capacity building support for civilian police services. Sida is currently in the early stages of evaluating its support in this area of democratic governance, which has revealed mixed results.

Operational recommendations for Sida's work on access to justice are as follows:

- (1) Sector analyses must be undertaken before Sida embarks on co-operation on access to justice. These can be undertaken with other multilateral and bilateral donors, partly to optimise the exchange of knowledge and experience, and partly to increase international co-ordination which is necessary to reach the goal of 'justice for all'.
- (2) In sector analyses close attention has to be given to customary legal structures and their role in society, and to understand how customary and modern judicial systems relate to each other. In-depth studies on the relationship between customary rights and the modern, formal system, as well as on methods of doing sector analyses within the legal sector are also recommended.
- (3) Swedish inputs to the formal system in the short and medium term as Sweden has a comparative advantage and competent personnel in the formal judicial system. This includes state institutions, the legal community, and groups within civil society.³⁰
- (4) Dialogue with the partner country and Sweden's choice of inputs should stem from internationally recognised norms embodied in human rights conventions and declarations and international agreements of a non-convention nature. A democracy and human rights perspective must therefore permeate Swedish legal co-operation work.³¹
- (5) Future support must be considerably more focused on poverty and direct itself to institutions that have primary significance for the poor. The selection and design of Swedish inputs should seek to make the formal system tailored more to the needs of poor people. Inputs might centre on the introduction of simplified, oral procedures; the use of simpler and more accessible legal language; and providing access to state subsidised legal aid. Sida might also seek to strengthen and improve the kind of institutions that the poor first encounter, such as the police and conditions in detention centres.
- (6) Women's need for protection against violence and injustice should be given a prominent position in the selection, analysis and preparation of inputs. The situation of children and youth should also be accorded special priority, to minimise incarceration and establish special procedures for young offenders.

²⁹ Sweden's legal assistance work in Central and Eastern Europe is examined in Chapter 8 of the project report on Access to Justice. Appendix 2 of the report, by Professor Claes Sandgren, reviews broader aspects of Swedish development co-operation in access to justice.

³⁰ In comparison with most other sectors, there is a lack of Swedish actors with experience of practical development co-operation in other judicial systems, and/or who are available for work in developing countries. At the same time, Swedish lawyers have considerable breadth of experience, a high level of professional competence, and enjoy considerable trust and respect in partner countries.

³¹ Country Strategy Development: Guide for a Country Analysis from a Democratic Governance and Human Rights Perspective, DESA/Sida, March 2001.

- (7) In addition to its bilateral programme Sida supports – and should continue to support – international organisations that work on a broader basis for the maintenance of the rule of law, like the International Commission of Jurists and the International Development Law Institute.

3 Operational implications for democratic governance

The first section of this chapter identifies some key operational recommendations for Sida's approach to democratic governance in a rapidly evolving context of development co-operation. The second section explores how the broad recommendations in the first part need to be adapted to the political regime context and the state of democratic governance in the partner country.

3.1 Broad approaches

3.1.1 *Context and background*

Since the early 1990s, a key aim of development co-operation has been to promote democratisation support to the state and the public sector. Support for democratisation coincided with the end of the Cold War, as a means of promoting political liberalism in the aftermath of the structural adjustment programmes. Both perspectives emanate from the view that short-term inputs based on standardised models are designed respectively to lead to a breakthrough for democratisation processes or kick-start a country's economy.

The weak contacts between practitioners of development co-operation and the academic community reflected a marked growth in donor inputs that aimed to reform the public sector and political institutions at the same time as social scientists published research on the pervasive difficulties in reforming government institutions in developing and transitional countries. Among other things, they pointed out that extensive – and successful – reforms of parliament have hardly occurred, even in the West; nevertheless, many donors chose to support such reform programmes in developing countries. It takes a long time for the political processes in a country to achieve durable democratic outcomes. The period of time required is probably a matter of decades, which is a much longer perspective than the political mandate enjoyed by the government in a donor country, or of an official's career in a donor organisation.

