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STUDY ANNEXES

A STUDY OF USAID'S CAPACITY FOR RAPID RESPONSE IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICAN STATE SECTOR INSTITUTIONS

(January 14, 1994)

Submitted by: Associates in Rural Development/Management Systems International
Under Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau, United States Agency For International Development

ANNEX 1

DETAILED STATEMENT OF WORK

A STUDY OF USAID'S CAPACITY FOR RAPID RESPONSE IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICAN STATE SECTOR INSTITUTIONS

(January 14, 1994)

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BACKGROUND

Governance is, broadly, the managerial dimension of political processes-- the manner in which people organize to make and implement decisions about the use of public resources. While no single form of governance has a monopoly on effectiveness, democratic systems offer the possibility of bringing together a number of factors which should improve effective management of public resources. Public officials employ resources more judiciously and less corruptly when they know that the political system embodies the possibility of personal and partisan accountability. Publics are potentially more satisfied with a style of management in which officials have an incentive to respond, and in which there is broadly opportunity to participation, even if immediate outcomes are not favorable.

Improving governance in Africa is a method for using scarce resources in ways which have the possibility of improving economic performance and the flow of benefits. Improving governance in democratic systems offers the prospect that embryonic democracies can generate sufficient political support to survive and begin to consolidate.

Governance tasks are performed not only by national political institutions and interests, but by institutions at all levels of society. Part of improving governance involves encouraging management at the appropriate level of society, which can involve not only administrative decentralization, but the multiplication of representational bodies and the strengthening of their roles.

A.I.D. AND AFRICA BUREAU POLICY

A.I.D. has for years focused on important dimensions of governance in Africa, attempting through training and technical assistance to improve the performance of public bureaucracies. These efforts have usually taken the form of very long term training activities (such as HRDA), and of project specific capacity building.

In the current era, A.I.D. must extend its governance activities in two important ways. First, they must become more rooted in the overall political dynamic of society. Second, they must be able to demonstrate a trend toward more successful results much more quickly.

Since early 1992, the Democratic Governance (DG) program of the Africa Bureau has been looking for ways to improve governance in this new political context through a variety of mechanisms. Some have emphasized improvements in policy design, analysis and implementation (such as the Implementing Policy Change (IPC) project). Others, such as the Zambia Democratic Governance Project and the Rwanda Democratic Initiatives Project, have emphasized strengthening the role and functioning of the legislature and of the media as a two-way communication channel between government and public interest groups. Still others have stressed the importance of putting into place legal processes both to set norms and establish rights, to adjudicate disputes, such as the Guinea Bissau project on legal reform for the promotion of trade and investment.

The Africa Bureau's experience to date has taught it that more flexible and responsive mechanisms are required for it to be supportive of governance processes within the dynamics of democratizing African countries. Although building new governance habits and institutions is the work of many years, means must be available both for focusing the attention of newly elected governments and their followers on the governance crisis, and for offering perspectives and approaches to addressing aspects of this crisis immediately.

The Africa Bureau proposes to establish a centrally-funded rapid response technical assistance and financing facility to support institutions which improve governance and which link both state and non-state actors which play governance roles. The need for this facility is greatest in countries which have just completed a transition to democratic governance signaled by the holding of a election broadly considered to be free and fair for national authorities. Although these regimes offer the greatest promise of furthering both market-oriented economic development policies and democracy and human rights, they are risk and failure prone given the challenges they immediately confront and the heightened expectations on the part of the public. The need to improve governance performance and to demonstrate success in such societies, therefore, is great, requiring a means for delivering technical support in more timely manner. The proposed facility will provide to USAID/Missions and USG Country Teams a support capability more responsive than conventional A.I.D. mechanisms to time-sensitive needs of governance institutions in democratizing countries. The centrally-funded facility will

provide a bridge between prompt response needs and longer-term support of civil society through A.I.D.'s bi-lateral programs for sustainable development.

ARTICLE I - TITLE

Democracy/Governance Program Development Support
(Rapid Response Facility to Support Improved Governance in Africa)
Project Number: 698-0542

ARTICLE II - OBJECTIVE

The purpose of the activity is to provide a report for background information relevant to the preparation of a Project Identification Document by ONI/DG which will provide for a rapid response mechanism to support improved governance in Africa.

ARTICLE III - STATEMENT OF WORK

The Contractor shall outline and develop a mechanism which will provide timely resources in support of the following needs for improved governance in Africa.

1. Short-term assistance to policy formulating institutions, such as presidential or cabinet-level policy setting bodies, ministerial level national beginning the liberalization process.

2. Short-term assistance to policy implementing institutions, such as economic bureaucracies, to sensitize middle-level managers to managing for results and performance criteria, and new reporting requirements.

3. Short-term assistance to institutions which monitor and evaluate policy performance, such as legislatures, associations of local governments, and public interest groups, such as local branches of Transparency International. Short-term assistance to media representatives to initiate training in policy performance might also be included in the governance facility.

4. Short-term assistance to legal institutions to develop new implementing legislation to deal with corruption and with bureaucratic accountability, and with judicial institutions to begin establishing legitimate adversarial processes to deal with alleged mismanagement and violations of the public trust.

5. Short-term assistance to help establish mechanisms for informally involving public interest groups in policy debates and policy formulation, and to help train participants.

Specific Tasks

In collaboration with the Africa Bureau the contractor shall:

1. assess the perceived needs for rapidly disbursed support of this nature, as seen both by newly elected regimes, and by key sectors of the civil society with an interest in public policy performance.

2. analyze existing literature and empirical evidence of the probable outcomes of strengthening specific types of governance institutions, and institutions which link public interest groups to the policy process to determine which approaches are most likely to contribute to stable democracy and improved governance.

3. analyze U.S. and African regional organization capabilities (including but not limited to U.S. Universities, Professional Associations and other U.S. PVOs and African regional organizations in key areas of need for improved governance outlined above, to determine where the existing capability for assistance in this area is found, and how additional capability can be rapidly created.

4. analyze various implementation modalities for establishing a rapid response and support facility which can be made available in a timely manner, and particularly to bridge the transitional period between A.I.D. project design and implementation.

5. draft a document outlining the modalities of a rapid response facility to support improved governance in Africa.

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ARTICLE IV - REPORTS

Following approval of a first draft report, (described in #5 above) by ONI/DG at the end of the fourth week of the delivery order, the Contractor shall submit a final report of no less than 40 pages, with appendices that include discussions of four specific tasks described above.

The Contractor shall provide five copies of each report by the end of the delivery order to ONI/DG.

The Contractor shall submit the reports on a 5.25" floppy disk formatted in Wordperfect 5.1.

ARTICLE V - RELATIONSHIPS AND RESPONSIBILITIES

Technical direction during the performance of this delivery order will be provided by the Chief of the Office of Operations and New Initiative's Democracy and Governamnce division for work performed in the United States. For work performed in Africa, technical direction will be provided by the respective mission director.

ANNEX 2

COMMISSIONED PAPERS:

ANNEX 2(a): IMPROVING GOVERNANCE IN THE EXECUTIVE BRANCH

ANNEX 2(b): IMPROVING GOVERNANCE IN THE LEGISLATIVE BRANCH

ANNEX 2(c): IMPROVING GOVERNANCE IN THE JUDICIAL BRANCH

ANNEX 2(d): IMPROVING GOVERNANCE THROUGH DECENTRALIZATION

A STUDY OF USAID'S CAPACITY FOR RAPID RESPONSE IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICAN STATE SECTOR INSTITUTIONS

(January 14, 1994)

ANNEX 2(A)

COMMISSIONED PAPER:
IMPROVED GOVERNANCE IN THE EXECUTIVE
(January 14, 1994)

I. INTRODUCTION

Donor agencies and host countries have continuously voiced their concerns for the question of good governance in Africa. They always related this interest to economic development since the first periods of independence. To address the problem, the partners in development invested huge amounts of human and financial resources in the last three decades of development activities. After thirty years of effort, it is now getting clear to everyone that the question of Good governance is more complex than it was earlier thought to be, that a lot could be said about the way it was addressed in the past, that a lot should be done in this area in the future if development efforts must succeed. The present economic crisis in Africa is very simply a crisis in governance. This has come about due to the way governance was conceived and prescribed in the past. In this paper we will take a look at the various ways in which governance was conceptualized in Africa for the last three decades. The paper will consist of four parts. In the first one, we will deal with the various conceptual frameworks used to guide action, and/ or to explain the performance with hindsight. The second part will describe the executive as it is set up in most Francophone African countries. In the third part , we will deal with the empirical findings on the way the states/executives operated since independence. The last part will consist of some suggestions for the mechanism to be used for a rapid intervention mechanism, and the description of the elements of a program that will support the mechanism.

II. CONCEPTUAL FRAMEWORK AND PROJECT RATIONALE

Executive branches in African countries have continuously been conceptualized with respect to the role they were expected to play in economic development. Their governance role was always tied to what they needed to do to ensure the implementation of economic policies with the intention of increasing the well-being of the citizens. Guided by this concern, we have identified size frameworks; the social contract approach, the "retrenchment approach, the informalization and the rise of civil society, the "New institutionalist", the Good Governance approach, and the democratic governance conceptualization approach.

A. The Social Contract

The social contract idea is the first conceptual framework that scholars and practitioners used to explain the nature and the role of the state (mainly represented by the executive) in Africa. This social contract conceptualization was a developmentalist and welfarist social contract between the rulers and subordinate classes. It took the form of popular social allegiance for the supply by the state to the masses of roads, schools, health centers, pumps, jobs, contracts, etc... In the process, a pattern of social and economic expectations became focussed on the state-led modernization process with strong popular dimensions. But while popular, this contract was far from democratic. Its principal mechanisms were a mixture of corporatism and clientelism.

The constitutions of the first post-colonial states were perfect copies of the ones in effect in the colonizing countries of western europe at the time those Powers were granting independence to their colonies. These constitutions were dominated by libertarian thinking about the state. Libertarian philosophy assumed that the world consisted of free individuals endowed with natural (pre-political) rights. That the role of the state was to provide a neutral framework through which rights-bearing free individuals could interact. Under the libertarian concept, the stated exercised three functions: it protected private rights; it protected the market through which people could rearrange the rights; it respected individual preference resulting from the exchange process.

The underlying premises of the libertarian conceptualization of the political process proved incompatible with the role advocated to the state by new African leaders and donor agencies advisors. The interventionist approach assigned to the state was totally contradictory to the letter of the constitution. The provisions of these constitutions were not just followed in the best of cases, or were amended to suit autocratic needs. This led in most cases to a situation where the legislative and the judiciary were brought under the control of the executive in order to ensure maximum efficiency in implementation. This opened the door for all kinds of abuses. Shaheen Mozaffar described this in a very incisive fashion. He states that the welfarist approach allowed the first string of African leaders to organize to extend the control of the state over their economies into political machines. They expanded the numbers and functions of public enterprises headed by patronage employees personally responsible to them. They intervened in specific markets and sectors (cash crops, food production, industries, capital, and foreign exchange markets) and accumulated state revenues as patrimony, which they strategically allocated in exchange for political support. Through subsidies, tariffs, credit rationing, and overvalued exchange rates, they altered market incentives and relative rates of returns to generate rent to privileged key social actors (urban industrialists, large commercial entrepreneurs, cash crop producers, the professional middle class, and organized labor) who comprise a disproportionally small segment of the population, but who possess the economic wherewithal to interrupt the stable flow of state revenues and the political resources to mobilize potential opposition. Peasants, spatially fragmented across Africa's rural landscape, and small merchants and petty traders concentrated in Africa's bulging cities, possess neither the organizational nor the material resources to pose credible political and economic threats, and have therefore born the brunt of the costs of the politically-skewed interventionist policies.

The perception that the state is the instrument through which African social problems could be solved led to the strengthening of its functional mandatory and coercive capacities. This has also unfortunately led to more centralization and personalization of authority, larger and more inefficient and corrupt bureaucracies, a greater predation and repression. Nelson Kafsir (1976) portrayed this relationship as one of "constitutional concentration" and declining "civic capacity".

B. Governance as "Retrenchment"

The interventionist authoritarian model described above resulted in a very severe economic and financial crisis in the late 70's and early 80's. Countries became bankrupt, and could not honor their international obligations.

Gradually, government dictates became disregarded by people, and laws and regulations became obstacles to be circumvented. Eventually, individuals and groups fled the official economy and engaged in activities that ensured their survival but also facilitated corruption and other illegal practices.

The next conceptual approach emerged after careful analysis of the consequences of the heavy state intervention in the economy. In order to remedy the negative economic impact of the strong and oversized state, a strategy of state retrenchment was advocated. This took three forms. The first relates to "by passing the state", using autonomous projects. Another form of this was the reliance on Private Voluntary Organizations. The second form of this relates to structural adjustment Programs. These programs were designed and put in place to address four major objectives: to get the executive out of the direct management of the economy and turn it over to the private sector; to reduce the size of the civil service, and to remove major market constraints such as price fixing. In this conceptual framework, two objectives appeared clearly that were contradictory. First, that the economy should be put in the hands of the private sector. Second that the same state remains the main agent of that change. The state was expected to

weaken itself and remain strong enough to forcefully implement all the changes prescribed in structural adjustments programs. The success of the structural adjustment program was considered dependent only on the will of the executive to impose it on the various social groups. This conceptual framework, strongly related to structural adjustment policies, sought to tilt the balance of power in favor of the producers of tradeable in the economy. The major proponents of this approach were Bhagwati, (1982), and Lal (1987). They based their prescriptions of this approach on the premises of public choice theory postulation of the likely distribution of gains and losses among competing social groups.

C. Informalization and the Rise of Civil Society

Empirical evidence gathered after launching many structural adjustment programs showed that the targeted groups did not benefit as much as it was intended and that the agents in the state were still the main beneficiaries of the structural adjustment policies. This created the foundation for the next conceptual approach to governance. This third conceptualization recognized two significant processes of change in African societies, informalization and the rise of civil society. Writers holding this position include Bratton(1989a, 1990), Portes et al.(1989) Lemarchand (1991) and most consistently, Chazan (Azarya and Chazan, 1987,Rothschild and Chazan, 1988; Chazan, 1988). They advocated focussing on non-government organizations as a catalyst for development. In addition to institutions which ensure democratic freedom and regular elections, the proponents of this approach argue that there should be structures which facilitate permanent social control of the state. The development of civil society is a fundamental guarantee of substantive participation and control of power by pressure groups such as trade unions, professional and other forms of association.

The present situation of civil society in Africa is alarming. As Mozaffar (1993) puts it, "the civil societies suffer from two weaknesses. The first weakness has to do with their inability to coalesce due to three decades of authoritarian rule. The regimes in place gave them no opportunities to do so. The second weakness results from the intrinsic disarticulation of societies which combine large peasant populations and deep ethnic and sectarian cleavages with economic underdevelopment." In addition to the weaknesses identified by Mozaffar, there is also the risk that the benefits of these policies promoting civil society go to the same people who have benefited from the privatization drive at the expense of the true target groups.

As the result of economic and financial crises, most governments proceeded to privatize organizational resources. This has taken various forms. There has been padding of salaries lists. wholesale conversion of public resources through legalistic means aimed at fostering efficiency, i.e. selling of public cars to bureaucrats in Tanzania, Mali, Guinea; excessive conferencing so as to claim per diem and travel allowances, excessive travel, pay-offs, briberies. false declarations on documents, stealing selling and hiding official documents and records; misuse of official housing, and squeezing businessmen. See David Gould, Richard Joseph.

D. The Good Governance Approach

This conceptualization grew out of the dissatisfaction of the World Bank with the dismal results in the implementation of its projects and structural adjustments programs. World Bank studies and evaluations have recognized the limits in the attempts at improving classic governance functions. Within the limits of its mandate, The World Bank revises its concept of good governance and includes in it dimensions with very political connotations. This new conceptual framework, outlined in "Managing Development : The Governance Dimension", The new World Bank concern includes sound economic management, as well

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as rules and institutions that create "a predictable and transparent framework for the conduct of public and private business and accountability for economic and financial performance". It concerns - the manner in which power is exercised in the management of a country's economic and social resources for development.

The important thing to note here is the shift in the World Bank area of focus. The Bank attention shifted from project-related interventions to those related to more general reform of the civil service and public enterprises, and to the central economic agencies that are responsible for macro-economic policy.

E. The "New Institutionalism" Approach

The fifth conceptualization is the "new institutional" one, also known as Institutional Analysis and Design (IAD). The proponents of this approach think that to achieve sustainable development, African countries needed to make massive changes in existing institutions at the time of independence. Instead of doing that, they have reconducted old colonial institutions, and continuously copied new ones emerging from the West. In all cases, the leaders have done what it took to secure their interests. The new institutionalist assert that the institutions needed should focus more on what people want, how they organize to obtain that. The institutionalist argue that the new challenge is to replace the neo-colonial instruments of dominance with institutions of self-governance. This task requires a close investigation of both microconstitutional and macroconstitutional arrangements, and how they can constructively be linked to one another. Representative authors in this group are: Lynn Ostrom (1990), Amos Sawyer (1992), Shaheen Mozaffar (1993).

F. Democratic Governance

Donor and recipient countries invested heavily in interventions aimed at improvements in the traditional governance functions, using authoritarian and/or no-participative approaches, The results were dismal. At this point it became clear to everyone that present economic failures could not be separated from political shortcomings. According to Richard Joseph, (Carter Center, 1992), "Public administrations were hampered by bureaucratic obstruction, pervasive rent-seeking, weak judicial systems, and arbitrary decision-making. This cancer was pervasive at all levels of government. Local governments became instruments of imposition of central mandates".

This situation prompted a new look at the governance issue. It led to a conceptualization that ties democratic principles to the governance of economic development. It states that traditional governance functions are facilitated by the requirements of a democratic society. There is a special domain where these two overlap. This is the domain of concern for the approach. In the AID conceptual paper written by ARD, this is labeled democratic governance, and defined the author as:

> the effective management of public affairs through the generation of a regime (set of rules) accepted as legitimate, for the purpose of promoting and enhancing societal values sought by individuals and groups.

This approach synthesizes conceptually all the preceding ones. It leans heavily on the new institutionalist approach. It appears conceptually sound. It may pose serious problems in its operationalization because it touches a delicate domain, that local politics and Donor open involvement in it. If finally approved by AID and ARD, the implementation of this new conceptual approach needs to be handled with extreme care.

Observations Concerning the Approaches

There are certain elements about the conceptual approaches that can create problems. These problems were part of the lessons learned from the past experiments.

There is a very simplistic view of the World that appears clearly in most of the conceptual frameworks reviewed. This is evident in the attempt to find dichotomies everywhere, or to ignore major social actors. The first theories of development approached the dynamics of development as the gap between the sectors that are traditional/modern, or as public versus private sectors. These simplifications appear again in the conceptualizations in the approaches to governance by looking at the situation in terms of state versus civil society, formal versus informal sectors, etc. I think the situation is too much complex for that kind of reductionism. Maintaining such a frame of reference will lead us to the dismal performance in governance we have experienced in concentrating efforts at strengthening central government, or at bypassing them.

There is a need to exercise a lot of care and humility when dealing with African Executives. There is a need in whatever we do, we need to recognize that governments exist and have a role to play in whatever we want to do. They can play a positive or a negative role. They can do a lot of harm to any policy they do not own. The evidence on that is clear from all analyses done on the crisis of governance. On the other hand, if handled properly, and given the proper incentives, governments have the capacity to support a policy and greatly facilitate its implementation. There is strong evidence in the literature to show that decentralization worked very well when there was strong support from the central government, Dele Jinadu (1992) supports this point in the Carter Center Publication.

There is in Africa a belief in the role that strong leadership can play in African countries. Africans have a lot of respect for strong leadership respecting certain shared values. Where there is strong leadership, committed to democratic values, it would be well advised to do whatever it takes to support those leaders in what they themselves decide to do that is consistent with strengthening democracy.
There is no doubt that outside assistance can help a lot. However, whether it is in the area of structural adjustment or that of democratization, the impetus for making it work would have to come from inside the country concerned. There is no substitute for that. This needs to be understood and factored into the new approaches. It is only when forces for change emerge from within that change would have the highest likelihood of occurring.

III. THE EXECUTIVE IN AFRICA

The evolution of the executive branches should be examined in the light of the overall conceptualization of the state of which the executive is an integral part, and its evolution since the colonial period.

At the time of decolonization, the colonial authorities were forced to enstore democracy as a strategy to maintain residual interest. The colonial state restructured the preexisting economies, and regulated peasant production through monopolistic trading companies and marketing boards.

This form of democratization reinforced the alliance between the emerging elites and the colonial authorities and facilitated the growth of a local bourgeoisie. The emerging elites saw democracy as an opportunity to end their subordinate position in the colonial economy. But the authoritarian character of the colonial economy prevented the growth of democracy. Rather than democratize, the national elites used the state monopolies and the patronage networks to consolidate and expand their economic power.

To understand the role of the executive, one needs to understand the nature of the post-colonial state. It was composed of highly centralized structures superimposed upon all other structures. This state was overbearing, restrictive and predatory. It concentrated power in one or two institutions and subjected that power to the dominance of the executive arm of the government under the President. Tardoff(1984) referred to this as presidentialism while Selassie(1974) called it neo-presidentialism.

As the state expanded its grips on the society, democracy was seen as obstructive of both corporate and private accumulation. Military and one-party systems were defended as necessary political arrangements for nation-building and economic development.

To this day, it is the perception of most politicians, civil servants, and professional people that it is the executive that is the only institution that gives clout, and that is worth fighting for. This is why the elites in newly democratizing countries spend a lot of energies struggling to gain access to positions in the executive. To illustrate, here is a brief description of the branches of the executive branch.

A. The Organization of the Executive

The executives in Africa grew out of a great deal of imitation of metropolitan systems. "British" Africa began by adopting the Westminster model while those of French Africa followed the French model and the ex-Belgian colonies were influenced by the Belgian model.

The executive in most African governments is composed of the President's Office, the Office of the Prime Minister, the Ministry, the Permanent Secretary's Office, the National Directorates, and the decentralized entities used by the state to carry out its policies.

1. The President's Office

This is an elected Office. The incumbent sits on top of the executive branch. In the French tradition, this is an imperial Office that centralizes decision-making on all major state activities. The incumbent is above all party affiliation. He appoints the Prime Minister and the other members of the government. He chairs the regular weekly meetings, or the occasional extraordinary ones of the Council of Ministers. He signs all laws, ordinances and decrees. In the French tradition, the President holds the constitutional power of dissolving the National Assembly after consultations with the Prime Minister and the President of the National Assembly.

Goran Hyden (1983), Bereket H. Selassie (1974) all agree that the distinguishing feature of the Presidency was that the African President had the additional and unique role of being the "Father of the Nation".

2. The Prime Minister Office

Most countries with Francophone tradition (with the exception of Benin) have created the position of the prime Minister. The role of the Prime Minister is to coordinate the action of the government to the President. The Prime Minister is appointed by the President. His role is to direct and coordinate the actions of the executive. He proposes the list of his cabinet to the President who has the power of approval. The Prime Minister is responsible for the implementation of the policies of the government. For that purpose, the PM holds regulatory power.

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3. The Ministries

The Ministry is the entity in charge of a major policy area or a number of interrelated ones. He exercises his functions within the general guidelines set by the President or the Council of Ministers. The Ministerial Function is incompatible with any other elected function in a number of countries. In the Westminster tradition, one cannot become a Minister if one is not a member of Parliament.

4. The "Cabinet" of the Minister

Each Ministry has a cabinet composed of the Advisors (support staff) composed of well trained men and directly attached to him. This Office serves as the link between the Minister and the Department.

There are problems with this arrangement. It tends to serve as a screen which has had disastrous effects because it seriously limits the contacts with the Ministers. Moreover, this office filters communications with the Minister and can distort the Minister's view. In a conversation with one Minister, he told me he was amazed at the distance between realities and what his staff told him. He had to keep reminding them that he too lives in town and has contacts with the common people.

5. The Secretary General/Permanent Secretary

In each Ministry there is the Office of a line Administrators called Permanent Secretary in Anglophone Africa, and Director de Cabinet or Secretaire General in the Francophone countries. This Office ensures stability in the Ministry. It is the normal practice in Anglophone Countries. It is only being introduced in some Francophone ones. The reforms in the Republics of Guinea and Mali provide for the creation of the position. It is interesting to note that Countries that have institutionalized this function have more stable administrations than those that have not been able to do so. it insures continuity, minimizes the effects of Ministerial change, and shelters Administrators from the struggle for power.

6. The National Directorate

There is a National Directorate for each program area. This Directorate is a very critical point in the chain. It initiates new policy, implements and monitors closely existing ones. This is the point at which the Executive links to the field Offices with respect to policies implementation.

7. The Control Bodies

In Francophone Africa, The State disposed of two major control mechanisms: Mechanisms internal to the executive such as the Inspection Generale d'Etat, and those located outside of the executive, but still controlled by it such as the Cour des Comptes.

The Internal Executive mechanisms were composed of the control outfits located in the Ministry of Finance, and the Inspection Generale d'Etat which was attached to the President's Office. The Inspection Generale d'Etat functioned in many countries at the discretion of the President of the Republic who was the Chief Executive Officer. The latter used the Inspectors to gather compromising information to high level officials or to get rid of those who happen to voice unwanted opinions. The reports were always kept confidential.

The Cour des Comptes is part of the Judiciary system. Its role is to audit the accounts of the government and report to the Parliament.

8. Field Offices

To translate the policies into actions in the field, each government uses a combination of decentralization schemes with some degree of delegation, devolution, liberalization, and self-governance. The schemes that were widely used in "French" Africa were the deconcentration one and the delegation ones. Deconcentration meant the expansion of central agencies in the interior of the countries. Delegation was widely used to insure Government control over economic activities, which led to the creation of parastatals in all areas of national activities.

In Anglophone countries, there was a greater reliance on local autonomous entities which were controlled at the local level.

9. Common Features

The common characteristics of all African systems is that they evolve in what two Peter Ekeh (1975) calls two public realms. The first one that is shared with the people that values clientelism and the mix of public and private funds. The second one that is shared with the outside World that is pushing for all the values that are in conflict with the values in the first realm. That one of the challenge of governance throughout Africa is to bring those two realms together into one.

A second common feature of all African Executives is what Bereket Selassie (1974:115) called Neo-Presidentialism, i.e. the personalization of power. He states that whatever the constitutional framework was, the style was personal and authoritarian.

IV. THE EMPIRICAL DATA

Various internal USAID evaluations reports complain about the lack of performance of programs and projects in Africa year after year. These weaknesses were summarized in the World Bank report, Governance and Development. According to a World Bank report, Africa is in desperate and urgent need of good government. Despite repeated assistance in reforms and training, the public administrations do not perform according to expectations. According to the World Bank report (1989), the principal symptoms are:

- The uncontrolled expansion of staff in the civil services and public enterprises, which functioned as welfare agencies.

- The rapid promotion and turnover of poorly qualified staff who have little in-depth understanding of either the institutions they manage or the context in which they are expected to function.

- Difficulties faced by managers motivating and disciplining their staff owing to the social and political context in which they operate.

- Insufficient appreciation by governments that public agencies work best if staffed and run by professionals according to objective rules and criteria.

- In an increasing number of countries the compression of civil service pays at the expense of higher level staff.

The points made above are very general ones. Next, we will specifically disaggegate these problems per functional area.

A. The Growth Of The Executive

The assistance policies just focussed on the executives at the expense of other government institutions. These executives grew disproportionately with respect to other social subsystems. This growth has created an imbalance between the administrative system and the other social systems. It has not resulted in increases in efficiency and effectiveness.

All the conceptual frameworks have contributed to the centralization of the decision-making and implementation. The present local and international arrangements are not conducive to decentralized approaches. The main ingredient of the agencies at those levels is control. To insure that they maintain control over what is going on, national and international bodies like to keep it close to them. They always justify that centralization on legal and technical grounds. The legal ground says the present laws do not permit to let go, or there is no legal basis for it. The technical view argues that the technical competencies do not exist yet to relinquish the functions to other levels. These two arguments summarize the positions taken by the National and International agencies with respect to major decentralization and self-governance efforts. Together , they constitute the biggest obstacle to decentralization.

B. Policy Formulating and Planning Functions

The Presidency, the Prime Minister Office, the Ministry, and the Directors constitute the policy making bodies. The President's Office, the Prime Minister's, and the Ministries of Planning and Finance get involved in overall planning, and in sectoral planning. Each Minister and his Directors get only involved in policy formulating for their sectors. The Ministries of Planning and Finance have so far handled the main planning job for the executive.

C. Overall Planning

Whether they opted for the a marxist or liberal economic development approach, all the countries in Africa have all relied heavily on central planning.

This reliance on central planning resulting in the adoption of a 5-year plan. The initial plans and the subsequent ones were all drafted by outside technical assistance. Because of the poor performance with the five year planning model, most countries are getting rid of it and turning more and more to the Three-Year Plan adjusted on a yearly basis.

The annual budgeting process is an opportunity to review what was accomplished with the money spent, and to decide on what program was going to be bought with the new money. This review and planning is not done that way. The annual budget process focusses only on the financial flows of revenues and expenditures.

