

The Political Institutions



**Four methods reports
have been published:**

The Political Institutions

Participation in Democratic Governance

Good Governance

Legal Sector

A summary of the four methods reports,
Digging Deeper, was published in 2003

Table of Contents

1	Introduction	1
1.1	Background to the study	1
	<i>Background and Disclaimer</i>	1
	<i>The Project</i>	1
1.2	The focus of the study: parties, parliaments and elections	2
1.3	The aim of the paper	4
1.4	Challenges for the promotion of constitutional democracy	4
1.5	The organisation of the paper	6
2	Support to political parties	7
2.1	Introduction	7
2.2	International experiences	9
2.3	Experiences from Swedish support	11
	2.3.1 <i>Evaluation of support through party-affiliated organisations</i>	12
	2.3.2 <i>New guidelines for support through the organisations linked to parties</i>	13
2.4	Preliminary conclusions for future support	14
3	Electoral Assistance	15
3.1	Introduction	15
3.2	The international debate on electoral assistance	16
3.3	Election observation and monitoring	19
3.4	What has Sweden done to promote free and fair elections?	19
3.5	A strategy for electoral assistance	21
	3.5.1 <i>Recommendations</i>	21
4	Supporting legislatures	23
4.1	Introduction	23
4.2	Legislative assistance – problems and challenges	25
	4.2.1 <i>Common goals and activities</i>	25
	4.2.2 <i>Legislative assistance: Riddled with failure – but not always futile</i>	26
	4.2.3 <i>Factors outside the legislatures</i>	27
	4.2.4 <i>Values and processes</i>	28
4.3	Gender and child approaches	28
	4.3.1 <i>Lack of development – lack of women’s representation</i>	29
	4.3.2 <i>Obstacles to participation and influence</i>	29
	4.3.3 <i>International legal instruments – a tool for legislators</i>	30
	4.3.4 <i>Children and parliament</i>	30
4.4	Legislative assistance – policies and experiences of Sweden	30
	4.4.1 <i>Survey of Legislative Assistance</i>	31
	4.4.2 <i>Conclusions from the survey</i>	32
4.5	A DESA Strategy for legislative assistance	32
	4.5.1 <i>Focus areas</i>	32
	4.5.2 <i>Functions</i>	33
	4.5.3 <i>Values</i>	34
	4.5.4 <i>Areas for extra attention</i>	36

5	Concluding observations: Towards a Strategy to Promote Improvement of the Quality of Democracy	37
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	References	39
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Annex 1

	Survey of Legislative Assistance	42
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1 Introduction

1.1 Background to the study

Background and Disclaimer

The goals of Swedish development co-operation within the operational area of democratic governance are clear and primarily consist of the government's publications 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. The operationalisation of policy and goals into applications and inputs in the field requires continuous methodological work.

In 1999 Sida initiated four comprehensive internal projects to develop methodologies within the operational area of democratic governance. When initiating the four projects, the primary intention was to work out better methods and strategies to achieve the goals set up by Sweden's government and parliament (riksdag). The work was initially internally developmental within the division, with intention of improving the quality of development co-operation. Sida's staff turnover, their frequent moves between the field and home offices and colleagues' varied backgrounds mean that there is an ever-present need to increase competence and create an organisational memory for Sida. Virtually all members of the division for democratic governance (DESA) and many other Sida colleagues have thus participated in the methodological work during some phase of the project.

The project embraces four subsections:

- Political institutions;
- Swedish development co-operation in the legal sector
- Good governance;
- Participation in democratic governance.

The official instructions charge Sida with the assignment of reporting on the methodological work before April 30th, 2002. This was to be done in the form of a document that provides a *synthesis*, which can offer the basis for dialogue between the Swedish Foreign Ministry and Sida on the further direction of goals and reports of results of the work. Experiences and proposals should be shared with other donors and form a framework for discussions with external co-operating partners. The four project documents and the synthesis are available at Sida's division for democratic governance.

These project documents do not necessarily reflect the views of the Swedish International Development Co-operation Agency, Sida.

The Project

This paper presents the work of the project group for political institutions. According to the original project description, the aim of the project was firstly, to analyse transition processes with regard to the political process rather than the political institutions, and, secondly, to suggest methods for supporting political processes. Mainly for practical

reasons, however, the scope of the project has been limited. To analyse transitions to democracy has been a major task of political science during the last 15 years. The project team, therefore, concluded that doing its own analysis of this process would hardly lead to findings and conclusions that would add anything to the already existing knowledge. Instead, we decided to focus on three of the main institutions acting within what could be called the political process, namely political parties, elections and parliaments. The team intended to include elected assemblies at regional and local levels but due to time constraints these institutions had to be omitted. The Division for Democratic Governance, however, decided that local politics, being such an important dimension of democratic governance, should be included in a future methods development project coordinated by the Division. The members of the team also considered interviewing some key actors, such as members of parliament, but simply did not have the possibility to do so. Such interviews will be included in the overview of Sida-funded parliamentary support which is to be completed in 2002.

1.2 The focus of the study: parties, parliaments and elections

One of the six objectives of Swedish development co-operation, subordinate to the overarching objective of poverty alleviation, is to promote democratic development. In most of Sida's partner countries this objective has involved promoting transition from authoritarian to democratic rule (The Swedish Foreign Ministry, SKR 1997/98:76). This paper deals with how to promote such a transition by focusing on the central political institutions.

“Transition” has been defined in many ways in the social science literature on democracy and democratisation. The minimal definition of the concept, however, is that a transition is a shift from one form of political regime to another, or, a shift from one “set of political procedures that determine the distribution of power” to another more democratic set (Bratton & van de Valle, 1997). This simple definition is sufficient for the purpose of this paper.

A transition is normally a long and difficult process, which could be subdivided into a number of stages or phases: from the initial protests against an authoritarian government to the final consolidation and stabilisation of a democratic regime (in our society it took more than a century). The process can take many turns and often includes many steps back and forth. Sometimes it does not even end in democracy, but in some new form of authoritarian rule.

For the purpose of this paper, the transition process is subdivided into three separate stages: the transition from authoritarian rule to electoral democracy, from electoral to constitutional democracy and, lastly, from the constitutional form to consolidated democracy. The donor community is often criticised for putting too much emphasis on the first stage, tending to be satisfied with electoral democracies and, thus, to cut down on “democracy assistance” as soon as a government elected by the people has been installed. An electoral democracy, however, is characterised by almost non-existing popular participation and influence on policy and decision making between election days, by extreme concentration of power to the winning side, leading to a marginalised opposition, and by parliament becoming a type of rubber-stamp, with lack of respect for civil and political rights, etc. For a donor aiming at promotion of democracy, in the full sense of the word, it is therefore crucial to focus more of its efforts on the second and

third stages of the transition: the transition to a constitutional and societal democracy and the consolidation of that democracy.

A constitutional democracy is characterised by political and civil pluralism also between elections and a process of popular participation which consists of more than voting, by full political control of the democratically elected bodies (no power domains reserved for the military or other forces not accountable to the voters), by the government's full respect for civil and political rights and by what has been called horizontal accountability. The last characteristic means that the organs of power – the executive, legislative and judicial – are accountable to one another. In electoral democracies, the extreme concentration of power to the executive makes it unaccountable to both the legislature and the judiciary. It should be noted that the definition of constitutional democracy is an institutional or formal definition that says nothing about the content of the political decisions.

The third stage in the transition process – consolidation – has been defined by one of the most prominent scholars within this field of research, Larry Diamond:

Consolidation is the process by which democracy becomes so broadly and profoundly legitimate among its citizens that it is very unlikely to break down. It involves behavioral and institutional changes that normalise democratic politics and narrow its uncertainty. This normalisation requires the expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment and training, and other functions that civil society performs. But most of all, and most urgently, it requires political institutionalisation. (Diamond, 1994: 15.)

Thus, consolidation is about the societal, or cultural, as well as the institutional sides of democracy and the mutually reinforcing interaction of these two sides. As pointed out in Sida's Action Programme for peace, democracy and human rights, the development of strong and democratic political institutions and judicial systems can take place only in a political culture of "egalitarian co-existence expressed through relations of tolerance, willingness to compromise, respect for the difference between public and private life, and participatory opportunities in all institutions of the state and civil society" (Sida, *Justice and Peace*, 1997). At the same time, the emergence of a culture of democracy is strongly facilitated when the political institutions function according to the rules and norms of democracy.

This subdivision of the transition process into three broad stages facilitates the working out of a more precise strategy of democracy and human rights assistance. Firstly, it helps us identify the most common problems we meet today in our partner countries, which in most countries are the problems of transition from electoral to constitutional democracy and the problem of consolidation, rather than the problems of overcoming an outright authoritarian regime.

Secondly, it shows that to promote further democratisation in our partner countries we need to focus more on the issues of popular political participation and influence, democratic political culture, rule of law, civil control of the military, and horizontal accountability between the organs of power. The questions of popular participation, rule of law and, to a lesser extent, civil control of the military and political culture have all been dealt with in the other three parts of the DESA project.

This paper will focus on our effort at promoting horizontal accountability and, consequently, is mainly about how to support a transition from electoral to constitutional democracy. It will deal with the power relations between the executive and the legislative branches of government. (The legal sector has already been dealt with in another project paper.) More specifically, given the concentration of power to the executive in most, if not all, of our partner countries, the paper will discuss and analyse how to strengthen legislative bodies on a national level¹ It will focus also on the two institutions on which the legislative assemblies in a democratic society are built: a political party system and free and fair elections.

1.3 The aim of the paper

The aim of the paper is to contribute to the development of strategies and methods for the promotion of transition to democracy in our partner countries. It will focus on three fundamental institutions in a democratic political system: the elections, the political parties and the legislatures. As providing support to these three institutions inevitably involves interference in the internal political affairs of another country, this sub-area of democracy and human rights assistance is, to a larger extent than other areas, subject to what could be called political restrictions and regulations both in Sweden and in the partner country itself. Sida's room for manoeuvre, is thus, fairly limited. It means that several of the conclusions and recommendations in this paper are derived from policies and strategies already established by the Swedish government and Parliament.

1.4 Challenges for the promotion of constitutional democracy

To try to build a democracy on the institutions inherited from a former colonial power, from a fallen authoritarian regime or even some previous semi-democratic regime is often deemed to be doomed to become an unsuccessful attempt. Many empirical studies show that new democratic regimes often need a fairly radical change and development of their political institutions in order to survive. Przeworski et al, who have undertaken longitudinal multi-variate analyses of most countries of the world, find strong empirical evidence for the hypothesis that the type of institutions matters. They conclude that:

Parliamentary regimes last longer, much longer than presidential ones. ... Both systems are vulnerable to bad economic performance, but presidential democracies are less likely to survive even when the economy grows than are parliamentary systems when the economy declines. (Przeworski, et al., 1996, p. 47.)

The strong empirical evidence in favour of certain types of institutions (in the above case, parliamentarism) should be reason for some concern among international donors aiming at promotion of democracy. In the background paper of the four DESA projects, this issue is identified as one of the challenges for the promotion of democratic governance (Sida, 1999). The paper claims that in many of our partner countries that have gone through a shift from authoritarian or semiauthoritarian to formal democratic rule (electoral democracy), the powers of the presidential office are so extensive that its democratic content must be questioned. The legislature and the opposition parties have no real influence over executive power. Moreover, the executive can shape the electoral

¹ Due to time constraints legislative bodies on regional and local levels will not be discussed in this paper.

system and party system (through e.g. abolishing restrictions on the number of presidential re-elections and regulating party funding) to reproduce this power via parliamentary elections (since a massive ruling party majority in the legislature prevails in many new democracies). Domination and long periods of political rule by single parties will therefore most likely continue to shape the politics of these countries.

Given these political conditions, the relevant question for a donor trying to contribute to a development towards more democratic rule should be what it can do to promote a more balanced system of governance. And, to put it more straightforwardly in a Swedish context: Should Sida and Sweden work as advocates for parliamentarism, as opposed to presidentialism, and how can we support such a change in the political system?

A further case in point is that democratic systems of government have a degree of legitimacy, inclusiveness, flexibility and capacity for constant adaptation that enables deep-rooted conflicts to be managed peacefully. Moreover, by contributing to building norms of behaviour of negotiation, compromise, and co-operation amongst political actors, democracy itself may have a pacifying effect on the nature of political relations. It should be noted, however, that poorly designed democratic political institutions can also inflame community conflicts rather than ameliorate them. In deeply divided societies, a combination of majoritarian political institutions and elections may often make things worse, as may referendums. Pluralism, tolerance, inclusiveness, negotiation, and compromise are key to building lasting settlements to conflicts. Often, the institutional embodiment of these values requires institutions that emphasise features other than simple winner-take-all majority rule: features such as power sharing, autonomy, proportionality, forms of group recognition, and so on; features that, in our judgement, are less likely to appear in strict presidential systems.

The issue of parliamentary versus presidential forms of governance involves change and development of all the three institutions focused upon in this paper. It is argued here that the strengthening and development of the political parties, the legislatures and the system for free and fair elections could lead to a much more balanced system of governance without the system being changed formally from presidentialism to parliamentarism.