Many donors tend to try to deal with the symptoms rather than the causes of the problems in a country's democratisation processes. It is also common for the donor community to follow trends and change focus on the institutions and processes that should receive support. Democracy assistance in the 1990s began with a focus on electoral support, later followed by a concern with social movements and interest groups in civil

society. This, in turn, has to some extent been succeeded by the simple belief that the concept of decentralisation as such would lead to increased local democracy and good governance.

3.1.2 Points of departure for Sida

An adequate understanding of the political, economic and social conditions in partner countries is an essential pre-requisite for effective support to democratic governance. The extent of political will and the political conditions pertaining in partner countries are central to both analysis and successful implementation. Some points of departure for Sida are that development co-operation should:

- Be informed by a democracy and human rights perspective;³²
- Take into account the various dimensions of political processes, reflected in political institutions, political culture and power relationships;
- Contribute, as far as possible, to an enduring and egalitarian division of power;
- Build on an understanding of actual and/or potential armed conflicts that cannot be easily addressed through peaceful means.

States that would be considered by Sida to be making progress towards democratic governance would exhibit the following commitments:

- Reduce poverty in an effective way over time;
- Build on principles for participation, equality in dignity and rights, transparency and accountability;
- Encompass national, regional and local political institutions and public bodies;
- Include civil society and groups of people that are not represented by interest groups;
- Recognise the state's responsibility for fulfilling, promoting, protecting and respecting human rights and freedoms;
- Non-discriminatory delivery of public services.

3.1.3 Poverty reduction strategies and democratic governance

The most recently created instrument for tackling poverty is the Poverty Reduction Strategy (PRS — often called Poverty Reduction Strategy Papers, PRSP), which emanated from the Highly Indebted Poor Countries (HIPC) programme. A PRS is a framework designed by a recipient government for the reduction of poverty using its own resources and those provided through international co-operation. Sida must naturally follow, exert an influence over, and if possible support PRS processes in partner countries, and support for democratic governance must be adapted to the poverty reduction framework.

There are many reasons to view the PRS process in a positive light. The IFIs have a changed understanding of roles of the state and public sector in social development and guidelines for assessing a country's PRS reinforce the lead role of the public sector in tackling poverty. This is

³² Country Strategy Development: Guide for a Country Analysis from a Democratic Governance and Human Rights Perspective, DESA/Sida, March 2001.

reflected in a growing commitment in PRS countries to building up an efficient and results-oriented public sector.

There is, for example, strong national ownership of the PRS process in some countries.

In others, however, there are a multitude of problems which must be resolved. In such countries processes are underway which must be encouraged, through donor support to democratic governance.

One problem is that PRS processes focus exclusively on factors that the IFIs have identified as relevant to the reduction of poverty. Thus there is a risk that a PRSP may function as a partial and parallel national budget, with preparatory work that does not coincide with the state's own budgetary processes and concerns. Experience indicates that a country's PRSP is often drawn up by an incumbent government, but in the absence of a clear parliamentary mandate, which may lead to problems of sustaining commitment when there is a change of government.

An important aspect of the PRS process should be a focus on democracy and human rights issues. Support to the development of the public administration within relevant sectors becomes particularly important in view of the IFIs having the economic resources, but lacking sufficient experience and competence for the development of professional public sector in PRS countries. Sida should therefore be open to the possibilities of contributing support to the IFIs so that their financial resources and the Swedish experience of public sector development can be combined. Support to building up the public sector ought also to become a condition for direct budget support and support to programmes in sectors that fall within the framework of PRSPs in different countries.

The PRS process provides a potential opportunity for many parties to participate in the discourse on state's policies and resource allocations. From a democratic perspective on good governance, parliamentary debate on the government's PRSP proposals offers a good opportunity for open discussion. In many partner countries, however, a PRS does not feature on the parliamentary agenda. There is thus very little representation through the political institution set up to fulfil a representative function.

3.1.4 Budgetary support and sector programmes

Development co-operation is increasingly moving towards budgetary support to balancing the budget and sectoral programmes. Such support rests, to a higher degree than project support, on three legs:

- Partnership, policy discourse and mutual trust;
- A functioning administration, in particular a functioning financial system;
- Measurement and assessment of policy implementation at sectoral and macro-levels.