D. Sectoral Planning

Sectoral planning is very critical and very important in the African context. It focusses more on what to do and when to do it. Sectoral planning suffers from two major weaknesses. The first one is that when it is done, the information is always outdated. In instances where it is done, the plan consists of general policy statements without much guidance for action, or totally impossible to operationalize. Secondly, it is very poorly done because it is done by macroeconomists without much substantive knowledge of the sector they are planning for. The third weakness is that even those poorly drafted sector plans are done by foreigners without much involvement of the local cadres.

E. Policy Implementing Bodies

The main bodies of interest here are the operational Ministries, their National Directorates, and their subunits in various geographical locations. They suffer from many weaknesses that are outlined in the following paragraphs.

F. Inadequate Analysis of Policies

The capacity to analyze policies is not adequate in most cases. Generalists economists are put in charge when what is needed is technicians who are trained in macroeconomic and microeconomic analysis as they relate to their fields which they understand very well.

G. Setting of Priorities

Programming to set priorities and to achieve those priorities on the part of the local staff is inexistent. It is not rare to walk into a Ministry and not find an annual workplan and a budget with benchmarks, expected results, all of this based on an adequate analysis of what was done during the previous periods.

H. Exclusion of Local Staff

Most of the analysis and planning work is done by Donor organizations, their consultants and the staff they put in the field in close contact with one top official of the President's or the Minister's Office. For the donor, this has the advantage of getting the job done quickly. For the local Official, it allows him to keep control over the new policy and projects, and the benefits that accrue from them. However, this way of doing business sacrifices local capacity building, and results in personnel not well trained to do analysis and programming, once the technical assistant agent is withdrawn.

I. Critical Lack of Resources

Most agencies would be incapable of implementing policies where there is no donor funding. Sectors implement policies using projects. This has many disadvantages. Subsectors with projects are totally controlled by the donors. In that case, the majority of the staff is kept out of the loop.

Subsectors without projects are neglected, and they cannot exercise their supervisory and guidance role. In most countries, such Directorates and field offices receive no operating budget allocations from the central offices. It is not rare to see an Officer in charge of a critical supervisory job unable to carry it out because of a lack of resources. In some countries most of the field offices do not have basic office equipment and receive no operating money.

J. Poor Data Collection and Treatment

The availability of data is critical in for monitoring and evaluation purposes. An assessment of the management problems in a ministry showed the lack of data as the main problem of management and accountability. There was no information on personnel. Nobody could tell how many people were working in the Ministry, what the qualifications were, and where the people were located. It is common practice to make-up reports based on data created for the need of external agencies.

This lack of capacity to collect data and process results in the inability of all agencies to prepare and present reports. The agencies in question are incapable to account for the use of the resources they are using.

K. Control Functions

The inability of the Courts to function independently combined with the rubber stamping nature of the parliament made this institution useless. There was a general lack of compliance with the reporting requirements of the executive. For instance, in one country, the Ministries were required to send to the Cour des Comptes their assets accounts for the previous fiscal year by 3/31. No Ministry complied with that and there was nothing the Cour des Comptes did about it.

In this West African country, agents of executive agencies did not have any fear of controls because the Agents in implementing bodies were sure they could bribe any controller that was sent to review their books. They were convinced that each one had his price. It was common knowledge that controllers were only interested in their envelops. The bigger the envelop, the most laudable the report would be. Interviews, many controllers in that country just laughed and stated that they had to make a living like everybody else.

V. OPERATIONALIZING A PROGRAM OF EXECUTIVE REFORM

A. The Mechanism

Considering the urgent need for the intervention, I would suggest one very simple mechanism for all cases of countries. I would suggest using the services of an already operational US-based entity that is very familiar with the subject matter and that would be immediately operational. The familiarity with the subject matter and proven experience with the field realities facilitates greatly project implementation. Funds will be made available to that entity. The latter would also turn around, subcontract with US-based and/or African-based Institutions and individuals, and/or a combination of the two, who are already competent to immediately provide the services needed without any delays.

B. The Program

Recipients and donors have spent a lot of resources on governance development at projects and programs levels with dismal results. There is a vast literature on the failures of those interventions, and the causes of the failures. These failures did not mean that the programs were not needed. It is my opinion that whatever intervention mode donors used, it suffered from three major. The first and most important reason for the failures was the lack of receiving environment for the changes. As explained earlier, all African States displayed characteristics of neopatrimonial ones that survived solely on patron-client relationships. Secondly, in cases where there was a chance of success, the changes were not given

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sufficient time to mature and bear fruit. Thirdly, the beneficiaries were not involved enough in various phases of the change program the way they should have been. The program I propose would take into consideration these three major points. It has two parts to it. The first is a general program that will be applied in all categories of countries. The second one would be composed of elements specific to each category.

The elements of the intervention would then be described below with respect to three categories of countries. Whenever possible, the element would be linked to an institution or individual capable of delivering it in the quickest way possible.

1. General Program

The general program will consist of the Development of a pool of change agents, and the development of a democratic and civic culture.

(a) **The change agents:** This element of the program is key to the local ownership of the program. It will consist of the development of a pool of change agents capable of taking over all phases of democratic culture development, and to carry out all activities related to the program.

This situation requires a real strategy for change supported from within. I suggest a strategy based on the development of a pool of change agents in each country qualifying for the assistance. These agents would become our specialists in democracy education

The suggestion is made for the quick development of a pool of change agents specialist in democracy education; The intervention will organize a series of immediate meetings, workshops for that purpose. The aim of the workshops will be to help the participants familiarize themselves with the concept, the individual and institutional requirements for the struggle for democracy, and to identify problems for future interventions. This could be done in two ways:

(i) First, this could be done at the Carter Center at Emory University. This institution is already set up to do this kind of exposure to democracy. They have done a similar last summer.

(ii) Another mode that could be used is the use of a traveling Team one. The entity chosen could put together a Team of trainers that would develop a basic training package in democracy and governance, tour the countries selected, hold action workshops in democracy and governance. These initial workshops will help select and develop local intervention groups for future activities in this area.

(b) **The development of a democratic and civic culture:** All the countries in Africa are coming out of a long period of one-party rule. This long phase of single party dynamic has a very negative impact on the way people react toward democratization. There are many bureaucrats who, in good faith are learning about democracy. They want to know what it means for them, and the attitudes and behavior requirements.

There are a lot of citizens in urban and rural areas as well, who ignore completely the requirements of a democratic society, their rights and duties. This situation cannot be left as it is. It is important to do something about that in the form of education.

PRE-TRANSITION PHASE COUNTRIES

The main area of concern in this period is the issue of how to share power between those who are already there and those who want to get there, and how to keep the two parties talking to each in peace. In a situation like this, the main issue would be the degree of freedom of speech, la capacity and willingness to negotiate, the drafting of the Constitution, the legal requirements for the existence of parties, the drafting of an election code

(i) Development of the legal environment: Assistance will be provided in the drafting of a new Constitution, a new code for parties, and a new electoral code.

(ii) Development of the capacities for negotiations: During this period, there are a lot of very delicate matters to be negotiated by the opposing parties. These have to be familiar with the requirements of a good negotiation and the skills required for a good negotiator. The intervention would provide training in this.

TRANSITION PHASE COUNTRIES

Transition countries will have a very pressing need for assistance in two major areas: (a) Preparation and execution of elections, and (b) preparations for the smooth take-over of the eventual winner.

(i) Preparations and organizations of elections: Holding free and fair elections is the first requirement of a modern democratic system. It is even more critical in an environment like Africa where there is a lot of fragmentation in society.

(ii) Information of the public: To insure the information of the public, it will be important to undertake activities in urban as well as rural areas.

(iii) Campaigns: Campaigns requirements have to be well known by Candidates and populations. Provide assistance in the spread of information

(iv) Supervision: Help develop and support a local supervisory body that will support and complete the tasks assigned to the international one.

(v)) Removal of physical constraints to participation: It is important to see here if some innovative means could not be found to insure a higher level of participation. The use of traveling voting booths would be one of the remedies.

(vi) Preparation for a smooth take over by the winner: These could consist of some general legal and management training, and a heavier dose of democratic and civic training.

COUNTRIES AT THE CONSOLIDATION STAGE

The main issues to be addressed is to help begin to be concerned with more responsiveness, more accountability, and more participation of populations.

Responsiveness

The participative process of Setting priorities, organizing to identify activities and implement them are part of general management knowledge and skills absent in managers in most developing countries in Africa. Old and new managers all need to learn skills in midterm macroeconomic analysis and planning, and in general management in a democratic context.

Pittsburgh and Clark Atlanta could be used for this. They both have regularly worked on this in the past. This training works when it is used in an environment where there is commitment to make it work on the part of the leadership. The Director of an agency in a country I served as Resident Advisor participated in a management seminar in one of the US institutions prior to becoming the Director. He found it very useful for him when he was promoted as Director of a major project. He negotiated to send fourteen of his high level associates in the Seminar he attended.

Accountability

(i) Programming and Budgeting: Annual budgeting cannot be adequately done if there is no budget process in place in the country, and at ministerial levels. This needs to be handled immediately before the beginning of the new fiscal year. This budget process serves as the main tool for management audit. It is therefore essential if we want to have accountability in programs implementation.

Dr. Aliou Samba Diallo is an excellent process person. He has worked on this process development and installed it in this country where we both intervened as part of a USAID technical assistance project. He could be very useful in helping introduce this notion and install the processes at various levels of the government.

(ii) Financial Management and Audit: The mismanagement of public resources is still a major issue in newly democratizing countries. Financial management and audit capabilities development is needed all over in order to improve information collection, reporting and create the basis for quick fiscal accountability.

The CESAG is very well set to do this work with a very short notice. The Institution has a Finance department that prepares student for a MBA in Finance and Audit in addition to this training carry a lot of consultations and short term trainings.

(iii) Control Entities: To develop accountability, there is a need to develop the internal capacity to account for what executives have been doing. There is however the need to strengthen external capacity to control what the Government does. This could be done in two ways.

** This accountability could be handled by delinking the control entity mechanisms from the executive. The rapid intervention could start work on this by putting the idea on the floor for discussion among the various social groups.

** This could also be handled by initiating the auditing and publication of audit results by private auditing firms. The rapid response could get involved in this by initiating training of auditors in the private sector.

Decentralization and Self-Governance

The participation of the populations in running their own affairs is a critical part of democratic governance. This area needs a special attention, and should be done in rural as well as urban areas.

(i) Assistance to Rural Areas: The rural poor need to know what democracy means. Most governments have been very slow at translating the new situation into policies that show the people that they are in charge now. The intervention should start immediately a campaign to create self-governing bodies all over the rural areas.

The ARD, the CLUSA regional Office in Ouagadougou and the IPD/AOS based in Ouagadougou all have the competencies and the track record to move immediately on this.

(ii) Assistance to Municipal Entities: In the urban centers, there are newly elected mayors who are settling in. The intervention could assist them to enable them to settle in a smooth fashion by providing them with resources for office needs.

This is an area where CAFRAD has done a lot of work, and where they could quickly move and provide the necessary element.

The intervention could assist in the review of legislation, and assess what needs to be done to get rid of dominance legislation and regulations, facilitate self-governance.

ARD and CAFRAD could also help with this element.

ANNEX 2(B)

COMMISSIONED PAPER:
IMPROVED GOVERNANCE IN THE LEGISLATIVE BRANCH
(January 14, 1994)

I. INTRODUCTION

By the time of independence in the 60's, legislative institutions in Africa -- like similar bodies in Third World polities -- have received much less scholarly attention, compared with such subjects as modernizing elites, charismatic leadership, political parties and the military.

With the breakdown of the democratic systems inherited from colonial powers and subsequent development and generalization of military and one party rule, the literature became more and more sparse because of the less political visibility of the legislative bodies in authoritarian systems. The main result is a relatively limited knowledge of these bodies and their relationships with other political institutions and processes.

Transition to democracy in Africa is too recent a phenomenon to have generated an important, genuine and specific reflection on the functions and roles of legislative institutions in the process of building and consolidating democratic governance.

In fact, in a growing body of literature, -- not yet the size of that on Latin American countries -- analysts much concerned by such subjects as elections, modes of transition and civil society, have not yet begun the weaving of the new elected National Assemblies into the political fabric. This notable lacuna is evidenced by recent books and studies published during the last four years in periodicals such as, *African Affairs, Afrique Contemporaine, Afrique 2000, Cahiers d'Études Africaines, Comparative Politics, Comparative Political Studies, The Journal of Commonwealth and Comparative Studies, The Journal of Developing Areas, The Journal of Modern African Studies, Legislative Studies Quarterly, Parliamentary Affairs, Politique Africaine.*

Thus, to review, compile and analyze existing literature and empirical evidence on governance related to the existence of the legislative branch means three things. The first is to single out seminal works from an important body of scholarship, useful for the setting of an heuristic methodological and conceptual approach of African legislatures in a democratizing context. The second, is to undertake an inventory of published studies on African legislatures of the pre-transition period. The third, finally is to suggest and discuss types of practical short or medium term interventions aimed to the promotion of good governance and democratic consolidation from the African legislatures perspective.

II. THEORIES AND METHODOLOGIES IN LEGISLATIVE RESEARCH

Many important studies on legislative institutions, structures, functions, processes, behavior and impact on other political and social institutions, have been published over the years.

Using structural-functional analysis, or organized in the systems-analytical perspective, on a comparative basis including African case studies, they are evidences of the cumulation made in this field of study.

Among the more interesting to be listed are: Blondel (1973) Comparative Legislatures; Eldridge (1977) Legislatures in plural Society; Hirsch and Hancock (1971), Comparative Legislative Systems: A Reader in Theory and Research; Kornberg (1973) Legislatures in Comparative Perspective; Kornberg and Musolf (1970) Legislatures in Developmental Perspective; Loewenberg, Paterson and Jewell (1985) Handbook of Legislative Research; Mezey, (1979) Comparative Legislatures; Paterson and Wahlke (1972) Legislatures in Comparative Perspective; Polsby (1975) Legislatures; Riggs (1963) Bureaucrats and Political Development: A Paradoxical View; Riggs (1975) Legislative Origins: A Comparative and

Contextual Approach; Smith and Musolf (1979) Legislatures in Development; Wahlke and Eulau (1959) Legislative Behavior: A Reader in Theory and Research.

III. EARLIER STUDIES AND LIMITED KNOWLEDGE

Given the lack of recent relevant literature and the limited knowledge on legislatures in Africa provided by previous studies, one must consider the following questions.

Can we learn and what can we learn from the results of earlier research on African legislatures? Will this literature and the empirical evidence be useful "in determining the needs of the legislative branch, and its capacity to undertake identified governance roles and functions in order to determine which approaches are most likely to contribute to stable democracy and improved governance in Africa; and the probable outcomes of strengthening the legislative branch institutions in this regard"?

If "Politics without history has no roots", we can learn and learn a lot from earlier research by historians, political scientists and specialists in legislative studies on African legislatures. Just as colonization, three decades of authoritarianism are more than an episode in the history of the African polities and the new elected National Assemblies will not make a clean sweep of the consequences of the past legislative activities, processes and behavior.

Information about the historical contexts of the emergence of legislative assemblies, their origins, evolution, structures, functions, roles, personnel, and political culture, will be essential for the analysis of the relationships between legislatures and democratic governance.

What Robert Packenham wrote some years ago about legislatures and political development is still true for the building and consolidation of stable democracy and improved governance. "If one wants to do something about legislatures as a means to promote political development, then one must know something about the relationship between legislatures and political development. In particular, it would seem crucial to know the likely consequences of strengthening legislatures for other parts of the political system and for the capabilities of the political system as a whole" (Packenham, 1971:522).

However, the analysis of the relationship od legislatures and the process of establishing democratic governance in today's Africa, do not lead to Packenham's, rather pessimistic conclusion, suggesting that "strengthening legislatures in developing countries would in most cases probably, impede the capacity for change which is often crucial for modernization and economic development" Packenham, 1971: 523).

Apart from the limitations of the knowledge available, one important feature of the literature on African legislatures is that, instead of research building on research, many studies seem impervious to their antecedents. Thus, compared to the literature on Western legislatures, the body of scholarship on African legislatures, "is somewhat less coherent and also much more resistant to cumulation and synthesis" as Mezey has rightly observed for Third World legislatures, (Mezey, 1985:733-734).

This situation is part of the explanation of the lack of the kind of periodic reviewing of the relevant literature like those three which have been very useful by providing a comparative analysis of the structures, functions and performances and evolution of more than 36 African parliaments.

Stultz's (1968) "Parliaments in Former British Black Africa", summarizes the findings of previous studies and identifies the structural features and describes the performance of 12 parliaments. Levine's (1979)

"Parliaments in Francophone Africa: Some Lessons from the Decolonization Process", focuses on the reasons and processes of the decline in number and significance of legislatures on the African continent. Mezey's (1985) "The Functions of Legislatures in the Third World", includes African countries in his summary and discussion of the findings of the research and writing on Third World legislatures.

As an integral part of the body of scholarship on legislative research, writings on African legislatures make implicit and sometimes explicit comparison with north American and western European legislatures.

Studies of African legislatures prior to the return to political pluralism, can be divided in three categories. The first is devoted to the analysis of the legislative institutions, the mapping of their structural and functional characteristics, in order to have a better and complete understanding of the new polities. Among the noteworthy: Austin, 1958; Proctor, 1960; Kraus, 1965; Gupta, 1965-66; Hopkins, 1970, Hakes, 1973, Hakes and Helgerson, 1973; Barkan, 1979a,b; Kim Barkan, Turan and Jewell, 1983. The main findings of these studies are the weakness of African legislatures, the marginality of their law-making role, and some striking features in the behavior of the legislators representing rural or traditional sectors, more oriented toward their constituency than those representing more modern sectors of the society.

The second group of studies (Levine, 1968, Proctor, 1968, Barkan, 1979a and 1979b, Hakes and Helgerson, 1973, Hopkins, 1979, Verner, 1981) is interested in the contribution of the legislatures to the process of political and economic development. These studies suggest three things. The first is the fact that socio-economic policies are not designed and decided upon in legislatures, even if their existence and strength has an impact on the nature of policies adopted. The second finding is that some legislatures are arenas where needs are articulated and where legislators and representatives of the executive engage in forms of bargaining which could affect in some ways, the policies implemented. The third finding is that the best examples of the influence of legislature can be found in the linkage activities of individual legislators between their constituency at the periphery and the central decision-makers.

The third category is made of studies by legislative specialists concerned by the understanding of the internal operation of the legislative bodies, and by the ways in which they affect and are affected by their environment, i.e., the other social and political institutions (Hopkins, 1970, 1971 and 1975, Kjekshus, 1974, Levine, 1979; Kim et al., 1983). These studies reveal and stress the existence of conflict and tension between bureaucracies, civilian and military, and the fact that the conflicts are most of the time terminated at the disadvantage of the legislature. Their analysis of the evaluation of legislature, or of the popular support they receive is sometime contradictory. The main trend is that diffuse or salient, support by population sectors (modern and traditional) is provided for different reasons: satisfaction with the legislative performance, evaluation of the job done by the legislature or by individual legislators. The analysis of the relationships with political parties, interestingly, states that the survival of the legislatures depends on the strength of the parties. Strong political parties tend to reduce the autonomy or to subordinate the legislature but they usually maintain it, while the weak ones make it vulnerable to military coups d'État. Finally, these studies suggest that the process and success of institutionalization of legislature, meaning, its viability, survival and durability depend mainly upon their political, cultural and social environment. However, activities of individual legislators can increase the status and the utility of the legislature in the political system.

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IV. LEGISLATURE AS AN INSTITUTION OF POLITICAL ACTION FOR GOOD GOVERNANCE

Providing a conceptual overview of the legislative branch and its governance roles, functions and relationships to other state and non-state institutions, is to reflect on the role that legislatures play, or can play in establishing good governance in African democratizing countries. In other words the task is to learn how legislature relates to governance, how to make legislature an effective part or actor of consolidation of democratic governance.

As mentioned above, the existing knowledge on African legislatures under authoritarian rule is relatively limited. Besides, earlier studies have not produce a body of theory to guide analysis, and the growing literature on transition to democracy has not placed governance and legislature in juxtaposition. The closest example of problématique, or-analytical framework is that relating legislatures to political development (Almond and Powell, 1966, Kornberg and Musolf, 1970) or to development in general (Smith and Musolf, 1979), but these writings do not regard political development as necessarily synonymous with democratic development.

Starting with the hypothesis of African legislatures as weak, ineffective and marginal institutions, the mere idea of their effective contribution to improved governance, suggest a process of re-evaluation of their roles and functions by building strong, powerful and autonomous legislatures.

The relationships between legislatures and good governance will be analyzed in the broad framework of this hypothesis and in the light of definitions of legislature, democracy, democratization and governance.

Given the social, cultural, economic and political context defined by democracy and democratization, the approach in detail will be first to use the concept of "governance", as an analytical framework, a post hoc tool for the analysis of structural, organizational and functional characteristics of legislature influence on governance building. Then and finally, a program of assistance will be suggested.

A. Conceptual Framework and Project Rationale

Legislatures are types of assemblies, an assembly being "a collectivity of roles which act collegially" (Riggs, 1973:42). They are "Political institutions whose members are formally equal to one another, whose authority derives from a claim that the members are Representatives of the political community, and whose decisions are collectively made according to complex procedures" (Loewenberg, 1991:329). Their structures (one or two houses parliamentary or congressional-presidential), composition, organization (internal division of labour), procedures and functions (representation and deliberation) derive from the defining characteristics.

Democracy will be defined here, following John Keane, as "a pluralistic system of power wherein decisions of concerns to collectivities of various sizes within civil society and the state are made directly or indirectly by all their members" (Keane, 1988:ix).

Democratization is understood here as "a discrete step of devolution of power from the authoritarian power apparatus to institutions that permit an uncertain interplay of forces" (Przeworski, 1988:78).

Governance, as conceived by Robert Charlick in his paper for the USAID Africa Bureau, is "the impartial, transparent management of public affairs through the generation of a regime (set of rules)

accepted as legitimate, for the purpose of promoting and enhancing societal values sought by individual and groups", (Charlick, 1992:2).

From this conceptualization flows six elements of good governance (Charlick, 1992:9-17), which are:

(i) Legitimacy of authority (people must know and accept the rules in order to comply voluntarily with them);

(ii) Public responsiveness (people and public actors are provided with incentives to continue agreeing to play the game);

(iii) Public accountability (reinforcement of the view that there are consequences for violating the rules, even for those with authority);

(iv) Tolerance of other actors with a public character (enabling people to participate in governance without fear or punishment);

(v) Information openness (enabling people to participate meaningfully in public life and to take steps to enforce public accountability by enabling them to have access to adequate information);

(vi) Public management effectiveness (leading people to believe that those in authority are using resources as well as possible in addressing public problems.

These definition and criteria of governance from the perspective of legislature in African democratizing countries raises the fundamental question of the linkages between the legislative branch activities and good governance. What are the critical areas of law-making, representational\linkage and executive branch oversight functions, that might be affected by good governance?

In other words what are the relationships between legislature and improved governance? What role can legislatures play in implementing the six elements of good governance stressed by Robert Charlick?

To what extent is good governance a precondition for a strong, powerful and autonomous legislature, or conversely, what level of legislative development can facilitate good governance?

There are at least two inter-related factors which can affect the relationships between legislature and good governance. First, are the structures (internal and external autonomy and complexity) of the legislatures. Second, the nature of the functions (representative and deliberative functions).

Thus, the study of the relationships of legislature and governance amounts to the study of how the structures and functions of legislatures can affect the six defining characteristics of good governance listed above.

B. Structures of Legislatures and Improved Governance

African legislatures as similar bodies in the world differ in their organizational patterns, powers and functions, as specified by the constitution of the country.

Legislative structure is understood as the position occupied by the legislature in a political system, its constitutional structure, powers, internal operation and formal relationships with the executive branch, its role in making public policy (Blondel, 1973; Riggs, 1975).

By looking at what the constitution says about legislatures a first and major distinction can be made on the basis of the number of houses, bicameral (Congo, Nigeria before the last coup d'État) or unicameral (the overwhelming majority of African states). From this basic distinction, there are two main models of legislative structure, based on the type of legislative-executive relationships. The parliamentary model in which the executive is selected by the legislature from among its own members and the congressional-presidential, where members of the legislature and the head of the executive are popularly and separately elected.

According to constitution, African legislatures differ also in their internal organizations in ways that usually have important consequences for decision making and implementation. There are two models of internal organization on the basis of party structure and committee structure or the internal division of labour. "The organization and structure of parliaments is profoundly affected by party organization" wrote Friedrich (1946:299) long ago. This hold true for democratizing African countries where a two-party system dividing legislatures in two more or less equal parts is quite exceptional (Nigeria under Babangida) while the french tradition of "extreme" multiple-party system (from the conservatives to the radicals) is predominant.

The formal organization of presiding officers and committees structure permits specialized groups of legislators to deliberate on specific kinds of issues and recommend action to the whole legislature. The power of these committees varies with the relative power of the legislature and the executive.

How important are legislative structures and in which ways can they affect positively good governance? The structures of a legislature affects its decisional roles, for, as Riggs puts it, "functions cannot be performed except by structures. Moreover, the characteristics of structures in any system affect the degree to which any functions are performed-indeed, whether they can be performed at all" (Riggs, 1973:39).

The constitutional structures, powers, internal organization and operation of African legislatures have been analyzed in many studies (Austin, 1958; Kraus, 1965; Tordoff, 1965; Gupta, 1965-66; Stultz, 1968). The main finding has been that of their weak or nonexistent decision-making activity. What is not clear is how the performance of the legislatures was related to their structures and to the political system in general. In other words, will these legislatures performed better in a democratic context?

Analyses of the conditions of the viability, durability, survival and salience of legislatures in Third World by Sisson, (1973) Sisson and Snowiss (1979) Riggs (1975), Weinbaum (1975) suggest that their are shaped and controlled by their cultural and political environments. The main and interesting point made by Riggs (1975) about the emergence of constitutive systems in ten southeast Asia, is that the conditions under which new nations come to independence influence the type of legislative that will emerge.

This conclusion appears implicit in studies of African legislatures in the 60's listed above and much more explicit in Levine's (1979) analysis of the parliaments in French-speaking countries in the line of what the same author has termed "The Trauma of Independence in French speaking Africa" (Levine, 1968). The specific modes of independence (on the continuum negotiation, war of liberation) have had an impact not only on the emergence of the authoritarian regimes but also on the recent political mutations.

Indeed, since 1990, it seems more and more obvious that the nature and the length of the authoritarian rule has an important impact on the mode of transition to democracy in Africa (Bratton and van de Walle, 1993) as in Latin America (Remmer, 1985). It is also sure that the trauma of "the global democratic revolution", the different modes of political transition (pact, imposition, reform and revolution) as depicted by Karl and Schmitter (1991), have been determining for the constitutional choices (constitution and type of regime, electoral law), the party system, and thus for the structures of the new legislatures.

In the line of Riggs' (1975), and Sisson's (1973) analysis, it is possible to speculate that the relationships between legislatures and governance, will depend upon their position in the new political system. In other words, the ways in which legislatures will affect good governance in general or any of its six defining characteristics, will depend in part on the degree to which the constitutional choices and more precisely, the legislative structures are congruent with the cultural structure (traditional and modern) of the society.

The fragility and the formality of African constitutions in the last thirty years or so, are well known. The hopes for better implementation of the new constitutions (constitutional optimism and romanticism) are higher than ever, given the emphasis put on democracy and the rule of law, still, it is necessary to move beyond what constitutions say, to look at what legislatures really do, in order to have a better understanding of how their activities can affect governance.

Authors who look to what legislatures really do, have tried to move the analysis beyond the formality of constitutional provisions. Polsby (1975) made a distinction between legislatures as "transformative" institutions and legislatures as "arenas". The former "possess the independent capacity, frequently exercised to mold and transform proposals from whatever source into laws", while in the latter, legislatures "serve as formalizing settings for the interplay of significant political forces in the life of a political system" (p.277).

On the basis of their decisional role (the capacity to initiate law, modify, delay and defeat bills) and integrative functions (the ability to create and/or disseminate" symbols and goals that identify common interests"), Weinbaum (1975) has developed five categories of legislatures (coordinate, subordinate, submissive, indeterminate and competitive-dominant). He suggested that most Third World legislatures were submissive institutions with weak decisional role and modest integrative activities.

Mezey (1979) based his classification on the decisional role of the legislature as did Weinbaum, but with a second dimension, the support, as a "set of attitudes that look to the legislature as a valued and popular political institution" (P.27). He classifies legislatures into five categories: active legislatures, with strong decisional capacities and high levels of support; vulnerable legislatures, with strong decisional capacities and low levels of support; reactive legislatures, with moderate decisional capacities and high levels of support; marginal legislatures, with little decisional capacities and low levels of support; minimal legislatures, with little or no decisional capacities and high levels of support. Third World legislatures are marginal or minimal.

The different categorizations of legislatures on the basis of what they really do, suggest some specific relationships with governance, which could be better explicated by looking more closely at functions performed by legislatures in democratizing political systems.