Furthermore, there are many ways to make political systems – both presidential and parliamentary – more inclusive at both the local and national levels. They include informal power-sharing, proportional representation, bicameral legislatures (where one chamber represents diverse groups), and various forms of regional autonomy, federalism, or confederacy (World Bank, *Can Africa Claim the 21st Century*, p. 23). Here it would, however, also be politically sensitive for a Swedish Government Agency to promote one system over others. What Sida could do, though, is to provide information on and experiences of different political systems and our perception of their pros and cons.

Thus, the answer to the questions above is that we should not necessarily work as an advocate for parliamentarism, proportional representation or any other institutional model of democracy. Instead, by improving our strategies and methods for development assistance to the key political institutions focused upon in this paper, we could contribute considerably to the solving of the above-mentioned balance-of-power and inclusion problems seen in so many of our partner countries.

The last challenge to be mentioned is of a more general nature. In his book on democracy assistance Thomas Carothers points out that such programmes tend to treat

the symptoms rather than the causes of democratic deficits. Carothers is Vice-President for Global Policy at the Carnegie Endowment for International Peace and has worked on democracy programmes in many parts of the world. Donors do not ask why the institution of democracy is in a lamentable state, whose interests its weakness serves, and whose interest would be threatened or bolstered by reforms.

The truth that politics involve harshly competing interests, bitter power struggles, and fundamentally conflicting values is downplayed until it asserts itself, unwanted, at some later stage. (Carothers, 1999, pp. 101–102.)

One of Carother's central purposes is to encourage democratisation promoters to move from the reproduction of institutional reforms to the nurturing of core political processes and values, such as representation, accountability, tolerance, and openness. Two other observers, Marina Ottaway, co-director of the Democracy and Rule of Law Project at the Carnegie Endowment for International Peace, and Theresa Chung, argue that the mainstream donor approach to democracy assistance have striking parallels with what happened in the realm of economic development. Donors approach democracy assistance "much in the same way they had initially approached economic assistance – as a heroic short-term effort to get countries through a sudden takeoff to democracy" (Ottaway and Chung, 1999, pp. 99–100).

This paper will not present any clear answer to whether the Swedish approach is the same as the one described by the above critics. It will be argued, however, in the same vein as Carothers, that our support to the political institutions should be aimed at the nurturing of core political processes and values, rather than at the reproduction of (our) institutional reforms.

1.5 The organisation of the paper

The background paper raises a number of questions linked to the above issue of type of democratic rule, for example:

- Should Sida/Sweden try to promote constitutional reform? If yes, how?
- Should Sida/Sweden work as an advocate for proportional representation in order to promote representation of small opposition parties in parliament?
- Should Sida/Sweden try to promote a more balanced system through support to opposition parties? If yes, how?

Other relevant questions within this context are:

- Should Sida/Sweden try to facilitate the election of women candidates?
- Should Sida/Sweden try to support legislatures capacity and political will of fulfilling their oversight function over the executive?

This paper will deal with these and other questions and challenges relating to the fundamental problem of concentration of power in our partner countries. As mentioned above, however, the conclusions will be drawn and the recommendations will be given within the frames of Swedish foreign policy set by the Riksdag (Swedish parliament) and the Government for this particular sub-sector of democracy and human rights assistance

The first institution to be discussed is political parties. To support political parties, or rather party systems, is one of the most politically sensitive and difficult tasks for a donor aiming at promotion of democratisation and, therefore, is often avoided by international donor agencies and organisations. To avoid supporting the development of viable party systems is, however, to avoid supporting one of the pillars of democracy. Without a well functioning and stable party system, the other two institutions to be highlighted here – legislatures and elections – will hardly function in accordance with the democratic principles of contest, participation and free and fair elections.

Elections will be dealt with in Chapter 3. The situation in this area of development assistance is in stark contrast to that of political parties. Huge sums of donor money, in a large number of countries, have been spent on electoral assistance during the 1990s. Thus, in contrast to political party support, one of the problems within this field is that the donors, including to some extent Sweden, tend to overdo it.

Chapter 4 will discuss how to support the strengthening of legislatures. This area is similar to political party support in that donors struggle with the problem of political sensitivity and, therefore, often neglect the area altogether or focus on what is considered to be politically neutral support to the technical administration of parliaments.

In the last chapter, the conclusions of the previous chapters are summarised and a preliminary Sida strategy for the promotion of constitutional democracy, through the strengthening of political party systems and parliaments and by supporting the conduct of free and fair elections, is outlined.

2 Support to political parties

2.1 Introduction

The so-called third wave of democracy² involved changes to international development co-operation, in which support to political institutions and processes was emphasised to a greater extent than previously. During the early part of the 1990s, the focus was thus on support to elections and to civil society, but later political parties also came to be regarded as important partners in co-operation. As has been pointed out above, without functioning political parties, both support to elections and support to parliaments are relatively meaningless.

It is also worth noting that this interest in political parties emerged in development co-operation at the same time as an increasing number of academic studies began to focus on the role of political parties in new democracies. This interest coincided with the debate on a “parties’ crisis”³ in those parts of the world with the longest experience of

² This expression was coined by Huntington in a book of the same name, and relates to the chain of victories for democracies all over the world, from the carnation revolution in Portugal in 1974 and subsequently. (Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, University of Oklahoma Press, 1991.)

³ Books that deal with this are among others Scott Mainwaring and Timothy R. Scully, *Building Democratic Institutions: Party Systems in Latin America*, Stanford University Press, 1995 and Pippa Norris, *Critical Citizens*, Oxford University Press, 1999.

these institutions (Western Europe, Latin and North America). This debate dealt with issues like reduced confidence in parties, increased voter mobility and similar questions, and with the increasing significance of other actors (presidents, technical experts, amongst others) at the cost of the parties. A crisis of political parties also represents a crisis of democracy and it is in the light of this that support to political parties must be understood. The importance of functional political parties in maintaining and deepening democracy is difficult to underestimate.

What are thus the important functions that political parties fulfil in a democracy? The first and most obvious task is naturally to present programmes and candidates for public office through general elections. Political parties also have a number of other tasks, above all concerned with serving as links between the population and elected assemblies in other contexts. Thus we expect that they should be able to integrate and socialise citizens into political life and that they can function as channels for organised interests and social movements in the political sphere.

There is, however, an important difference between functioning parties and a functioning party system or the existence of parties. By the latter we mean the sum of all the parties in a country, their internal relationships and also their general relations to the citizens and the political system. A party system that functions well is characterised by a low degree of polarisation, the absence of marked extremes or anti-system parties, a low degree of fragmentation both within and between parties and representativity for the groups the parties claim to represent.

Even if a country has individual parties that function along the lines of what has been said above, the party system itself may be dysfunctional and characterised by a high degree of fragmentation (many small parties) and polarisation (deep rifts between the parties). Such a system may lead to political problems of various kinds, from the risk of certain parties beginning to use undemocratic means to make government formation more difficult, to the formation of political coalitions. Similarly, in many new democracies in both the East and the South, it appears that in systems characterised by small parties which have problems in co-operating with each other, the parliament tends to lose power to other organs in the state apparatus – above all to the office of the president.

In many of our partner countries, particularly in Africa, the major problem is, however, not fragmentation but concentration⁴. Here the party system is characterised by one political party that has a very large majority in parliament and by the opposition being weak and splintered. Such systems are called “dominant party systems”. The problem with such party systems, from a democracy perspective, is that they contribute to the concentration of power to the executive, which can already be found in most of the developing countries in which we are active, and as a result, the opposition so vital to democracy is marginalised.

One reason for the growth of these systems is often said to be the occurrence of majority representation in single-member constituencies. Normally this favours the large parties, parties with a strong regional base, and male rather than female candidates. The fact is, however, that in Africa the link between dominant systems and majority representation

⁴ Democratization, Winter 2000, Vol. 7. No. 3, M. Bogaards. *Crafting Competitive Party Systems: Electoral Laws and the Opposition in Africa*.

does not appear to be particularly strong. Countries like South Africa and Namibia, which have proportional electoral systems, are just as dominated by one political party as Zambia, and have an even greater degree of domination than Zimbabwe, both of which have majority representation. On the other hand, both Malawi and Botswana, which have majority representation, like Moçambique – which has proportional representation – have party systems that are not characterised by a dominant party.

In Africa this relationship indicates that the crucial factor for the emergence of strong opposition parties is hardly the choice between majority representation and a proportional electoral system. The gap between the party in power and the opposition in most of our partner countries is so large that proportional representation would not entail any substantial shift. The answer to the question posed in the introduction to this report about whether Sweden should promote the system of proportional representation is thus: “Not necessarily,” if the object is to strengthen the opposition. As noted in the discussion in the introductory chapter, other forms of support to restructuring and reinforcing the party system may be more effective. One reason for supporting the development of a proportional system is, however, to promote women’s political representation (see Chap 3)⁵.

In this chapter, support to the strengthening of the capacity of political parties is the main topic of discussion. In development co-operation, this is where opportunities to contribute to change have hitherto mainly been seen. It must, however, be emphasised that the most effective measures to change the party system probably lie beyond the parties themselves. What is probably required is radical change to the regulations and laws governing how seats in political assemblies are distributed – what in English is called “electoral engineering” or “electoral crafting”⁶. Such changes to restrict the domination of the large parties and guarantee the opposition more places in parliament and local assemblies may occur within the framework of both the system of majority representation and the proportional system. Effective support to changing the party system ought thus to tie support to political parties with inputs that are more concerned with support to elections and to parliament. Once again this shows how the various sections in this report are intimately linked.

2.2 International experiences

Support to the strengthening of political parties and party systems is thus a relatively new phenomenon within Swedish development co-operation. There are, however, previous experiences within this area in other donor countries. Interesting comparisons can be made with the arrangements that exist in Germany, USA, The United Kingdom and the Netherlands.⁷

The German and American systems are relatively similar to the Swedish system in that contributions are made by a national public authority to organisations close to political parties, the various *Stiftungen* (foundations) in Germany and the NDI (National Democratic Institute for International Affairs) and IRI (International Republican Institute) in the USA. Common to the German foundations and the American institutes

⁵ See e.g. Norris P. & Inglehart R. *Cultural Obstacles to Equal Representation*, Journal of Democracy, Vol 12, No 3, 2001.

⁶ Boogards, p. 177.

⁷ Similar organisations also exist in France amongst other cases.

is that they work within a broad field where support to political parties is only a part. The IRI works with the development of political parties and parliament and focuses its activities on educational issues at grassroots level. The NDI has a more diversified portfolio, with different forms of support to party work, support to civil society, legislation, elections and support to local self-government. Both the German foundations and the IRI and NDI work parallel to several parties in one country. Decisions on who should be given support is based on political assessments.

After several years of discussions based on experiences of support to parties in South Africa, the political parties in the Netherlands recently created a fund for support to parties in a wider circle of countries, the Netherlands Institute for Multiparty Democracy (IMD). IMD consists of representatives from all the established political parties in the Netherlands. They set up joint goals for the work and together decide on which countries and political parties to support. The aim is to support democratic development in younger democracies through contributing to creating a functional, sustainable, pluralistic system for party policies. The IMD underlines that, to guarantee ownership by the recipient, demand steers the work, i.e. political parties in partner countries approach the IMD with proposals for different projects. The IMD works closely with the International Institute for Democracy and Electoral Assistance (International IDEA) in Stockholm, NDI, the German institutes and the British Westminster Foundation, but have not yet had any close contact with the Swedish party-affiliated organisations (PAOs).

The three dominant British parties (Labour, Conservatives and Liberal Democrats) receive means for development co-operation from the Westminster Foundation for Democracy, allocated in proportion to the number of mandates in parliament. The fund is a politically independent institution financed by development co-operation resources from the foreign ministry and the Commonwealth Office, with the aim of making direct and limited democratic contributions in mainly Central and Eastern Europe and in Commonwealth countries. The work of supporting political parties through the British parties, as in Sweden, occurs mainly in Central and Eastern Europe. The contents also largely resemble the Swedish work.

Taken together, Germany, USA, the Netherlands and the United Kingdom have four different ways of administrating support to parties and party systems in other countries. The German system is closest to the Swedish, even if co-operation with sister parties does not predominate. The American organisations do not work specifically with parties that are ideologically close and in the United Kingdom the work is done through an independent institution.

Figure 1: Different models for party support

		Donor	
		Party	Central
Recipient	Individual party/ sister party	Sweden, Germany	(Unofficial support)
	All parties	USA (NDI, IRI) Netherlands (IMD)	Westminster Foundation

An important difference between these systems and the Swedish one is related to the size of development co-operation, as has been mentioned above. Unlike the Swedish party-affiliated organisations, their colleagues from Germany, USA, and to some extent from the United Kingdom, may have offices in most of the recipient countries, as well as be involved in longer projects. This permanent presence significantly increases their detailed knowledge of the local context and the, often changing, political developments. Dependence on their co-operating partners for information about the situation is thus reduced. This is not yet possible with the limited resources available to the Swedish form of support.