In future it is assumed that project support will be relevant primarily in those cases where

these conditions do not exist. Project support will remain a useful tool for building up a public sector core and a condition for Sida also to be able to support sector programmes and government departments.

Programme support implies reduced conditionality than project support and utilisation of funds is determined and controlled through the general policy framework of the partner government. In-depth discussions between donors and the partner government can provide a basis for agreement on the allocation and use of resources. A democracy and human rights perspective can bring internationally accepted norms into the discussions with partner governments that have ratified international human rights conventions.

A controversial issue is whether support for democratic governance can be provided in the form of programme assistance or to programmes within sectors, especially in relation to civil service reform. Operations in core public sector authorities like finance and budget work, auditing, statistics, etc. cut horizontally across the line departments. In many countries decisions concerning budgetary, management, and personnel policies, are determined on a sector by sector basis. Nevertheless, a co-ordinated approach based on a comprehensive approach to reform is usually required. As these reforms become more comprehensive, a partner country's weak administrative capacity is subjected to greater stresses and strains.

Sida has generally favoured a reform model that is project-based, long-term, detailed, labour-intensive and focused on building up systems and competence within specific government departments. This strategy cannot be pursued exclusively, since work directed at a section of the civil service rarely affects and reforms the entire national administrative system. Where reforms of financial control and financial systems are concerned, Sida should consider whether comprehensive forms of programme support could be developed in co-ordination with other donors. In future it is likely that a model that combines institutional development with programme support, and support to sector programmes will be pursued.

The judicial sector and, above all, the judiciary itself often needs to be modernised in all developing countries. Programme support may often be suitable for this purpose. This has special significance in view of the central role of the judiciary in a parliamentary democracy and for upholding human rights. Police authorities, which have the task not only of being the legitimate representatives of the state's monopoly on coercive power, but also function as guarantors of citizen's security and for law and order, might also be amenable to programme support. However the political sensitivity of such support, not only for the partner country, but also for a bilateral donor, may mean that co-operation with other donors should be considered. Challenges include how to promote and mainstream perspectives on poverty, gender, sustainable development, democracy and human rights, conflict, and HIV/AIDS through programme support.

3.1.5 Country analyses and strategies

Country strategy development is the most important process in Sida's analysis of the conditions and development trends in a partner country. The country strategy is developed on the basis of Sida's analysis of the results and the country context. Country analyses require a great deal of work from Sida, but the results do not always lead to improved under-

standing or strategies, even if they offer a learning opportunity. In many contexts it is possible to make use of analyses made by others, for example as part of the PRS and UNDAF initiatives.³³ Sida has an important task in ensuring that these other analyses adequately incorporate a democracy and human rights perspective.

Economic analysis must be complemented by political analysis, without which an understanding of the complex reality obtaining in partner countries will be unbalanced and incomplete. The economic policies favoured by international actors exert considerable influence, and limit the freedom of choice of recipient governments. In drawing on the instruments and reports of international financing institutions (IFIs), which tend to be purely economic in their approach, Sida should ensure that political issues and the question of parliamentary participation and oversight are also addressed and taken into account by the IFIs.

A democracy and human rights analysis should be an integral part of Sida's country strategy process. The Swedish Ministry has developed a questionnaire for Foreign Affairs/Sida's Consultative Group for Democracy and Human Rights. This provides guidance on the analysis of political institutions, democratic culture, rule of law, human rights analysis of children's, women's and men's living conditions and opportunities for participation and influence as well as good governance.³⁴

3.1.6 The need for an analysis of power

Sida's support is political and has political consequences, irrespective of its technical premises. Development co-operation is both a result of and an influential factor in determining values, priorities, resource allocation, and development strategy. It can result in certain groups in the population benefiting, while others do not. It can both reduce and accentuate underlying factors, attitudes and behaviour that cause ongoing conflicts. Development co-operation may help to lower the levels of national poverty, exert an influence over the distribution of resources, but at the same time widen economic disparities. At the same time there should be awareness that conditionality is seldom effective as an instrument for exerting pressure, even if it sometimes can be justified on the basis of a human rights perspective. The challenge to donors consists in finding innovative solutions that are firmly anchored in a democracy and human rights perspective.³⁵