What functions do African legislatures perform for the new political systems, that is, what do they do that contributes to good governance? Legislatures, all over the world, perform a wide variety of functions other than law-making: routines chores for constituents, legitimization, integration,

communication, creation of popular attitudes and values affecting government and politics catharsis, information gathering, representation, deliberation, supervision or oversight of the executive, socialization, interests articulation, mobilization, recruitment of political leadership.

How functional are these activities and roles to the improvement of governance? The aim here is not to review in detail all these functions, but to sketch out the main features of those of them which either directly or indirectly affect one or more, of the defining characteristics of governance.

The discussion of the relationships of these functions to legitimacy of authority, public responsiveness, public accountability, tolerance of other actors with a public character, information openness and public management effectiveness, will be organized under two headings, following the analytical distinctions made by Friedrich (1946:296-353) between "Parliaments as Representative Assemblies" and "Parliaments as Deliberative Assemblies", and Polsby (1975) between legislatures as "arenas" and legislatures as "transformative" institutions.

C. AFRICAN LEGISLATURES AS REPRESENTATIVE BODIES OR AS ARENAS

The relevance of the examination of the non-law-making functions of African legislatures, their potentiality and effectiveness of being "arenas" in which representatives of diverse groups can meet and discuss divergent interests is reinforced by the fact that now there is a real competitive access to the political systems as the analysis of the outcomes of the transition elections in many countries can show. Thus, African legislatures under democratic rule, will also "serve as formalizing settings for the interplay of significant political forces in the life of a political system; the more open the regime, the more varied and representative and accountable the forces that find a welcome in the arena" (Polsby, 1975:277).

The approach is also based on the results of earlier research (Austin, 1958; Kraus, 1965; Gupta, 1965-1966; Stultz, 1968; Kornberg and Musolf, 1970) which conclude almost unanimously to their marginality in the law-making and decision-making processes, and thus led to the search for other non-decisional legislative functions (Binder, 1964; Sisson, 1973; Eldridge, 1977; Mezey, 1985). And finally, as stressed by many analysts, (Friedrich, 1950; Blondel, 1969; Almond, 1974) legislation is no more the peculiar province of representative assemblies.

Legitimization, communication, catharsis, information gathering, elite recruitment, integration, representation and mobilization, are the political functions of representative assemblies which have been analyzed by those in search of alternative non-decisional functions. These roles are also those which will affect more or less importantly each of the six defining characteristics of good governance listed above.

Legitimization is an indication that the citizens's representatives and through them the people find the policies acceptable. Now the African people can repudiate the representatives thus denying legitimacy, so in the final analysis, legitimization rests with the people. It constitutes one of the main rationales for creating legislatures, even in non-democratic systems.

In a seminal analysis of Third World legislatures, Packenham (1970) made a distinction between the latent and manifest legitimation function with the common characteristic of "fostering acquiescence in, or support for the moral right to rule of the government among the population at large as well as political elites" (P.527). For him, legitimation is a basic latent function which goes "...even beyond what was intended or understood by the legislators. Simply by meeting regularly and uninterruptedly, the legislature produced, among the relevant populace and elites,a wider and deeper sense of the government's moral

right to rule than would otherwise have obtained" (p. 527-528). He adds that "It is important to stress that this function was performed without many legislators and other elites being aware of it, no matter what decisions were taken by the legislature, and no matter how little or how much power was exerted by it." (p. 528).

As for the manifest, overt and conscious legitimizing function it is performed when legislatures put "the legislative stamp of approval on initiatives taken elsewhere. The main finding of Packenham's analysis of the functions of legislatures in Tanzania, Central African Republic, Liberia, Guinea, Ghana and Egypt was that if these assemblies have no real decisional influence, legitimization was the most important function.

Hakes (1973) in his study of regime instability in Africa in relation to parliamentary activities, suggested an association between legislative saliency and regime stability. Thus legislatures resiliency means that they perform an useful function, that of legitimation, to authoritarian rule.

From these convincing analyses it is possible to speculate that in African democratizing countries, legislatures, by having begun to provide symbols, and if not yet everywhere, the reality of democracy, can engender support for the new principle of political legitimacy, thus for good governance.

Legislatures perform an equally important **representation** function for the people. This function is fulfilled when legislatures according to prescribed and accepted criteria, i.e. the new constitutional choices, are so constituted as to reflect the community reasonably accurately. In the new democratic polities, representation will provide minorities at least with symbolic and tangible benefits. It may reduce communalism and strengthen support for the central power, but also because of the social and political unrest in many countries following the return to political pluralism, representation leads to ask how they are confronting the problems of integration. Given the more or less acute racial, ethnic and religious divisions, the problems may (or may not) have less to do with creating ethnic channels for effective multi-ethnic/racial participation, than with the ability or the inability of the central Government to fulfil its decision-making duties.

Studies of representation in Western legislatures with major works on representation in the American Congress are concerned with the relationship between constituency views and the roll-call voting behavior of the representatives. This type of approach was not possible in the past for most of the African legislatures (whether this was possible in Botswana and the Gambia is not attested by the relevant literature) where decision are too often adopted by applause. Analysis of roll-calling behavior of legislators is theoretically possible, given the new political framework, but it is still to be done.

However, other aspects of representation activities of African legislators have been analyzed with the concept of "role analysis" developed first by Wahlke, Eulau, Buchanan and Fergusson (1962) reformulated as "purposive roles" by Eulau and Karps (1977) and which address what Eulau and Karps have termed the "policy responsiveness" (allocation and service responsiveness) dimension of representation. The aim is to analyze representational role orientations of the legislators, their "purposive roles" the importance of the constituency views in their voting decisions.

Studies of African legislatures using that approach, revealed the importance of their representational activities.

Explaining central government policies, encouraging compliance, articulating and bringing the needs and demands of the constituency to the attention of the government, being rather a "communicator" than a law-maker or a deliberator, were the functions of the Tanzanian MPs as analyzed by Hopkins (1970).

Analyses of some other Third World legislatures (Hoskins, 1971, Mezey, 1972), confirmed the purposive role orientation of legislators serving as brokers between their constituency and the government.

These studies suggest the importance of the behavior of legislators outside of the assembly and the fact that the representational activities by individual legislators may have policy consequences (Mezey, 1985:741). Subsequent analyses, following a distinction of purposive role orientation made by Eulau and Karps have identified and emphasized two categories of representational activities labelled "allocation responsiveness" and "service responsiveness".

"Allocation responsiveness", that is the effort to ensure that the constituency receives its fair share of resources from the central government, if common for legislators everywhere, (Mezey, 1979) appears to be a way of life for Third World representatives (Mezey, 1985:741).

The role of the African legislator is that of an "entrepreneur" concluded Barkan (1979b) in his seminal work. His job was to mobilize the resources of his constituency for local community projects (from "schools, health centers, cattle dipps, irrigation works to feeder roads, crop and settlement schemes, and various forms of cottage industries") and to extract resources from the central government to finance them. (p 270). Evidence from Kenya and some other Third World countries has proved that most MPs have been effective in getting resources to their constituencies (Kim, Barkan, Turan and Jewell, 1983).

"Service responsiveness". i.e. the particularized services that the representatives are asked to perform for their constituents (schooling of the children of the constituency, help obtain government jobs, interventions in judicial proceedings, etc) urge the legislators to intervene with bureaucracies on the behalf of their constituents (Mezey, 1972, 1985).

As pointed out by Mezey, (1985), allocative and service relationships between legislators and their constituents have been acknowledged and commented extensively in studies of the American Congress and other Western legislatures. But, "for several reasons, the volume of such demands was found to be much greater in Third World nations. Therefore, dealing with these demands emerged as a primary function of such institutions and their members" (p. 742). Literally, it means that legislators are expected to offer something concrete to constituents in return for their votes, and responsiveness to their particularized concerns, is an obvious thing to offer" (Mezey, 1985:742).

These reasons are, the patron-client relationship as the more generic case of service, the weakness of interest groups and interest aggregation and articulation, and thus the predominance of individual constituents' demands, the rapid social and political changes which leave the legislators as the most accessible and responsive officials and the non-differentiation of the political realm from the non-political.

The aggravated socio-economic situation of the last decade and the ongoing social and political changes, will urge constituents more than under authoritarian systems, to press their representatives with personal demands.

The main conclusion at this point is that the purposive role orientations of the legislators, their representational activities will contribute to public responsiveness, public accountability, information

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openness, tolerance of other actors with a public character (to compensate the weakness of interests groups aggregation and articulation of collective demands) and public management effectiveness.

These representational activities imply some other functions, to be effectively implemented and therefore improving governance.

Recruitment, socialization and training functions. Legislatures under colonial rule, have recruited, socialized and trained the first generation of political elites (Levine, 1968) and will perform the same functions in a democratic context.

Hence, the analysis of the social composition of the new elected legislatures, will be very informative at three different levels. First, to recognize future leaders, second, to see how representative (education, age and gender gaps) of the population are the new representatives and third to observe the impact of the socio-economic and political changes on elite recruitment. Free and fair elections will allow more educated, competent, responsive, accountable, democracy and human rights committed leaders to engage into politics.

Representation has also an **integrative** dimension, because the new legislatures will still operate in plural societies (Eldridge, 1977) and the social backgrounds of the legislators will indicate the level of integration of the political system as democracy means not only the rule/tyranny of the majority but also the recognition and guaranty of the rights of the minorities, Burundi, Rwanda and South Africa are cases in point. The impact of the constitutional choices (the structure of the legislature electoral laws, party systems) which can facilitate or hinder representation, may be determining on this point.

Mobilization function, is also central to representational activities. It means the role of the representatives in linking the citizens with central authorities by articulating the needs of the population to the government and also communicating with the citizens on behalf of the central leaders in order to gain support and compliance with general or specific policies. As illustrated by two comparatives analyses of legislatures in Kenya and Tanzania by Barkan (1979b) and Hopkins (1979), this role was important for the executive branch under authoritarian rule and depends on the capacity of the central government to coerce the legislators to perform it. The two studies show the limited capacity of former president Jomo Kenyata and his KANU party, while Tanzanians legislators were more under the control of former president Julius Nyerere and the TANU a much more stronger political organization, a role confirming an earlier observation made by Hopkins (1970).

Under democratic rule, the function of mobilizing support will affect directly the legitimacy of authority, public responsiveness and tolerance of other actors with a public character. It is a crucial function given the problems of the implementation of political reforms as evidenced by the setbacks of the process of transition to democracy, in Congo and Burundi. More obviously, it is also much needed for the success of the economic reforms designed by the World Bank and IMF, who (along with donors countries), have pressed for democratization and good governance in order to build a broad social support for the implementation of the SAPs. But the executive branch, in a democratic polity, do not have at its disposal the same sanctions to coerce legislators to mobilize support for its policies as under authoritarian rule. It is not sure whether the threat of the exclusion from the ruling party, or not be endorsed for upcoming elections, will suffice to bringing about compliance given, the current structures of the political parties.

What remains to be done is to let legislatures being the effective arenas where **communication, cathartic and information gathering** functions are performed. The first means that the government is provided

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with opportunity to speak to the citizens, to publicize its policies and to explain its decisions. This function takes also place in the reverse when opposition parties in the legislatures, and interests groups and constituents (pressure on the representatives) can exercise their rights (internal rules of functioning of the assemblies for the legislators to criticize government proposals.

The second function is related to that of communication. Inevitably, there are already and there will always be minor and major grievances against the government in the new political systems. Legislatures are the arenas best suited for the expression of these grievances, the fora for questioning and criticizing government policies and actions. Those aggrieved can use these arenas to make themselves heard through their elected representatives, and to potentially influence the type and nature of political decisions. Prolonged dissatisfaction with the government leads to public alienation and hostility (the opposite of the legitimacy of authority); if legislatures modify decisions so as to obviate dissatisfaction, their success as cathartic agents will be enhanced.

The last function implies that legislatures are expected to gather a wide range of information which may affect their decisions, while authoritarian regimes usually give little information, since executives require speedy ratification of their decisions. Government is the primary source of the kind of information needed. But as an interested party in most deliberations, the opposition seldom regards the data it provides as fully satisfactory, therefore the necessity for legislatures to be granted on a permanent basis research facilities and research staff, adequate information being one the major issues facing the new elected national assemblies. Indeed as written by Blondel, "This is why it can be stated that the primary function of assemblies is one of communication between inputs and outputs, as well as one of feedback from outputs on to inputs" (Blondel, 1969:324-325).

Like all the representational; activities analyzed under this heading, interacting with one another, these three functions will affect the six defining characteristics of good governance and more directly, information openness, public management effectiveness and legitimacy of authority.

Two main features of the representative functions of the African legislatures which can have important and direct impact on the process of consolidation of democracy and governance must be emphasized. The first, central to any democratic system is the representation of the minority, the role and the fate of the opposition. The second is specific to developing and democratizing African countries and refers to the activities of the Députés outside of the legislatures, for "the functions of members of assemblies can be as critical and in many cases more important than the functions of the assembly at large" (Blondel, 1969:325).

Friedrich wrote that: "Ultimately, the representative function of elected assemblies depends upon the general recognition that not the majority alone but majority and minority together represent the nation." (Friedrich, 1950:323). Further, he quoted Jennings saying, "The one permits the other to govern because the second permits the first to oppose, and together they lead their parties in the operation of the constitutional machine. The 'National' Government is truly national because it has a National Opposition and the people are free" (Jennings, 1940, in Friedrich, 1950:323).

The consolidation of democracy and governance practices in times of belt tightening, might be very difficult, and this seems to be the worst context within which the legislators have to fulfil allocative and service activities outside of the assemblies. The reasons are not only economical, their are also political or cultural.

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But the representational role orientation of the legislature has also strong decisional content. Representative and deliberative functions are thus closely intertwined, for, the African legislatures as elected bodies have to respond to concrete needs of the people, and while deliberating the legislators if they want to be re-elected, have to think of the reactions of their constituents.

D. AFRICAN LEGISLATURES AS DELIBERATIVE BODIES OR TRANSFORMATIVE INSTITUTIONS

African legislatures are reputed for being "rubber-stamp", "chambre d'enregistrement de la volonté présidentielle" (recording chamber of the presidential wish) or at best, for having limited decision-making authority.

But did African legislatures have not had any decisional or influence function at all? Did they "possess the independent capacity, frequently exercised to mold and transform proposals from whatever sources into laws" (Polsby, 1975:277)? What the existence or the lack of this capacity in the new democratic context could mean for governance?

Some earlier studies have demonstrated that while more constrained in their policy-making activities than their Western counterparts, African and Third World legislatures in general, have had influence on policy decisions. To understand why and how and with what consequences for good governance, it is necessary to look first at the conceptual approach of the decision-making of Third World legislatures and second to the factors which affect legislative influence on policy decisions and third to examine the functions usually associated to legislative decision-making, law-making, supervision or oversight of the executive branch.

1. Conceptual Approach of Legislative Decision-Making

The analysis of the limitation of Third World legislatures in policy-making, however real was biased by the implicit or explicit comparisons made with the American Congress or European parliaments (Austin, 1958; Kraus, 1965; Tordoff, 1965; Gupta, 1965-1966). Unable to exercise the same or an equivalent influence vis à vis the executive, they were denied a significant role in decision-making.

This ethno-centric approach of the legislative influence on policy decisions has been broadened by Blondel and al. (1969-1970) and Mezey (1979). The former introduced the concept of "viscosity", the capacity of the legislature to resist legislation initiated by the executive branch, and elaborated a continuum of legislative decisional roles, reflecting various degrees of involvement depending on the types of issues (Blondel, 1973) broad and less legislative influence, narrow and greater influence.

The latter, reformulating Blondel's perspective, suggested that legislatures could be distinguished from each other on the basis of constraints on the activities of the executive. He defines a constraint as a "limitation that the legislature can place upon the executive branch of government that would not make it directly vulnerable to dissolution, proroguing or closure. A constraint restricts the action of the executive branch and prevents it from making policy unilaterally" (Mezey, 1979:25). The nature of this constraints could vary with the policy-making stage (formulation, deliberation, oversight) or with the nature of the policy-making arena (Mezey, 1979:47).

This new perspective represented a more accurate instrument for the evaluation of legislatures involvement in policy-making, especially in the Third World, where parliaments lacking in the ultimate

power to say no to the executive, could still have an influence on policies. Evidences of the various gradation of legislative influence have been provided by case studies based on analyses of legislation and extensive interviews with legislators, the partitioning of the policy-making process into four phases, initiation, modification, acceptance-rejection and review, (Mezey, 1985:738). The main conclusion is that in Third World countries executive dominance cannot be taken for granted. Studies of African legislatures decisional influence by Hopkins (1970,) Hakes and Helgerson (1973) revealed the existence of subtle forms of legislative involvement, of resistance to executive branches. In the case of Tanzania, suggested that private rather than public opposition was the preferred mode of legislative influence, a finding confirmed by Hakes and Helgerson's comparative analysis of Kenya and Zambia where bargaining (apparent and more public in the former and in rather private arenas in the latter) was part of the relationships between the president and the legislators.

The recurrent findings in Third World legislatures, of rather private and informal than public and formal legislative influence on policy-making, illustrate how active their members are in private arenas of committees meetings and party caucuses. The objective limitations of decisional influence does not mean no decisional influence at all, (Mezey, 1985:740).

This decisional influence is greatly determined by the general context within which the deliberative activities of legislatures take place.

2. The Context of the Legislative Decision-Making

The constitutional choices, the party system, and the bureaucracy are important factors that shape the legislative decision-making function and its impact on governance.

a) Constitutional choices: Many constitutional choices have to be made in democracies. Among the most important of them are the choice of relationships, the distribution of powers, between the Executive and the Legislature (presidential versus parliamentary government) and the choice of an electoral system (majoritarian system versus proportional representation). If there is no consensus on the best alternatives, political scientists agree on the fact that the choices made will have social and political consequences and their short and long term effects (Elster and Slagstad, 1988) can have far-reaching impact on how well the democratic system operates (Linz, 1990, Lijphart, 1992 a and b, Lijphart and Grofman, 1984). It is also argued that, "Moreover, these choices strongly influence the basic orientation-majoritarian or consensual of the democracy that is being created: presidential government and electoral rules like the first-past-the-post (plurality) method promote the former, and PR and parliamentary government the latter orientation" (Lijphart, 1992a, 208).

There is not yet a comparative analysis of the content and rationale or factors that determine the recent constitutional choices in Africa. However, two main observations can be made for the moment. First, democratic constitutional engineers have made their choices in a hurry, within a special political and social context which lacked the serenity needed, particularly during or in the aftermath of "National Conferences" (Benin, Congo, Mali, Niger, Togo and Zaire).

Second, some consequences, mainly political, explainable partly by the electoral system and affecting the deliberative function, are already visible in many countries. In Benin, the choice and use of PR led to the lack of a clear and strong majority in the National Assembly and resulted in the instability of the parliamentarian majority, the political coalitions supporting the President. The creating and breaking of

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of fragile and circumstantial parliamentarian majorities affecting the functions of the legislature is one important characteristic of post-authoritarian politics in Benin.

In Mali, to the contrary and paradoxically, the existence of a strong majority (choice and use of a majoritarian electoral system) in the legislature reinforced by a political alliance with three other political parties, has been dysfunctional by formally transforming the National Assembly into a rubber stamp, but most importantly and at the same time, by reducing the autonomy of policy making of the President, too dependent on his overwhelming majority.

These two examples stress not only the fact that the role and function of the legislature cannot be examined without reference to other political institutions determined by constitutional choices but also, the importance of the party system for the deliberative function.

b) **Legislatures and political parties:** In a seminal study, Riggs (1963) has stressed the relationships between a nation's political system with the status and survival of a legislature. In the same vein, Mezey (1975) relates the weak party system in Thailand with the continued vulnerability of the legislature to military coups. He suggests that legislatures are most vulnerable in political system with very weak political parties, and that stronger parties will generate support from mass public.

Evidence from Africa as reported in analyses of the breakdown in the early 60's, of democratic regimes inherited from colonial powers, has not proved the relationships between the role of strong political parties and the survival of legislatures. In the ordinary African one-party systems, legislatures have survived, but their autonomy has been reduced by the governing parties whether strong like the TANU or CHAMACHA MA PINDUZI (Hopkins, 1970; Kjekshus, 1974) or relatively weak like in many Francophone countries (Le Vine, 1979).

The new political party system in post-authoritarian African polities is still uncertain as are the structures of political cleavages. Many of the hundreds or thousands "potboiler parties" ("partis alimentaires") which have blossomed in Zaïre, Gabon or Côte d'Ivoire in the last 3 years will disappear because, as put by an official, for a political party to exist and survive in Africa, it must be in power.

However, party-legislature relationships in the democratizing countries will have to do with the capacity of strong (Mali) or weak (Benin) parties, to reduce the autonomy of the legislative bodies thus more vulnerable to attacks on their prerogatives by bureaucratic elites.

c) **Legislatures and the bureaucracy:** African authoritarian political systems have been dominated by bureaucracies (civilian and military) with at best, technocratic and oligopolistic vision of economic development. Following Max Weber (1958), they can be termed as types of "bureaucratic absolutism", systems in which the making of the rules binding on the bureaucrats, basis of calculability and predictability, are made by the bureaucrats themselves. African bureaucrats as elsewhere, everything being equal, possess a technical knowledge and control over vital technical systems, because bureaucratic administration means the exercise of control on the basis of knowledge. They were not effectively supervised and as Weber puts it, they became almost literally all powerful.

Max Weber stresses the logic of a bureaucratic model in the context of a legal-rational system of authority in which calculability, prediction and rationality are the benchmarks of "why people obey" the system. In Africa, various forms of "bureaucratic absolutism" have led the total political systems towards,

incalculability, unpredictability and irrationality, systems where efficiency and effectiveness were almost impossible.

African bureaucracies as institutions are more developed, stable and persisting (Coleman and Roseberg, Wallerstein, 1966; Zolberg, 1966; Lofchie, 1967) than other political institutions (parties, electoral processes, representative bodies) were the focus of policy-making process (LaPalombara, 1963). They appeared as one important source of legislative fragility (Riggs, 1963; Lofchie, 1967). Riggs suggested that the weakness of the traditional "power of the purse" by these legislatures, due to the tendency of overdeveloped bureaucracies to control public revenues and expenditures is the reflection of their more general failure of oversight which rendered these bodies incapable of ensuring that their legislation is implemented with efficiency, effectiveness and honesty.

Bureaucracies are still the main source of legislative weakness and fragility in African democratizing countries, for the same reasons outlined by Riggs (1963) and Lofchie (1967). The changing character of the political environment in the 60's emphasized by the latter is occurring anew, some 30 years after. Then and now, "In a political context in which institutional forms shift abruptly, and in which representative structures of government have an evanescent quality, bureaucracy seems to offer at least one stable and persisting sector in the political arena." (Lofchie, 1967:37). Moreover, the critical imbalance between the legislative and the executive and bureaucratic sectors of the new polities are more obvious than in the past, sometimes aggravated by new constitutional choices like in Benin in the context of weak and unstable party systems, and where political games are played out, outside of the official political institutions.

Tensions between bureaucrats and legislators, influenced by the activities of donors countries at the disadvantage of legislatures, as suggested by O'Donnell (1979), are not specific to developing countries. But, while legislatures in old democracies have equipped themselves with committee systems and staff support to assist them in their control over the bureaucracy, African legislatures in the past and now, are lacking comparable crucial structures and resources.

3. The Decisional Function

Given the conceptual approach and the context of legislative decision-making outlined above, how African legislatures can contribute to good governance in their supervision, law-making and deliberation functions?

a) Legislative-executive relations: Whatever the type of regime (presidentialism or parliamentarianism), the relationship of the legislature and the executive, as defined by the constitution is crucial.

Within the framework of rationalized parliamentarianism adopted by almost all the Francophone countries (in spite of the more presidential tone of the new regimes), the legislature is granted some political powers of control over the Government who in return is granted symmetrical powers. But the effective use of these powers will depend on the existence of a stable and solid parliamentary majority.

The powers of control granted to legislature can be divided in two categories. The first is made of means of action whose main impact will be the publicity given to the parliamentary actions: written and verbal questions, control and inquiry committees financial controls among which the vote of the budget and the control of public spendings.

The exercise of the second category of powers can result in the resignation of the Government in countries like Mali, Congo after a vote of confidence.

However, the Francophone rationalized parliamentarism is above all about the control of the Executive of the Legislative, and the President of the Republic and the Government are granted many powers to do so:

* The limitation of the number and duration of parliamentary sessions which means a restriction in time (an average 6 months a year) of the control the legislature can exercise over the Government.

* The control over the contents of the internal rule of procedures which must be submitted to the constitutional court before its enactment.

* The control of the legislative process. The Government has at its disposal many means of action to control the law-making process, among which:

* the control over the agenda of the legislature; the suppression of the parliamentary initiative in the domain of public spending, which goes beyond the vote of the budget, mentioned above;

* the possibility for the Government to commit its responsibility on the vote of a bill which will be considered passed if any motion of censure is proposed and adopted in the following 24 hours at the requested of a specific majority of the members of the legislature;

* the power to dissolve the legislature (Congo, Mali). This is the absolute "weapon" of the control of the legislature granted by the Constitution to the President. The dissolution of the legislature could intervene in retaliation to the vote of a motion of censure (as in Congo early this year), a refusal of a vote of confidence, or in case of political crisis, it could be used as a tool of pressure on the MPs, who will fear going into elections before the end of the normal term of the legislature or the victory of the opposition.

Globally, the relations between the executive and the legislative branches are advantageous for the former in the Francophone countries in general. But, even in this formal context, the dominance of the Executive can not be taken for granted, because the effectiveness of the reciprocal means of action will depend to a great extent on two factors: the scope and the discipline of a parliamentary majority and the staffs in charge of the management of these relations.

In this context, the exercise of administrative **oversight** or **supervision** of the activities of the executive is important in order to maintain bureaucratic responsiveness and credibility in the political system as a whole, and hence improve governance in general.

The opposition exposes problems and focuses attention on poor performances of ministers and occasionally of high civil servants. The right to demand information from executive officers by subpoena and financial auditing of the bureaucracy are among the mechanisms for directly supervising the executive. Parliamentary investigation is also a powerful method of not only assuring executive compliance with legislative mandate, but also focusing public attention on specific issues that need attention.

But how much do the legislatures affect the performance of bureaucrats? While in the United States, the oversight of administration is supposed to be a primary function of the congressional committees, bureaucrats in Africa in the past, paid little heed to parliamentary debates.

It is too early to say how effective will be the legislatures in the new political frameworks in the oversight of administration. However, given the importance of the bureaucracy stressed above, this function will be essential to the consolidation of good governance.

b) Legislative powers and decisional influence: The examination of the functioning of the parliamentary standing committees, and the law-making process at different stages (initiation, modification, acceptance-rejection, review) as stated by constitution and internal rules of procedures of the legislatures in countries like Benin, Burundi, Congo, Gabon, Mali, Niger, show the prevalence of the Executive.

But even in this context, as said above, the Executive dominance cannot be taken for granted. For, if African legislatures do not have the ultimate authority to say no to the Executive like the Congress in the United States, it will be too premature and unrealistic to conclude that legislatures are denied decisional influence. Besides, it must be stressed that, there is no available analyses of the legislation passed in the last three years, or analyses of extensive interviews of the new elected MPs. So it is not possible for example to measure the influence of the legislature at different phases of **law-making process**, or to identify informal rules governing the policy-making activities of the MPs which are likely to exist, given the nature of the social relations in African countries.

However, as it has been suggested for the relations between the executive and the legislature, because of the type of regime and the political context, the modes of legislative influence of the legislature, its "viscosity" (Blondel, 1969-1970) or capacity to resist legislation introduced by the Government, the nature of the constraints that it can place on the Government that would not make it vulnerable to dissolution, will depend on the stability and discipline of the parliamentarian majority.

African constitutional engineers have adopted as units of action, the American system of specialized standing parliamentary committees, segmented along jurisdictional subject matters like, Finance, Foreign affairs, Rural development, etc.

Usually, the number of committees is limited by the constitution or the internal rules of procedures of the legislature. The sphere of competence of the committees vary (for example from 6 governmental activities to 2 in Mali). The allocation of competence, added to the limitation of the number of committees have the main effect to avoid the specialization and a tight control of each committee on the activities of particular ministerial department. But, it may lead to the work overload of the committees, given the limitation of multiple committee membership limited most often to two and their small size, given also the total membership of the legislature.

As in any democracy, in Africa with the revaluation of the legislative function, the parliamentary committees assignments, seem to be the main road to MPs' influence and success as participants in the governmental process, with important consequences for the functions and performances of committees, for the interests affected by committees decisions, inside and outside of government and for the public policies that emanate from the legislature.

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Interviews with the MPs, and analysis of data on their social and professional background, could show if there are differences in the attractiveness of committees assignments.

Thus, in the view of the importance and the centrality of the standing committees as vehicles for considering, modifying and sometimes defeating or burying legislation, in Africa as in most of the democracies, one important (there may be others) issue which could have an impact on the overall function of the legislature can be raised. It is the issue of the system of the appointment of the members of the Committees (nomination or election).