2.3 Experiences from Swedish support

Since 1995 Swedish party-affiliated organisations have transferred development co-operation funds from Sida to sister parties in developing countries and in Eastern and Central Europe (hitherto a total of 55 million SEK to about 500 inputs). Up to 2001 this form of Swedish development co-operation was been run as a kind of pilot project, in November, 2002, the Government of Sweden decided to make it permanent.

This form of support was preceded by an investigation, which pointed to the significance of supporting the party systems that emerged after the many attempts at democratisation during the 1980s and early 1990s, as part of building up stable and vital democracies⁸. The guidelines for support during the first years followed the same approach and gave as the goal of the work quite simply to “*assist in the building up of stable democratic societies in developing countries and countries in Central and Eastern Europe*”. In a subsequent governmental decision this was clarified as to “*assist in the development of functional and pluralistic party systems and democratic societies in developing countries and countries in Central and Eastern Europe*”, at the same time as an emphasis on women’s participation was introduced. Formulation of the objectives were once again altered somewhat in the new guidelines of November 2001. In these guidelines the goal is given as:

Through the inputs of Swedish party-affiliated organisations to assist in the development of a well-functioning party structure in developing countries and countries in Central and Eastern Europe, with the goal of fostering representative democratic governance in these countries.

The means are distributed between the various party-affiliated organisations according to the number of mandates each party has in Sweden’s parliament. Sida is responsible for disbursement and administration of the funds and to some extent for following up the work. Sida has limited influence over its contents and direction.

Few opportunities exist for Sida to support the development of political party systems and political parties over and above the special support channelled through Swedish parliamentary parties. In some countries, however, it has been possible to give various forms of indirect support to political parties. One example is support to European Parliamentarians for Africa (AWEPA) in connection with municipal elections in Moçambique in 1998. AWEPA was given funds by Sida to organise seminars and train local politicians to support them in the preparations for local elections. Another example

⁸ Ds 1994:63; *Demokrati kräva dessa partier*, (Democracy requires these parties) a report from Utredningen om utvidgade insatser för demokratisk uppbyggnad (Official investigation into expanded contributions for building democracy), Foreign Ministry.

is the introduction of a special fund prior to the presidential and parliamentary elections in Moçambique in 1999 to support political parties. Several donors, among them Sweden, contributed to this within the framework of their support to elections. The aim of the fund was to give the political parties the economic possibility to pass on their message to the voters.

In Tanzania, Sida has given support to the Parliamentary Political Parties Committee (PPPC) which is a joint initiative that includes five political parties in parliament in Tanzania. Support to PPPC began in 1995 and continued support is planned in the new country strategy. In the first place, PPPC has directed itself towards reducing points of conflict between the representatives of the political parties in parliament, educating politicians at grassroots level as well as educating people about their human rights in a democracy. Another example is Sida's support to a fund set up by the Ethiopian elections commission prior to the elections in 2000. The fund gave support to the political parties with the aim of enabling them to conduct an effective election campaign. This financial support via the elections commission improved the conditions for a broad participation in elections, something which above all favoured the opposition.

2.3.1 Evaluation of support through party-affiliated organisations

The only systematic survey of experiences and results of Swedish support to political parties in other countries is an evaluation of the support tied to parliamentary mandates undertaken in 2000 at Sida's request by the department of Political Science at Uppsala University.⁹ The evaluation consists of an overview and analysis of management and inputs, and recommendations that focus on the overall goals of the support.

The study draws the conclusion that the contributions functioned well on the whole, and that the goals for each project were generally achieved. A certain doubt was, however, expressed as to whether the support given through Swedish party-affiliated organisations fulfils the overall goals for support: to assist the development of stable and pluralistic party systems. The evaluation draws this conclusion based on a distinction between support to individual parties and support to party systems and democracy as a whole. In the way that the support has functioned, it has been successful in the first-mentioned respect, but it is more difficult to see the effects on the latter objective. The fact that support in general is in processes controlled by the actors probably makes it more suitable for the recipient sister party. At the same time it is probable that the strong sister party relationship reduces the effectiveness of the support beyond the recipient party itself, since it leads to tying up support in processes that may be relatively free-standing from needs assessments and analyses of the needs of the party system and of democracy.

The evaluation further shows that the geographic distribution of the support appears to be debatable. From 1995 to 1998, 70 per cent of the funding of this form of support was taken from the development allocation and 30 per cent from the allocation to Eastern Europe, and subsequently funding came in equal portions from both sources of finance. This does not, however, correspond with the use of the support. Up to sixty per cent of the support has gone to Eastern and Central Europe and only 35 per cent has gone to countries that fall under the development allocation (even if there is a tendency to

⁹ F. Uggla, L. Bennich-Björkman, A. Hadenius, F. Nornvall, A. Timra, M. Öhman. *Rapport från utvärdering av stödet till de partiknutna organisationerna* (Report from the evaluation of support to organisations associated with political parties, (Report to Sida), Uppsala University, 2000.

increase the latter post). A similar problem exists in the division between free and “non-free” states. As much as 55 per cent of the support goes to states that should be regarded as established democracies. This is problematic according to the evaluators and ought to lead to questions of whether the support goes to the states that are most in need of it. Likewise, half the support has gone to states that are candidates for EU membership.

The evaluation also shows that political parties are by far the most important recipients of support. In recent years, however, there has been an increase in contributions to women’s and particularly to youth organisations and also to independent organisations. It is notable that a large proportion of funds goes to small parties – as much as 45 per cent of support has been given to parties with less than ten per cent of voter support.

Finally it is noted that today support is largely given to building up organisations and capacity centrally, but seldom facilitates the recipient parties’ contacts with the citizens. It recommends strongly that more of the contributions should be directed at moving parties closer to the citizens and to the organisations of civil society, as well as eventually to extending support to the regional and local levels.

2.3.2 New guidelines for support through the organisations linked to parties

As a result of the evaluation and discussions between the Swedish Foreign Ministry, Sida and the Swedish party-affiliated organisations, proposals for new guidelines for this form of support were worked out during 2001. The Government decision on support through party-affiliated organisations and the revised guidelines was taken in November, 2001).

The most important changes compared to previous practice is that the form of support is now permanent, after having been run as pilot projects for five years, that the direction of the support to development of a functional *party system* is reinforced, that support is restricted to parties and to party-affiliated organisations (like parties’ youth and women’s leagues) and that greater efforts will be made to achieve a better balance with regard to the geographic distribution of the support between Central and Eastern Europe, and developing countries in the South. With regard to the latter, however, there will still not be control or “sanctions instruments” to guarantee that more support goes to party systems in developing countries and “non-free” states in the future.

The direction of contributions to clearly strengthen the party system rather than individual parties is amongst other things reinforced by stricter stipulations in the formulation of goals and by allocating particular monies for joint projects. To gain access to these funds, both the donor and the recipient are required to work together with another organisation in their own country, which means that two or more Swedish party-affiliated must together apply for funding and that the project is directed at support to two or more parties in the partner country. This is in line with conclusions drawn in both the evaluation and in a handbook being published by International IDEA on the financing of political parties¹⁰. In the latter, one of the authors, van Gennip, underlines the significance of joint projects, both in the donor country and in the recipient country to show the importance of co-operation and consensus in a democracy. In Sweden such co-operation is already being discussed between organisations associated with parties and the Embassy of Sweden in Guatemala City, and should be relevant to Guatemala and/or El Salvador.

¹⁰ Van Gennip: *The External Funding of Political Parties*, in International IDEA Handbook on Funding of Parties and Election Campaigns, Stockholm, 2001.

The guidelines say that Sida's role will continue to be mainly administrative. They require Sida, as previously, not to make any assessment of suitability in the contents of the co-operation, but simply to review the formal qualities of the documents submitted (clear formulation of goals, plans for reporting to Sida etc.). A further task for Sida is to promote an exchange of experience and knowledge between this form and other support to democracy.

2.4 Preliminary conclusions for future support

Development co-operation for support to political party systems and political parties is a difficult and politically sensitive form of development co-operation irrespective of whether it is run by state or non-state actors. As an example, it can be mentioned that support from foreign foundations (among them German and Dutch) became controversial in the political debate leading up to the last presidential elections in Mexico and was used to insinuate that candidates were bought by foreigners. The Swedish method of channelling support through Swedish party-affiliated organisations should thus in the first place not be seen as a model to reduce the risk of political or diplomatic controversies, but as a model to attain the highest possible quality in this form of development co-operation.

It is clearly politically sensitive whether the donor runs the risk of disturbing the internal balance of power that arises between political parties through democratic general elections. Support to political parties can be seen as one way of correcting injustices and creating similar conditions for all people to participate in the political process. It thus involves striking a balance between the risk of disturbing the balance of power in a certain country and the possibility of promoting durable democratic multi-party systems.

Sida's part is concerned with trying to contribute to raising the quality of the support tied to Swedish mandates through the party-affiliated organisations and to develop politically uncontroversial forms of support within the framework of regular development co-operation. It is also concerned with finding synergetic effects with the other sectors in this report –electoral support and support to parliaments – by promoting development of a democratic party system.

The new guidelines for support tied to mandates through party-affiliated organisations lays a better foundation for a higher quality within this form of support. Two basic problems, however, remain in this form of development co-operation: independent review of quality and integration with other support to democracy. The latter problem can be alleviated if Sida or the Embassies of Sweden adopt or are given a more active role in relation to the party-affiliated organisations. In this way it may be possible to forge links between contributions in the framework of support tied to mandates and coordinate it with other support to democracy (for example parliamentary and electoral support) and thereby make it more relevant and effective. Here DESA has an important role to play.

The former problem is more difficult to resolve, given the revised guidelines. The idea is that a reference group consisting of the Swedish parliamentary parties, the party-affiliated organisations, Sida and the Ministry for Foreign Affairs under the leadership of the Under-secretary of State for development cooperation would be able to conduct quality assurance. It may, however, be assumed that a party will find difficulties in criticising the contents of its own party-affiliated organisation or another party's

programmes for support to sister parties in other countries. The current reference group also raises some concerns as regards division of roles, mandates and responsibilities between parliament, government and an independent government agency such as Sida. Critical evaluation of content in assistance projects is one of Sida's tasks in all other development co-operation contexts and ought to be possible even in this form. The requirements for Sida to be able to do "normal" preparation of these contributions as well ought, therefore, to be further discussed between the authorities and organisations involved.

Thus, within the framework of the current guidelines for the support tied to Swedish parliamentary mandates, the challenge for Sida/DESA is to strive to further develop this form of party assistance and to take this opportunity to find forms for promoting stable, pluralistic and participatory party systems beyond the framework of support tied to mandates. To meet this challenge, therefore, Sida should:

- Finalise the work on instructions (i.e. operationalize the guidelines of the Government) as requested by the Government no later than October, 30, 2002;
- Maintain close contacts with PAOs, benefit from their expertise and include them in Sida's contact network with individual organisations, and also hold joint seminars, workshops etc.;
- Continue to hold regular meetings with the Swedish organisations associated with political parties (PAO) where PAO's plans are set in the context of broader support to democracy and the contents of PAO's plans can be ventilated;

3 Electoral Assistance

3.1 Introduction

In line with the policy of most other donors, Sweden considers elections to be a fundamental prerequisite of democracy. Without free and fair elections, the will of the people cannot be expressed and the human right to take part in the government, directly or through freely chosen representatives, cannot be achieved. The Swedish view is that elections do not, however, equate to democracy and form only one of many important steps in a democratisation process. Electoral assistance is, nevertheless, a key area of support in the Swedish development co-operation aiming at promotion of democracy and human rights (The Swedish Foreign Ministry, SKR 1997/98:76, p. 125).

Electoral assistance refers to a large set of development co-operation programmes financed and often implemented by foreign donors for governmental institutions and civil society organisations (including political parties) involved in planning and conducting the elections. It may include support to a wide range of activities, from the drafting of electoral legislation to the counting of votes. Electoral assistance should not be confused with election observation and monitoring, the latter being only one of many electoral assistance activities.

For the sake of clarity, the arguments for electoral assistance should be repeated here. One obvious argument is that the holding of relatively free and fair elections is the

component that distinguishes authoritarian from electoral democracies. It is in this context that support to what has been called the first generation of elections should be seen. In relation to the introductory discussion in Chapter 1, however, it must be underlined that most of our partner countries face the challenge of transition from electoral to constitutional democracy. One criterion of constitutional democracy is what can be called high-quality elections (see Diamond, 1996, Elklit, 1999). It means that support for the improvement of the quality of elections, not only the holding of elections *per se*, should be regarded an essential part of donor programmes for the promotion of democratisation. One prominent analyst, J rgen Elklit, makes a strong argument for such a strategy:

Qualitatively acceptable elections and the framework for such elections are only some of the many preconditions which must be in place before we can be truly optimistic about future democracy in the third world. But that is just one more reason for engaging in the process of developing and refining the electoral process and the understanding of what is needed in order to have ‘free and fair’ elections as an element in progressing towards a consolidated democracy. (Elklit, 1999, p. 32)

3.2 The international debate on electoral assistance

It should be stressed from the outset that election assistance has played a significant – and sometimes even a crucial – role in the democratisation processes of many countries. The most conspicuous cases are the post-conflict elections in Cambodia (1993), Haiti (1995/1997), Mo ambique (1994) and Bosnia (1996/97), which would not have materialised without international assistance, and the elections in for example El Salvador (1994), Nicaragua (1990) and South Africa (1994) which would have been much less credible without foreign support (see Kumar, 1998, for a discussion of some of these elections).