An analysis of the power structures and relations in partner countries should become an integral element of country analyses and strategies. It is also a fundamental pre-requisite for the democracy and human rights perspective that should permeate Sweden's approach to development co-operation. Questions of good governance are often limited to the degrees of transparency, accessibility, and responsibility that exist in the executive and the public sector to the neglect of parliament, the political party system and other institutions in the state and society. Country analyses can incorporate an analysis of formal and actual power relationships in different arenas of society. These may concern the

³³ Working Together, Swedish Foreign Ministry, Sida, and the Swedish NGO Foundation for Human Rights, 2001.

³⁴ Country Strategy Development: Guide for a Country Analysis from a Democratic Governance and Human Rights Perspective, DESA, March 2001.

³⁵ NORAD's instrument for project analyses, the Handbook in Human Rights Assessment – State Obligations, Awareness and Empowerment can provide a starting point for continued methodological work.

relationship between the executive, legislative and judiciary, between the central, regional and local level, between the public and private sectors, between social classes and between ethnic groups in society, between the sexes, within the family and across generations.³⁶ An important role for Sida is to shed light on these often ignored issues in a manner that complements analyses done by IFIs, the UN, EU and other donors.

3.1.7 Methods of assessment for democratic governance

It is essential – and possible – to measure how a society develops over time. This is done, with varying degrees of effectiveness, through the national statistical system and research in Sida's partner countries. Most tools for measurement of human development are normally directed at objective factors.³⁷ Measurements of how attitudes and values change over time, however, are uncommon and knowledge of how people in developing countries regard issues like democracy and human rights is very limited. Citizens have seldom any channel for feedback to those in power or to administrators other than to use their vote in elections. Citizens' assessment of achievements and delivery of social services are not normally objects of systematic evaluation.

For some years Sida has given support to a number of evaluations and measurements of attitudes, the results of which may be useful for work in democratic governance. Sida supports AfroBarometer and Latino-barómetro, which undertake research on people's attitudes to democracy and markets in African and Latin American countries. Sida also supports the World Values Survey that works with a global, comparative perspective on attitudes and values.

However, relatively little has been done to measure the effects of development co-operation for democratic governance. There is consequently limited knowledge of the degree to which Sida's inputs in democracy and human rights issues actually contribute to positive outcomes in partner countries. Experience indicates that Sida's ability to formulate realistic and measurable goals, and to develop suitable indicators for interpreting results must be developed further which should lead to increased learning and improved activities, and increase the opportunities of conducting a clearer discussion with Swedish and international co-operating partners.³⁸

3.2 Country specific approaches

3.2.1 Political context and regime characteristics

Which criteria or methods can guide Sida in identifying the most relevant and strategic issues, sectors, ways of working, goals and measures in democratic governance work at the country level? It is impossible to answer this question at a general level, since every political process is

³⁶ During 2003 Sida will develop a template for such an analytical model.

³⁷ At a macro-level Sida collaborates with the UNDP on the Human Development Report and its annual measurement of human development and related indicators. Reports on the state of human rights in various countries and submissions to the supervisory committees for the most important human rights conventions are an important source of information. The DAC has produced a list of indicators that are useful for measuring good governance and participation in democratic governance. Transparency International publishes a report that ranks the perceived degrees of corruption in approximately 80 countries.

³⁸ The government's letter of appropriation issued to Sida for 2001 and 2002 assigned to Sida the task of developing a presentation of results of the political goal of democratic social development. In Sida work with goal formulation issues to be able to measure the results better in quantitative and qualitative terms. Thereby it should be possible to improve both the analysis of results and the design of projects.

influenced by a range of actors specific to the country, institutional structures, and broader environmental factors. It is thus better to devise a framework for classifying political systems as a basis for determining what mix of interventions would be most suitable.