In the first, case it means that the political parties are represented in the committees according to their numerical strength in the legislature. The different Parliamentary groups made up their own panels and through their leaders, these panels are presented to the legislature for formal approval. Therefore, as it is the case now Burundi, Côte d'Ivoire, Mali, the party or the coalition built to support the Government has the majority in the different committees because it has the majority in the legislature.

Given the decisive role played by the standing committees in all matters requiring the action of the legislature or regarding the relations with the ministries, and at this very moment of the beginning of the process of consolidation of democracy in some countries, this system seems adequate for the effective work of the legislature.

The bills, initiated by the government or by a particular MP, are referred to the appropriated committees. The importance of the powers of the parliamentary committees is exemplified by the fact that in many countries the legislature will consider the bill as reported out of the specialized committee. The Government can reintroduce provisions which have been changed in committee. But the committee through its reporter and president, provides the leadership in seeing the bills through the legislature, indicating that the parliamentary work is directed more by the committee than by the Government.

These questions of leadership and direction of the parliamentary work are really important, for given the new political importance of the legislature, when the legislative leaders rise in the legislative hierarchy of their party, their responsibilities could increasingly lead them to interactions with the media, the interest group leaders, the executive branch, etc.

The involvement of the Executive in the exercise of the legislative power has been mentioned above in the examination of the means of action of the government over the legislature. A further look at the **law-making function** in Francophone countries, as stipulated by newly adopted constitutions, reveals that formally, the 3 phases of initiation, acceptance-rejection and review are under the control of the Executive while the legislature dominates the phase of modification of the law-making process.

But here also, obviously the actual political context in Benin, Burundi, Gabon, Ghana, Mali, Niger, etc., will play a determinant role and may be not in some cases, in favour of the Government, for a party majority in the standing committees does not mean that, any bill initiated by the government will pass easily. As said above, the lack of an analysis of the legislation passed in the last three years did not permit to identify informal rules governing the policy-making activities of the MPs.

However it is likely that the legislature will be more than a show case even at the phases dominated by the Executive. Bargaining between the MPs and the members of the Government will take place in private rather than in public, and this is more likely given the small scope of the political class in many countries.

The legislative influence will be exercised primarily during the meetings of the Parliamentary standing committees, because of the relative privacy of the deliberations. Finally it is also very likely that the decisional role of the MPs will vary with the types of issues: less legislative influence on broad policy questions (economic integration, diplomacy, etc.), and greater influence on narrow issues (local matters, education, system of taxation, etc.). Thus, if exercised in acceptable conditions (many legislatures are lacking basic material and human resources, **law-making function,** will affect the six characteristic of governance listed above.

c) **Deliberation:** is a classic function of a legislature as decision-maker. In order to reach a decision, a legislative body must not only gather information and be the recipient of inputs from interest groups and parties, it must arrive at that decision through confrontation of various points of view, reflection and discussion. Debates, speeches, questions and interpellations and other exchanges of opinion within the legislative bodies are part of this process.

Deliberation requires accurate information and expert knowledge, the institutionalization of intelligence, so that decisions are based upon relevant data. In African authoritarian political systems, information and expertise, the provision of intelligence, are the province of the executive branches and their specialized agencies populated mainly by non- elected people. High civil servants, technocrats, foreign experts are responsible to the head of the executive branches.

Since independence, the growth of African states, measurable in the number of parastatals and other specialized agencies and bureaucracies, has not been paralleled by the development of interest groups and the increasing of their capacities to express their views within the executive. The weakness of interests aggregation and articulation, the lack or control of channels of access to the executive and its agencies, resulted in the fact that initiation and policy making was in the hands of an elite made of civil servants, technocrats and political leaders.

The manipulation of the people, the manufacture of consent by this elite have been important features of the authoritarian regimes. Then, the major function of the legislature and the political parties in the new democratic frameworks, will be to present different points of view, to mobilize the public in favor of alternative schemes and policies.

On this basis, the deliberative function will vary accordingly to the general type of political systems.

In parliamentary systems, deliberations operate on the basis of party unity and normally reflect party views. But deliberations themselves do not influence members' vote as they nearly always vote on party lines. But the debates are still important and the floor of the House is an open forum, debate are an integral part of the **deliberative, cathartic and the communication functions** of the legislature.

In a presidential model with weak parties ties as in the United states, individual actors act more independently. The debate can influence them to change their mind because party discipline do not restrict them. As members seek to reflect the views of their constituents, rather than party policies, the debate arouse public interest though many congressional debates are rather dull, most important discussions and inquiries take place in open committee or subcommittee meetings.

Whether in parliamentary or presidential models, the deliberative activities of African legislatures will affect primarily public accountability, responsiveness and legitimacy of authority at the level of governmental inter-relations

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IV. AFRICAN LEGISLATURES, GOOD GOVERNANCE AND TECHNICAL ASSISTANCE

Why, how and with what consequences, help to build, strong, autonomous and effective legislatures in Africa?

The conceptual framework and review of literature presented above was aimed to examine how African legislatures have been effective parts of the political process and how they affect governance. In other words, it was a broad evaluation of their capacity for action as institutions for organizational strength, decision-making control and for coordination and implementation.

As institutions of political action for governance, African legislatures have not been very efficient and effective as revealed by the analysis of their structures, representative and deliberative functions. Empirical evidence of the legislative behavior in the post-authoritarian era does not suggest that the new constitutional choices (the democratic frameworks), have intrinsic virtues of transforming overnight their capacity for action as institutions for organizational strength and decision-making control, and for coordination and implementation.

Reasons are to be found first, in authoritarian background, traditional political culture, level of development and the fact that civil societies lack well educated and informed citizens especially outside the capitals or the main urban centers.

Second, the constitutional choices recently made are in many dimensions at odds with the social and cultural realities. Finally, electoral competition whatever its level of fairness and transparency has left many countries without a viable opposition or a stable majority despite the impression of strong attachment of some leaders to democracy, especially in a context where the other foundations or support of pluralism (political parties, media, and independent judiciary) are weak and face huge material difficulties.

It appears thus very clearly that maybe less than "new" political institutions in general (how new is not often very obvious in many cases), African democratizing countries, need much more a new ethics.

Given the state of knowledge about African legislatures and governance and even of the conceptual framework outlined above to provide a greater understanding about this relationship, the suggested strategy of technical assistance is aimed to build strong, autonomous and effective legislatures in the implementation of the six elements of good governance stressed by Robert Charlick.

Before going into some details of the program of technical assistance, (the "How?" question) it is necessary to answer very briefly the "Why?" and "What consequences?" questions.

The rationale for helping to build strong, autonomous and effective legislatures in Africa, lies less in the idea of strengthening weak institutions for the sake of a political reform or political engineering, (the uncritical export of an alien political system) focused only the "manifest functions" of the legislative bodies, but which could ignore their "latent functions".

Analyses of the institutionalization of the legislatures (Baaklini and Heaphey, 1977; Sisson, 1973; Sisson and Snowiss, 1979; Riggs, 1975; Weinbaum, 1975), state that legislatures are shaped and controlled by they cultural and political environments, "and that by the virtue of things they do and more importantly

the things their members do, (legislatures) can increase their utility to the political systems of which they are part" Mezey, 1985:760)

Drawing on these analyses, the goal is not to make legislatures viable by improving their performance and make them more useful and acceptable to the bureaucratic elites. It is to help the legislatures to be integral and effective actors and parts of the ongoing democratization. This process embodies not only new rational and efficiency-oriented structures and procedures but also and most importantly, political and cultural factors.

The main argument is to be found the constitutional position, the importance and the centrality of the legislatures as politically organized means of action, training ground for political leadership and protectors of liberties (Weber, 1958:77-156; Momsen, 1984, 1989; Beetham, 1987:95-118). It is also in the meaning of democracy as a preferable and credible alternative to authoritarianism.

Then, the likely consequences of strengthening legislatures for other parts of the political system as a whole, will be quite different from those suggested by Packenham (1971:522) and who led to conclude that it will be unwise to provide technical assistance to legislative services in developing countries (P. 576-582).

The demise of African legislatures resulted directly in the demise of the stability of the rule of law and efficiency and effectiveness on the part of the executive. Lacking the stability of a rule of law, bureaucracies were not able to handle efficiently and effectively large scale tasks of economic development, national integration and social change.

As argued by Weber, legislatures represent a necessary element in maintenance of a legal-rational system of authority in which bureaucracies can carry out their potential for efficiency and effectiveness. For him, the total system is sustained by the legislators' presence as delegates from the society. The presence and effectiveness of a legislature provide a minimum of consent for the activities of the bureaucracies expressed symbolically by this presence.

For more than 30 years, in spite of their presence the inefficiency and ineffectiveness of African legislatures have hampered good governance and democracy in Africa.

The legacy of the previous regimes, the traditional political culture and the new framework of power do not indicate in many cases, a shift of the realm of the political power, from the executive to the legislature. However, the suggested program of technical assistance for legislatures, institutions which by their regular meetings provide the symbols and/or the reality of democracy, is conceived as a means of promoting governance.

Then, improving legislative services is not apolitical. It means strengthening the legislatures with the purposive political consequences of making them participate fully, effectively and efficiently in the ongoing change in the political system. Instead of impeding the capacity for change (Packenham, 1971:522), the building of a strong and autonomous African legislatures, will foster political and societal change.

The overall goal of the program of technical assistance will be: 1) to help provide decent material conditions of work; 2) improve the internal and external autonomy; 3) strengthening the legislative services by raising the level of training or expertise needed for an effective and efficient exercise of the

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political as well as the legislative powers of the legislatures; 4) broaden the social and cultural basis of democracy.

This program made of concrete, short, medium and long terms interventions is tied to three general phases of transition to democracy (Rustow, 1970:122-131): preparatory (Algeria, Angola, Equatorial Guinea, Ouganda, Nigeria, Rwanda, Zaïre, etc.); decision (Cameroon, Côte d'Ivoire, Guinea, Mauritania, Togo, etc.); habituation or consolidation (Benin, Cape Verde, Gabon, Gambia, Ghana, Mali, Niger, Zambia, etc.). It addresses the set of closely intertwined structural and functional issues identified above.

SHORT TO MEDIUM-TERM INTERVENTIONS

(COUNTRIES IN PHASE 1)

From the legislature perspective, for countries in the preparatory or pre-transition phase, the major if not the only practical intervention, will be a thorough and specific assessment of the legislative body under the authoritarian rule. The aim here is to have a good knowledge of its colonial history, constitutional position and powers, personnel, material working conditions, legislative performance, etc. On this basis advises about available alternative types of legislative institutions could be provided at the time of constitutional choices.

Depending on the political situation in a country about to engage in the phase 2 (organization of free and fair elections), if this first assessment has not been conducted for whatever reason, an in depth analysis of the constitution from the legislature perspective will be indispensable.

(COUNTRIES IN PHASES 2 AND 3)

For this much more important group of countries two types of practical interventions necessarily preceded by an assessment, will be undertaken. They will focus on the material conditions of the legislature and the strengthening of the legislative services.

1. Improving the material working conditions of the legislatures

Short to medium terms action at this level should meet as quickly as possible the most urgent basic needs of countries in phases 2 and 3.

The enormity and the diversity of the material needs will vary according to the level of socio-economic level in general of each country. The ones to meet in priority are those which can facilitate the daily functioning of the institution.

- Computers and word processing software, recording systems, fax and xerox machines, etc.
- A library and a documentation, research and policy analysis centre with the adequate material and staffs, to provide reliable and useful data and information in matters like, economics, finance, international relations, law, political science, etc.

2. Strengthening the legislative services

Short and medium terms interventions are aimed here to assess and improve altogether the internal structures of the legislature and the legislative services by helping to secure legislature's autonomy, staff its services and train the MPs.

- Building and maintaining the autonomy of the legislature: The autonomy of the legislature is usually supported by the protection of its individual members provided by the constitutional, with the immunity of the legislators from prosecution for their legislative activities and speeches. Under authoritarian rule African legislators have not proved to be independent of executive threats and enticements, because most of the time, they did not have their own sources of political strength in their districts and many did not have alternative careers to which to return, if they fail to be re-elected, or they may be subject to harassments by the executive.

There is almost nothing to be done to secure the independence of the MPs in this domain, but one can postulate that the democratic and pluralist framework will bring into politics women an men with own sources of political strength and alternative careers.

The second source of autonomy of legislature upon which short and medium terms interventions can be undertaken, is supported by its own collective institutions, among which the committee system.

A thorough audit of the committee system (membership and mode of appointment, specialization, number of committees, etc.) and that of the organization of the legislative work (the entire process of preparation of legislation for consideration by the entire legislature) as stated by the internal rules of procedures, and a close assessment of the past performance, must be conducted. The aim is to help reorganize the legislative services and the decision-making process if necessary and to increase or to optimize the performance of the legislative body.

The main reason for looking carefully to the committee system and the legislative decision-making process lies in the idea of legislature as training ground for political leaders, suggested by Max Weber. For him, committees are key instrumentalities for developing political leaders. In Africa, maybe more than elsewhere, legislators, through intensive work on committees can learn how to become an efficient and effective politicians. Participation, debates, bargaining, compromises, will teach them how to deal with matters of politics and public policy.

But any procedural reform could be without any sound and significant impact, if it is not supplemented by the much needed staff to assist the MPs in their work.

- Providing technical assistance for legislative services: There an obvious and urgent need to fill the technical imbalance between the executive and the legislature indicated above.

"Knowledge is power" and without extensive staffs of their own, African legislatures will be completely dependent on the executives for their information. Committees and individual members must have their own staffs to assist them in their work, not only to supply technical information but also and most importantly to apply technical information.

Apart from the necessity to fill the imbalance previously mentioned, there are two other reasons for the existence of legislative staffs in Africa On the one hand, the staffs are essential for providing expertise

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in complex policy areas. Indeed, whatever the educational background of the MPs, what they bring from their formal education will not be sufficient to enable them to participate effectively and meaningfully in a legislative process. Besides, they need the insight of experience with this process (Baaklini, Heaphey, 1976:52).

On the other hand, staffs are very useful for individual MP in the achievement of their constituents services. They will assist the legislators to provide assistance to private citizens in their daily relations with the bureaucracies. As "ombudsman" in his own district, the individual MP, will gain political credit, effectiveness and legitimacy with constituents preoccupied by their private problems as well as by the public policies.

The necessity of providing technical assistance to the MPs raises the question, not of the scarcity of able personnel, but how to recruit and pay them in times of shrinking civil services.

The experts may come from abroad but most importantly, this assistance can be provided by locally for free or at a low cost. First, by using experts from existing public services (research and teaching institutions), or the creating of a "parliamentary service" opened on request to civil servants.

Second, by using the services of domestic NGOs and experts interested in the protection of human rights, economic development, the monitoring of democracy like GERDDES-AFRIQUE, or the National Bar associations, and some of the blossoming members of the associational life in many African countries (Association of young lawyers, Associations of Women, Association of jobless university graduates, etc.).

This program of staffing and providing technical assistance must be supplemented by an effort to raise the level of training and expertise needed for an effective and efficient exercise of the political as well as the legislative powers of the legislatures.

- Program of training: Medium to long term interventions are aimed to provide the MP's as well as the staffs working in the legislatures, and those in charge of the relationships between the political institutions, with the experience or technical expertise needed to accomplish their duties.

(i) The MPs: The main problem is not really that the members of the legislatures are not aware of the issue of their responsiveness to their constituencies. But, to prevent some previous "bad habits" to prevail and to entrench firmly the commitment to democratic governance.

The best "school" apart from a general program of civic education, could be the exchange of experiences between African legislators and foreign MPs. American Congressmen, Canadian and European MPs and other African MPs, could be convened in any African country to share experiences of their representative and deliberative functions with their colleagues.

And/or a program of visits in the USA, could be set for some African MPs, to attend sessions of both Senate and House of the Representatives in Washington, as well as sessions of selected States Legislatures, and local councils.

Affiliations with regional and international organizations of Parliamentarians, can greatly contribute to the broadening of the experience of the African MPs by providing opportunities of exchanges.

An important suggestion here is that the sooner, this exchange of experiences can take place, the better.

(i) The Staffs: Apart from helping to provide the adequate technical formation to the personnel of low and intermediary levels, the high ranking officials in charge of the management of the legislative-executive relations can benefit from a program of exchanging of experiences similar to that of the MPs.

The short to medium term practical interventions presented for countries in Phases 1 and 2, must be sustained by long term actions for countries in whatever phase, 1, 2 or 3.

MEDIUM TO LONG TERM ACTIONS

(COUNTRIES IN PHASE 1, 2 OR 3)

Two types of interventions can be undertaken. The first will be aimed to broaden the bases of democracy, and the second will provide reflection and scholarship, in order to have a continuous and further knowledge about African legislatures in general and their relationship with governance in particular.

3. Strengthening the bases of democracy

It is widely acknowledged that a strong civil society is essential to democracy as are political parties. Given the present situation in Africa, through long term interventions, the aim here should be to help strengthen the civil society by strengthening the other bases of pluralism. This can be done through a general program of civic education, and by providing special assistance to the media and helping to improve the perception of the place and role of the opposition in the public opinion and thus to contribute to its survival and therefore to the entrenchment of democracy.

- Civic education: Experiences of the designing and implementation of programs of civic education in Third World democratizing countries, like in Latin America are available and can be adapted to the African context. The general aim is to make individual and collective members of the society, fully aware of their places and roles in a democratic polity. Instruction on national Constitution and constitutional law, human rights, civil rights, election monitoring, management of NGOs in their relations with administrative and political authorities, etc., can be part of this program.

It could take different forms like intensive workshops and seminars and use various material supports like booklets, posters and other printed matters, fabrics, songs and plays performed by local artists in popular languages, video and audio cassettes, etc.

- The media: The political history of Africa south of the Sahara, especially, that of the military coups d'Etat as recently evidenced by the bloody 21 October coup attempt in Burundi, show how important are the media. Presidential palace, the radio and the television (if there was any in the early 60's) buildings were the first to be occupied by the military at the moment of their coups. The recent successive interventions of the military in Togo has showed the consistency of the important role the media are still playing in African politics, despite the level of the under equipment of the media network and the low degree of exposure of the population to mass media (especially TV).

It is not clear whether this importance has something to do with the oral tradition, a culture in which "dire, c'est faire" ("How to do things with words"). Recently, opposition leaders in many African countries were complaining about the fact that they do not have fair access to official media. And in countries like Benin and Mali the private press has been praised for the role it played during the struggle

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against the authoritarian regime and during the transition period. It is also significative that in his response to the Prime minister's "Déclaration de politique générale" in the parliament Maître Mountaga TALL a prominent leader of opposition, in Mali, mentioned first "the freedom of the press" as one of the questions that the Prime minister has forgotten to address. TALL during an interview, has confirmed the interest he has in the media and stressed especially the radio, the importance of their role for the consolidation of democracy in Mali.

In the same country, interviews with journalists of "L'AURORE", (a daily newspaper), "RADIO LIBERTÉ" and "RADIO BAMAKAN" have provided inside views not only of the important role the private media could continue to play, in the process, but also of their needs in financial, technical (basic equipments like powerful transmitters and antennas, computers, etc.) and human resources (professional journalists).

The program of assistance here also should try to meet the essential technical and personnel needs to help guarantee the independence of the press.

- Creating an official status for the opposition: The idea is to contribute to the survival and viability of the political parties, especially those in opposition with an innovation in African politics: creating an official status for the opposition.

This innovation should go far beyond the rules of the games established in a "code of conduct" debated in a country like Mali, which is, a first and good step. The idea of a status for the opposition has been advocated by the new President of Congo, Pascal LISSOUBA, during the electoral campaign in 1992. But still, the content of his project is not yet known.

It has been said that the perception and the acceptance of the role of the opposition by the mass society are among the many dangers that are threatening the existence and survival of the opposition in many African countries. So the idea underlying the creation of an official status for the opposition, is to make its role understandable and acceptable for the average citizen, to be congruent to his cultural values. This status could be conceived on the British model with the leader of the opposition having an official position in the institutions of the Republic.

The symbols and the reality of the association of the leader of the opposition (and why not its "shadow cabinet"), to the exercise of power, could have a moderating impact on its critical role which appears as negative for the average African or as personal enmities between the President and the leaders of the opposition, thus accruing its cultural acceptance in the public opinion while not contradicting the feelings of the more westernized social and political elites.

4. Study and research program

The above suggestion about opposition is just part of the important need for the rethinking of democracy and governance practices starting from African cultural and social realities which must be considered as integral part of any assistance to the process of the consolidation of democracy in Africa.

Seminars and other academic meetings bringing together, social scientists, political practitioners, and donors can be a good strategy.

Regarding the specific issue of African legislatures, the idea must be seriously considered of helping to create and fund, whether a Consortium, a Center or a Program for African Comparative Legislative Studies, on a model similar to that of the "Consortium for Comparative Legislative Studies" regrouping Duke University, the University of Hawaii, the University of Iowa, and the State University of New York at Albany.

The existence of a strong and productive community of legislative scholars in African studies, could be the best medium and long term investment aimed to provide a better and continuous knowledge about African legislatures.

ANNEX 2(C)

COMMISSIONED PAPER:
IMPROVING AFRICAN GOVERNANCE: THE JUDICIARY
(January 14, 1994)

I. CONCEPTUAL OVERVIEW AND PROJECT RATIONALE

The judicial organization of African countries is closely linked to the continent's historical and political evolution. Indeed, Africa was introduced to democracy and the organization of the Modern State during the colonial period. During colonial times, while the mother-country was ruled by law, the colonies lived under a system of decrees. As the citizens of the colonies were second class citizens, the Rule of Law did not have the same meaning for them as for citizens of the mother country. In this regard, it is important to note that the Constitution, which is the fundamental law of the State, was not always enforced in the colonies. Thus, colonial Africa lived under a dual system of laws and jurisdiction.

Litigation between colonized persons was settled in indigenous tribunals, while litigation between Europeans, or opposing Europeans to natives, was referred to the judiciary jurisdictions. This situation even impacted the colonizing power's international relations. For instance, the European Human Rights Convention was not to apply to citizens of the colonies. Yet the French Constitution proclaimed the equality of citizens.

The colonial powers subjected Africans to a special judicial system, in which the judiciary was, first and foremost, subservient to the colonial ideology. The most iniquitous trials were thus organized against all those who wished to fight for freedom, equality and dignity. It is important to note that Africa did not experience and did not learn the normal operation of the colonizing power's judicial system. Africans of the colonial period were only minimally exposed to an independent judiciary, equal for all, in charge of protecting Human Rights. It should therefore come as no surprise that post-colonial African political regimes rapidly evolved from a situation of "bestowed democracy" to dark and bloodthirsty dictatorship.

The post-colonial African Constitutional model originated from the will of the colonial power to leave its brand on the evolution of its former subjects. In no African country was the constitution born from a clearly expressed wish of citizens to be governed in one form or another. The Constitutions do not harbor the deep knowledge of African peoples, nor do they address the basic values of their civilization. In Senegal, for instance, it is quite obvious that the traditional and religious powers, which have a determining influence on the country's political life, do not enjoy the benefit of any constitutional representation, contrary to the former colonizing countries, where these traditional powers have a means of expression through the constitutional framework. Thus, Great Britain has the House of Lords, and France, the Sénat. This observation about Senegal applies globally to the other African States.

Since the Constitution is simply patterned after that of the former colonial power, the African State institutions are often mere reproductions of those from the modern States of France and England, while their substance and operation are totally different. For instance, the judicial system of African States, which is a mere replica of the colonial model, in no way addresses the judicial needs of the masses at large, which are often illiterate and always disenfranchised. In this regard, it is useful to recall that traditional justice is a justice of conciliation, reconciliation, and consensus. It does not seek to find a winner in a dispute, nor to establish who is right or wrong. Traditional justice seeks balance in the group, clan or society. For example, by drawing on endogenous values, the management of divorce leaves very little room for conflicts which may lead to unquenchable hatreds between adults who have experienced life as a couple. Traditional African justice prevents conflicts in organizing the separation of a couple. For example, conflicts originating from child custody are very rare, because the granting of custody is traditionally dependent on the child's sex: girls stay with their mothers, and boys with their fathers, if the parents wish to share the children. Visits are usually not an issue.

Yet modern African judicial organization is introducing in African societies all the seeds of social division contained in Western justice, including the right for a judge to intervene in a family matter. Conversely,

Yet modern African judicial organization is introducing in African societies all the seeds of social division contained in Western justice, including the right for a judge to intervene in a family matter. Conversely, where traditional justice appeared repressive and perhaps expeditious, persons amenable to the law often feel that the courts are slow and do not administer justice. Thus, thieves or parricides can benefit from procedural rules to an extent which revolts citizens more inspired by traditional justice. This contestation of the modern judicial process occasionally leads to the establishment of a parallel justice -- in several African countries, thieves are beaten to death by the public unless a police intervention saves their life. Similarly, for a period of time in Nigeria, thieves were subjected to the "necklace": a burning tire around the victim's body.

Overall, the African judiciary is disparaged and criticized by the population, which does not understand its purpose. There is a strong temptation among the populations of many African countries to establish an alternative form of justice. However, the discredit plighting African justice has other explanations, among which its use as an instrument by post-colonial dictatorships. Post-independence justice has been at the service of government and the dominant ideology. Overall, magistrates have been agents for the government's service and maintenance. Thus, political power, thanks to a docile National Assembly, was able to create new crimes and misdemeanors, and ask an obedient body of magistrates for their unwavering enforcement. In this regard, it is important to note the specific nature of certain "socialist-leaning African States" whose constitutions established the primacy of the Party on the various components of the State. For these States, the independence of the judiciary was inconceivable, since it was meant to be at the service of the socialist ideology- these States set up an expeditious, supposedly revolutionary, form of justice. In the name of crimes and misdemeanors created out of thin air by a parliament subservient to the Party, it could administer the most arbitrary sanctions to any citizen.

The reform of the judiciary will need to be deeper in these countries. In fact, a new Rule of Law, and a new public opinion sensitive to civil liberties, will have to be formed. Previously socialist-leaning countries include Tanzania, Algeria, Ethiopia, Angola, Guinea, and Mozambique.

The fact is that, as a rule in many African countries, the situation has not yet evolved. The magistrature is not independent and the Bar is not autonomous. Magistrates and lawyers live in utter poverty, which makes them vulnerable to any attempted corruption. The leader of the Senegalese barristers recently declared that 70% of all lawyers could not pay their rent. In Mali, we observed that a vast majority of lawyers could not pay their annual fee to the bar, which amounts to less than $200 US.

Justice is cashed in on, sold to the highest bidder. Lawyers do not need to plead in law - mainly, they need to be good negotiators, who know how to evaluate a judge's needs in order to "sell" their client's case to him. In many African countries, therefore, the judicial system is totally corrupt. In this regard, a few days ago the current Cameroonian justice minister made a vibrant appeal for all legal practitioners to restore Cameroonian justice.

Corruption constitutes a major roadblock to the development of commercial transactions- the worst fear of honest businessmen is to have a conflict brought before African courts of law. The fear of a denial of justice in disputes with nationals or corrupt politicians steers many foreign investors away from African countries.

The discredit of African judiciary authorities is also due to their involvement in electoral processes. Based on the French system, most francophone countries put electoral litigation in the hands of a supreme judicial authority. Depending on the country, electoral litigation is administered by the Supreme Court

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or the "Conseil Constitutionnel" (Constitutional Council). Unfortunately for the prestige of the judiciary, partisan contestation of electoral outcomes frequently placed the judiciary in hazardous situations. Thus, in Senegal, the contestation of the 1983 and 1988 electoral outcomes ended up discrediting a most respectable judicial institution. The problem was that the Supreme Court, though administered by magistrates of excellent repute, was not prepared to deal with a dispute whose partisan politicization prevented any objective analysis of the decisions related to the dispute. The discredit endured by the Supreme Court was to promote its transformation into a Constitutional Court in charge, among others, of electoral litigation arising from disputes caused by the new electoral code of "consensus". Nonetheless, in spite of the government and political parties' efforts, the 1993 elections were violently contested, which led to the resignation of the President of the Constitutional Council. Moreover, to make matters worse, the Constitutional Council's Vice-President was executed in an attack following the proclamation of results by the Council headed by its new president. The jurisdictional vicissitudes of these elections seem to have completed the crisis in the Senegalese judiciary.

In Nigeria, the failed 1993 presidential elections, marked by unobserved judicial decisions, have shown that the judiciary was not yet the keeper of democracy. The recent death of President Houphouet-BOIGNY revealed that the judiciary still lacked the ability to arbitrate Ivorian democracy. The situation was the following: the Ivorian constitution provided that, in case of a vacancy in the executive power, due to a resignation, incapacity or death, the Supreme Court (Chambre Constitutionnelle) was to certify the power vacancy and to establish the new president.

At the death of the President of the Republic, the Supreme Court, called upon by the Prime Minister in accordance with the Constitution, did not even have time to process the Prime Minister's petition, when the President of the National Assembly, designated by the Constitution (Art. 11) as the President's Successor, personally appeared on television to avail himself of the Constitution's provisions and proclaim himself the new President of the Republic. Time will tell what the Ivorians will think of their Supreme Court.