In these, and many other cases, without doubt, international assistance has helped to prevent gross irregularities and widespread fraud, and has strengthened the legitimacy of democratic groups. Nevertheless, the issue of electoral assistance has more and more come into focus in the international debate on development co-operation. This debate is partly a result of disappointment at the rather dismal political developments in many “new democracies” both in the East and the South. Partly it is a result of a closer reading of the reports and evaluations on electoral assistance which began to reach the offices of the donor agencies in the mid-1990s. Cases that warrant mentioning include Algeria in 1991–1992 and Burundi in 1993, where inappropriate electoral systems produced a winner-take-all outcome which encouraged the “loser” to turn to violence rather than accept the outcome. The failures were not ones of the elections *per se*, but rather of the lack of forethought that went into them.

In the debate, donors have often been criticised for not taking the complexities of a transition process into account and not engaging in serious discussions of the quality of elections they have been supporting and observing. The mere holding of elections seems to have satisfied the donors, the critique goes (Elklit, 1999). Obviously, however, the donors have not been unaffected by this criticism and many lessons have been learned.

One of the most – perhaps the most – important lessons learnt from more than ten years of massive election assistance is that the donors should not put too much hope in elections. In spite of large sums of donor money spent, there are numbers of cases of

elections that have neither led to further democratisation, nor anything more than the emergence of electoral democracies. The lesson is simple: if governments and other main political actors show no commitment to holding or taking part in free and fair elections, but, instead, seem determined to stay in or take power regardless of election results, no donor money should be spent (at least not on the official process) and no observers sent, provided the aim is to support a democratisation process. Often in these cases, there may be other more strategic projects, organisations, institutions, processes and actors to support.

A problem for the donor, of course, is to make reliable assessments of the political will of the government before voting day. According to Elklit, however, this should not be seen as an impossible task. The main test, according to him, is whether the government shows willingness to respect civil and political rights in general, and whether it is willing to engage in legislation and regulation concerning the overall institutional set-up for the elections, such as the electoral law, the seat allocation system, and a truly independent and impartial electoral commission (Elklit, 1999, p. 35).

A closely related phenomenon is the need for analysis of the institutional set-up. To what extent does electoral laws and other institutional features perpetuate existing power structures? It should be noted that the choice of electoral system could make a big difference regarding i.a. women participation: proportional systems tend to raise the opportunities for women candidates to be elected while majoritarian systems and single-member districts tend to do the opposite. Analyses of political culture may also be helpful. In some countries there is a lingering tradition of deferring to “strong men” which tend to dampen efforts to demand greater accountability from elected leaders. It would also appear useful to cover features such as “carrots and sticks”, i.e. why people decide to stand for elections and why they decide to step down/retire or stay in office. Do attractive post-office alternatives exist at all which promote presidents to step down in dignity? Or are they likely to cling to their office by overruling constitutional rules that limit the number of presidential mandates?

Another important lesson is that electoral assistance tends to raise the cost of elections and thus undermines the recipient countries’ prospects for conducting self-financed elections in the future. In a critical article Ottaway and Chung (1999) warn that the high levels of international electoral assistance contribute to “a culture of high spending, with countries seeking to outdo each other and themselves”. This problem is illustrated in a UNDP study on electoral bodies. According to the study, the cost per voter in the Swedish elections in 1994 was USD 1.2 compared to, for example, 7.5 USD in Nicaragua in 1996, 10.2 USD in Mozambique in 1994 and 11.0 USD in South Africa in 1994 (Lopez-Pintor, 1999). Furthermore, the critics warn that donor funding goes with the furnishing of expensive imported products that could be produced cheaper domestically and for creating enormous expectations and unrealistic models (Ottaway and Chung, 1999; Pottie and Lodge, 2000).

A third lesson learnt, by for example the European Commission, is that elections have been seen as a one-day event (see EU commission report, 2001, p. 6, and Council Conclusions on Election assistance and observation adopted by the Development Council on 31 May 2001) and, consequently, that election assistance has been too short-term and focused too much on conducting the up-coming elections, in spite of the fact that most fraud occurs far ahead of election day. The institutions that are built up with massive help

from foreign donors (voters' rolls, electoral commissions, computerised counting systems etc.) tend to "disappear with the donors' last check" (Ottaway and Chung).

One often mentioned example is the voter registries that were developed from scratch in Mozambique in 1994, but were never improved and updated for the local and national elections in 1998–1999. The whole exercise had to be undertaken again, for the second time in four years, and again financed by donor money (including Swedish). Another example of short-sightedness is the abandonment after the elections of the often massively supported election workers. A case in point is Cambodia where 50,000 people were trained by the UN as election officials in 1993 but very little was done afterwards to maintain their competence and capacity for future elections.

This serious problem of sustainability makes some critics call for a paradigmatic shift in international electoral assistance, from top-down and supply-driven to bottom-up and demand-led approaches. Many political problems in emerging democracies, for example the often deep-seated problem of political mistrust, should not be met by transparent ballot boxes, they argue, but by promoting dialogue between political parties, civil society and government etc. (Ottaway & Chung).

Other analysts argue that more comprehensive and long-term support to the electoral administration rather than a shift of paradigm is the solution to the problem of sustainable management of elections. The former Director of the Carter Center's democracy programme, Robert Pastor, for example, stresses that "(a) new focus on the administrative side of elections could prove of lasting importance to the enterprise of democratisation" (Pastor, 1999, p. 19). In particular, he points to the importance of independent electoral commissions and improvement of the quality of voter registration, illustrated by the fact that out of 23 failed transitional elections in the developing world between 1985–94 only three had independent commissions.

A fourth lesson is that the donors tend to forget or to neglect local and regional elections. This is particularly problematic when seen from a popular participation perspective. EU points to the particular importance of local elections in countries where traditional power structures conflict with modern concepts of democracy.

These problems of election assistance are discussed by recipient countries as well. Interestingly, as a result of the lessons learnt, some recipients have begun to consider other ways of strengthening their capacity than by receiving support from the Western donors.

A joint SADC/EU Conference in Gaborone, for example, concludes that:

(The elections) must ... be designed in such a way that they reflect realistically the economic, social and political dynamics of each of the SADC countries. Where one (SADC) country has strength, skill and capacity – these should be shared with those who do not. This is one way to ensure the regular conduct of cost effective elections in the SADC region. (SADC/EU, 1999)

The establishment of the SADC Forum for Electoral Commissions should be viewed in this context. Other regional and sub-regional bodies set up for this purpose are the Association of Asian Election Authorities, the Association of African Election Authorities and the Association of Central and Eastern European Election Officials.

3.3 Election observation and monitoring

The most studied and debated area of electoral support is international election observation and monitoring. The most serious problems of these activities are summarised by Carothers (1999). One is the donors' concentration on voting day, which opens up for wrongdoings by the actors – government as well as opposition – both before and after the elections. Another problem is that some observer groups are not impartial but, instead, may have political motives for observation.

A third problem is that of the “free and fair” standard. Several manuals and guidelines have been produced for election observers to use when assessing the validity of the elections observed (International IDEA, IPU, EU, etc.). With the help of these manuals most observer groups come to the conclusion that the election falls in a grey area and is extremely difficult to label either free and fair or neither. A problem emerges, however, when the observer mission is pressed into giving a concluding statement on the validity. The result is often that elections that have many serious flaws are declared free and fair and, thus, that the international donors give legitimacy to a government that might be questionable.

There is also a tendency for the international donors to overdo election observation. South Africa in 1994, Nicaragua, Bosnia and Russia in 1996 are cases in point. During these elections, foreign observers have crowded into these countries, causing duplication of work and, to use the words of Carothers, creating a “zoo-like atmosphere” that risked hurting not only the quality of the election observation as such, but international development aid in general.

3.4 What has Sweden done to promote free and fair elections?

The number of projects and the amount of money allocated to this type of assistance increased considerably during the 1990s. A review of Swedish election assistance for the budget years 1995/96 and 1997 showed that 70 projects in 37 countries were supported during this two and a half year period. The total amount of money spent was SEK 130 million. During 1998–99 an additional SEK 65 million was spent and the number of countries in which Sweden had been involved increased from around 35 to more than 40.

The size of the interventions varies considerably, from small *ad hoc* financial contributions to Election Authorities, to more elaborate programmes in countries such as South Africa and Bosnia-Herzegovina. The largest Swedish contributions during 1998–1999 were to Moçambique and South Africa, SEK 12 million; Indonesia, SEK 9 million; Guinea-Bissau, SEK 8 million; and Cambodia, SEK 6 million.

The review of 1995/96–1997 shows that most projects funded by Sweden could be classified as financial or technical support to the administration and implementation of elections (54 per cent of funds). 28 per cent of the funds went to election monitoring and observation and 15 per cent to voter education and election information. The co-operating partners in the implementation of the projects were in most cases electoral commissions and government authorities, whereas NGOs were the main partners in voter education and information projects. Several of the Swedish contributions were parts of a co-ordinated international programme for election support, most often led by UN or OSCE (Organisation for Security and Cooperation in Europe).

The 1995/96–97 review drew a number of conclusions regarding the problems and weaknesses of Swedish electoral assistance, the most important of which were:

- 1) The projects supported were often based on superficial analyses of the conditions for free and fair elections, and sometimes even lacked analyses altogether. One reason for this seems to be that the interventions were often determined by fairly short-term foreign policy objectives rather than more long-term development co-operation strategies.
- 2) The time perspective of the Swedish contributions was too limited. The large majority of the projects aimed at no more than the materialisation of the up-coming elections. Only a small number of the projects supported by Sweden had as their aim the building of sustainable capacity to administer and implement general elections.
- 3) Closely linked to the above conclusions: the objectives of most projects were vague, the typical one being “to support the elections in country x”. In most project documents there was no breakdown of the overall objective into more specific project goals, outputs or activities. This made the follow-up of the projects extremely difficult.
- 4) There was a lack of gender perspective in most projects, although it is well-known that women tend to be discriminated against in elections in many developing countries (in legislation as well as the practical exercise of the right to vote). Moreover, the technical expertise used by Sweden was mainly male expertise.
- 5) There was almost no (documented) discussion of the problem of national responsibility for elections, although it is well known that donor led and financed elections risk diminishing the legitimacy of the elected government, particularly for domestic opposition groups. There also seemed to be no discussion about the risk of donor funding tending to raise the cost of elections and, thus, leading to a “culture of high spending” (Ottaway and Chung, p. 104) that, in turn, might undermine the sustainability of the whole electoral process in poor countries.
- 6) Most election monitoring and observation projects were international and only a few projects aimed at the building of domestic capacity to monitor and observe elections. This was the case although it has been stressed time and again in the international debate that national monitoring has a much stronger and more sustainable impact on the electoral process than the international missions.

The electoral assistance projects conducted during 1998–2000 give no reason to talk about any dramatic changes in Swedish policy. Some action has been taken, however, to come to grips with the problem of short-sightedness. In South Africa, for example, in order to help in building long-term election administration capacity in the Northern Cape, two Swedish election experts took part in the provincial government’s preparations and administration of the elections of 1999. Another even more important example of a more long-term perspective on electoral assistance is the Swedish initiative in Zambia to co-ordinate the efforts of the donors and develop a long-term strategy for election support, ranging from the early pre-election to the post-election period (elections were held in late December, 2001).

It should be noted in this context that there have been some important changes in EU’s practices regarding the preparation of election observation missions and electoral assistance in general (see EU Commission, 2001, and Council Conclusions on Election assistance and

observation adopted by the Development Council on 31 May 2001). This has coincided with the Swedish EU Presidency and, therefore, has had an immediate impact on Swedish practices as well. Three cases in point are the projects in Zimbabwe, Peru and Bangladesh, all of which have been thoroughly prepared by exploratory missions with Swedish participation, and two of which have been led by Swedish Heads of Missions (Zimbabwe and Peru). The more in-depth analyses of the preconditions for these elections and the more well-prepared missions show that EU is changing its policies and practices in accordance with the recommendations from international critics and expertise.

3.5 A strategy for electoral assistance

As pointed out in Chapter 1, a Sida strategy in this field of development co-operation must be carefully coordinated with, and accommodated to, Government and EU policies and strategies. Therefore, the preliminary strategy proposed here is carefully matched against ongoing policy processes within EU and the Ministry for Foreign Affairs. The proposed strategy has taken into consideration the work done by Sida's International Recruitment and Training Division (RIU) which has been commissioned by the EU Commission to work out a manual and a training programme for election observation and monitoring. Our Project has also consulted the Ministry for Foreign Affairs which has produced a draft document on Swedish policy for election monitoring and observation. Furthermore, the Council of the European Union has adopted Council Conclusions on Election assistance and observation (Development Council, 31 May 2001). These three documents together with the overview of the lessons learnt, lay the basis for the preliminary strategy for election assistance presented below. The Government has also asked Sida to work out a position paper on election monitoring and observation during 2002.