Democratic tendencies and initiatives can be found in undemocratic states. Swedish development co-operation is also active in countries where the political system is not fully developed, but where democratic tendencies and political openings can be supported. In what follows, we categorise Sida's partner countries according to the five following categories:³⁹

- Consolidated democracies;
- Constitutional democracies;
- Systems with superficial pluralism (also referred to as “semi-democracies” or electoral democracies);
- Systems with “monopolised power”;
- Authoritarian systems.

A very small group of Sida's partner countries are *consolidated or constitutional democracies*, while few can be classified as stable authoritarian systems. Most of Sida's partner countries belong to one of two intermediate categories characterised by either *monopolised power or superficial pluralism*, but fall short of a genuine democratisation process (cf. section 3.1.2). What unites them is that as a rule there is limited political space for the opposition and for civil society organisations. Regular elections and constitutions with democratic provisions are also common. Political power is neither exercised nor transferred through political institutions, but rather by elite groups such as established families, clans or business interests.

This reinforces the need for effective political analysis. In all five categories a thorough analysis of the current and historical economic, political, social and institutional conditions in the individual country is required with the aim of discovering which actors and structures promote and/or hinder the democratisation process, and identifying how development co-operation can exert an influence over these actors and structures. Opportunities to promote core values such as *participation, equality in dignity and rights, and transparency and accountability* depend on underlying conditions.

The following section provides an analysis of potential points of entry in authoritarian and political systems that are not fully democratic, and are intended to be suggestive rather than tried and tested approaches. A more systematic compilation of experiences from different political systems may well be required.

3.2.2 Authoritarian systems

In an authoritarian political system greater *participation* can be fostered through exchange visits between Swedish party-affiliated organisations and their development co-operation partners with a focus on organisa-

³⁹ Two of these five categories draw on the schema developed by Thomas Carothers in “The End of the Transition Paradigm,” *Journal of Democracy*, Vol. 13, No. 1, January 2002 — ‘feckless pluralism’ (Carothers’ term for what we call superficial pluralism) and ‘dominant power politics’ (Carothers’ term for what we call systems with monopolised power).

tional development. *Equality in dignity and rights* can be promoted by spreading knowledge about the implication of the commitments made by the partner country in signing the international human rights conventions. The police, the public prosecutor and the judiciary are important target groups.

Transparency can, to some extent, be fostered through education programmes directed at journalists, parliamentarians, and civil servants in the form of international courses or South-South co-operation. Improved *accountability* can, in turn, be built up through building the capacity of an often very weak administration and popularly elected assemblies at a local level. If Swedish inputs in an authoritarian system are to have an enduring impact, the political will to change is crucial. Since it is usually absent in such systems, it tends to be a question of supporting progressive forces, through for example, Swedish or international NGOs, while awaiting a future democratic opening.

3.2.3 *Systems where power is monopolised*

In countries where *monopolised power* based on personal or family ties dominates the state apparatus a change in the nature of the regime is often unrealistic. The state's resources and monopoly over information and the means of force are in general used to the advantage of the ruling group. The state apparatus is often weak or stagnant and functions poorly. The courts are seldom independent. Extensive corruption is commonplace. Elections may be held, but these are rarely free and fair, even if open ballot rigging is not the rule. The political opposition is weak and in the absence of strong political parties is usually to be found among non-governmental organisations. Such regimes can vary from virtual dictatorship to the enjoyment of certain, though limited, freedoms. This pattern occurs, according to Carothers, in three regions: in sub-Saharan Africa, the former Soviet Union, and parts of the Middle East.

Participation, one of the most important values in democratic governance, can be strengthened, for example, by means of human rights training for representatives of the judiciary with the aim of counteracting politically motivated disappearances, summary and extra-legal executions, and torture. In other countries, where authoritarian tendencies are not as entrenched, the rights to assembly and organisation, as well as freedom of expression may be safeguarded through educational inputs focusing on a country's own constitutional safeguards. Fostering internal democracy in social movements and interest groups is also a possible approach in co-operation with Swedish party-affiliated organisations.