The decomposition of the African judiciary system is due to the impoverishment of the judiciary, the weakness of its training, the politicization of its action and the influence of tradition on the administration of justice. Both magistrates and lawyers are extremely poor. The former are very ill-paid by States which find it increasingly difficult to bear their budgetary cost. The discredited judiciary cannot stand up to the executive or legislative powers. New African democracies are highly influenced by a partisan approach. A judicial ruling, in this context, is thus either for or against power. The judicial system (we will not venture to call it "judicial power") is dependent on the executive and legislative powers.

To avoid being subjected to the wrath of the party frequently dominant in the National Assembly, the Judiciary prefers to take decisions consistent with the will of the Executive and the Party. The worth of an institution is equal to that of those who represent it. The action of these persons are conditioned by cultural and social considerations. The weight of traditions is such that justice is influenced by family ties of the judge, who belongs to a clan and possibly to a religious sect. In his ruling, the judge must often take into account the social situation of the accused. In this regard, public opinion is not aware of the utility of the independence of the magistrature. Justice is not perceived as an institution, but as the action of men and women who must take into consideration the social and cultural environment. The cultural factor is, additionally, an obstacle to the emergence of a modern judiciary. It is therefore necessary to plan for programs to shape public opinion.

For political, economic and cultural reasons, the judiciary is not independent in Africa. However, a good evolution of the democratic process, and a policy of cultural and economic reforms, could, in the short-term, create the basis for an independent and credible judiciary.

II. OPERATIONALIZING A PROGRAM OF JUDICIAL REFORM

A. Pedagogy

It is necessary and urgent to improve the training of magistrates and lawyers. In many African countries, lawyers and magistrates do not enjoy the benefit of a decent training, adapted to the needs of modern justice. Improvements in the training level of magistrates and lawyers could be accomplished by providing grants for re-training in consolidated democracies where the judiciary functions well, as in the Western countries.

After an internship period in the U.S., for example, lawyers and magistrates could take on the training of their compatriots. In this regard, magistrates or lawyers from the U.S. or elsewhere could also train or re-train magistrates and lawyers on-site.

B. Logistical Support

It could be useful and efficient to focus an aid program on the improvement of the judicial infrastructure in selected countries. As a rule, courts of law are very decrepit, their walls often dilapidated; they lack the most necessary equipment, such as typewriters or machines for reproducing texts. Most of these courts either do not possess libraries, or have libraries bereft of any code. In fact, there are no reference works for obtaining correct information and administering a credible justice.

It would therefore be necessary and efficient to devise a policy to create court libraries creation and send basic works. The works could, occasionally, be American works, translated if necessary. The restoration of some courts could be considered. Similarly, the financing of lawyers' and magistrates' training through the creation of regional or national institutes must urgently be considered.

A program to heighten public awareness of the evils of a corrupt justice should be implemented through specialized NGOs, which could organize seminars and conferences, and facilitate the drafting of works or documents aimed at promoting public awareness.

This public awareness campaign should include a component on the independence of the magistrature. Such a program will target not only civil society, but also the legislative powers (members of parliament), and the executive (the president and members of the government) on the need to respect the independence of the magistrature.

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ANNEX 2(D)

COMMISSIONED PAPER:
IMPROVING AFRICAN GOVERNANCE: DECENTRALIZATION
(January 14, 1994)

I. CONCEPTUAL OVERVIEW AND PROJECT RATIONALE

A. Decentralization in Africa: A Review of the Experience

Decentralization has been variously viewed as a policy and as a method or mechanism for more effectively identifying, developing, preparing, and implementing policy. It has serious implications for a full range of issue areas, from agriculture and health to public works, the environment, gender equity, and education. Decentralization is closely linked to broader efforts to improve the quality of governance and thus make policy choices and implementation more effective, more participatory and more responsive to democratically expressed needs and objectives. Finally, it is suggested by many authors that decentralization is more conducive to overall economic development than are highly centralized regimes (Hyden, 1984; Wunsch and Olowu, 1991).

Diverse rationales for decentralization have been adopted by multilateral as well as bilateral donors. For example, a summary of the goals of administrative reforms associated with decentralization in Francophone Africa prepared for the U.N. states that the emphasis is on "l'administration territoriale puisque c'est celle ci qui, en definitive, doit etre la base et le moteur du developpement local et national" (Bellavance, 1992). Professors Lalaye and Olowu, writing for the World Bank, argue that decentralization should be considered as an ideal towards the achievement of which one should strive given the accepted view that it is conducive to development in all of its ramifications. The ideal poses self-governance, participation and representativeness as a means of insuring maximum local resource mobilization, effectiveness, and efficiency in service delivery (Lalaye and Olowu, 1989 :79).

These disparate objectives, are for the most part not mutually exclusive, and may even be cumulative. Nevertheless, at times they are clearly contradictory (Schoenberger, 1981).

The motivations and rationales for decentralization in Africa, in spite of the vast differences in context, do not differ significantly from those which have led to increasing decentralization in OECD nations such as Germany, France, Belgium, and the U.K. In these countries, the real reasons for decentralization include strong territorially concentrated ethnic or regional pressures, disenchantment with the costs and central controls of the welfare state, the need to retrench in various national program areas, disillusionment with the performance of central government bureaucracies and a concomitant desire to revitalize local democracy (Walker, 1991:127).

Reformers who posit decentralization in Africa as a solution to their diverse problems should not ignore the difficulties experienced and the somewhat mixed reviews it has received in Europe. For our purposes, the widely cited definition of decentralization, provided by Rondinelli, Nellis, and Cheema nearly a decade ago (1984:9) remains among the most useful:

> *Decentralization can be defined as the transfer of responsibility for planning, management and resource raising and allocation from the central government and its agencies to: (a) field units of central government ministries or agencies, (b) subordinate units or levels of government, (c) semi-autonomous public authorities or corporations, (d) area wide, regional or functional authorities, or (e) nongovernmental private or voluntary organizations.*

They go on to identify the four basic types of decentralization: 1) deconcentration - "the handing over of some amount of administrative authority or responsibility to lower levels within central government ministries and agencies"; 2) delegation - "transfers managerial responsibility for specifically defined functions to organizations that are outside the regular bureaucratic structure and that are indirectly

controlled by the central government"; 3) devolution - "creation or strengthening --financially or legally-- of subnational units of government, the activities of which are substantially outside the direct control of the central government'...'local units of government are autonomous and independent"; and 4) privatization - "the transfer of responsibility for certain functions from the government to the private sector." In this paper discussion will focus on deconcentration and devolution,while not ignoring privatization and delegation as tools for both central and devolved units of government.

Discussions of decentralization figure prominently in much of the thinking associated with the concept of governance (Hyden, 1991, 1992; Charlick, 1992; Bratton and Rothchild, 1992; Wunsch and Olowu, 1990; Diamond, Linz, and Lipset, 1988; Landel-Mills and Seregeldon, 1991; Silverman, 1992). Although there is some disagreement in the literature regarding the relationship between good governance and democracy (See von der Wahl, 1993), this author believes that the link between the two is very strong. Therefore, Charlick's working definition of democratic governance (1992) is taken as a starting point for this paper. Emphasis in the analysis of decentralization and local government in Africa should be placed on the issues of: accountability through local representatives; responsiveness vis a vis the population and associational groups; and development of opportunities for participation and the presentation of policy alternatives. The key question is in what ways does decentralization contribute to each of these or to a combination thereof?

Systematic evaluation of the implementation of decentralization is especially important because the relationship between "successful" (high quality) decentralization and "good" governance in Africa is hypothesized by some analysts to be positive and quite strong (Vengroff and Ben Salem, 1992; Vengroff, 1993; Vengroff and Umeh, 1993; Bellavance, 1992). This thesis is also supported in studies of the newly independent states of the former Soviet Union and the newly democratizing nations of Eastern and Central Europe (Jacob, Teune et al. 1992). This relationship is expected to hold true in countries at every level of development, but particularly in developing countries such as those in Africa. However, it should be noted that underdevelopment is both one of the problems that decentralization is supposed to address and a contributing factor to the difficulties and failures of decentralization programs.

Findings on the impact of decentralization in developing countries have been quite mixed. Much of the inconsistency can be attributed to the fact that the correlation between "formally" announced programs of decentralization and a serious and successful effort at its implementation is quite low, or in some cases nonexistent. At the time of independence, emphasis in most African countries was placed on national unity, political integration, and the development of the one party state. Local units of government were not given the authority necessary to promote local participation or to effectively address development issues. Instead most regimes tended to move in the direction of greater and greater centralization regardless of the rhetoric of decentralization (Laleye and Olowu, 1989; Wunsch and Olowu, 1990). Subsequently, numerous African nations have undertaken "so-called" decentralization programs, primarily involving deconcentration and delegation, rather than devolution, but few have demonstrated the political will necessary for successful implementation (Conyers, 1983; Rondinelli, Nellis and Cheema, 1984; Chikulo, 1981, 1985; du Bois de Gaudusson, 1989; Vengroff and Johnston, 1987; Gellar, 1990; Lalaye and Olowu, 1989).

Many studies of decentralization in Africa have been quite critical of the general approach various regimes have taken to it, its implementation, or both (Conyers, 1983; Chikulo, 1981; Olowu and Smoke, 1992; Gellar, 1990; Coulon, 1990; Cottingham, 1970; Barker, 1971; Dione, 1992; Lakdhar, 1991; Vengroff and Johnston 1987, 1989; Wunsch, 1990, 1991; Koehn, 1990; Ayee, 1988, 1982; Mutizwa-Mangiza, 1986, 1990; Wallis, 1990; Lungu, 1986). This critique is not however, limited to

Africa, but can be seen in the literature on Latin America (Cupolo, 1989; Lowder, 1992), and Asia (Rondinelli, 1983; Conyers, 1981; Nooi, 1987). In discussing the record of decentralization in Latin America, for example, Lowder argues that decentralization, like any other policy, can only be implemented successfully from a position of strength by a state committed to it, prepared to devote the resources to it, and prepared to persuade others that it will be of benefit to them. Rarely is this the case; decentralization schemes are more likely to be time-buying exercises in which the cards are shuffled to make it harder for the players to appreciate the strength of individual hands (Lowder, 1992: 192).

A very similar argument is made in relation to decentralization in Western Europe (Walker, 1991:127).

It must be emphasized that in Africa, as elsewhere, decentralized government agencies should not and can not be expected to make up for central government deficiencies. Decentralization should instead be viewed as a means to complement efforts to increase overall government capacity by strengthening local governmental capabilities.

We must begin to look at decentralization as an evolutionary rather than a revolutionary process, a process for which the advantages and disadvantages can only be assessed over time and in a particular context. There seems to be an unrealistic and unjustified assumption among policy makers (including the donor community) that decentralization provides instant benefits and immediately contributes to sound governance. Why should we expect that newly established local governments or procedures for deconcentration in central ministries will not take considerable time and effort to solidify.

Decentralization policies and programs, rather than producing immediate changes in governance, must themselves be carefully nurtured. Individuals, parties, associations, elected officials, and functionaries must all develop the habits of cooperation, interaction, and participation and the procedures which will make devolved local government or other forms of decentralization effective. Some type of positive reinforcement for all of these is also essential.

Too often, decentralization has taken on the image of being a fad or an ideological commitment rather than a realistic governmental capacity building strategy (Conyers, 1983). Decentralization is a process which is not limited to a particular level or type of government. It requires close collaboration between governments at all levels so that deconcentration of central ministries and devolution to local authorities occur in a manner or sequence designed to maximize the positive reinforcement of local central linkages. It is very important to consider the complexities and the contingencies associated with decentralization (Thompson, Connerly and Wunsch, 1986). Rather than being looked at as a one time administrative intervention, decentralization may be more accurately described as an iterative process, a process which can produce both positive and negative outcomes in relationship to governance.

The hypothesized relationship between decentralization and governance is supported by the observation that the African nations with the "best" long term records of democratic governance also have for extended periods been involved in serious experimentation (Mawhood, 1987, 1991) with the implementation of various forms of decentralization. Botswana successfully carried over and modified the pre-independence district council system (Vengroff, 1977; Higgins, 1987). Senegal, relying on its historic experience with "self-rule" for its urban communes, incrementally moved in the direction of greatly expanded programs of decentralization in the rural areas (communaute rurale) in its municipalities, and now in its regions (Dione, 1992; Vengroff, 1993).

Although the existence of a serious decentralization program may not be a necessary condition for democratic governance, it may be an important contributing factor. It may also play a major role in retarding the development of authoritarian regimes, as seems to be indicated by the cases of Kenya (Wallis, 1990), Ghana (Ayee, 1991:55), Senegal (Vengroff, 1993) and Nigeria even today (Umeh, 1993, for an examination of this relationship in other areas of the world see Kim and Zacek, 1993).

B. The Implementation of Decentralization

As noted above, decentralization does not offer a short-term quick fix approach to an otherwise floundering regime by transforming the existing forms into a process of democratic governance. Although many criticize the lack of success of decentralization programs, they rarely do so on the basis of a long term perspective on the activities, and developing relationships of decentralized units with other organizations and governmental institutions.

It is imperative that we look at the interchange between the various types of decentralization within the system. For example, we can not expect decentralized units of local government, even in highly devolved systems, to operate very effectively in isolation from the large national political and economic context within which they must learn to function. Thus, we must ask the question of how the "local government" unit interacts with central ministries. Where central ministries are themselves decentralized, that is, where a process of deconcentration has either begun or been in practice for some time, can we expect more effective central local linkages to emerge? It is ultimately the nature and effectiveness of these linkages, and the attitudes of those involved, not the fact of formal decentralization which will determine the success or failure of local programs or local implementation of central government programs (Ayee, 1988; United Nations, Cote d'Ivoire, 1992).

How these relations between central ministries and devolved and deconcentrated entities develop is thus critical. The literature is replete with cases describing how administrative reform in the name of decentralization has actually led to greater centralization of authority at the national level (Wallis 1990; Pereira, 1979; Nooi, 1987; Chikulo, 1981, 1985). A key area for analysis and technical or other donor sponsored interventions is the interface between the central and local levels. Rondinelli argues that for central ministries, "their capacity to strengthen local governments or administrative units must be expanded" (1983:206). Developing collaborative modes of operation is extremely important. Thus although a local government may be charged with constructing and operating a rural clinic, doing so successfully requires support from the Ministry of Health's regional office, its central pharmacy, its nurses training school, its annual national vaccination campaign staff, and the centrally managed regional hospitals.

When viewed from another perspective, the performance of local government and the participation of the population in it may depend heavily on the political culture which is dominant at the local level. As noted by Robert Putnam in his innovative study of the performance of regional government in Italy, "by far the most important factor in explaining good government is the degree to which social and political life in a region approximate the ideal of the civic community" (1993:120). In Africa, the relation between "administrative structures and the local communities has been a problem for the public authorities since early colonial days" (du Bois de Gaudusson, 1989:114). This is attributed to both distrust and what is perceived as the irrelevancy of local government to local cultural norms (du Bois de Gaudusson, 1989) or the economy of affection (Hyden, 1984).

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Although political culture usually changes very slowly, it should not be regarded as static (Inglehart, 1988; Eckstein, 1988). There is an interaction between government policy implementation and the nature of the dominant themes in the political culture. Thus, the emerging habits of participation and of openness in policy making, of transparency in financial management, and opportunities for input in the identification and promotion of policy alternatives will be learned and promote this over the long run. In that manner experiences in addressing the local political system may contribute to broader support for democratic governance at the national level.

It has been argued that democratic systems are best protected from authoritarian regimes by the existence of separate power bases at the local level (Kim and Zacek 1993). Local government can contribute to the development of civil society through the formation of effective associational groups and vice versa. These groups can lobby and exercise influence at the local level while establishing precedents which have a major impact, in the long run, at the national level. A good example of this can be seen in the development of neighborhood associations in Tunisia and the demands they place on government for everything from environmental pollution to education and housing (Vengroff and Ben Salem, 1992).

What are the key roadblocks associated with successful implementation of decentralization programs in Africa? Those which appear to be nearly universally problematic are financial and human resource issues. Many others such as structure, legal relations, participation, and the quality and preparation of elected officials which have been identified as obstacles in many African nations, while important, are less prevalent.

1. Finance

Almost by definition, decentralized units of government in developing countries face very significant problems associated with the finance of their operations, programs, and development efforts (Bahl, Miner, and Schroeder, 1984; Olowu and Smoke, 1992). When viewed as a percentage of the national budget, or in terms of taxing authority, tax base, or revenue collected, the financial resources available to the locales are extremely limited (Nooi, 1987; Vengroff and Johnston, 1987; Minis, et al., 1989; Seck, 1991; Diop, 1992; Vengroff, 1993).

Among the key issues of finance are the mix of taxes and revenue sources available to local government. Devolved units, be they rural, municipal, or regional, have four basic sources of revenue: local taxes, use fees, subsidies and loans (Prud'homme, 1989). None of these are independent of the decisions on taxation and expenditures made at the national level. That is, the package of taxes including national, regional, and local is related to the ability of the citizen to pay. This means that a heavy emphasis on one source may preclude opportunities to tax another. Therefore close collaboration is required between levels. Invariably central government sources of revenue far exceed those available at the local level. Some process for the reallocation of resources thus becomes essential.

In such diverse African countries as Zimbabwe (Mutizwa-Mangiza, 1990), Cameroon (U.N., 1992), Tunisia (Nellis, 1985; Vengroff and Ben Salem, 1992), Sudan (Norris, 1983), Nigeria (Nwanko, 1984; Umeh, 1993), Tanzania (Semboja and Therkildsen, 1990), Ghana (Ayee, 1988), Kenya (Wallis, 1990), and Senegal (Vengroff and Johnston, 1987) finance for the local units, including regions, municipalities, and rural councils is complicated and inadequate to the tasks at hand. For example, the average budget for rural communities in Senegal in the 1980s was less than $20,000 and the rural tax levied by the councils could not exceed 1,000 FCFA or about four U.S. dollars (Vengroff and Johnston, 1989).

Taxing authority, even where it is reasonably broad, is because of both administrative incapacity and political expediency, not fully exploited.

In a number of nations, the budgetary implications of decentralization programs are important in national terms, but do not appear to have kept pace with the overall growth of the national budget. However, some further analysis is required. For example in Tunisia, although resources available directly to the municipal and rural councils are limited, some officials in the Ministry of Finance argue that when "indirect" subsidies and contributions to the municipalities are taken into account, the national budgetary implications of local administration can be shown to have grown very significantly (Vengroff and Ben Salem, 1992).

In many cases central government authorities retain control over the potentially most lucrative taxes while confining the localities to market fees, local land taxes, a few business taxes and several other minor sources of revenue. In some cases even local government taxes are collected by the central government officials and reallocated to the locales from the center. In a few instances a portion of this revenue is reserved for redistribution to the poorest locales. However, in at least one country in which this is the case, Senegal, no one has ever been able to account for the so-called "solidarity fund" and none of it appears to have ever been actually distributed at the local level (Vengroff and Johnston, 1987). The predicament that some local governments find themselves in is further complicated by the fact that central governments have dumped responsibility for functions they can no longer afford to finance and/or recurrent costs for donor funded projects on to the locales.

2. Human Resources

Personnel issues remain among the most critical concerns of decentralized governments around the world but especially in developing countries where human resources and finances are so limited. Three major types of personnel systems have been established and experimented with in different African countries; the "integrated, the separated, and the unified" (Lalaye and Olowu, 1989). The integrated system is one in which local and central government personnel are all part of the same public service and have similar benefits and career patterns. In the separated system each local government maintains its own personnel in the context of an almost totally distinct system or service. Unified systems are characterized by a common local government service for all local governments within which personnel have opportunities for training, transfer, and promotion.

The unified form, although recommended for developing countries such as those in Africa is only infrequently found in practice, while the integrated system characteristic of highly centralized systems is most common, especially in Francophone Africa but also in many Anglophone countries as well (Laleye and Olowu, 1989). The integrated approach can have the effect of reinforcing central authority rather than providing support for the goals of decentralization. This problem clearly arose in Zambia (Lungu, 1986) and impacts on urban administration in much of Francophone Africa as well (Dione, 1993). It also presents an opportunity for strong involvement and even control by the ruling party (Mawhood, 1991; Chikulo, 1985) and can stifle popular participation.

In the separated and even in the unified systems significant difficulties remain to be overcome. Together with the financial challenges faced by decentralized units of government, inadequate or inappropriate personnel systems clearly discourage the best qualified and potentially most highly motivated individuals from seeking posts at the local level. In addition to salaries being low, benefits are often nonexistent or not competitive. Local governments are rarely interested in investing in staff development so professional

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opportunities in terms of in-service training, short courses or degree programs and opportunities are not readily available to local personnel. Career advancement and promotion are likewise severely circumscribed by isolation from the centers of power, participation in a relatively small service with little recognition, and difficulty in moving from one locality or one size of municipality to another the way, for example, that city managers in the United States do.

In addition to these constraints, service in the regions, municipalities (other than the capital city), or local areas often means in the African context, especially in the poorer countries, that the basic amenities of life, such as electricity, running water, good housing, clinics and hospitals, good schools for their children, and even basic commodities available in most markets may not be available or are available only sporadically. Salary or other incentives designed to overcome these shortcomings are quite rare.

In Africa, most of the communes, both urban and rural, do not have the resources, either financial or infrastructure, to attract, motivate, and retain top personnel. As a result, even in countries like Senegal, Cote d'Ivoire, and Kenya with significant numbers of well trained personnel, the level of professional qualifications, training and experience of those assigned to work with the rural councils and the municipalities is considered to be far below optimal. In Senegal, graduates of a national training institution, specifically prepared for responsible development related management positions at the local level, overwhelmingly prefer less challenging positions as planners associated with the central ministries (Vengroff and Johnston, 1989). The shortage of qualified administrative and technical personnel, even in the larger cities like Saint Louis, is attributed not to the lack of trained individuals, but to the absence of performance incentives provided for them (Seck, 1991). In the rural areas, the basic tools and minimal logistical support required to do the job are often lacking, thus creating a professionally unsatisfying work environment.

Even in the Maghrebian States, the quality of the bureaucratic personnel assigned to the regions and municipalities is, with important exceptions, quite modest. In Tunisia there are, as of yet, no incentives for working in the regions and no separate statutes establishing conditions for the employment of cadres at this level. Assignment outside of Tunis, even to the larger cities or the regions is viewed as having a negative impact on a functionary's career.

The poor qualifications of local personnel in Nigeria (Nwanko, 1984; Koehn, 1990). manifests itself in administrative incapacity (Bryant and White, 1982) and severe limitations in manning local and state governments. Several requisite management skills are inadequately represented or absent among the staff of these organizations. Where well-trained officials are available, there are few real incentives for them to accept employment in the rural areas or even small towns.

Even in a country as well off and well managed as Botswana, attracting individuals to local service with the district councils requires constant effort and on-going training (Higgins, 1987). It should also be noted, however, that even in Botswana, the level and distribution of management skills in the public sector does not significantly differ from that in Senegal (Ndiaye, 1993).

Thus, as can be seen from the examples presented above, even in those countries which are very advanced in terms of decentralization, and relatively well off financially, personnel issues continue to be a major focus for difficulties.

The discussion of human resources would not be complete without making reference to the quality and role of elected officials at this level as well. Based on recent experiences in Africa, electability is still

largely a function of ethnicity, patronage and nepotism, "clientelism", wealth, or one's traditional status in the community. Knowledge of the prevailing issues, and leadership ability, are limited parts of the equation. The qualifications and abilities of local elected officials are often severely limited vis a vis the complex tasks that city and local governments are expected to perform. The training of local level elected officials thus should be an important priority area.

C. The Legal Structure and Intergovernmental Relations

The legal structure and administrative texts on which decentralization depends and which define the division of tasks and functions, although not among the top problems for decentralized units, still has a considerable impact. Often, insufficient powers are formally allocated to the decentralized unit to perform its functions adequately. The norm is a situation in which responsibility greatly exceeds authority. This is closely related to the financial challenges facing many local governments.

The three broadly defined but most commonly allocated functions, maintaining law and order, providing opportunities for maximizing popular participation and promoting economic development, are often well beyond the authority and resources available at the local level. This is especially the case where exogenous or environmental factors exercise a predominant influence over the endogenous or organizational variables. These exogenous factors, culture, social movements, ethnic diversity, the level of economic development and external (international, interregional, and intergovernmental) relations may leave the locale with little room for maneuver. Since central governments have been very reluctant to cede authority to lower level units, this lack of support may mean that it is extremely difficult, if not impossible to overcome these environmental constraints.

Another factor, the tendency of central governments to dump responsibilities they no longer find it possible to meet on local governments as a means of distracting attention from the real issues, as a way to gain time, or as a mechanism for appeasing ethnic, religious or cultural interests also has a considerable impact. This has been the case in Nigeria with the creation of new States, in senegal with the tremendous expansion of the role of the region, and the creation of new municipalities, in the Sudan on numerous occasions to name but a few. Furthermore, it should be noted that no single structural arrangement is necessarily superior to the others. Contingency theory clearly needs to be applied to the choice of local government structures. In comparing nations which have demonstrated considerable success with decentralization, it should be noted that no one formula has been used. Their relative effectiveness, in spite of different structural arrangements, demonstrates that no single policy approach (deconcentration, devolution, or a combination of these) can address all of the demands of decentralization. Each system, in order to succeed, has had to diverge from its initial strategy to add elements of the others. Policy makers should be aware that the quality of decentralization policy is not linked to any single approach. Adaptations to local needs and opportunities for experimentation are clearly called for. Support should be provided for decentralization based on developing relationships and actual activities being undertaken, not just on the basis of formal structural arrangements.

D. Participation

A brief word about participation is in order here. Part of the underlying assumption surrounding decentralization is that it will stimulate participation and promote more effective democratic governance. The record so far is mixed, but this may be more a function of the varying quality of decentralization programs than of the possibilities. In African States, as elsewhere, there are both formal and informal procedures and opportunities for popular participation in the local policy making process. These may

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take the form of discussions through council committees, local associational groups, the party cells, neighborhood associations, traditional authorities, and ethnic or religious organizations. Electoral participation is open but voter turnout tends, due to the lack of serious competition, or other issues to be quite low (e.g. Mali, Vengroff, 1993). Overall, opportunities for participation are moderate but growing. As decentralization programs prove successful, participation can be expected to grow rather dramatically.

II. OPERATIONALIZING A STRATEGY FOR DECENTRALIZATION

A. Implications for AID Support for Decentralization

It is clear from this review of the issues that "serious" decentralization programs can make an important contribution to the development of democratic governance as well as to limiting the possibility of authoritarian rule. The implications of this for donor support in such key areas as local government finance, human resource development, personnel administration, and participation are quite significant. It is extremely important that whatever assistance is provided be afforded to those systems in which "serious" programs of decentralization are being implemented, rather than to those many states where it serves as a mere facade. Therefore, **careful measurement and monitoring are strongly indicated as appropriate donor strategies and as guides to investment in decentralization in any given country.**

1. Measuring and Monitoring Decentralization

In order to undertake an assessment of the relationship between a program of decentralization currently being implemented in a given African nation and its impact, real and potential, on the quality and development of democratic governance and public policy, we must first establish criteria in the form of empirically verifiable indicators of the seriousness or quality of decentralization programs. Using those indicators we can presumably arrive at a preliminary assessment of the current status of decentralization as a policy in an African country, its contribution to governance and the ongoing processes of democratization, and its potential future contributions in these areas. Furthermore we must decide on a preferred approach or combination of approaches to the issues.

Diverse methodological and theoretical techniques to address the problem are being employed by different scholars. These may be complementary and through replication provide the basis for validity checks. For example, a group working primarily in Central and Eastern Europe is employing a form of elite attitudinal survey (Jacob, Teune, et al, 1992; Boukhalov, 1992) to examine decentralization and democracy. Olowu and Smoke (1992) apply an inductive approach to identifying "determinants of success" in African municipal governments. Bellavance proposes the use of six broadly phrased questions as a mechanism for examining and evaluating decentralization in Francophone Africa (1992:7-8). Werlin (1992) argues for what he calls the "political elasticity theory" as a basis for the comparative assessment of decentralization. Harris proposed a comparative case analysis approach and the development of a cross national data bank (Harris, 1981). The analysis of local interest groups is suggested as an important component of any analysis of decentralization by Thompson, Connerly and Wunsch (1986). Institutional analysis, using goods and services rather than the organization, as the unit of analysis is recommended by Wunsch (1991, B).

A promising but provisional approach was recently been developed and successfully applied in studies of decentralization in Tunisia (Vengroff and Ben Salem, 1992A and B), Senegal (Vengroff, 1993), and Nigeria (Umeh, 1992). Work using this approach is also in progress in Hungary (Farkas, 1993), Morocco (Belhaj and Vengroff, 1993) and in the planning stages in additional African countries. It is

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argued that the relative quality of decentralization in any country (D) can be judged as a function of three important factors: 1) scope (S); 2) intensity (I); and 3) commitment (C).

$$D = f\ (S, I, C)$$

Each of these important factors has been defined and subsequently operationalized using indicators which can be mutually agreed to, independently verified, and employed as the basis for comparison of decentralization policy between political systems (see the complete list of variables in the appendix to this report). For purposes of classifying nations, panels of country experts can be assembled to rate the various components of decentralization in their respective countries. These measures will of course require further refinement in future studies, but provide some clear indications, from a comparative perspective of critical areas of concern. These measures and this approach could be adopted by AID to monitor, in a cost effective manner, progress and setbacks in decentralization in Africa over time. This would provide a good fit with the concept of a "rapid response capability."