3.5.1 Recommendations

One of the most important conclusion from the discussion in this paper is that Sida's decisions on electoral assistance need to be based on in-depth studies of the prerequisites for free and fair elections and the expected impact of elections on further democratisation. Moreover, the analyses should address fundamental problems of election support, such as the problem of sustainability, the host government's responsibility for holding elections and the risk for donor dependence. There is a large number of international institutes and organisations which Sida could consult to a far greater extent: from international institutes such as International IDEA to regional and sub-regional bodies such as IIDH in Latin America and EISA in Southern Africa and national independent universities and other institutes. International IDEA, in particular, could function as an advisor to Sida/DESA when assessing major election assistance and observation projects.

The main objective of the in-depth studies is to lay the basis for making as well-considered and informed decisions as possible. To further facilitate such decisions, criteria for election assistance could be set up. Both EU (EU Commission, p. 19) and DFID (Elections and the Electoral Process: a Guide to Assistance, p. 7) have set up such criteria. These include fundamental aspects such as the existence of an independent electoral commission, respect for civil and political rights and freedoms like freedom of speech and right of free assembly and a general agreement by the main political parties and the other potential partners (NGOs, journalists associations etc.) to a programme of foreign election assistance.

In addition to these general points, in order for Sida/DESA to raise the quality of election assistance, the following should also be considered:

- Electoral assistance projects must be treated as “normal” development co-operation projects, i.e. we must formulate clearer project objectives, identify the expected results and take the fundamental questions of sustainability, feasibility and ownership into consideration.
- Our activities should be focused on a smaller number of countries.
- Regional co-operation initiatives among our partner countries, such as the SADC Electoral Commissions Forum, should be encouraged and supported.
- A gender perspective must be integrated in planning, implementation and the follow up of projects, and projects that promote women’s participation, whether as voters or candidates, should be prioritised.
- We should engage in more long-term institution and capacity building projects, targeted at independent electoral commissions, election management and registration bodies, domestic training and monitoring groups and political parties (see Chapter 2).
- Technical assistance is needed as early as possible, and should continue between elections.
- We should put more focus on support to local and regional elections which are often more flawed and of much lower quality than national parliamentary and presidential elections.
- We should take an active part in the EU’s exploratory missions to countries of high priority for Swedish development co-operation. Such missions should advise what conditions must be fulfilled by the host government before the EU – and Sweden – is prepared to send election observers and /or commit other forms of election assistance.
- We should give priority to long-term observers in our election observation and monitoring missions in order to promote improved quality of elections and to have well-founded and comprehensive assessments of these elections. Short-term observers should be given priority only in first elections and post-war elections to promote peace, detect and deter fraud and bring about international credibility to the result.
- Better training and field guidance of election observers are needed in order for election observation to function more as an input into further and more long-term electoral assistance. The methods for recruitment need to be reviewed. This linking of election observation with democracy assistance in general requires closer contact between Sida/DESA and Sida/RIU. The EU Election Observation Project (commissioned by the EU Commission and implemented by Sida/RIU) addresses these issues and should, thus, be more closely followed by DESA. The position paper on election observation and monitoring to be written by Sida should cover these issues.

4 Supporting legislatures

4.1 Introduction

Although the word “parliament” derives from the Old French verb meaning to speak or debate, the primary function of Parliament, making law, is summed up in its alternative name, “legislature”, from the Latin word for law.

There seems to be wide acceptance¹¹ of Parliaments’ functions as being:

- The law and policy-making body;
- A body of representation (popular sovereignty delegated to individuals representing the people in Parliament);
- Oversight (review or scrutiny) : Parliament acting as one of the checks and balances in the system of governance, overseeing the performance of a given government between elections, so as to ensure accountability;

Other functions are mentioned by just a few actors, notably UNDP and the United Nations Economic Commission for Africa (ECA):

- National Development (in the sense of expectations that reforms will bring relief from poverty and that the role of Parliament thus is one of ensuring better value for money in the utilisation of budgetary resources);
- Platform to address and discuss political, economic and societal issues (in the sense of Parliament’s duty to ensure that it provides a forum for different interests in society, thus promoting non-violent means of building consensus and a sustainable democratic process).

The functions of the Parliament of Sweden – legislative, oversight, platform for political debate – basically match the functions mentioned. These functions may strengthen, or diminish, practices of values such as legitimacy and constitutionalism, representivity, accountability, transparency, participation and peaceful resolution of conflicts of interest. We will come back to these values/processes in the final part of the chapter on Legislatures.

Most developing countries have young and inexperienced parliaments which need to develop clear roles, effective methods and efficient organisational structures. A great number have difficulties in fulfilling their various functions. There are several causes for this deficiency:

¹¹ This paragraph draws on an extensive reading of Can Africa Claim the 21st Century; The Contribution of the Parliamentary Process in Strengthening Good Governance in Africa, Aide-Mémoire: The Fourth Africa Governance Forum on “The Contribution of the Parliamentary Process in Strengthening Governance in Africa”; USAID: Democracy Dialogue – Understanding Representation: Implications for Legislative Strengthening, Democracy and Human Rights in Sweden’s Development Cooperation, Government Communication SKR 1997/98:76; Peace and Justice – Sida’s Program for Peace, Democracy and Human Rights; and Democratic Governance – A Paper to Guide DESA’s Methods Development Projects.

In almost all countries emerging from authoritarian or totalitarian rule,

... national legislatures are extremely weak: usually subordinate to the executive branch; poorly funded, equipped, and staffed; lacking law-drafting capacity and political experience; and enjoying only minimal public respect (Carothers, p. 178).

In the case of Africa, some Parliaments are seen as either rubber-stamping all that the Executive does (particularly where a majority party or coalition overwhelmingly dominates) or as blindly opposing everything the Executive does (especially in the case of the minority or opposition parties). These deficiencies are linked to the Parliaments' "frequent inability to perform the oversight role effectively" which, in turn appear to depend on the "lack of technical expertise, the lack of funds, and the lack of access to information" and "last, but hardly least, whether parliamentarians have the political will to use their oversight functions"¹². An increasing number of parliaments are, however, more active (e.g. Ghana, South Africa and Uganda).

Several authors point to the dilemma of limited resources compared to the needs of the people facing Parliaments. An ambitious agenda that cannot be realised will erode credibility and public support, while inattention to public needs leads to dissatisfaction and indifference if parliamentary institutions come under threat. Carlos Santiso, formerly Senior Program Officer of IDEA, argues that

... riddled with widespread corruption and nepotism, basic democratic institutions – i.a. legislatures – are weak and discredited in most countries and fail to function adequately. Consequently there is growing distrust in government institutions and political leaders across nations (Santiso, p. 7).

Thus, the challenges to democratic consolidation remain daunting.

Support to parliaments is a relatively new area for development co-operation donors. In recent years there has been a widespread expansion of parliamentary strengthening initiatives set off by democratisation trends in many countries. A complicating factor is the political sensitivity of such work; while almost all areas of democracy assistance are politically sensitive, legislative assistance is one of the touchiest. The prospect of a foreign actor working directly to help shape the internal workings of a country's highest law-making body is, understandably, unsettling for many people in that country.

For further democratisation, helping legislatures to get on their feet, to become more efficient, effective and representative, is by now assumed by donors to be essential, according to Carothers. Most bilateral donors are involved in such programmes. Sweden, for instance, works mainly through the Swedish Parliament and international parliamentary and parliamentarian organisations. Other relevant actors include UNDP, European Union, European Council, Inter-Parliamentary Union (only dealing with sovereign country Parliaments), Commonwealth Parliamentary Association (working with various levels: local, state/province, national), National Democratic Institute (strong focus on political parties), Parliamentary Center in Canada, USAID, Organisation of American States, the King Pradjahipok Institute, European Parliamentarians for Africa (AWEPA) and Parliamentarians for Global Action (PGA). Even the World Bank is devoting increasing attention to Parliaments as a factor in the development process.

¹² The Contribution of The Parliamentary Process in Strengthening Good Governance in Africa, pp. 31 and 12.

The World Bank Institute (WBI) has carried out work in this area since 1995, but analytic work related to parliaments and some lending activity have also taken shape, as the Comprehensive Development Framework and its emphasis on governance get off the ground. The WBI coordinates programmes on i.a. Parliaments, participation, and poverty reduction. WBI and the Parliamentary Centre has organized a global seminar on “Parliaments and Policies to Reduce Poverty” which inspired the drafting of a Handbook on Parliamentarians and Policies to Reduce Poverty. A Parliamentary Strengthening reference group was established last year by the WBI Program for Parliamentarians with the purpose of facilitating liaison as regards programme development, evaluation and co-ordination. The Group includes representatives from the Inter-Parliamentary Union, the Commonwealth Parliamentary Association, the Parliamentary Centre (Canada), National Democratic Institute as well as representatives from the WBI principal donor partners (Norway, DFID and the Netherlands).

4.2 Legislative assistance – problems and challenges

In this context, Carothers highlights a paradox in the form of the gap between the academic literature on institutional reform and the work of democracy promoters – as part of the general gap between those promoters and academics. Well-established literature exists, which emerged in the 1970s as part of the renewed attention academic circles paid to institutions under the rubric of the “new institutionalism” or the “new political economy” on the problematic public sectors of developing countries, and the difficulties of reform. For example, in *Rediscovering Institutions*, a widely cited book published in 1989, James March and Johan Olsen make the following observation “The political difficulties in changing political institutions are well documented. For example, the major deliberate reform of legislatures is rare, and virtually unknown in many Western democracies”. This conclusion came just as democracy promoters were launching dozens of programmes to strengthen legislatures in developing or transition countries around the world, fully believing that major institutional progress was in their grasp (Carothers, pp.178, 202–203).

4.2.1 Common goals and activities

Most legislative programmes pursue three central goals: challenging the executive’s predominance, increasing the effectiveness of the legislature (as regards substance and procedures), and making it more representative (in particular in the sense of ability to factor in the views of the citizenry). In the pursuit of these goals, four types of activities are common in legislative programmes, according to Carothers (p. 180):

The first is training and technical assistance for the members of a legislature. Such support may be focused on general democratic education, or it may be seminars on issues of social or economic policy that legislators face. Much training and technical assistance focuses on legislative methods: how to do policy analysis, legislative research, or legislative drafting, rationalising the legislative process, fortifying the role of committees, holding more public hearings, increasing transparency, and widening constituency outreach – in the service of the different aspects of the goals of efficiency and better representation. Such work in the recipient country is frequently complemented by the second category, the perennially popular study tours for members of parliament, in Carothers’ words: all-expenses-paid visits to Western capitals to see the workings of Western legislatures

firsthand. These activities go under the label of parliamentary aid “but many serve social and diplomatic goals more than anything” (Carothers, pp. 178, 180–181). On a more positive note, one could claim that such contacts remain important “not least in improving understanding and ongoing support within Parliaments in the North” (Memo, World Bank Institute). Infrastructure support constitutes a third category of legislative assistance. Such support may include parliamentary libraries, information centres, office equipment, and in some cases, infrastructure support extends to the refurbishing of offices or even the construction of a new building for the legislature (Carothers, pp. 180–181).

The first three categories all represent top-down approaches. There is, however, a gradual gravitation towards a fourth type of assistance, one that could be labelled a bottom-up approach. This includes support for watchdog NGOs that monitor legislatures, with particular concern for transparency and accountability; teaching journalists how to cover legislatures and legislative processes, and aid to institutes or other NGO’s that can offer substantive advice to legislatures on the drafting of legislation. Bottom-up legislative assistance aims to help people hold their legislature accountable, to increase their knowledge about the legislatures’ activities, and to increase the input into the legislative process of technical advice and information from outside the government (Carothers, p. 181).

4.2.2 Legislative assistance: Riddled with failure – but not always futile

If asked to name the area of democracy assistance that most often falls short of its goals, Carothers would point to legislative assistance. To him, its record is riddled with disappointment and failure. That is not to say that it is always futile. Successful programmes do exist (see 4.2.4). Some common deficiencies of legislative aid programmes are partially responsible for the frequent failures, according to Carothers. These include donors’ lack of knowledge about the political and personal dynamics of the institutions that they are trying to reshape, a determination to apply models that fit poorly with the local situation, the regular turnover in the membership of many legislatures, and a focus on technical solutions – such as new rules for staffers or Internet access – for deeply political problems. It is worth noting, however, that technical solutions may very well be very sensitive as well; access to the internet for parliamentary staff is but one example.

By far the biggest obstacle, in Carothers’ view, however, is the paucity of interest in reform among the main power-holders in the legislatures of many transitional countries. Even ardently pro-democracy leaders may not consider strengthening the legislature to be a priority on an agenda loaded with difficult items. They may believe that a dominant executive branch is necessary to get their slate of reforms enacted quickly and that a stronger legislature, even one in which their party dominates, will only slow them down. Then, too, they may worry that legislative strengthening will give more of a voice and role to the opposition, further complicating their plans. Legislatures often have built-in motives that spell quiet but strong resistance to reform. Carothers claims that the people at the top of poorly functioning legislatures are likely to be benefiting from some of their institutions’ inadequacies. In some cases they may be committed reformers who wish to sacrifice those benefits to help create a better institution, but many times the avowals of reform melt away (Carothers, pp. 183–184, 201–202). His critique is echoed, although slightly differently, by Ottaway and Chung who refer to the tendency of Parliaments that

... show little sign of life are provided with information facilities or staff training in an attempt to revive them. ... Such supply-side programs are prime candidates for failure because a passive parliament ... will probably not make good use of the new sources of information. In addition to having little political effect, such programs entail high costs of maintaining facilities and paying staff (Ottaway and Chung, p. 112).