Transparency can be facilitated through greater access to information, for instance, the national budget or the municipal budget, in local languages – through wall newspapers in villages, public radio, etc. *Equality in dignity and rights* can be promoted through capacity building in the public sector, for example, through budgeting on the basis of a gender and children's rights perspective. *Accountability* can in turn be facilitated through inputs that promote the growth of alternative centres of power. One example may be to strengthen basic parliamentary functions, like oversight, review, and conflict management. Support for a functioning political party system, particularly the financing of parties, may be a

possible area for support. Other important areas may be privatisation programmes, which affect how economic power is distributed, auditing and tax reforms, and support for statistical systems.

3.2.4 *Systems with superficial pluralism*

In countries characterised by *superficial pluralism*, political power tends to alternate between two or several elite groups that have little interest in enduring improvements to the living conditions of the wider population. The political classes are often corrupt and insulated from society at large while political participation is often limited to elections, even though the judiciary may be relatively independent. The state apparatus is usually very weak and poorly organised. Economic policies are often badly formulated and the country's economy as a rule is in very poor condition. This pattern of superficial pluralism is most prevalent in Latin America, but also exists in other parts of the world.

Participation can in superficially pluralist countries be strengthened, for example, by improving the conditions for political organisations to operate freely and effectively so that political parties and social movements can have a greater impact in the national structures of political power and challenge incumbent elites.

Equality in dignity and rights can be fostered through strengthening the judiciary's independence and counteracting corruption within the legal apparatus. Inputs that promote the right to education are also central. *Transparency* can be fostered through increasing public insight into political processes, for example, through radio broadcasts of parliamentary debates, through easily accessible budgetary information, etc.

Accountability can, in turn, be facilitated through inputs that aim to promote political pluralism and to bridge the gap between the political system and the general public. A strengthened political party system, and increased co-operation between parties and other organisations within civil society may be relevant areas for support. Tax reforms, improved auditing and statistics are also areas for consideration.

4 Future methodological work

The four projects and synthesis reports have identified specific areas where thematic evaluations would need to be conducted to guide future work. These include:

- A comparative study of Sida's support to decentralisation, as well as regional and municipal development, focusing on experiences and lessons;
- A comparative study of Sida's support to auditing agencies;
- A comparative study of Sida's support to parliaments;⁴⁰
- A study of the long-term, enduring, effects of Sida's public sector support up to a decade after such support has ended.

The synthesis report has also identified a number of questions that should be studied in greater depth in collaboration with Sida's policy department:

- How well equipped are the poor to struggle for their own interests?
- What forms does the participation of youth and children assume within the democratic governance arena?
- What opportunities to participate are there for people with disabilities?
- What experiences and lessons can be learned from co-operation in different types of political systems?

Two areas that will constitute the primary focus for continued methodological work are (1) the functioning of public authorities in a vertical system at central, regional and local levels, with particular focus on power sharing between these levels, and (2) horizontal studies of democratic governance at the local level.

⁴⁰ Due for finalisation in summer, 2003.

Abbreviations

DESO/DESA:	Department for Democracy and Social Development/ Division for Democratic Governance
DfID:	UK Department for International Development Co-operation
Globkom:	Parliamentary Committee on Sweden's Policy for Global Development
HIPC:	Highly Indebted Poor Countries
IDEA:	International Institute for Democracy and Electoral Assistance
IDT:	International Development Targets
IFES:	International Foundation for Election Systems
IFI:	International financial institutions (World Bank, International Monetary Fund, etc.)
ILO:	International Labour Organisation
KUR:	Committee for Development Co-operation within the Legal Sector
HR:	Human Rights
MTEF:	Medium Term Expenditure Framework
MTFF:	Medium Term Financial Framework
NGO:	Non-Governmental Organisation
NDI:	National Democratic Institute for International Affairs
PRS:	Poverty Reduction Strategy
PRSP:	Poverty Reduction Strategy Paper
UD:	Swedish Ministry for Foreign Affairs
UNDP:	United Nations Development Programme
WTO:	World Trade Organisation

Halving poverty by 2015 is one of the greatest challenges of our time, requiring cooperation and sustainability. The partner countries are responsible for their own development. Sida provides resources and develops knowledge and expertise, making the world a richer place.



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