As African leaders have found themselves confronted with economic conditions beyond their control, increasing societal pressures, and administrative incapacity associated with a highly centralized statist approach to development, various policies of decentralization have been proposed as potential solutions (UN, 1992). The seeming failure of decentralization in many nations should be diagnosed on the basis of a systematic examination of its components and a method for evaluating them. The methods proposed here can provide, albeit in a preliminary way, policy makers with some of the tools they need to make informed judgments about initial policy choices and modifications in existing policies. A systematic comparative data base could provide opportunities for learning from and building on the experience of other nations facing similar problems.

Traditional descriptive analysis has tended to concentrate on only one or at most two of the three principal measures employed here. By combining scope, intensity and commitment to decentralization into a common model, we are able to obtain a more accurate interpretation of the quality of the program as it is actually being implemented. A further step will involve the systematic comparison of the relationship of decentralization measures to other system characteristics and trends. In this way we will be able to develop comparative scores which can provide insight into the "real" impact of decentralization on a variety of developmental issues, including the quality of governance.

2. Specific Recommendations

(a) AID should **establish an independent set of regional monitoring capabilities.** Joint panels of country experts, both domestic and international, composed of both academics and practitioners should be set up to periodically, perhaps quarterly or semi-annually, assess progress in the development and implementation of decentralization programs. These panels could be convened through electronic communications (E-Mail, FidoNet, etc) in a very cost effective manner, while providing invaluable information and analysis.

In addition to the variables noted above (scope, intensity, and commitment) three additional exogenous, but closely related factors, require some consideration: 1) the nature and evolution of intergovernmental relations; 2) links between decentralized units of government and associational and other nongovernmental groups (NGOs and PVOs); and 3) the receptivity of the political culture(s) of each nation to participation in local government. The first two of these are directly related to the issues of governance and civil society in the context of what Esman (1991) labels "multiorganizational service networks." These are

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expedient arrangements in which two or more organizations, usually including governmental as well as non governmental actors, participate in the joint production and provision of sets of goods and services. While retaining their original identity, distinctive interests, and autonomous management, participants combine their efforts and contribute their resources toward common objectives in integrated processes of coproduction and coprovision" (Esman, 1991:117).

Finally, political culture, although changing relatively slowly is worthy of observation because the overall legitimacy of the decentralized arrangements is critically dependent on its acceptance and transmission through the political culture.

This analytic capability provided by the assessment panels will make it possible for AID to get a much better understanding of the contribution being made to democratic governance by decentralization in the various countries under study, the seriousness of those governments in implementing decentralization, and the direction of change. In addition to being charged with collecting country specific data in a comparative format, these panels will also have the task of proposing potential donor interventions to improve the pace and quality of decentralization.

(b) **Regional training and analysis centers or institutions should be established or selected** which are capable of designing and implementing long and short term training interventions and consultant services in support of decentralization. There is no need to establish an entirely new set of institutions. Existing universities, training centers and institutes could form the core for such units. Thus U.S. institutions or consortia of U.S. institutions could be paired with the African institutions selected as regional training and research centers in the area of public management and decentralization. These centers could be established and assisted in a cost effective fashion through a buy-in with AID's (University Development Linkage Project (UDLP) or a similar kind of separate activity with similar dimensions. The resultant exchanges of faculty, collaborative research programs, and human resource development, will improve the capacity of both U.S. and host country or regional institutions to respond to the needs of AID and its democratization efforts.

Those institutions or consortia selected should be prepared to offer long and short term training programs on their respective campuses as well as on site training and consultancies throughout the African region they are designated to serve. Training programs and consultant teams should be multinational in scope, always include some host country analysts, and, whenever possible target multinational sets of participants. This will maximize the exchange of ideas and experiences and ultimately improve the quality of analysis, training, and long term interchanges.

(c) A gradual transfer of powers to decentralized units of government (local or central), although it may not lead to the immediate results in terms of the democratization policies which are being sought, may provide a solid base on which to build other democratic interventions, activities and policies. **AID should seriously consider long term support programs to assist developing countries to implement and maintain decentralized governmental units. These should focus on the critical areas of human resource development, local finance, and intergovernmental relations.**

(d) **Decentralization may be more appropriate to certain policy areas** than to others (Wunsch,1991B). Therefore, rather than trying to do everything, it may be more efficacious to start with or to finance relatively less complex but highly beneficial programs which may have an immediate positive impact, generate support, and promote learning. **Which policy area to start with in a given country should**

be determined on the basis of locally relevant contingencies rather than on an across the board prescription.

(e) It may be possible to **significantly expand tax resources available to local government.** In some cases, fairly straightforward technical interventions, such as assistance in computerizing tax rolls and systematizing property assessments can have a major impact. Using early, functionally specific local government successes as a foundation, revenue sources should be developed on the basis of perceived benefits for the population to be subjected to the taxes. It is clear that new sources of revenue are required and that there are few untied revenue streams, especially among the rural peasants and the urban poor, those most in need of government services. Creativity is most certainly called for in this area.

(f) The human resource base can not be developed overnight. **Longer term plans for the training of local government administrative personnel and managers** should be looked at. Merely seconding the weakest of central government personnel or those who a government wishes to sanction, to the local level will not create the kind of environment which will strengthen local government or that is required to attract quality personnel in the long run. Perhaps some **local service should be built into the career patterns of functionaries** in a wide variety of ministries. This will familiarize them with conditions at the rural or municipal level and provide quality personnel to the locales. Some may even find such service attractive, especially to allow and encourage functionaries who accept the "golden handshake" from their central ministries as part of structural adjustment programs to opt for local government service as a second career. AID should consider playing a very active role in organizational analysis and design and provide training consistent with organizational development rather than the more generic training of individuals in relative isolation. Experience has clearly shown that developing a critical mass at all levels in an organization, especially one involved in decentralization, is essential if organizational performance is to be enhanced. Such enhancement is absolutely essential if decentralized units are to contribute to "good" (democratic) governance.

(g) **Promoting participation** at the local level may require including representatives of associational groups in governmental committees, and opening up hearings and meetings dealing with their interests and primary concerns. This will require a change in orientation on the part of many local elected and appointed officials and complementary formal or legal organizational and procedural modifications. Programs, including internships and personnel exchanges should be initiated to stimulate thinking and action in this direction.

(h) Donors should include local government set asides as components of and preconditions for involvement, into as many of their projects as possible. This will provide some teeth to the more generalized support for decentralization. The learning associated with this participation will contribute to an overall improvement in intergovernmental relations and to popular perceptions of the role which local government can play in development efforts.

(i) **Exchanges of personnel between African countries should be encouraged.** The pairing of individuals from different countries or of whole local government services could provide opportunities for professionalization of these services, the exchange of knowledge and experience, and collegial assistance, with skill development. Thus **practitioners could act as in-service trainers and consultants for counterparts in other countries.** The payoff from those who receive U.S. training could thereby be multiplied many times. For example, sending West African municipal officials to work in communes in Morocco or Tunisia could prove to be an extremely valuable, relevant, and cost effective method to expand on experience. The more expensive trips to the U.S. for study tours are, given the vast

differences in resources, legal structure, administrative history, and cultural values, far less likely to provide replicable experiences for the participants.

(j) **Establishing professional associations of local government employees and elected officials in each nation could promote professionalization, improve staff morale, improve contacts and the exchange of experiences with professionals in other countries, and lead to a general improvement in the status of government employment at the local level.** This approach also contributes to the growth of civil society through the development of potentially effective associational groups.

ANNEX 3

THE NEED FOR A RAPID RESPONSE FACILITY IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICA:

RESPONSES FROM MISSIONS, COUNTRY TEAMS & CIVIL SOCIETY ACTORS

Submitted by: Associates in Rural Development/Management Systems International
Under the Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau/United States Agency for International Development

USAID MISSION RESPONSES

USAID/Ghana

Contact: Robert Wuertz, Program Economist; Stafford Baker, Chief Program Office
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1992 elections flawed primarily because voter register and registration system was flawed. The Mission's main D/G concern is thus with getting a new voter register system in place by the 1996 elections. AID is principal donor in the D/G field in Ghana. Needs early assistance (by the end of 1994) for up-coming elections. Has $5.0 million dollars for a D/G initiative which will most likely be dominated by a new voter register system, thus leaving little for other D/G activities. Full-scale D/G assessment scheduled for November/December 1993 which should open up other opportunities for discussion. One of the major lessons to be learned from the Ghana case is that 1) elections are only a beginning of the process of democratic consolidation and 2) that it is most cases it is the second and third round of national elections which are truly important as a gauge for determining consolidation efforts.

AREAF: Unwilling to provide commodities as one of the services provided under facility. If a rapid response facility had been around a year ago, there would have been no need for a stand-alone D/G project as is now being considered. Problem among consortium members as to how to divide the AREAF pie, further complicated by Carter Center involvement. Any mechanism that is developed needs to be cognizant of constraints placed on Missions in terms of management burden, (e.g., following up on grants monitoring). Both **Frederick Ebert and Conrad Adenaur Foundations** involved in D/G activities.

American Embassy
Contact: David Appleton, Political Officer; James Ledesma, DCM
Tel: (233-21) 775297/8

Frustrating experience with AREAF. IFES on other hand was well-viewed; good team sent and good assessment completed. Becoming a player in D/G arena from the very beginning of transition is very important in terms of credibility to the U.S. 116(e) permits some action but the $25,000 ceiling is too small. Numerous assessments already undertaken in Ghana by AID, AREAF, Contractors and IFES and all Ghana has to show for it is a $25,000 grant. A waste of time! The importance of new facilities should be their capacity to bypass the AID design and contracting process.
Areas of need: Independent press strengthening; parliamentarians and their staff support; the Media commission strengthening. **Of interest and unique to Ghana: Independent Commissions on the Media, Civic Education and Human Rights** are a unique feature of the Ghanaian landscape. Legal and investigative officers under human rights. Heads can only be taken out by impeachment although they are dependent on government funding. A whole new cadre of judges recently appointed. Increasing autonomy of the Judiciary seen in the fact that four major decisions rendered by the courts favored the opposition. It takes up to seven years for court decisions to be published because of antiquated law reporting. A new facility should have the capacity to undertake assessments in specific sectors and subsectors and/or to undertake design activities for specific types of identified interventions. Both trade unions and political parties are weak as is civil society in general.

USAID/Senegal

Contacts: Julius Coles, Director - Annette Adams, RLA & DG Contact
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Mission not altogether pleased with AREAF/NDI participation in the previous presidential and legislative elections. Mission did not feel that AREAF as a mechanism was responsive either to its wishes or in terms of timeliness; and that it had little if any input into the decisions concerning what and how NDI conducted its interventions in Senegal. There needs to be some means for meaningful Mission input under any new type of facility and preferably with some sort of Mission approval or at least concurrence over what interventions are undertaken and over the personnel which are assigned to specific activities. Problems with NDI core staff continuity with major changes taking place at critical points in the electoral process; and the lack of maturity (age) of many of the observers. The Mission was quite impressed with IFES.

Needs identified to which a new facility could identify itself: (1) Support to the National Assembly has already been requested by the GOS in terms of building up capacity of a legislative staff to support parliamentarians in drafting legislation and in developing constituent relations; (2) training for magistrates; and (3) the most important area identified being assistance to Senegal's new decentralization or, as it is known, "regionalization," policy. The Director however wonders whether the U.S. has the expertise in this area vis-a-vis the French, for example. USAID/ Senegal sees the decentralization area in terms of a "new generation" of participation in development programming and one that is intimately associated with democratic governance.

The Mission does not see a stand-alone D/G project as being an alternative in Senegal. Rather, it has decided to integrate D/G principals and approaches into its on-going sectoral programming. The new responsibilities of central and local government administrators from the regional to the rural community levels, under the new decentralization/regionalization policy, and especially for the latter, are far beyond their current capacity, skills and expertise.

The Senegal situation thus adds a new objective for a rapid response facility, namely, to provide technical assistance of a short to medium term nature to Missions which do not anticipate a long-term D/G project but want to be able to respond to opportunities as they arise and in which they feel there is a good reason for U.S. support. Coupled with such assistance, primarily technical in nature, would be the need for a capability in assessments. Whether of the type of full-scale D/G assessments which have been and are continuing to be carried out under AFR's D/G Project, or more limited ones dealing with single institutions such as the national assembly or civil society, or single issues such as decentralization, the facility should have the capacity to undertake these assessments.

Discussion with Abdulaye N'Diaye: PVO/NGO Liaison Officer

Project Officer for USAID's PVO/NGO Umbrella Support Project which is managed by New TransCentury Foundation. While project was designed to support PVOs and NGOs working in priority development sectors (e.g. NRM, enterprise, and agriculture), support to NGOs working in civil society promotion is also possible which was earlier confirmed by the Director. In this regard,

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the Federation of ONGs in Senegal (FONGS) has applied for assistance under the Support Project to strengthen its capabilities to analyze and respond to government policies affecting rural people.

The following points and organizations were discussed: (1) **Chamber of Commerce** is essentially a government initiated and run organization which caters to and represents the larger formal sector enterprises. Not viewed as an independent organization or as legitimately representing the great majority of small and medium scale Senegalese businesses; (2) **Association des Chercheurs Senegalais** started by a number of University professors and students and participated in pre-election activities through the translation of the new electoral code into local languages; and post-electoral activities include translation of human rights, new forestry code, and decentralization policies as well into local languages; (3) **Ecole Nationale D'Economie Applique** is involved in human resource development and especially involved in training for lowest levels of decentralized administration including Chef d'Cercle and their new responsibilities under the proposed "regionalization" program; (4) **Fondation Rurale de l'Afrique de l'Ouest (FRAO)** is a new sub-regional NGO network with the aim of assisting NGOs to analyze and assess their institutional capacity and then to undertake capacity building interventions to strengthen organizational and management capabilities; and (5) GOS's new decentralization strategy is moving too quickly with little consultation from non-state sector and no preparation of regional and local government institutions for their new roles in this program. Ministry of Interior is however assistance from donors, including USAID in the implementation of the regionalization program.

Discussion with Senegal Country Democracy Team

116(e) Human Rights Fund is too bureaucratic. A need for support to the National Assembly in the form of Congressional Research Service type operation. Judiciary training for magistrates. Looking at decentralization policy and future impact, can see the need for various types of sectoral (public) assistance such as in the decentralized administration of the public school system. Conflict resolution and mediation are big areas of need. **Big question asked:** can you use a centrally-funded facility to provide assistance to a country that has been sanctioned under the Brooke Amendment? A related question which is of potential importance to a rapid response facility, concerns the provision of assistance to countries where there is no AID mission present, but where opportunities exist which an AID regional office or the concerned Embassy may want to support; or where a U.S. PVO may be managing a portfolio of AID funded activities.

USAID/South Africa

Contact: Dennis Wendel, Project Development Officer-Community Development Division
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The largest program of support to indigenous NGOs in Africa (FY 1994 in the amount of $19.0 million). AREAF not working in South Africa but each of the Consortium members (NDI, IRI and AAI) have their own programs of support to South African NGOs and civil society. Problem of credibility vis-a-vis these organizations as they are engaged in discrete uncoordinated activities which are basically short-term in nature and do not attempt to integrate themselves with AID's long-term program of democratic development. Because of the ideological make up of these U.S. PVOs, they tend to identify, ally and support similarly constituted South African entities which could and has been

interpreted by other local groups as interference in local affairs, i.e., they are not "non-partisan and non-biased" interventions. With the coming of power of a democratically elected government, the likelihood that the large amount of donor funding that has gone to NGOs will be reprogrammed to a freely elected South African government and the South African private sector. Need to think about the impact this will have on the NGO community which has been supported so strongly by AID for so many years.

<u>USAID/Tanzania</u>

Contact: Pat Fleuret, Democracy and Governance Officer
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Little work in D/G activities by Mission except as relates to private sector, i.e., support for advocacy, policy formulation and legal reform. Otherwise nothing and had no idea of what other types of activities it might want to get involved in if in fact it wanted to become further involved. Waiting for scheduled January 1994 D/G assessment to pose some additional options.

Embassy of the United States/Tanzania
Contact: George Hogeman, Second Secretary & Vice Consul
Tel: (255-51) 66010 Fax: 66701

Currently administering seven 116(e) grants totalling $90,000. Seminars and workshops are principal activity funded under 116(e) program. Has funded TANGO workshop on Civil Society and two workshops for Welfare Through Law. Finds that the management of 116(e) grants are extremely labor intensive. Have also provided computers of Political Science Department at the University; funding to National Elections Commissions; Eastern and Southern African University Research Program and the Arusha Press Club.

United States Information Service/Tanzania
Contact: Gregory Lynch, Director
Tel: (255-51) 37101/37106

<u>USAID/Uganda</u>

Contact: Norman Olson, Democracy/Governance Officer
Tel: Fax: (256-41) 235-879/174 233-417

Extensive use of 116(e) mainly in judicial sector, e.g. codifying ugandan law; small number of human rights grants; electoral assistance through local currency. AAI doing civic education and IRI elections monitoring and bringing American congress women to with Ugandan women voted into the new constituent assembly. **AREAF**, from AID's perspective has been unresponsive both in terms of timeliness and the needs/agenda that the Mission wants addressed (vis-a-vis those of the consortium members). Does not see the need for the detailed assessments that were carried out by AAI. Lead time to get assistance on the ground takes too long.

Longer-term Strategy: Mission is looking at Civic education program, i.e., what comes after voter registration and voting for constituent assembly? Needs are for a "Eminence Grise" to come and review the draft constitution prepared by the constituent assembly. NGO community seen as extremely weak and needing a major intervention of capacity building. Mission knows that it will

continue to be actively engaged in the civil society/civic education and judicial sectors. Seriously thinking of undertaking a more in-depth D/G assessment to further inform its longer-term D/G policy. Big need by the mission is a $1.0 million fund for the up-coming elections for the constituent assembly.

Donors: Danes financed Constitutional Drafting process and supporting women's empowerment. Both Frederick Ebert and Conrad Adenaur Foundations are actively engaged in Uganda. UNDP is responsible for coordinating the Donor group engaged in elections and other related activities.

Embassy of the U.S.A/Ghana
Contact: Ambassador Johnny Carson, American Ambassador
Tel: (256-41) 233-231/230-507

United States Information Service (USIS)/American Embassy/Ghana
Contact: Mark Larsen, Public Affairs Officer
(256-41) 233-231/230-507

Ghana Post Democracy Team

An attempt by the U.S. to level the playing field: Keeping the District Administrators out of political issues including the upcoming constituent assembly elections; access by political parties to state-controlled media; and the need for international observers. Any assistance to state institutions other than electoral assistance must be signed off on by country team. This is an important point as regards what a future facility would be able to do if set up on AREAF model.

AFRICAN CIVIL SOCIETY RESPONSES

GHANA

Institute for Economic Affairs
Contact: Dr. Charles Mensah, Executive Director
Tel: (233-21) 776641

IEA is one of the "premier" non-governmental organizations working in Ghana. It is well supported by the donor community including AID in a number of areas including D/G. Has organized two workshops for AID: Democracy and Human Rights and looking at the **institution of the Chieftancy**. 1992 constitution guarantees a role for the chieftancy through a House of Chiefs. How to harness chieftancy and incorporate it into the democratization process: teaching democracy at grassroots and as power brokers or arbiters between political parties and other social forces. Another area seen as important is the strengthening of **the judiciary**. U.S. has a comparative advantage in the areas of constitutional reform (Ghanaian constitution is modeled along U.S. constitution) and the judiciary. Workshops for justices in the interpretation of the constitution bringing scholars from Harvard and India; with a new crop of judges just appointed the need for training is great (remedial and continuing education). Tribal courts are restricted to dealing with inter-chiefdom civil disputes. Need for inculcating political tolerance among **political parties** thus the need for mediation and conflict resolution (IEA and the **Carter Center** are working on a program of conflict resolution between government and opposition party). Working with political parties on fundraising strategies (current laws make no provision for public financing of parties), recruitment and education of party members. **Parliamentary program** includes macro-economic and market economy training and education given the fact of an entirely new parliament taking over after 1992 elections. Commonwealth parliamentarian group ineffective because they jet in and out with little or no continuity or follow-up to one-off training workshops. **NGO** community relatively weak. **Christian Council** and **Catholic Secretariat** have played major roles in mediation between government and opposition. **Ghana Institute of Public Management & Administration (GIMPA)**, among the more effective public sector institutions providing public service training. Major mass organizations include: **National Council of Women & Development** (party supported), **National Union of Ghanaian Students** and unions (**Trade Union Congress, University Teachers Association of Ghana**) and **Association of Recognized Professional Bodies of Ghana including Chamber of Commerce, Ghana Bar Association, Association of Ghana Industries, Medical Association, etc.** Interestingly the **Committee for the Defense of the Revolution** has been recognized as an NGO as has **31st December Women's Movement** (Presidents wife) which are good examples of GONGOs.

Analysis: As an independent think tank, IEA is a good example of what such an organization can do in a "liberalized context. It is well run, has good leadership, and has been able to maintain an independent and neutral position in a fairly politicized environment (especially since the 1992 elections). For Ghana in particular, IEA is the type of national organization that could be drawn upon for a range of research, training, and consultancy expertise in a wide range of political and economic development areas. **IEA could also serve in a subregional capacity with its expertise in being able to work with similar research, policy, and advocacy centers, institutes, etc. on a national level.**

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Ghana Association for Private Voluntary Organizations in Development (GAPVOD)
Contact: Dr. Emmanual Laryea, President
Tel: (233-21) 228855 Fax: 222742

GAPVOD is the Ghana Umbrella organization representing roughly 100 NGOs (25 international; 50 local; and 25 community based) formed in 1980 and currently has UNDP funding. Nine sectoral committees (e.g. health & population, women in development, emergency relief, etc.) with thought being given to adding one in D/G. Two GAPVOD members are on the constitutional consultation committee. Currently a Bill before parliament to set a National Advisory Council on NGOs. NGOs have rejected it because the framework for consultation has been flawed due to inappropriate composition of the Council is loaded in governments favor. There is currently no explicit law on NGOs and legal status is gained through registration under the Companies Act or as a Trusteeship; neither of which confer any benefits (e.g. tax exemptions, etc). Ministry of Social Welfare is responsible government agency and issues a certificate of recognition to NGOs.

Sees the slow evolution of an independent or voluntary sector that contains elements of civil society; Cooperatives, town and village development committees, churches, professional associations, mutual aid societies (Susus and other traditional bodies), and developmental NGOs. **Asafo** or traditional structures formed by communities for shared labor and communal work similar to the Naams in Burkina Faso; **Nogoa** philosophy of self-help is the foundation of community and mutual aid). Colonialism had an effect (negative) on the traditional societies and associational life.

Sees USAID/Ghana as not NGO friendly rather majority of assistance to US PVOs which do not relate well with Ghanaian NGOs; rather preferring to work directly at grassroots level. Other donors much more supportive. USAID only dealing with private sector institutions. Sees NGO bill as a means to capture GAPVOD and independent NGO movement.

Analysis: GAPVOD has had an extremely checkered history with intense government interference. Was unable to discern whether current leadership which almost ousted in a power play by other members which allegedly were in the governments camp, is considered legitimate by rest of NGO community. The weakness of GAPVOD and the attempt by government to push through a bill which essentially subordinates the NGO community to government interests is not surprising given the history of the past decade. Without substantial support, the NGO movement will not advance and will most likely slow the growth of a vibrant civil society.

Christian Council of Ghana
Contact: Reverend D.A. Dartey, General Secretary
Tel: 776725

Council made up of 14 orthodox churches with local councils at locality level, including 300 churches country-wide; Catholics and spirituals are affiliated with the Council. At last Annual General Meeting the major decision taken was to explore in a systematic way the "Churches Contribution to the Democratic Process in Ghana." Biggest issue is promoting a democratic culture in Ghana, i.e., helping individuals to take on the understanding of citizenship and the corresponding set of rights, duties and obligations. "Culture of Silence" is biggest threat to building this democratic culture because of the disgust of the people with the political games and thus their withdrawal from the civic

arena. Rule of law and good governance is therefore lacking because the countervailing force of Civil Society lacking. Awareness building is major role of civil society organization: making people aware of the constitution and its provisions. The Council has a Church, Ecumenism and Democracy project (3 years) to undertake awareness building in a number of areas through the mobilization of church resources; series of leadership workshops at the locality level; using study materials developed in three local languages with congregations in civic education alongside bible studies. The Council has: written to the National Assembly concerning proposed legislation on the Serious Fraud bill which gives executive preventive detention powers; is monitoring human and civil rights situation in the country; facilitating dialogue between parties which follows its mediating role after elections.

Needs: Limited financial resources lead to low quality staff and insufficient numbers; additional equipment especially for materials production; mobility is major problem thus limits ability to do much work outside of Accra. Volunteerism in Ghana is extremely high and spirit of solidarity is as important as that of funding. NGO community weak with too much government intervention, i.e., GONGOs including GAPVOD and 31st December Women's Movement. Financial independence is the greatest guarantee for a strong and independent NGO and NGO sector, e.g., Planned Parent Hood Federation.

Analysis: An impressive record of involvement in human rights, electoral process, mediation and conflict resolution and civic education. This role played by the Churches in Ghana may be somewhat more activist than in other countries but it is only a matter of degree not qualitative. Dynamic leadership, willing to work and collaborate with the Catholics and Spirituals and to much of their work on a voluntary basis. Definitely the kind of organization that merits assistance in the consolidation phase.

Ghana National Chamber of Commerce
Contact: John B.K. Amanfu, Executive Secretary
Tel: (233-21) 662427 Fax: 662210

Depreciation of the Cedi has meant a loss of purchasing power for NGOs as well as general population. Private Enterprise Foundation (USAID-supported) groups major private sector associations under one umbrella for the purpose of influencing government policy formulation. Private sector is not growing; investment code is being suspended and being reviewed. CoC, as part of private sector advisory group (government agencies & private sector) to advise government and parliament on laws (e.g., trade, investment, import, foreign exchange) which constrain private sector development, with intention of getting old laws repealed. **Needs:** More workshops, seminars, etc. to get government and private sector interacting. Study tours overseas to get Ghanaian business men to interact with American business.

Analysis: The Chamber of Commerce, as in many countries is not particularly strong given years of central control and parastatal run enterprise. Now mainly represents the larger business concerns. Need to continue to support its independence and capacity to lobby government for more favorable policies.

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Ghana Bar Association
Contact: Nutifafa Kuenyehia, President
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In terms of improving economic and investment climate, need a consistent application of laws and speedy resolution of cases brought before the courts. Success of Ghanaian experiment in democracy will depend on the judiciary and its capacity to counterbalance a strong executive and one-party legislature. The Bar Association has committees on human rights, legal literacy and Women's and Minority Rights. Human rights litigation is a specialized branch of litigation. Need to translate laws into local languages as a means to help disadvantaged groups understand their rights. The Association lacks adequate resources to undertake these types of activities on a meaningful scale. Of interest, the Non-formal education division of the Ministry of Education is quite effective and has excellent outreach capacity for a continuing legal education program. Equipped with knowledge, people can more fully participate as citizens in democratic process. **Frederick Ebert Foundation** sponsored open forum on embezzlement and fraud and how the public can address its grievances. Also sent a strong letter of concern to the Parliament concerning the Serious Fraud law and its unconstitutionality. **Analysis:** The Bar Association and its president both have excellent reputations. With additional resources much more could be done. As there is no full-time professional staff devoted to working on the various committees, volunteer efforts are all that can be expected and there is simply not enough time for all the needs that could be addressed. Basic need is for a full-time secretariat with one or two professional staff to complement the volunteer efforts of the Bar Association members.

Law Department, University of Ghana at Legon/Center for Human Rights
Contact: Prof. Afusa Amah, Dean & Prof. Victor Dankwa Asst. Dean
Tel: (233-21) 775304

The Center is a newly formed human rights organization formed with the law department of the University. Believes that the constitution and the rights embodied therein need to be brought down to the level of the people in an abridged form and in local languages. The Center has sponsored seminars on women's rights, AIDS and health; and the African Charter on Peoples and Human Rights which will eventually be published in booklet form. Judiciary/courts are becoming bogged through a combination of increased cases being brought for judgement, antiquated court reporting, and the large number of newly appointed and inexperienced judges. A new ECOWAS Studies Center is being set up at the Center to look at legal implications of subregional integration. The Center has a research and documentation capacity. It will be responsible for training HR Commission staff from the national to local levels.

Analysis: Still relatively new. As the establishment of such centers within the university context is not unique to Ghana (Uganda and Tanzania also have them among others), a question must also be asked about their ultimate autonomy and freedom of action given the fact that these are public (state) institutions. There is thus a need to look into greater detail at this phenomenon.