Carothers, moreover, points to the tendency that some of the configurations in legislatures in countries attempting democratisation mean a weak reform impulse within those institutions, in particular dominant party situations – in which one party holds 80 percent or 90 percent of the seats in the legislature. Even though the leaders of such legislatures may be happy to work with donor programmes to upgrade the technical capabilities of the body, it is likely they will have little incentive to open up the legislative process significantly or increase pluralism (Carothers, pp. 184–185). At the second International Conference on Legislative Strengthening, sponsored by USAID, two further deficiencies were discussed: the assumption that “technically sound” projects capture all of the factors that affect the potential for change, disregarding how cultural rules and practices may undermine laws on the books. In the case of Angola, to mention one example, the tradition of deferring to “chiefs” tended to dampen efforts to demand greater accountability from legislative leaders. In addition, many democratising legislatures are entering uncharted territory without a clear picture of what the new institution should look like or what their roles and responsibilities should be. The tendency has often been to rely on what worked in the past, even though that means utilising authoritarian means and methods, until new models are developed and adapted.

4.2.3 Factors outside the legislatures

Although a lack of genuine impetus for reform is a central problem that plagues many legislative assistance efforts, a deeper limitation is also often at work: the institutional weaknesses aid providers hope to help remedy are caused by factors outside the legislatures, Carothers notes. The dominance of the legislature by the executive branch, for example, is often rooted in each country’s constitution. Similarly, while training and technical assistance may improve the knowledge of legislators, much broader factors shape the human content of legislatures – the rules for choosing candidates, the type of electoral systems (especially proportional list systems versus direct election of members under majoritarian systems), the underlying political culture and level of voter education, and the campaign finance laws. Where parties are patronage-dominated machines, those politics will be replicated in the legislature (Carothers, pp. 186–187).

Carother’s point is not that weak legislatures can never change. It is, rather, that by treating legislatures as self-contained entities that can be fixed by repairing internal mechanisms, one is unlikely to get very far. A legislative programme should, in his view, aim to help the institution become a place in which certain processes and principles are valued, such as the ability of different political factions to work constructively together and to take account of citizens’ views. It is more useful to think in terms of helping a society develop the capacity to enact laws that incorporate peoples’ interests and reflect sophisticated knowledge of the policy landscape. Ultimately, Carothers notes, helping bolster this capacity will mean working with many people and groups outside the legislature, including political parties, citizens groups, the media, officials from the executive branch, as well as the legislature itself. Political party programmes now sometimes include efforts to help parties learn to operate in legislatures (Carothers, pp.

107, 186–187). Thus, again, we see the interdependence of the three political institutions dealt with in this report and the close links between the three sub-areas of democracy assistance.

4.2.4 Values and processes

One example of a programme focusing on promoting values and processes rather than institutional repair packages is the Women's empowerment unit (WEU) working within the national and provincial Parliaments of South Africa, partly funded by Sida. The programme has contributed to promoting the influence of women parliamentarians and changing attitudes towards participation of women in politics. Another example is the Laurentian seminar which was launched in 1997 by the World Bank Institute and the Canadian Parliamentary Centre to facilitate global dialogue and consensus building on the role of parliamentarians in promoting good governance. At the first seminar participants concluded that "no parliament is a political island, sufficient unto itself", i.e. that parliaments are heavily influenced, if not controlled, by political parties and by the nature of inter-party competition and rivalry, and shaped by the government of the day. Participants further discussed the need to understand the traditions and histories of each Parliament if plans to strengthen them are to have any chance of success (World Bank: *Parliament and the Challenge of Good Governance*, pp. 36–7).

The seminar has since evolved into an ongoing programme of activities aimed at enhanced governance through strengthened legislatures world-wide. The purpose of the programme is to increase the capacity of parliamentarians to support good governance by effectively fulfilling their legislative, oversight and representative functions in ways that respect and strengthen "good governance values of accountability, transparency and participation". The programme seemingly aims to perceive Parliament as a bridge connecting citizens and the state "not only for the rich and powerful, but also and especially for the poor and the marginal..." (World Bank Institute and Parliamentary Centre, pp.1 and 6).

4.3 Gender and child approaches

Only a few of the documents in our list of references notes that the lack of women parliamentarians is indeed a deficiency. The Communication of the Government of Sweden is one of them, and goes beyond arguing for the election of larger numbers of women into the legislatures by claiming that "it is important that women and men both participate in decisions" since the experiences of women and men are different, and their possibilities and roles in all societies vary (SKR 1997/98:76, p. 49). The World Bank Institute, in turn, claims that it is evident that women MPs are a minority in most parliaments, and therefore may have very different needs from their male counterparts, but fails to elaborate (World Bank Institute Strategic Evaluation 1, p. 38).

International IDEA recently prepared a handbook on women in parliament, focusing on what women need to do in order to bring about change and go beyond increasing numbers (IDEA, 1998). Research referred to indicates that political structures rather than social factors play a more significant role in women's parliamentary recruitment. As noted in Chapter 3, the system of elections based on proportional representation for example, has resulted in three to four times more women being elected in countries with similar political cultures. The difference in women's representation across electoral systems are

not trivial, but are apparently substantial. Single-member district majority systems have consistently proven to be the worst possible system for women. Electoral systems are only one part of what should be a comprehensive strategy to enhance women's participation in parliament. Other parts could include co-ordination and organisation among women MPs and their political parties, as well as between MPs and other interest organisations outside the parliament. Such issues are dealt with by, for example, the Sida-funded WEU-project in South Africa. The quota system used in, for instance, South Africa and Moçambique constitutes another alternative. Researchers quoted by IDEA also point to the correlation between women's legislative recruitment and the proportion of women working outside the home, as well as the percentage of women college graduates.

4.3.1 Lack of development – lack of women's representation

The IDEA handbook states, however, that we have a much poorer understanding of representation in the developing world. In the developing world none of the variables found significant among established democracies, nor several other plausible variables, are found to have a consistent effect. These findings indicate that there is a threshold, a minimum level of development that is needed to create the foundation for other variables, such as electoral systems and women's labour force participation, to have an effect. It appears that in most lesser developed countries the forces aligned against female political activity are so great as to permit only minimal representation. As development increases, however, cultural changes start to occur. In addition, more women start to acquire the resources needed to become politically powerful – resources such as education, salaried labour force experience, and training in the professions that dominate politics. When the number of women with the necessary resources becomes substantial, they then start to become an effective interest group demanding greater representation – but only if the group is sufficiently well organised to take advantage of the situation (IDEA, 1998, p. 29).

4.3.2 Obstacles to participation and influence

It goes without saying that obstacles to women's genuine participation in Parliaments similar to the ones in the developed world are likely to build up as women start demanding greater representation and influence in the developing world as well.

These obstacles could be divided into political ones: masculine models of politics, lack of party support and lack of education and training conducive to political leadership; socio-economic ones: the feminisation of poverty and unemployment, the dual burden of work and domestic work; and ideological and psychological hindrances: lack of confidence, the perception of politics as “dirty”, and the role of mass media.

The handbook identifies four areas of change that will impact on women's participation:

- Institutional-Procedural: making parliament more “woman-friendly” through measures to promote greater gender awareness;
- Representation: securing women's continued and enhanced access to parliament by encouraging women candidates, changing electoral and campaigning laws, and promoting equality legislation;
- Impact/influence on output: “feminising” legislation, by making sure it takes into account women's concerns;

- Discourse: altering parliamentary images so women's perspectives are normalised, and encouraging a change in public attitudes towards women.

These areas of change should be applied in learning the rules, using the rules and changing the rules of parliament, according to IDEA.

4.3.3 International legal instruments – a tool for legislators

International legislation and policy documents provide another source of tools that parliamentarians can use to legitimise their demands, emphasise the international obligations undertaken by their respective countries, and ultimately contribute to the improvement of their national legislation, argues Kalliope Migirou, representative of the Nordic and Baltic States for the International Federation of Human Rights Leagues (FIDH), in an Annex to the IDEA Handbook (p. 201). In her view, the role of NGOs in this area should not be underestimated. National NGOs could inform e.g. female MPs about specific problems that women face in their countries, update them about progress of international legislation, help them to lobby, inform other colleagues in parliament, and initiate relevant amendments in national legislation. Such co-operation could be crucial as many MPs around the world do not have a legal background and may lack the time to access and fully understand the implications of international legislation.

4.3.4 Children and parliament

In most developing countries, more than half the population is less than 18 years old. Children, especially girls, rarely have any influence on issues which affect their lives. More children are attending school today than ever before, but the school environment is often authoritarian, particularly for poor children. Even if children learn to read and write, they do not acquire a sense for democratic procedures.

The Convention on the Rights of the Child requires that society must listen to children's views on issues of concern to them. The Convention also establishes that every child is entitled to have a growing influence on its own life as it matures. These requirements are indeed creating challenges to elected assemblies around the world. UNICEF's work on Child Parliaments seems like an interesting initiative in this regard. It is worth noting that the Commonwealth Parliamentary Association has an interesting "youth parliament" programme. As children are the future bearers of democracy as voters and/or nominated/elected representatives and objects/subjects of policies, it appears beneficial to include a child perspective in any parliamentary programme on the one hand, and to integrate democratic rules and procedures, and peaceful means of resolving conflicts of interests in school curricula and other arenas where out-of-school children interact, on the other. This is a means to an end – that of ensuring the future vitality and survival of democracy – but also an end in itself.

4.4 Legislative assistance – policies and experiences of Sweden

Swedish/Nordic institutions and organisations involved in legislative assistance include i.a. the Parliament of Sweden or Riksdag, the Swedish Institute, the Nordic Africa Institute, the Nordic Council (Nordiska Rådet) and a number of consultants. The Riksdag does not have a specific budget line for legislative assistance, but uses its budget line for international contacts and funding from Sida. Sida and the Riksdag meet on a

regular basis to share information and discuss ways of co-operation in ongoing and potential projects and programmes.

Sida also finances activities through some of the above institutions and organisations as well as global organisations such as IPU, PGA, AWEPA, and UNDP. A complete picture of legislative assistance/parliamentary development funded or carried out by Swedish institutions and organisations would be useful, but was considered too large a task by the project on political institutions. Such a study, however, may be included in a future broad thematic overview of Swedish legislative assistance.

The Government of Sweden stated in its Communication on Democracy and Human Rights in Sweden's Development Co-operation that the "parliament is the key institution in a democracy" and that Sweden should find elements to build on if an effective parliamentary tradition is to be established. These elements should include a clarification and reinforcement of the constitutional role played by parliament, strengthening of parliament's ongoing scrutiny and debate, and economic control in order to boost the position of parliament. The Government continues by stating that it should focus on i.a. "effective underlying democratic institutions ... such as parliaments", and that Sweden will continue to develop its support to areas considered crucial in promoting democracy and human rights such as parliaments (SKR 1997/98:76, pp. 20–21, 132, 134). Sida's Action Program on Peace, Democracy and Human Rights, which provided input to the Government Communication, also stated the strategic importance of strengthening parliament and its functions, efficiency and procedures, in particular those relating to the legislative process (Sida *Justice and Peace*, pp. 16 and 51).

4.4.1 Survey of Legislative Assistance

At this stage, it would appear useful to examine activities funded by Sida concerning key aspects such as political will to reform; contextualisation; processes and principles vs. institutional repair packages; linkages to groups outside the legislature who could push for reforms; possible determination to export national models; and analysis of type of democratic transition. Some general trends were detected through a survey of the most recent evaluations and a random selection of activity or status reports and memos of Sida support to legislatures, with yearly disbursement rates of SEK 1 million or above¹³. Swedish core support to networks and organisations of parliaments and parliamentarians such as Inter-parliamentary Union (IPU), Parliamentarians for Global Action (PGA) and Association of European Parliamentarians for Africa (AWEPA) is substantial but was not included in the survey. Neither were the so-called International Courses. It should be stressed that the survey was by no means complete, and that observations made should be

¹³ The survey includes evaluations, activity/status reports or memos from the following projects: Parliament of Georgia – Development of administration and management (Decision Ref: Öst 143/96 och 410/98); Inter-Parliamentary Union: Assistance to the National Assembly; The administration of the Parliament of Sweden and the administration of the Legislature of Viet Nam, Memo, Sveriges Riksdag, Lars Hultstrand 2001-01-10; Programa RAAN-ASDI-RAAS 1994-2000 – Strengthening Democracy on the Atlantic Coast in Nicaragua, Sida Evaluation 00/19; Twinning Cooperation between Swedish and Bosnian Municipalities, Sida Evaluation 00/15; Cooperation between Sweden and Ukraine in the field of Local Self-Government, Sida Evaluation 99/13; SAEIMA – the Parliament of Latvia: Improvement of Management and Administration of the Latvia Parliament; Introduction in Lithuania of new document handling systems for the chancellery of the Seimas of the Republic of Lithuania and for the Prime Minister Office of the Republic of Lithuania; and Support to Parliament in Uganda – the Office for Parliamentary Professional Development. South Africa and Honduras should have been included but due to lack of documents at the time of writing they could not be investigated. They should, however, be dealt with in a future thematic overview.

seen as tendencies rather than established facts. Negative effects of tendencies mentioned below may very well be off-set by i.a. appropriate analyses in other project documents, and country analyses or strategies not included in our survey. The survey is appended as Annex 1.

4.4.2 Conclusions from the survey

Although observations made are tentative, it is useful to draw some preliminary conclusions. *Political will to reform* seems to be a key factor in determining how to plan and implement – if at all – not only legislature projects but most development projects, as shown in Chapter 3 on electoral assistance. Sida could most probably improve its analysis of this factor in the project cycle or country strategy process. A second conclusion concerns the merits of *connecting any project to the structures of power, authority, interests, hierarchies, loyalties, and traditions that make up the weave of society*. These observations are related to the need of boosting projects within a legislature with support to “sister projects” of *promoting groups outside the legislatures who could push reforms ahead*. Such groups may include institutes that can offer substantive advice and watchdog NGOs. A fourth conclusion related to those already mentioned has to do with the merits of trying to *assess the type of democratic transition in the country concerned*. Such an analysis should be included in the Swedish country analysis.

A fifth conclusion, related to those on the need for taking political will and structures of power into account, is that *mere institutional repair packages, i.e. treating symptoms rather than the causes of democratic deficits*, should be treated with great care; thorough analyses of expected outcomes and effects would provide solid arguments for when to enter and when not to. A final conclusion concerns the perceived tendency *to focus on the Swedish institutional set-up per se*, something which may be questioned. It would appear more appropriate to provide information on and experiences of different political systems and our perception of their pros and cons bearing our political history in mind. This, obviously, may include i.a. advantages of parliamentarism vs. presidentialism, and proportional representation vs. single member district majority systems. These advantages, in our view, include enhancing legislatures’ capacity to fulfil their functions of i.a. oversight and representation (including women), and to promote values and processes such as transparency, accountability and balance of power.

It should be noted that some of these areas are beyond the reach of development co-operation. Political will could hardly be created by external forces; it could, however, be generated or supported by donor partners. Another comment concerns the need for co-operation amongst donors as regards i.a. country analyses and “division of labour” of support to legislatures and groups outside of them who could push for reforms. Sectoral programmes, however, are not likely to occur in the realm of legislative assistance, because of its highly political character relative to donors and co-operation countries alike.

4.5 A DESA Strategy for legislative assistance

4.5.1 Focus areas

The purposes of Sida’s legislative support should be to increase the capacity of parliamentarians to support democratic governance by effectively fulfilling their legislative, oversight, representative and conflict resolution functions in ways that respect

and strengthen the democratic governance values of accountability, transparency, openness, participation, separation and balance of power, legitimacy and peaceful resolution of conflicts of interests. Before entering into a project, political will should be assessed, and the project should be contextualised by taking the societal structures of powers, authority, interests, hierarchies, loyalties, and traditions into account. Mere institutional repair packages should be avoided, as should strict application of the donor country's choice of political institutions; efforts to support values and principles such as transparency, accountability and balance of power would be more appropriate. It might be useful to try to bolster impact by linking legislative assistance to support of agents outside of parliaments who could push for reforms. In conclusion, support to Parliaments should focus on the need to build a *culture of parliamentarism* over the long term, as opposed to short-term programmes that may satisfy only those who are currently in office and not meet the needs of the Parliament as an institution.

The following is a list of issues to analyse and interventions to consider. The list is by no means exhaustive; it merely provides examples in each area.

4.5.2 Functions

Strengthen Parliament's *legislative* function:

- By analysing to what extent Parliament exercises its own initiative in legislating, the degree to which it simply enacts legislative proposals received from the executive, and the degree to which it alters such bills.
- By donor support including the training of staff in assisting in the development and drafting of bills, effective management of committee business, and interactions with policy institutes and civil society.

Strengthen Parliament's *oversight* functions:

- The *Executive*, i.e. through inclusion in country analyses assessments of what mechanisms exist to make the executive more accountable; to inhibit abuses of power; and to prevent the executive from overriding or ignoring legislative decisions. Does Parliament have the right and capacity to remove the Executive, the capacity to obtain information from the Executive, and the capacity to control the budget and a committee system capable of monitoring and assessing government activities? Is the Auditor-General subordinated to Parliament or to the Executive?
- Donor support to the oversight powers of Parliament could include co-operation with independent agencies such as the Auditor-General, whose reports enable the legislature to hold the government accountable in the management of public funds. The standards agreed upon by INTOSAI, the International Organisation of National Supreme Audit Institutions, could be useful in this regard. The institution of ombudsmen is another possible option to consider, including regional organisations of ombudsmen.
- *Government Income and Expenditure Policies* by considering concerted efforts to build expertise, especially of key parliamentary committees and of offices of the auditor general, which would greatly strengthen oversight. A paramount task of international co-operation to strengthen, in particular African Parliaments, is to greatly improve their capacity to ensure better value for money in the utilisation of budgetary resources and to combat all forms of corruption in public administration. It might also

be beneficial to promote the bringing together of the legislature and the executive, i.a. Ministry of Finance, to review the national budget, thereby enabling the executive and the legislative bodies to co-operate with each other. A further option would be to promote the UNDP concept of people-friendly budgeting – overviews of the impact of national budgets on the people, in particular the poor. Australia has been a leader in gender budgets, and other nations, such as India and South Africa – supported by Sida – have followed its example.

Strengthen Parliament's *representative* function:

- Assess the balance between representativity of Parliament (by the extent to which it reflects the people themselves) and the ability to articulate concerns of those represented and to obtain concrete results;
- Support its ability to articulate views and concerns of those represented, in particular minorities, disadvantaged groups, and voiceless groups such as children;
- As already suggested in Chapter 3, support to equity, openness, and transparency in the compilation of voters' registers, particularly with adequate opportunities for revision and corrections, as these are important prerequisites if a Parliament is to truly reflect the electoral choices of the people.

Strengthen Parliament's function as an *arena for resolution of conflicts of interest*:

- Assess to what extent Parliament provides a forum for different interests in society? To what extent does it serve as an instrument for national integration, in particular where there are sharp religious, language, economic, geographic or political differences?
- Donors could promote peaceful resolution of interest conflicts by i.a. supporting open parliamentary hearings and visits by committees to communities most affected by planned legislation, but with very little say in the process.

4.5.3 Values

Strengthen those functions mentioned above in ways that respect and promote values such as:

Accountability, Transparency and Openness:

- Parliament can function either as an instrument for greater political openness or as a tool of the government or elite for social and political control. It can serve civil society and the general public as a channel for information, or it can become part of secret political negotiations and manipulative interest groups. It is the Parliament and the Members of Parliament who must ensure that they conduct themselves transparently and accountably – within the limits of the constitution and the laws of the country.
- Assessments should see whether each Parliament publishes or broadcasts its proceedings; whether important parts of parliamentary and committee business are conducted in closed sessions; whether MPs have access to government policy papers before new legislation is presented; whether Parliament supports or resists efforts of the executive to withhold information or curb the media, whether it supports and assists the efforts of groups seeking greater access to information; and whether Parliament ensures free and fair access of the media to its proceedings and deliberations.

- These areas would all be options to consider for support. Another option is to work with legislative modernisation boards, i.e. legislative committees that deal with the institutional development issues of legislatures. Bolivia, Kenya, Mexico, Moçambique, Nicaragua, Uganda, and Zimbabwe have used such boards, with greater and lesser success. One key to successful modernisation boards is multi-party representation and involvement.
- We should ensure that development agreements are subject, where appropriate, to legislative review. We should also consider adopting a joint donor code of conduct for our dealings with partners, to ensure that its representative institutions, particularly parliaments, are well informed and properly involved in aid programmes and processes. The joint pilot programme of WBI and UNDP on “The Role of Parliaments in the PRSP”, carried out by National Democratic Institute, is an interesting step in this direction. NDI is currently preparing an Annex to the World Bank’s PRSP Sourcebook Legislative Involvement in the PRS process.

Participation

- Assess the degree to which there is regular contact at the constituency level and the national level with individuals, groups and interests;
- Support formal means of MP’s regularly obtaining the opinions of constituents, i.a. through offices within their constituencies – in order to avoid the perception that MP’s make local appearances only during electoral campaigns. (A word of caution, though: donor funds will most likely create unsustainable structures);
- Support informal opportunities for personal interaction such as radio broadcasts in local languages, community events, and public symposia;
- Support “constructive criticism” on the part of civil society organisations, private sector groups etc. They may generate technical analysis, offer venues for committees to meet, and provide reliable sources of information;
- Support accessibility of parliamentary buildings to non-members, including the disabled and students at various levels of education.

Legitimacy and constitutionalism

- In a democratic political system, the legislature is the authoritative institution for the expression and resolution of policy conflict. Its legitimacy is derived from its representative function in the state and its constitutional status as the supreme law-enacting body, and expressed not only through its constitutional status, but also via its composition and internal procedures and organisation. The power of the state is justified, and people obliged to obey it, because it fulfils requirements necessary to the society and to their own well-being, and that it fulfils them effectively.
- Donors could support fair and correct political procedures in parliament, fair and correct treatment of individuals and groups by parliament, platforms for participation and influence of communities affected by decisions and legislation, and sharing of information experiences with other legislatures in the region.

Peaceful resolution of conflicts of interest

- In the ideal case, the legislature acts as the main representative body of the state, reflecting society’s divergent opinions at the political level. Legislatures may thus be

capable of expressing and resolving a wide variety of conflicts within society. The structure and procedural rules of a legislature, as well as the electoral basis of its membership, reward the ability to both express and resolve conflict. Legislatures create the conditions for the emergence of co-operative antagonists. Though they disagree on public policy, they must agree on structure and rules to provide the basis for the expression of their conflicts. Those same rules and structures make it possible to find compromise solutions to their problems, and thus develop the necessary skills to find solutions to other, more weighty, conflicts.

Separation of powers

- The separation of powers and clear lines of authority are particularly important in countries that have adopted a presidential system. Country analyses should include information on the demarcation of functions between the executive, the judiciary and the legislature according not only to the constitution but also to practice. To what extent does the judiciary have the right to and the capacity not only to criticise government, but, where necessary, to place constraints upon it, block possible attempts to override its sphere of influence, and to rule on the legality or otherwise of its behaviour?
- Donors could support i.a. seminars for MPs on the implications of the constitution, national legislation and their practice as regards balance and separation of powers, and sharing of experiences with MPs in neighbouring countries which have similar experiences.

4.5.4 Areas for extra attention

- There is an obvious need for a thorough survey of all legislative assistance financed by Sida and a thematic evaluation of this support, including the issues mentioned in 4.4. They should include IPU, AWEPA and PGA, including JPO's seconded to Parliaments through PGA.
- It would also be of importance to focus on Parliaments and their marginal role in poverty reduction strategy papers of the IBRD. Sida should promote a participatory approach in the process of developing and implementing PRSP's. One option would be standing committees on poverty reduction in Parliaments, which could organise seminars and workshops with civil society.
- Another key area is the issue of increased representation and influence of women parliamentarians. This could be raised as a possible area of intervention with IPU or a regional organisation such as AWEPA. UNDP does carry out work in this area in at least a few countries. Research on representation of women in the developing world should be supported. DESA could suggest this as a general topic for future Minor Field Studies or research projects funded by Sarec.
- It would be highly desirable if we could find a partner who would be interested in designing and implementing projects regarding improved implementation of the international human rights instruments: MPs could monitor progress made in the signature of international treaties, by using general guidelines and recommendations of the treaty monitoring bodies and the criteria provided to assess national laws and the type of steps which should be taken to give effect to those 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 MP's are unaware of the existence of international treaties and their practice. They may have difficulties in accessing all national legislation as well. Another option would be to include this potential function of Parliaments in Sida's International courses.

- Another human rights dimension which should be developed is the integration of the four fundamental principles of the Convention on the rights of the child into legislative assistance: the right to freely express views and to be heard; the best interests of the child, a primary consideration in all decision-making; equal value and rights of all children, prohibition of discrimination; and the right of the child to life, survival and development to the maximum extent of the available resources. The ideas presented under the previous point would be relevant in this regard, too.
- The increasing pace of change in legislatures world-wide is encouraged by information sharing across borders. A number of regional parliaments and associations of legislators provide input to neighbours' legislative reforms. Information sharing between Parliaments and Parliamentarians who have recently undergone their own reform programme and others who have merely started the process could be encouraged and supported.
- A final case in point is support to political parties in legislatures. As was pointed out in Chapter 2, most donor assistance to parties has aimed at improving their organisational development or their ability to conduct campaigns and oversee elections. One option to explore would be to develop modes of assistance to parties in the legislature that strengthen their ability to fulfil their functions of representation, law-making and oversight, but at the same time are non-partisan and equitable.