Ghana Journalists Association
Contact: Cabral Amah, President
Tel: (233-21) 224348/223026

Media is real opposition in Ghana; political parties are too fragmented and lack resources. Most press groups are seat of the pants operations, small scale, etc. A cooperative printing press is the most pressing need. Most private printers prefer to publish for government for financial not political reasons, i.e., not economically rewarding as size of jobs are too small. Association has 800 members and a secretariat with five staff. It organizes educational activities, seminars for members on topics such as responsible reporting, economic reporting, etc.; currently preparing a code of ethics for journalists. Frederick Ebert Foundation providing support to the Association; the majority of funding comes from the members and the board of directors in particular. Serious fraud bill challenged in local papers.

National Media Commission's purpose is to isolate the state-owned media from state domination through a 15 member commission with representation from all sectors. Important needs are the sharing of experience between media organizations in the Subregion (ECOWAS) including the holding of subregional workshops. Exchanges between African and European/American journalist and inviting journalists of international stature, e.g. Walter Cronkite to speak in Ghana or in the subregions.

Analysis: A dynamic leader and from all appearances, a relatively strong organization. Will be interesting to see how the Media Commission works out. Definitely an organization worthy of support, as most such associations in other countries also turned out to be.

Human Rights Commission
Contact: Emile Short, Commissioner
Tel: 664-785

HR commission created along with Media and Civic Education Commissions under the January 1992 constitution. Ombudsman function taken over by H.R. Commission. Has jurisdiction over governmental, private sectors and individuals. Purpose is to prosecute mal-administration and promote, protect, and guarantee fundamental human rights and freedoms. Handles such issues as wrongful dismissal (there is no industrial court) especially for disadvantaged and vulnerable groups and minorities; open forums to educate people on the commission's work (intends to open offices all over the country); and violation of human rights such as student riots and police brutality. The Commission is only responsible to parliament and must report to it on an annual basis.

Analysis: The verdict is still out as far as other respondents were concerned on the HR commission and the other two commissions set up under the constitution as they are just in the process of being set up. Most people interviewed in Ghana did hold out a positive outcome for the commission as those appointed to the position of commissioners were held in high esteem. The issue will be the level of funding that the Commissions are provided with. One easy way to undermine them would be through inadequate or little funding.

Committee on Human and Peoples Rights in Ghana
Contact: Joe Nana Ghartey, President
Tel: (233-21) 229875 Fax: 220307

One of seven human rights NGOs in Ghana (jointly sponsored Human Rights week in Ghana in 1993) who are considering the establishment of a common H.R. NGO umbrella organization. Has held seminars, workshops and National Conferences on the subject and is scheduled to hold "active learning process" workshops in all 200 electoral constituencies over the next three years, i.e., before the next elections. Has published and distributed over 40,000 copies of the provisions of the constitution dealing with human rights. One of most important areas of intervention is with the judiciary and particularly in improving the efficiency of legal proceedings. Court reporters (recording of proceedings) and judges (drafting of decisions) draft all documents in long-hand which slows down judicial/court process and leaves room open for corruption particularly among court clerks, in terms of the rent seeking involved with completing court proceedings on a given case.

Analysis: Appears to be a well respected H.R.O. among the many that exist. The point of concern however, is the relatively large number of human rights organizations and the ability of each to sustain its own operations, not to mention the potential for duplication of work.

Department of Political Science, University of Ghana/Legon
Contact: Dr. Kwame Ninsin, Dean
Tel: (233-21) Main University Number

Essentially, what has transpired in Ghana has been a rejuvenation and strengthening of the state sector vis-a-vis the private and voluntary (civil society) sectors as a result of adherence to a stabilization and structural adjustment program and the increased flow of donor funds in which the State has acted as an intermediary (gatekeeper) receiving and directing this funding (benefits) where it deems best. The benefits, in terms of development projects or public goods, of its adherence to these programs has gone largely into rebuilding state institutions and increasing centralized control; some see this as a new means to distribute patronage under the new regime. Because NGOs and civil society in general have a very weak financial base or no independent material base, they have been and still are dependent on either donors or government to provide them with funding for their activities, some of which are potentially conflictual with state objectives. Ghana has a tradition of vibrant self-help efforts including village development and youth associations as well as urban-rural solidarity associations affiliated around ethnic and regional allegiances. Whether such groups are modern or informal, there economic and financial base is weak and fragile.

Chieftancy can be viewed as a linkage institution, straddling state-non-state sectors. It has the potential to mediate, articulate and represent interests of both sectors however it has used its position for primarily self-aggrandizement rather than in these other roles. Under colonialism the chieftancy was first coopted and used for the purpose of extending colonial control and penetrating society. Much could be said of the period of independence as well. **Independent press** has emerged as a powerful force against the power of the state, however the press can only expose and make transparent the excesses of state power, it can not initiate direct action to hold state institutions accountable to society or the rule of law. **Judiciary** started out weak in the initial period following the elections, but has become increasingly independent and rendered 4 decisions all of a constitutional

nature that were counter state interests. **Parliament** it is still too soon to evaluate the national assemblies role in checking state power, although the new constitution places great power in it. **Independent Commissions**: also too soon to tell whether they will serve the greater interest or the states interests although the potential for the latter is great. **Frederick Ebert Foundation:** provided effective assistance to the Consultative Assembly that was charged with the drafting of the new constitution.

Analysis: In addition to African institutional resources which could be drawn upon under a rapid response facility, thought needs to be given to identifying individuals with requisite skills as well. Among the institutional resources are African universities and specifically Departments of Law, Political Science, and Media/ Journalism. The other important university-based institutional structures are the various centers and institutes such as the "institutes of development studies" (found at many universities) and centers for human rights, continuing and non-formal education and mediation, for example. They are normally set-up as autonomous entities within the university with their own boards of directors or management committees and are thus insulated from the state institutions to which the university itself is subordinate. In this sense, the Universities could be viewed as civil society institutions in addition to an institutional resource and thus included in a program of targeted support to enhance their capacity to function in this regard. Universities are also, as would be expected, a locus of diverse expertise in a number of areas relevant to both civil society and improved governance support. Developing a roster of such expertise at some point would be prudent. Dr. Ninsin in this regard, is a superb example to begin with.

International Federation of Women's Lawyers (FIDA)
Contact: Emilia Agyapona, Executive Secretary
Tel: (233-21) 224282

This is the Ghanaian branch (founded in 1974) of FIDA whose head office is in Brussels; virtually all of the countries visited on this trip had a FIDA office (e.g. Tanzania, Uganda, Senegal, and South Africa). Has operated a legal aid program since 1985; has a legal literacy program which has translated and published those provisions of the new constitution as well as relevant laws pertaining to women's rights in several local languages. Legal aid services confined to Accra because of the voluntary nature of member contributions. Of the 200 FIDA members, only 25 or so are active on a regular basis. Needs funding for outreach to the different regions including full-time staff and transportation.

The National Commission on Women in Development (NCWID) is supposed to be the organization coordinating (controlling) all women's groups activities including advocacy and lobbying vis-a-vis government. Because it is a government-initiated organization it has little credibility with other women's organizations and has been extremely ineffective in promoting the women's agenda in Ghana.

Analysis: Each of the FIDA organizations interviewed have been impressive. The need is there for the types of services provided and exceed in fact the capacity of a largely volunteer run organization to address. This is certainly the type of organization that would merit attention under a project supporting civil society institutions. NCWID is a holdover from earlier days in Ghana when government tried to structure and channel NGO demands through an organization "owned" and

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operated by government. There seemed to be few women's organizations in Ghana compared to those in other countries around Africa, and there is certainly a tremendous need for an umbrella type organization controlled by NGOs to be establishes.

Catholic Bishop's Conference/National Secretariat
Contact: Monseigneur Thomas K. Mensah, Secretary General
Tel: (233-21) 776492

Brief discussion with the Secretary General. The Conference has a "Justice and Peace Commission" under which most of its human rights, election monitoring, mediation activities are managed. Has written a number of pastorale letters on issues of human rights and democracy and in several instances jointly undertaken with the Christian Council (with whom they have undertaken mediation efforts between the political parties.

SENEGAL

Conseil des ONG en Appui au Developpement (CONGAD)
Contact: Malamine Savane, Secretary General
Tel: (221) 21.78.85

Recognized umbrella organizations representing NGOs, local and international, operating in Senegal. Provides a range of services for its members including: training and technical assistance in NGO capacity building, representation and advocacy vis-a-vis GOS and international donor community working in Senegal, information collection and dissemination, and central procurement of commodities and supplies for members. It has a number of internal commissions formed along sectoral areas (e.g. health, NRM, and enterprise) and has recently formed one on democracy including NGOs working in this sector.

Hosted a subregional conference (Niger, Mali, Burkina, Ivory Coast, Cap Verte, Benin, Guinea Bissau, and Gambia) on Democracy and Development for other national level consortia and member NGOs. The conference's primary focus was on increasing popular participation and focussed on ways to increase democratic approaches and structures of NGOs and grassroots organizations and the transparency, accountability and responsiveness of NGOs as intermediaries vis-a-vis their member clients, governments and donors. Discussion centered on how NGOs in this latter role could increase the capacity and broaden the base of local organizations to participate more fully as members of civil society. There will be a follow-up meeting in Cotonou in early 1994 of the heads of the national NGO consortia to see what additional actions can be undertaken to promote civil society and democracy on the subregional and national levels.

Analysis: CONGAD is probably one of the strongest of the Umbrella organizations formed in Africa. It has been a strong advocate vis-a-vis government for improved laws and regulations favorable to NGOs working in Senegal; and has lobbied both central government and individual ministries for development policies favorable to its members and their clientele. It provides a range of training opportunities for members including capacity building; operates a resource and dissemination center; and has managed grants (e.g. BandAid, Africa 2000) for a number of donors to its members and non-members alike. It is and has been involved in the promotion of NGOs as a

development force in Senegal and is now involved in promoting NGOs as a lead sector in the promotion of civil society.

Sud Communication
Contact: Babacar Toure, President
Tel: (221) 22.53.93/22.42.05 Fax: 22.52.90

Sud Communications prints the largest independent daily newspaper in Senegal. The following points and issues were discussed with the owner/editor of Sud: (i) Democratizing access to the news in terms of permitting space for the independent media vis-a-vis state-owned and promoting "pluralism" in the media, as well as other than print media alternatives for the largely illiterate population (print media is an elite media); (ii) ownership or access to the means of media production is one of the biggest constraints to the independent media in Africa. Printing facilities, access to loans for the procurement of supplies and equipment, etc. are out of the question for most small-scale media, primarily print media owners; (iii) radio is perhaps the most important of the media outlets that can involve the majority of the population in increased governance issues and as a tool for civic education. There are no independent radio stations in Senegal as is the case in most of Africa. The need for radio programs in local languages is as important as having independent stations, once a degree of liberalization has taken place in terms of freedom of speech and press being guaranteed by law; (iv) training of journalists and editors is an equally important need for improved media/press performance including: investigative journalism; lay-outs and desk-top publishing; economic reporting on such issues as structural adjustment, markets and pricing at the national, regional and international levels; and training of journalists in how to report in local languages, i.e., guidelines and techniques related to translation requirements; (v) the need to develop civic education materials in local languages that can be used by media; (vi) the need to identify and build up regional and subregional University capacity in the area of journalist and media training and education programs. In this regard, the University of Dakar's School of Journalism has a subregional capacity. Also of real importance are University literacy departments such as that of the University of Senegal, which have traditionally been involved in adult and non-formal education and are increasingly becoming involved in the production of civic education materials in local languages; and (vii) the issues of the management and marketing of media organizations as enterprises. At a certain point after the liberalization of the media sector, more journals and newspapers close their doors as a result of poor management than as a result of being closed down by government.

Societe Africaine d'Education et de Formation pour le Developpement (SAFEFOD)
Contact: Dr. Yoro Syla, President
Tel: (221) 23.03.83

A Senegalese NGO started in 1992 with a PanAfrican interest. Has a developmental focus, (e.g., food self-sufficiency, health & hygiene, natural resource management, etc.), viewing training and education as the means to achieve its goals. Specifically looking at the rejuvenation and modernization of local languages through functional literacy as a way to integrate various social actors. Has undertaken the production of training manuals in such areas as decentralization and land tenure in local languages. Through a convention with the Ministry of the Interior, has produced an abridged version of the new electoral code in six local languages and has produced radio and TV programs as well as posters and brochures on the same as part of its diffusion program; and trained

700 animaters in conjunction with the Directorate of Literacy, to serve as extenders of the new law to the various parts of the country. Developing programs to increase local participation of grassroots groups for local governance, to prepare for the coming decentralization program.

Analysis: An example of a new NGO that has been created to meet a need -- literacy training and education in local languages -- and primarily in areas related to democratization and improved governance. Founded by a group of researchers and students at the University. Interestingly it has found it useful to work with governmental agencies, both policy-making and implementation, in order to advance its agenda. Literacy department within Ministry of Education has committed staff, but no one ever thought to take advantage of their knowledge and expertise and thus they made little contribution. This is a lesson to be kept in mind in terms of not just writing off all Ministries and their personnel as dead wood and a waste of time to collaborate with. SAFEFOD, while involved in the larger area of development, spends most of its time in the D/G field because that is where donor money is.

Federation of ONGs Senegalais (FONGS)
Contact: Abdoul Sy, Secretair General
Tel: (221) 51.12.37/51.23.52

The FONGS is not an umbrella organization of Senegalese NGOs. Rather it is a movement of grassroots village associations, federated into 24 associations located at either the district, regional or national levels. It has over 100,000 active members representing some 1.5 million peasants throughout the country. Started in 1967, FONGS essentially is a catalyst NGO whose approach is to help peasants identify, reflect and act on problems at their immediate level. It has found however, over the years that many local level or micro problems cannot be solved locally because of the policy and legislative environment dictated from government at the national or macro level. This has led it into the area of advocacy, policy analysis and formulation, etc. It has also accepted the need to join together with other movements or mass organizations and to concertize their agenda's with such organizations in order to make government more responsive to their positions and to more transparent in the development and application of policy. In this regard, FONGS has organized a Comite National de Concertation Ruraux which includes the Union of National Cooperatives, National Federation of Women, Animal Raising, Fishing and Garden Market economic associations (Groupe d'Interet Economique), for the purpose of lobbying government on policies favorable to member groups and their members. The Comite has already commissioned research into the Structural Adjustment Program on Agriculture and its impact on rural peasants; and the coming decentralization/regionalization program which the government has formulated with little or no input from the non-state sector.

Analysis: The importance of a national organization like the FONGS is in its grassroots, movement-based nature including the tremendous outreach and linkages to large segments of the voiceless population. Like similar organizations such as the **Greenbelt Movement** in Kenya and **ORAP** in Zimbabwe, FONGS demonstrates the potential role that an essentially "developmental" NGO can play as a civil society organization. Support to such NGOs should be considered as important as that to professional associations, labor unions, and media organizations. FONGS is a particularly good example, but most African countries have such organized grassroots movements with a national level impact.

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SOUTH AFRICA

National Association of Democratic Lawyers
Contact: Nomazizi Ramaphosa, Executive Director
Tel: (27-11) 331-9726/7

Institute for Local Governance and Development
Contact: Gerald Hloma, Regional Coordinator
Tel: (27-11) 403-4250

South Africa National Civic Organization
Contact:
Tel:

Urban Foundation
Contact:
Tel:

South African Council of Churches
Contact:
Tel:

TANZANIA

Tanzanian Chamber of Commerce, Industry and Agriculture
Contact: Mr. Kalanje, Executive Director
Tel: (255-51) c/o USAID/Tanzania

TCCIA is four years old which provides a good indication of the strength of the private sector itself in Tanzania ... in short it is extremely weak, except for the informal sector. The executive director is the only full-time professional on the staff at the moment. The Chamber is an Apex organization representing the Dar es Salaam Chamber of Commerce (Asian businessmen), the Association of Tanzanian Employers (ATC), and the Tanzanian Farmers Association (TFA) which are affiliates. TCCIA belongs to the Preferential Trade Agreement (PTA), the Eastern and Southern African countries that form subregional trade zone; and the International Chamber of Commerce.

TCCIA provides the following functions: (i) Representational: with other national, regional (SADAAC, PTA, etc.) and international bodies; (ii) Advocacy: vis-a-vis concerned GOT Ministries and Members of Parliament in lobbying for favorable policy and legislation to its members; (iii) Information: business products, markets and appropriate technology; availability of financial resources; a computer data base linked into the PTA trade information network, South African Chambers of Commerce network and the Commonwealth network of Chambers of Commerce; and a business library/resource center; and (iv) Training: seminars and workshops primarily limited to Dar es Salaam (export trade and entrepreneurship development). Issues certificates of origin for members' goods; provides mediation in business disputes between members; and is working on a code of ethics for members.

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Has lobbied government and been consulted frequently on such issues as the investment code and the way in which government has handled the privatization of the large parastatal sector in Tanzania. Not always consulted however: no involvement in the development of the Commercial Code.

Analysis: Not a particularly strong organization given its relative newness and the previously widespread intervention of the GOT in the economic sector. Its regional coverage is still relatively limited with only 8 (of 25) regional offices; it appears that it has had trouble retaining staff; and it suffers, like most African Chambers from a limited financial base. On the positive side, it does not have the long history of government intervention as has been the case in so many other Chambers of Commerce in Africa. USAID/Tanzania would be well-advised to look at ways to support this organization.

Tanzania Media Women's Association (TAMWA)
Contact: Ms. Leila Hashim, Editor
Tel: c/o USAID/Tanzania

TAMWA's antecedents date to 1979 when concerned women with careers in the media, primarily journalists, came together in an informal group and produced a number of programs on "school girl pregnancies" under the Women's Research and Documentation Project. In 1988, the organization was officially registered as a Tanzanian NGO. More than an organization promoting positive images of women in the media. Its underlying philosophy is national and global transformation, social change and grassroots empowerment of women. Believes strongly in networking, both at the Africa regional and international levels, as a means to support improvements in the work it does in Tanzania.

Sauti Ya Siti is the quarterly newsletter of TAMWA, printed in both English and Swahili with two basic functions: (i) to help newly literate (in Swahili) women maintain and improve their level of literacy; and (ii) to serve as a forum to keep Tanzanian women informed of issues of importance to their daily lives including their rights and developmental issues. Primary problem is one of distribution in rural areas. It provides a good illustration of a community education medium.

Publishing Unit launched in 1990 to provide more in-depth coverage of complicated issues and has published 11 booklets on a range of topics (e.g. NGO management, reproductive health, violence against women, etc.) in Swahili and soon in English. Booklets and pamphlets are distributed in schools, rural libraries, women's NGOs, and community groups.

Video Unit promotes the use of video for education, development and empowerment. The mainland has been without television to date although it is soon planned, thus increasing its potential coverage. To date, TAMWA (TAMFILM) has produced five documentary videos, has a growing video library (e.g. Grameen Bank, AIDS plays, etc.) and has run several script writing workshops.

Radio Unit This unit has produced hundreds of radio programs ranging from human rights to sexual violence using drama, songs and story-telling to reach the 85% of rural people that cannot be reached by its newsletter. Relies on Radio Tanzania (there are as of yet no independent radio stations) and hopes to start its own "community radio" station given the expertise that the unit is gaining in radio production.

Health Unit launched in 1990, with education and information dissemination its primary goal aimed as much at lawmakers and politicians as women (thus providing an advocacy function). Campaigns include: AIDS, child labour, pregnancy and child birth, etc. Has also undertaken community level interventions including latrine building project and outreach work on AIDS with youth groups. Long-term goal is to build a Women's health center.

Culture Unit largely liaises with all other units but has undertaken research using participatory approach.

Research Unit with the aim of improving the quality of journalism in the country. Topics have included: Women and AIDS, NGOs in Southern Africa, Swahili culture, and sexual harassment.

Women's Crisis Center (Dar es Salaam) grew out of research on the same and seminar which recommended the setting up of the Center to among other objectives: eliminate all forms of violence against women, develop a strong women's movement, develop a strong network of NGOs working on Women's issues, and carry out para-legal training. Collaborating NGOs include: Women's Lawyers Association, Legal Aid Committee, Women's Research and Documentation Project, Parent-Teachers Associations, etc. Women receive legal advice, counseling, and referrals.

Other Units include: Environment, Photographic, Mobilization, Publicity, Economic, Training and Children's Units; as well as Documentation Center and Library, and an International Desk.

Analysis: Since the change in Regimes in 1987, there has been a tremendous opening up of political space for NGOs and the media. TAMWA has become one of the premier NGOs in Tanzania and has promoted the strengthening of the NGO movement as well, including the rejuvenation of TANGO, the umbrella organization. Its funding source has diversified greatly, with some 12 different international donors as well as locally generated revenues coming from a number of its unit activities. It has developed an NGO "management training" program and networks extensively within the subregion and in the larger regional and international setting. Its potential is great, its leadership dynamic and has and can continue to play a significant role in political as well as socio-economic development.

Legal Aid Committee of the Board of the Faculty of Law
University of Dar es Salaam
Contact: Mr. Ibrahim Juma, Chairman
Tel: (255-51) 48336/43501 Fax: 48135

The LAC is an autonomous entity (formed in 1967) of the Board of the Faculty of Law. It is made up of academic members of the Faculty of Law who volunteer their time for a number of different programs, (all dealing with the provision of free legal aid to the poor) which the LAC provides including: (i) legal counseling for the poor in the slums of Dar with follow-up services for cases which the Committee agrees to take, (ii) a legal "correspondence" service for people who live outside of Dar and need counseling and advice, (iii) normal solicitors work including various types of legal filings, birth certificates, passports, etc., (iv) Legal Aid Camps where Committee members visit different Regions (15 of 25 to date) and hold camps in towns and villages to provide legal advice and counseling as well as holding public lectures on such issues as land tenure, labour rights, human

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rights, police-citizens relations, Family Law, the rights of women and children, and (v) para-legal training for local leaders and NGO staff.

Analysis: A totally voluntary run organization that depends solely on the efforts of its committee members. The University itself is unable to provide it with much support other than the use of law faculty premises. And yet it has taken many cases including a number of controversial ones (successfully lobbied against the Land Act of 1992) in the past five years and seems to enjoy a significant degree of respect within the larger legal community. Wants to involve both law students as well as alumnae in its programs thus broadening its base. A real need for exchanges with other university law faculties and something that should be encouraged under a possible program. The LAC could use a vehicle as transportation is the greatest constraint to its outreach (Camp) program, a computer for the developing of educational materials, etc.

Welfare Through Law
Contact: Hamida Hassani Sheikh, Secretary General
Tel: (255-51) 67883

Essentially a human rights organization which focusses on taking legal cases for the poor, civic education, lobbying against unconstitutional laws or those which are proposed, and the holding of seminars. Has held seminars and workshops on: Human Rights and Democracy, Elections, Law Enforcement and Human Rights and Human Rights protection and promotion. A number of these workshops were funded by American Embassy and the Tanganika Law Society.

Has a small secretariat with only a secretary and thus depends solely on volunteer professional commitments from its Board and Management committee. Would like to be able to hire permanent professional staff, set-up a resource center and undertake research into areas such as family law, civil and human rights, and develop civics education materials and outreach capacity. Welfare through Law is registered with the Administrator General under the Ministry of Justice which holds stricter standards than other Ministries which can register Tanzanian NGOs.

Sees the following issues as being of critical importance: (i) lack of information about political parties and their platforms (ii) lack of access by political parties to government controlled media, especially radio, (iii) the need for education by the political parties themselves, and (iv) civic education within the military and the police. Feels that long-term abuse of civil and human rights under previous one-party rule has left a culture of acceptance of such practices and thus a major need for a program of civic education to begin breaking down passivity and acceptance.

Other organizations and individuals to see include: Dr. Peter at Faculty of Law; Frances Nyalali, Chief Justice and the head of the Nyalali Commission which reviewed the issue of multipartyism and constitutional changes; Mr. Njema, at the Permanent Commission of Inquiry which serves as an Ombudsman; Judge Mwalu Sanya, the High Court at Dodoma; Federation of Tanzanian Workers which has recently begun to break its ties with the CCM; Mr. Ben Lobula, head of a human rights group (HuriMog) in Arusha and member of the Electoral Commission; and the Tanganika Law Society (which is supposed to be rather apathetic, although the lawyers in Tanzania are extremely powerful group).

Analysis: As with many NGOs, the success of this organization is due to the dynamic leadership of its Secretary General. The majority of its activities are financed from its members or through their voluntary labor. Such an organization is most likely considered somewhat radical in the local context, but has real potential for making a significant input into the evolving political opening with additional funding.

Tanzanian Association of NGOs (TANGO)
Contact: Joseph Angwazi, Executive Director
Tel: (255-51) 35216 Fax: 35216

Umbrella organization comprised of and representing NGOs (local and international) working in Tanzania. Founded in 1988 with 23 members. Today, the number has increased to 120, with the majority based in Dar es Salaam, Kilimanjaro and Arusha. Ford Foundation provided an initial $97,000 three year grant in 1989 to get TANGO up and running and has recently renewed its assistance to TANGO with another three year grant of $150,000. TANGO provides services in the areas of: training and technical assistance in NGO institutional development as well as in specialized technical fields such as AIDS, women in development, etc.; representation and advocacy, vis-a-vis government and donors; and the holding of workshops and seminars.

TANGO has recently been approached by a number of political parties for the purpose of serving as a channel for funding proposals to donor agencies. Not an encouraging sign. Government-NGO relations are relatively benign, and although the NGO registration laws are antiquated and burdensome, there has of late been little friction in being able to obtain official government sanction. Of particular note, the Societies Ordinance of 1954, under which NGOs are registered, has been determined to be unconstitutional, along with 40 other laws and codes by the Nyalali Commission in 1991. NGOs and Government are currently discussing a new law as well as mechanisms to serve as a means for government-NGO dialogue. The Council for Social Development (TACOSODE) is the government supported umbrella organization which vies with TANGO for NGO allegiance without much success. Such organizations are quite common in former British Africa (e.g. Zambia, Malawi and Kenya), and in most cases have given way to NGO member initiated organizations.

TANGO and TAKOSODE co-sponsored a conference on the Role of NGOs in the Tanzanian Democratic process financed through a 116(e) Human Rights grant. The REDSO Governance Advisor participated in this workshop upon the American Embassy's request. In 1976 Cooperatives and local governments were abolished in the Socialist Transformation and replaced by parastatal marketing boards and party run Ujaama village councils. Because of Governments intensive involvement in all areas of social and economic life, there was little room for NGOs to undertake traditional welfare and social service role.

Analysis: TANGO is a relatively weak umbrella organization as is the NGO community as a whole given the historical role played by the party/government in Tanzanian life. The tremendous increase in the numbers of NGOs since 1988 provides an indication of the liberalization that has taken place, but is also some reason for concern given the weakness of NGOs and the realization that donor funding is now flowing in greater amounts than ever before. TANGO sees the greatest need of NGOs is for capacity building assistance. This includes those NGOs which are working in the area of democratization and governance. Churches, as in other countries, are not members of TANGO, and

consider themselves a distinct entity within Tanzania society, even as they play a major role in the democratization process.

Women's Research and Documentation Project
Contact: Alice Nkhoma Wamunza, President
Tel: (255-51) 48235/42919 ext. 2174

Workshops held on Economic reporting (seen to be one of the greatest needs among journalists), investigative, legal and political reporting; and media as business. Both Frederick Ebert and Frederick Neumman Foundations heavily involved in the media fields. USIA in Washington also sponsoring many regional activities to which Tanzanian journalists can participate. Administration of justice program working closely with chief justice; and political empowerment of women. The AOJ program has been involved in facilitating work leading to the adoption of the D.C. Superior Courts management system, i.e., computerized case management; court recording equipment and books for law library.

Feels that USAID needs to have a less structured goal/objective oriented style when it comes to the D/G area in order to try out experimental and innovative activities. This (project development) cycle as much as anything prevents the ability for quick reaction and experimentation. Finding a mechanism which can promote and facilitate regional and subregional conferences and networking among like-minded organizations. Civic education working with Institute of Curriculum Development and Institute of Adult Education to develop civics course in secondary schools. Political science department unit at the University has received support to undertake research on Tanzanian political culture to feed into the civic education component of the curriculum.

U.S. Organizations: National Institute of Citizen Education in the Law (working on issues of street law), based in Washington D.C. **American Bar Association**, contact Tony Carroll.

UGANDA

Foundation for Human Rights Initiatives
Contact: Livingstone Sewanyana, Executive Director
Tel: (256-41) 530-095

Fairly new human rights organization dealing with prisoner, women, civil and political rights. Working in a number of areas: (i) obnoxious and repressive laws are still on the books; lobbing and advocacy to seek repeal of these laws and the promotion of new and better ones; (ii) community empowerment; (iii) working to form a united movement of NGOs in human rights; (iv) Women's empowerment; (v) constitutional issues: human rights chapter of draft constitution is inadequate; (vi) looking at ways to contribute to free and fair elections; (vii) civic education following elections and looking at how various HR organizations contribute to democratic development; (viii) looking at developmental rights, i.e., shelter, food, education, health, etc. (ix) Public interest litigation; and (x) looking at the implications of H.R. activists running for public office. Consortium of 13 NGOs joined together to form NOCEM to undertake and better coordinate civic education and election monitoring activities. Community empowerment program includes para-legal training (community

primary legal care) and conflict resolution. As of 1991, there were about 100 members of the Foundation (with funding from NOVIB and ICCO/Dutch NGOs).