5 Concluding observations: Towards a Strategy to Promote Improvement of the Quality of Democracy

This report has tried to outline a preliminary strategy for how to improve the quality of our development co-operation in the area of political institutions. It has been concluded that support to development and improvement of political party systems, legislatures and electoral systems, and to election management, is to a large extent about how to promote a change in power relations between the executive and legislative branches of power and, thus, to promote transitions from electoral to constitutional democracy. It is the problems of that transition together with the problems of consolidation of democracy that face us today in most of our partner countries.

In order to meet these problems we must look for the causes, not the symptoms, of the democratic deficits in our partner countries. Therefore, it is important that DESA promotes more *thorough analyses of the societal preconditions* in planning projects and country analyses. As has been pointed out several times in this report, political will to reform must

exist in state institutions if change is to occur. We should learn to assess when such will be present, and when it is absent, so that we can either try to generate it or stay away.

Another argument for thorough analysis is that the need for building the underlying interests and power relationships into programmes for support to political institutions requires deep knowledge about the recipient society. An analysis of actors, interest groups and structures could show which are dominant, i.e., where *the real power* in the society lies. How is power distributed in society (central-local level, elite groups – people in general, private-public, class/race/gender/age)? What kind of power is being exercised, how is it exercised, and how is this understood or perceived, and by whom? Such analyses could be made by Sida/DESA, but could also be carried out jointly by Sida and other donors or perhaps be extracted from multilateral documents such as the United Nations Common Country Assessments or Country Analyses by the World Bank. Furthermore, we should realise that institutional reform within the three sub-areas dealt with in this report requires deeper changes, down among the social, economic, and political interest structures and power relationships that shape political life. The insight that institutional reform requires deeper changes underscores how slow and difficult such change will be. We will most probably, therefore, have to revise our notion of long-term change from five to ten years, as at present, to several decades at a minimum.

DESA should also try to promote *coherence, harmonisation and complementarity* of Swedish support and donor support in general. This could be done, for example, through creation of linkages between projects aimed at legislatures and political parties with groups outside the legislature and parties that push for reforms. Fostering broad, sustained citizen interest in state reform is, however, in most cases difficult. Nonetheless, an expanded focus – getting beyond treating state institutions as self-contained entities – should be tried out.

Another facet of coherence, harmonisation and complementarity is the need for co-operation amongst donors, bilateral as well as multilateral. The World Bank and the regional multilateral development banks, and even the IMF, are now taking an interest in judicial reform, legislative strengthening, and decentralisation. This could work to everybody's mutual benefit. It would appear strategic to include both sharing of experiences and discussions on support to political institutions in Sweden's regular contacts with multilateral donors.

Finally, it was underlined in the Introduction that to promote democratisation should not be to try to reproduce (our own) institutional reform, but to nurture core political processes and democratic values. It is, therefore, of utmost importance that DESA's relations with partners are characterised by *openness, transparency and participatory methods*. This is a matter of credibility, not least when we deal with the political institutions meant to be the bearers and advocates of these values.

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Annex 1

Survey of Legislative Assistance

There seems to be a tendency to *disregard the inadequate will to reform* which hampers the reform of most state institutions. Most of the documents surveyed contain no references to internal or external factors shaping the reform impulse. There are cases of extremely implicit references to “the complicated political and socio-economic conditions” (Parliament of Georgia) and “the uncertainty of the political situation in Latvia...”. As regards the Parliament of Georgia it is, by the way, evident that the Chief of Staff of the Parliament’s Administration is very committed to reform, but no reference to the commitment on the part of the parliamentarians or the presidency is made. The document handling systems in Lithuania benefit from a strong political will to reform, but this will is only mentioned in relation to the project proper, not in relation to the potential need for broader reform of the Parliament.

In the case of Nicaragua, explicit references are made to the inadequate will to reform at different levels in society:

The central government in Managua, far from encouraging the development of regional autonomy, created competing structures and deprived the new autonomous regions of financial resources to implement the political model.”¹⁴

Moreover, the National Assembly was considering reforms in the Autonomy Law, a possibility that could “produce a very negative situation for the autonomy in the regions”¹⁵. At the regional and local levels, political support seems to be more stable, although the co-operating partners have been divided internally. One component of the project is to support delimitation of functions, given the ambiguities in the political and administrative structures and in the relations between the regions and the national level. This is, however, the only comment made in the evaluation regarding how to deal with the inadequate will to reform.

The programme in the Ukraine is an interesting case as regards political will. There were no provisions for local self-government in Ukrainian law at the time of the evaluation. Two presidential decrees, partly instigated by the programme, however, sanctioned the implementation of a joint pilot project in the municipality of Irpin. Such decrees could, however, easily be reversed. The Parliament was presented with a draft law in 1999, which would have provided the legal space necessary for real local self-government on an experimental basis. The Parliament, however, had not passed the law by the time the programme was evaluated in the Fall of 1999. The law was eventually passed in April 2001. The perceived reasons range from unwillingness to lose power to lack of awareness about the benefits of local self-government. It is very valuable that the frail political support was observed by Sida when taking its decisions, but on the other hand it is surprising that the initial design of the programme did not take this state of affairs into consideration.

¹⁴ Programa RAAN-ASDI-RAAS 1994–2000 – Strengthening Democracy on the Atlantic Coast in Nicaragua, Sida Evaluation 00/19, p. ii.

¹⁵ Ibid, p. viii.

Moreover, most programmes seems to be *self-contained efforts*, disconnected from the society in which the legislatures are rooted, i.a. the structures of powers, authority, interests, hierarchies, loyalties, and traditions that make up the dense weave of socio-political life. A Memo concerning the support to the administration of the national legislature of Vietnam is a case in point: external forces and structures moulding the institution are not sufficiently analysed in the text. It would appear useful to include at least some information and analysis of e.g. power structures and their potential influence on the project while listing activities (performed as well as planned) and reflecting on future co-operation. No obvious references are made to the fact that Vietnam is a one party state, a fact which one could assume to be crucial in assessing power structures, balance of power between the legislature, the executive and the judiciary, in particular in states with a strong presidency. A report from an expert mission, however, notes “the leading role of the Communist Party designated by the Constitution” but fails to comment on what this entails for the programme¹⁶. At the time of writing these issues were considered much too politically sensitive to mention openly. The assessment memo and a country study (Studier i demokrati och mänskliga rättigheter i Viet Nam, [Studies in democracy and human rights in Vietnam] 1999) do indeed analyse these very issues. The same observation could be made as regards Uganda, although the so-called movement system – a *de facto* one-party system – is mentioned in an internal Memo¹⁷. Other factors contributing to the tilted balances of power in Vietnam are the facts that the National Assembly only meets twice a year for a four-week session, and that the majority of MP’s are part-time politicians, thus limiting their capacity to perform their functions¹⁸.

Another case is illustrated by the evaluation of the twinning co-operation between Swedish and Bosnian Municipalities:

The SALA Programme does not function well, mainly because of the difficult situation in Bosnia. There has been a serious lack of analysis before the Programme was initiated. Cultural aspects, the prevailing political scene in Bosnia as well as local conditions and preconditions for twinning co-operation should have been better analysed. /.../Sida and SALA should share the blame for this insufficient analysis and preparation of the programme.¹⁹

As already mentioned, some, although far from sufficient, analysis was done in the case of the Ukraine, but without drawing any conclusions from the findings. There seems, however, to be quite a high degree of awareness of the importance of external forces and structures moulding the regional and municipal elected bodies in Nicaragua. There is fairly detailed information on i.a. the historical background to the development of regional autonomy, the status of national laws affecting regional autonomy, and the low level of interest to stand for re-election to regional councils (which, in turn, contributes to a lack of institutional memory).

There are *few signs of thinking more in terms of processes and principles than endpoint*, a reorientation that would appear inevitable if Sida focused on analysing power structures and interests, as a means of stimulating and helping socio-political change rather than reproducing forms. A habit of designing programmes as solely *institutional repair packages*

¹⁶ Report on the Expert Mission to the National Assembly of the Socialist Republic of Vietnam (24–31 October 1997).

¹⁷ Memo Embassy of Sweden, Kampala, 12 April 2001, Jan Lindström, p. 7.

¹⁸ See note 12.

¹⁹ Twinning Cooperation between Swedish and Bosnian Municipalities, Sida Evaluation 00/15, p. 3.

seems to exist, thus treating symptoms rather than the causes of democratic deficits. Most of them focus on issues such as: information technology, leadership and management, financial management, team building, human resources management, public relations, budgeting and accounting methods or administrative rationalisation. In most cases, legislative staff is the main target group. The most common methods are training, seminars, study tours and, to a lesser extent, support to infrastructure. In some cases, there are, however, hints of other approaches: In Georgia, the programme includes the introduction of the concept of independent, non-political staff of civil servants to the Parliament. Nicaragua is somewhat of an exception in this regard. The evaluation recommends a more articulate focus on process by stating that

... less attention should be given to technical aspects, and more efforts should be invested in the assurance that the authorities and administrations can appropriate the acquired instruments and seek a better articulation with the civil society, the communities and population they serve in general.²⁰

Moreover, the evaluators suggest that the project should continue to bolster principles such as legitimacy, accountability and transparency in the elected bodies of the regions and municipalities. Sida's support to the South African Women Empowerment Unit warrants mentioning as it, too, attempts to focus on processes and principles.

Another, and related, tendency is the *absence of linkages to groups outside the legislature who could push reforms ahead*. Such groups could include political parties, the media, institutes that can offer substantive advice, and watchdog NGOs. Most documents contain no such references, with a few exceptions, although other country projects may include such components. Nicaragua is the most obvious one, although the suggested improvement in linkages is merely a recommendation of the evaluators. They recommend that "participative mechanisms should be developed to articulate the relationship between the authorities and the citizens" and that "a flexible fund that can respond efficiently to relevant advocacy proposals by civil society" should be created.²¹ As regards the Ukraine, it was deemed vital to the purpose of the project to include the Ukrainian Association of Cities and Villages (UAC, a non-governmental organisation uniting and representing the interests of the 56 per cent of the cities and villages of the Ukraine) among the counterparts. The project designers hoped to bring about a process of decentralisation by strengthening i.a. the U.A.C. The programme in Latvia includes relations between the Saeima (Parliament) and citizens and media.

A fifth tendency is the *inclination to export the Swedish institutional set up*. The main thrust of the programme in the Ukraine, to mention one example, has been to help prepare proposals for new laws and administrative solutions "based on the Swedish example and the Ukrainian reality"²². The consultants' comment is that:

The Swedish model is not altogether relevant as best practice for a country such as Ukraine. The Swedish system of local self-government was based on autonomous municipalities and has developed over centuries. The task in Ukraine, to persuade the central gov-

²⁰ Programa RAAN-ASDI-RAAS 1994–2000 – Strengthening Democracy on the Atlantic Coast in Nicaragua, Sida Evaluation 00/19, p. vii.

²¹ Ibid, p. viii.

²² Cooperation between Sweden and Ukraine in the field of Local Self-Government, Sida Evaluation 99/13, p. 1.

ernment to forgo power and sources of tax income to the local government, bears little resemblance to Swedish history. In the case of decentralisation in Sweden, this move has been fully funded by the central government. As long as the fundamentals differ, i.e. that there is no legal space for local self-government in Ukraine, Swedish systems for service delivery, financial management etc. are less relevant.²³

Another example could be taken from Swedish stakeholders interviewed regarding the twinning programme with Bosnian municipalities. Quite a few mentioned “the difficulty of transferring the Swedish concept of local democracy and local management”²⁴ as a major problem. The consultant then proposes lines of action for a possible continuation of the programme, one of which includes compilation of “a basic material that describes the Swedish democratic system, local democracy and self-management to be used as an introductory material”²⁵ Another method of exposing partners to the Swedish choice of political institutions is the perennial study tour to the Parliament of Sweden. There are, however, at least some activities pertaining to more general information on political systems, including parliamentary systems, and procedures, seminars with representatives from neighbouring states, study tours to states other than Sweden etc. The programmes in Georgia, Latvia and Vietnam contain a few of those, but like the other programmes, the Swedish institutional set-up dominates. The case of Nicaragua is more difficult to assess as there is no information in the evaluation on the content of training programmes and models used.

A final tendency that warrants attention is the *lack of analyses of the perceived type of democratic transition* of the partner country and assessments of to what extent it is worthwhile supporting legislative programmes. It would appear crucial to differ between i.a. dominant-party democracies that still seem to be democratising, democratic backsliders, stagnant transitions where consolidation efforts does not seem to deepen, semi-authoritarian rule undertaking a gradual process of political liberalisation, but stopping short of free and fair elections, authoritarian states where dictators reign, and post-conflict societies. None of the documents screened included such analyses. Attention to preconditions conducive to reform would appear to be beneficial in making democracy assistance more effective. Such attention to preconditions means giving consideration to the most effective sequencing of political reforms over a long period of time, although a proper sequencing is difficult to achieve given the lack of research on these issues.

Translation and editing: *Madi Gray*

²³ Ibid, p. 2.

²⁴ Twinning Cooperation between Swedish and Bosnian Municipalities, Sida Evaluation 00/15, p. 1.

²⁵ Ibid, p. 6.

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