Foundation Projects include: (i) paralegal training in two districts; (ii) publication of Human Rights Defender (journal) and Human Rights Dateline (newsletter); (iii) penal code reform project (prisoner rights); (iv) Constitutional Rights project (H.R. chapter in constitution); (v) technical assistance project focussing on communications center within the foundation; (vi) Citizen's Advice Bureau for those who are abused in one way or another (e.g., harassment, wrongful dismissal, etc.). Apparently the Churches are allied with parties. Civil society institutions: the Church, community-based organizations (e.g., mothers unions, parents associations), cooperatives, the Resistence Committees (the movement), local administration (the Chieftancy System), and the schools. **Needs:** include capacity building (e.g., training in sectoral areas, management, infrastructure); intermediation between civil society institutions (NGOs) and the Government as there exists a great deal of distrust between the two and with little government appreciation of NGO work. **East African Support Unit** based at Arusha (International Conference Center-William Overbeke) is supposed to be a newly created subregional NGO support/umbrella like organization.

NGOs: major discussions within NGO community concerning legitimization, participatory approaches, and accountability and the difference between community-based organizations, NGOs involved in service delivery and networks. 1989 the NGO board created within the Ministry of Internal Affairs to oversee and coordinate NGO affairs. Certification of legal status requires registration with the Resistence Committees at the two lowest levels (RC 1 and 2), with the District Administrator, and then with the NGO Board. Can take up to one year and is good for only one year. Even Churches are required to register. Recently tax exemptions for NGOs have been lifted and is causing a major problem vis-a-vis donors as government wants to tax all program and project materials coming into the country. **DENIVA,** the NGO umbrella organization is still weak while trying to work on the problems of NGO registration and taxation. View is that since NGOs are relatively they lack professionalism, are still fairly ineffective, and cannot attract donor funding. Thus capacity building for NGOs is one of the greatest overall needs. Rule of law support, in terms of the disparity between local knowledge and application of law vis-a-vis Commonwealth standards. Not enough judges, transportation, equipment and in general an acute shortage of funds and skilled manpower. Level of knowledge and understanding of human rights among the police is "horrendous." Much of the abuses that take place are as much a result of lack of resources and knowledge as of pure intent.

Analysis: The foundation appears to have adequate financial support and to be one of the more effective and strong NGOs working in the D/G sector. There have been however, some reports of empire building to the detriment of the overall NGO movement by the current Executive Director who also is the Chairman of Deniva. Otherwise the types of activities that are being undertaken are responsive to existing needs and should be supported.

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Uganda Law Reform Commission
Contact: Vastina Rukimirana, Head of Commission Secretariat
Tel: (256-41) 242-898

A tremendous problem with the codification, revision, and publication of Ugandan law as result of numerous regimes over the past two decades leading to outmoded, conflicting and outdated laws. Last publication of laws took place in 1964. AID funding "Revision of Ugandan Law Project" including technical assistance to the Ugandan Law Reform Commission. Problem of talking about human rights when no one has a copy of laws, including magistrates.

Analysis: Here is an area of tremendous need where committed staff are working with virtually no support, either funding or manpower, and where providing a computer, photocopier and other basic equipment would make a tremendous difference in the capacity of this important Commission to undertake its work.

National Resistance Council (NRM) Secretariat
Contact: Jotham Tumwesigye, Political Commissar
Tel: c/o USAID/Uganda

One of the most powerful of the NRM members and thus of government. Seemed disposed to the coming elections for the constituent assembly and to the outcome of the constitution as concerns the issue of whether multi-partyism will replace the Movement and system of Resistence Councils. "Whatever the people want." RCs provide a unifying force which counter the divisive nature of ethnicity and religion. Political parties will lead to a division of society into religious, regional and ethnic blocks, taking the country back to the horror of the past two decades. Felt that both NGOs and the media were free to do and say as they chose but have not exercised this freedom responsibly, especially the latter. Need assistance in the judicial area at all levels including RC 1 which hears local disputes but are overstepping their boundaries. Needs major assistance in elections but does not see the donors as stepping in as would be expected considering Uganda has been faithfully servicing its international debts.

National Organization of Civic Education and Monitoring (NOCEM)
Contact: Solomy Bossa, Chairperson
Tel: (256-41) 251-717

A consortium of 13 NGOs working in democracy & human rights field, but specifically formed to participate in upcoming constituent assembly elections; with USAID support for office space and seminars. AAI assisting with the development of a training manual for election monitoring. AAI went its own way in developing the content of Uganda elections materials which were not well received by NOCEM members. Thus NOCEM would like funding for the production of its own materials. It has produced its own radio programs in 6 local languages and english in areas of human rights and electoral education. **NGO environment:** New tax on NGOs; new NGO coordinating body is in the Prime Ministers office and they have had consultation with higher-ups in the PM's office. Overall NOCEM has had good relations with the bureaucracy except with District Administrators. NOCEM is developing a "Code of Conduct for election monitoring. Has had interactions and shared

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experience with both the Kenyan and Zambian H.R.'s NGOs dealing with civic education and election monitoring. Good relations with the Elections commission.

Analysis: NOCIM is in many ways like the Foundation for Democratic Practices (FODEP) in Zambia, or more accurately its predecessor ZEMTT. There is obviously a great need for the organizations that will be involved in election monitoring to coordinate their activities and maintain the same standards of conduct during the elections. The issue will be what becomes of NOCEM after the elections (it has only enough funding from AID for office space for six months and no permanent secretariat).

Uganda Christian Prisoners Aid Association
Contact: M.B. Asubo, Chairman
Tel: (256-41) 251-717

This is an organization of former political prisoners under the several previous regimes, whose purpose is to fight for improved conditions in the prisons as well as work with the prison personnel to increase the understanding, and improve attitudes and behavior related to their treatment of prisoners (done through training).

Ministry of Justice
Contact: Peter Kabatsi, Soliciter General
Tel: c/o USAID/Uganda

International Federation of Women Lawyers (FIDA)-Uganda
Contact: Josephine Kalema, Executive Secretary
Tel: (256-41) 251-717

The Uganda branch of FIDA with some 80 members of which one-half are active in the organizations activities. Programs include: Legal education, will writing (inheritance issues), running a legal AID clinic, and women and childrens rights programs. Is a member of NOCEM. Also actively engaged in lobbying efforts in terms of provisions within the draft constitution dealing with women's and children's rights.

Resistance Committee (RC) One & Two
Contact: Mr. Baker Mulinde, Representative
Tel: c/o USAID/Uganda

Joint Christian Council
Contact: Reverend James Ndyaahika, General Secretary
Tel: (256-41) 272-500

Formed in 1973, with 17 member christian communities (only 7th day adventists not a member) and one of the only countries in Africa where Protestants and Catholics have officially joined together to undertake common activities (highly ecumenical). Committees include: Social (e.g., health services, refugees and women), Christian - Muslims relations; and monitoring and civic education (with a two year mandate). AAI provided $6,000 for a civic education conference and training of 44 trainers);

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EEC supporting activities related to constituent Assembly elections; and World Council of Churches for travel to other countries to gain experience in election monitoring and civic education area. The Churches through the Joint Council will be represented at the Constituent Assembly.

Analysis: This is an extremely important organization given the Churches great influence in this predominately christian country (i.e., 7.4 million Catholic, 6.4 million Anglicans; and 1.8 million muslims). The further ability to reach people throughout the country through local parishes. The danger, as reported by a number of respondents is that the churches are politicized and are identified with certain political parties.

Uganda Law Society
Contact: Solomy Bossa, President
Tel: (256-41) 251-717

Approximately 1,000 members of which 300 are active. Members of NOCEM and operate a range of volunteer activities from legal clinics to lobbying and advocacy for improved laws and proper provisions in the new constitution.

AFRICAN BASED U.S. INSTITUTIONS: CAPABILITIES

SENEGAL

African-American Labor Center (AALC)
Contact: Glenn Lesak, Regional Director
Tel: (221) 22.54.70 Fax: 23.26.55

The Senegal Office is one of nine AALC subregional offices resident in subSaharan Africa (Egypt is the tenth) and covers, in addition to Senegal, Guinea, Sierra Leone, Liberia and Cape Verde regularly (and has titular responsibility for Mauritania, Gambia and Guinea Bissau). In Senegal AALC works with the two largest confederations, CNTS and UNSAS, with the former having some 62 affiliates and 900,000 members while the latter has 21 affiliate unions. AALC sponsors some 9 to 12 seminars in Senegal for the unions covering such issues as women in trade union movement, labour code reform and its impact on the labor union movement, etc. It also works with the national level confederations to analyze and lobby legislation affecting the labor union movement including: social security, right to strike, minimum wage, and labor code reforms. Has begun working with the national confederations on AIDS and family planning education and has been involved for some time with voter education but only insofar as it affects elections for the union movement.

In Guinea, Sierra Leone and Cape Verde where the labor union movements are much weaker than in Senegal, the issue has been primarily supporting the union movements in their bid for autonomy from either one party states or newly formed multiparty democracies. This includes training and technical assistance for the purpose of capacity building of these new confederations or in several cases the emergence of new unions/confederations in opposition to the previously state dominated organization.

Analysis: While AALC has not done much (e.g. training, workshops, etc.) in the promotion of democracy & governance with the labor union movements in the countries in this sub-region, it has the interest and capability to do so. More importantly, the labor union movements in these countries, especially Senegal, and to a lesser extent Guinea and Sierra Leone, have significant outreach in terms of membership and thus offer a means for disseminating information relevant to various areas of civil society promotion, i.e., civic education, policy advocacy, mediation and negotiations, etc. They also represent a major force in holding governments accountable and responsive to significant sectors of the population. AALC would be interested in undertaking a civic education component to its work, but would need funding for materials development, and related technical assistance and training requirements. **(Hans Siedel and Frederick Ebert Foundations are both involved in assistance to Labour Union movements in Senegal and a number of other countries in the sub-region).**

Ford Foundation: Senegal
Contact: William Duggin, Representative & Akwasi Aidoo, Program Officer
Tel: (221) 23.96.19 Fax: 23.29.65

Ford Foundation: Kenya
Contact: Charles Bailey, Representative & Dr. Jonathan Moyo, Governance Advisor
Tel: (221) 338-123/722-725 Fax:

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Ford Foundation: South Africa
Contact: John Gerhart, Representative
Tel: (27-11) 403-5912

The Dakar office of the Ford Foundation serves the Sahelian subregion. Ford Foundation in Nigeria serves the rest of West and Central Africa, while the Kenya and Zimbabwe offices serve Eastern and Southern Africa. The South African office works only in South Africa. The two principal FF programs of interest to this study are those of Rights and Social Justice and Governance and Public Policy. The former program aims at improving intergroup relations and enhancing opportunities for historically disadvantaged or otherwise vulnerable groups. Programs include those aimed at (i) Women, (ii) Minorities, Refugees, and Immigrants and (iii) legal services for the poor. In its West African and Eastern and Southern African Programs, Ford is primarily groups that are trying to improve access to social justice and legal services such as the International Federation of Women Lawyers (FIDA) in Nigeria, South African Council of Churches, and Legal Assistance Trust in Namibia .

The Governance and Public Policy program supports activities to improve the way governing institutions function, public policies are formulated, individuals are trained for public service, and citizens participate in the democratic process. In addition, the programs works to strengthen philanthropy and the nonprofit sector. Specific programs and activities supported through grant funding include: (i) Governmental Structures and Functions; (ii) Local Initiatives; (iii) Civic Participation; (iv) Dispute Resolution; (v) Public Policy Analysis; (vi) Strengthening Public Service; and (vi) Philanthropy. (i) A cross section of institutions and organizations funded a for what purposes include: International Commission of Jurists (Kenya) and Social Science Council of Nigeria in Governmental Structures and Functions; (ii) African Womens Development and Communications Network (FEMNET) in Kenya, Tanzania Non-Governmental Organizations (TANGO) in Local Initiatives; (iii) Foundation for Contemporary Research (South Africa) and Zimbabwe Tobacco Industrial Workers Union in Civic Participation; (iv) Independent Mediation Trust in Dispute Resolution; and (v) Zimbabwe Institute of Public Administration and Management and Young Women's Christian Association of Kenya in Public Policy Analysis.

Analysis: Ford Foundation is important because of its knowledge of all major subregions in Africa and its work in areas that are relevant to both civil society promotion and improved governance within state sector institutions. Having provided grants to numerous organizations, public, private and voluntary, it can advise AID as to likely organizations that will be good "investments" in terms of providing project support. Finally, Ford has managed to attract a number of superbly qualified Africans, including political scientists, as resident staff of its different regional missions. They are likely to provide perspectives that American staff cannot.

SOUTH AFRICA

African American Labor Center
Contact: Daniel O'Laughlin, Southern Africa Regional Representative
Tel: (27-11) 403-3246/48 Fax: 403-1101

Ford Foundation-South Africa
Contact: John Gerhart, Country Representative
Tel: (27-11) 403-5912

Private Agencies Collaborating Together (PACT) - South Africa
Contact: Marilyn Richards, Country Representative
Tel: (27-11) 403-3010 Fax:

International Republican Institute (IRI)
Contact: Leigh Johnson, Program Officer/South Africa
Tel: (27-11) 339-2904 Fax: 339-5204

National Democratic Institute (NDI)
Contact: Anna Wang, Project Officer
Tel: (27-11) 339-2904 Fax: 339-5204

African American Institute (AAI)
Contact: Ferrari, Country Representative
Tel:

Africare
Contact: Lois Hobson, Country Representative
Tel: (27-11) 838-3295/884-1390

UGANDA

African American Institute (AAI)
Contact: Colin Clark, Uganda Representative
Tel: c/o USAID/Uganda

AAI is the primary AREAF member assigned to Uganda for the constituent elections. Has supported a number of individual human rights organizations as well as NOCEM the overall umbrella organization. Relations with AID have been somewhat strained but seem to have strong support from the American Ambassador. Believes that it has developed a strong set of relations with the Ugandan NGO community and knows what is going on and has developed its program according to its understanding of the local situation.

Analysis: The friction with AID arises from the very different conception between the two organizations as to who AREAF's client is in Uganda. The mission feels that it is the client, while AAI feels that it is responsible for developing a program responsive to the local community of NGO and human rights organizations. It certain that AAI has a degree of flexibility in dealing with the community that AID because of its official status could not have. This is an aspect to be valued. On the other hand, there should be more of an attempt to collaborate with concerned mission staff.

World Learning, Inc (formerly Experiment in International Living)
Contact: Mr. Willie Salmond, Country Representative
Tel: (256-41) 242-429/233-237

Probably the largest of the U.S. PVOs operating in Uganda. Have been in Uganda since the mid-1970s and has built up a great deal of credibility and an excellent reputation as a result of its presence during some of the worst years of fighting, abuses, etc. Has a number of AID-funded programs the largest of which is an AIDS program in which it provides grant and technical assistance to a number of Ugandan organizations working in AIDS prevention and education. Also is significantly involved in natural resource management with AID and other multi-lateral donor funding.

Analysis: This is one of the few countries where World Learning actually has its own program as opposed to acting as the manager of AID umbrella projects (e.g. Malawi, Rwanda). Although it is managing the USAID/Rwanda D/G project it was chosen for its ability to manage AID projects through a Cooperative Agreement, not because of its knowledge of African democracy and governance. Could it be involved in a similar type of activity in Uganda? Yes.

ANNEX 4

LEGAL OPINION RENDERED FOR THE MECHANISMS STUDY

Submitted by: Associates in Rural Development/Management Systems International
Under the Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau/United States Agency for International Development

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Writer's Direct Dial Number

January 15, 1994

John T. Rigby, Project Manager
ARD, Inc.
1915 I Street, N.W.
Sixth Floor
Washington, D.C. 20006
Attn: Leslie Fox

Re: AID Contract No. AFR-0542-Q-00-1109-00
African Bureau Democracy and Governance/
Improved Governance (698-0542)

Dear John and Leslie:

Pursuant to our agreement of December 14, 1993, we have reviewed the questions posed by ARD in regard to the above-referenced project and various statutory, regulatory and internal guidelines applicable to the Agency for International Development ("AID") use of contracts, grants and cooperative agreements to accomplish its objectives. We have described below the findings and analysis responsive to ARD, Inc.'s ("ARD") inquiries.

Question 1 is an omnibus question reflecting the cumulative answers to Questions 2 through 9. Therefore, in an effort to progress through the process logically, we have begun with Question 2.

Question 2: ***In terms of A) speed and B) ease of pre-implementation selection, i.e., competition, and negotiation, do any of these three funding 'instruments' have inherent advantages or disadvantages; if yes, what are these?***

The choice of type of agreement is to be based upon its intended purpose rather than 'ease of pre-implementation'. However, once that determination has been made, it is appropriate to consider the time and other constraints placed upon the buyer by his choice of agreement.

Whenever AID engages in procurement through the use of a contract, it is obligated to engage in "free and open competition" to the maximum extent practicable and, in doing so, must comply with all of the requirements in the Federal Acquisition Regulations ("FAR") and the AID supplement thereto ("AIDAR"). However, competitive procurement is a time-consuming process, requiring AID

competitive procurement is a time-consuming process, requiring AID to advertise, prepare a solicitation, distribute it, and allow time for the preparation of bids or proposals, negotiations (if proposals are required), award and issuance of a notice to proceed.

Under the FAR and AIDAR, AID may eliminate competition and award a contract on a sole source basis when the Contracting Officer justifies his decision as falling within one of the exceptions to competition permitted under the Competition In Contracting Act of 1984. There are seven such exceptions and they are set forth in FAR 6.302 and AID Handbook 1B, pg. 12-5. The exceptions most applicable to ARD's study are:

* Only one responsible source;

* Unusual and compelling urgency; or

* International agreement.

The procedures to award either a grant or cooperative agreement (CA) do not need to be as cumbersome or lengthy. Although AID "encourages" the use of competition in the award of grants or CA, there is no statutory obligation to do so. AID Handbook 13, Chapter 2, entitled "Selection of Recipients", states that "Competition is to be used to the maximum practicable extent" but proceeds to identify several circumstances in which competition is deem satisfied[1] and several circumstance in which competition is not required.

AID's exceptions to competition are broad. Competition is not required:

* To accept an unsolicited proposal;

* To amend an existing assistance award;

* To make follow-on awards to further an existing relationship; or

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[1] The situations in which competition is deemed to be satisfied are: (a) university strengthening grants; (b) program support grants; (c) collaborative research support program grants; (d) centrally funded grants and CA to PVOs based "on prescribed eligibility requirements and selection procedures"; and (e) mission funded grants and CA to PVO for umbrella programs, field programs, institutional development and collaboration among PVOs.

* To address any other circumstances deemed "critical to the objectives of the foreign assistance program". See AID Handbook 13, 2B3.

Essentially, AID can implement a grant or a CA without competition and all the time consuming requirements which that process involves. While it still will take time to negotiate a scope of work and the terms and conditions and process the paperwork necessary to allocate the funding and award it, overall grants and CAs are much less time consuming to award.

One of AID's "exceptions" for grant or CA competition is when the agency amends an existing assistance award. This is an oblique reference to the procedure at AID known as "buy-in". The process is equally applicable to contracts. The FAR permits the government unilaterally to initiate changes to the contract whenever necessary.

According to AID guidance, buy in's are permitted in contracts, CAs and ribbon participating agency service agreements (PASA) under certain circumstances. (A copy of AID information is attached.) The circumstances under which AID procedures allow buy-ins are:

* buy-ins must be within the scope of the **original** or base contract;

* buy-ins must be able to be performed within the original estimated cost and/or level of effort, *unless* the agreement is a dual contract approach or permits "Add-ons";

* buy-ins by Missions or AID/W offices must be discussed with AID central bureau project office;

* buy-ins for under $25,000 are not generally accepted since the FAR permits informal, simply procedures for purchases below this amount;

* buy-ins in excess of $250,000 should not be permitted unless it is clearly the intent of the project design and agreement that buy-ins were anticipated and they have been discussed with the central bureau project officer and the OP Contracting Officer; and

* buy-ins take 30-60 days to process.

AID materials caution Missions and the central bureau to use buy-ins judiciously because they circumvent competition and commingle funding from different sources, making it more difficult for AID to track its expenditures and ensure reasonable costs for the work being added to an existing agreement.

Notwithstanding AID's caution, buy-ins are used extensively at AID to expedite projects, although their continued use has sparked an active internal debate about their propriety.

Nevertheless, in response to Question 2, awarding a contract is the more time consuming and burdensome process, followed by grants, then CAs. The least time-consuming and burdensome, albeit questionable, process is the buy-in.

Question 3: ***Under what circumstances and conditions can a Cooperative Agreement or a Handbook 13 grant be made between USAID and a for-profit firm?***

Neither the Foreign Assistance Act of 1961 ("FAA") nor the definition of "grant" or "cooperative agreement" which binds the Federal government, including AID, restricts the United States from entering into either with a for-profit company.

The FAA directs AID to "make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transaction with any individual, corporation, or other body of persons, friendly government or government agency, whether within or without the United States and international organizations in furtherance of the purposes and within the limitations of its Act." P.L. 87-195, Sec. 635(b).

Similarly, the Federal government is authorized to enter into grant and cooperative agreements with "a State, local government, or other recipient". 31 USC Sections 6304, 6305. The term "other recipient" is defined as "a person or recipient (except a State or local government) authorized to receive United States Government assistance or procurement contracts and includes a charitable or educational institution." 31 USC Section 6302(4).

However, from our review of AID's regulations and handbooks, AID appears to limit awards of grants and cooperative agreements to non-profit organizations. While awards to for-profit companies are not expressly prohibited in AID's Handbooks, it is

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simply not discussed.[2] What AID does discuss is stated in AID Handbook 1B, 16B1a(1) as follows:

> "This section applies to project and nonproject assistance provided by grants, and cooperative agreements from AID to U.S. or foreign private nonprofit organizations, including educational institutions, U.S. or international private voluntary organizations, and U.S. or international research institutions, whose programs complement or supplement the programs of AID."

Therefore, it appears as though the answer to Question 3 is that, notwithstanding the lack of a statutory proscription, under current practices, AID does not award either grants or CAs to for-profit firms.

4. ***Under what circumstances and conditions can a contract holder enter into a cooperative (sub)agreement or a (sub)grant with an African NGO or other national organization that is not registered with USAID?***

AID is to enter into a contract when the objective of the agreement is to "purchase, lease, or barter property or services for the <u>direct</u> <u>benefit</u>,or <u>use</u> of the Federal government." AID Handbook 1B, 2225E1a.

A grant is referred to as a conditional gift of money, property, services or anything of value to an organization for one of its program, the furtherance of which will accomplish one of AID's program purposes, AND which contemplates minimal or no involvement by AID (other than oversight).

A cooperative agreement, like a grant, is also used by AID to stimulate an organization's own program or project that furthers AID's purpose AND in which AID intends to be involved with the organization <u>substantially</u> in the performance of the program or project.

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[2] See AID Handbook 1B, 15D, pg. 15-14. Under the title, "Grants and Cooperative Agreements to Profit Making Organizations" AID states simply, "(RESERVED)".

Traditionally, a contractor would not enter into subgrant or subagreements with non-profit recipients. AID, however, has issued a General Notice, DAA/FA, dated April 8, 1992,[3] to allow contractors to "execute and administer" subgrants (and presumably subagreements, since AID considers CAs to be a grant-like assistance instrument). Such actions must be approved by the Head of Contracting Activity on a case-by-case basis and reserve to AID all actions regarding inherently government functions. AID also reserves for itself involvement in the selection and approval of the subgrantees. Therefore, where the administration of subgrants (to implement an AID objective) is incidental to other ongoing technical assistance endeavors or the subgrant activities are small and their selection and administration by the AID mission would be burdensome, AID may seek approval to expand the scope of a contractors performance to include the award and administration of subgrants or subagreements.

Whether the subgrant may be awarded to an African NGO is a function of whether that organization has registered with AID. Title 22, Section 203.6(b) of the Code of Federal Regulations provides:

> "Foreign PVOs shall be registered in accordance with guidance for eligibility of non-U.S. private and voluntary organizations for participation in AID-supported programs approved by the Deputy Administrator of AID. . .and AID handbooks, policies, regulations (published or otherwise) and procedures as they may be amended, supplemented or supported from time to time."

AID cannot enter into a grant or CA with an African NGO which is not registered with AID. And, an AID contractor cannot do, on behalf of AID, what AID itself cannot do. Therefore, absent extraordinary consideration from AID Washington, an AID contractor could not enter into a subgrant or subagreement with an African NGO which is not registered with AID.

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[3] As of this writing, AID had not updated, withdrawn or changed this General Notice.

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Question 5: *Under what circumstances and conditions can a subcontract holder (that receives its subcontract from a contract, CA or grant holder) enter into a cooperative (sub)agreement or a (sub) grant with an African NGO or other national organization that is not registered with USAID?*

For the reasons stated in response to Question 4, the brief answer to this question is none.

However, while contractors, grantees and CA holders all can enter into subcontracts and, pursuant to the circumstances delineated in the referenced AID General Notice, also may enter into subgrants and subagreements, the implications of these being awarded by a subcontractor must be discussed. If the African NGO was registered with AID, then a subcontractor could enter into a sub-subcontract (a 2d tier subcontract), subject to the conditions in his subcontract.

Allowing a subcontractor to enter into a subagreement or a subgrant with a PVO/NGO presents other problems. The Federal government adheres to the concept of privity within government legal agreements. That is, the Federal government recognizes no direct legal relationship between itself and a subcontract, subgrant or subagreement holder (hereinafter collectively referred to as "subcontractor"). Therefore, since the purpose of a grant or CA is to further fulfill AID's purpose, which involves basic, inherent governmental functions[4] which cannot be delegated by the agency, it is difficult to create a legally cognizable relationship with a subcontractor that will allow AID to fulfill its inherently governmental functions with someone that it cannot deal with directly.

Question 6: *Can a contractor (including a for-profit firm) enter into a subcontract with a US PVO for the purpose of making subgrants to US PVOs, NGOs and other Africa national organizations? If yes, what are the implications for audit responsibility?*

For the reasons regarding violation of privity with subcontractors, discussed in Question 5 above, the brief answer to this question is no. OMB currently is asking Federal agencies to review all service agreements to determine whether contractors are performing inherently governmental functions. In this case, AID's choice of who should receive grant and CA funding and for what

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[4] Some examples of the inherent governmental functions would be the determination of the selection criteria for the awardee, the scope of purpose and approval of the awardee.

purpose are decisions that only AID can make. While a contractor can recommend choices to AID, and thereafter execute and administer subgrants to PVOs, it cannot make the governmental decisions. Moreover, to the extent that AID must interact with a contractor, it can do so because it has a legitimate direct relationship with him; it cannot do so with subcontractors with whom AID must maintain an indirect relationship.

With regard to the audit responsibility of PVOs generally, AID will audit their procurement system based upon OMB Circular A-133, "Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations - Uniform Administrative Standards", which superseded A-110. OMB Circular A-133, by its terms, applies only to U.S. organizations but AID applies it to foreign PVOs/NGOs "to the extent practicable." AID Handbook 13, 1B2. See also, AID Handbook 1B, 16B1b.[5] The cost principles applicable to nonprofit organizations, including PVOs/NGOs, are contained in OMB Circular A-122. AID Handbook 14, 731.770.

Question 7: ***Can A) US Embassies, B) USIS offices, and C) USAID missions, make small-scale grants directly to African NGOs and other national organizations that are <u>not</u> registered with USAID? If so, under what circumstances and conditions?***

US Embassies maintain discretionary funds and could make grants directly under circumstances deemed necessary by the Ambassador.

USIS is a separate agency from AID with its own set of statutes, rules, regulations and procedures. I do not know under what circumstances, if any, USIS could make small-scale grants. Generally, USIS does not have a PVO/NGO registration process, but rather considers grant requests made by PVO/NGOs on a case-by-case basis in accordance with those statutes, regulations and procedures applicable to USIS and in accordance with the terms of its Request For Applications ("RFA")

USAID Missions can make small scale grants to foreign NGOs but only to the extent that they are registered.

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[5] Similarly, a foreign nonprofit organization which is a subrecipient of a US nonprofit recipient, is still subject to an A-133 audit. <u>Questions and Answers on OMB Circular A-133</u>, PCIE Position Statement No. 6, May 1992.

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Question 8: *What authority establishes 'buy-in' provisions for USAID contracts and CAs, and what regulations describe their use? In terms of A) speed and B) ease of pre-implementation selection, i.e., competition and negotiation, what are the inherent advantages or disadvantages of 'buy-in' provisions?*

See response to Question 2 and the guidance provided by AID in its internal directory (attached). Since this procedure, in its present form, is believed widely to be unique to AID, there are no FAR or AIDAR regulations governing its use.

Questions 9: *What are the major waivers and other means (such as the 'notwithstanding' authority) of by-passing or accelerating procedures in order to speed and/or ease USAID procurement, and where are they authorized and described?*

The exceptions to the requirements for competition for contracts are discussed above in response to Question 2 and are contained in the FAR. Exceptions to AID's preference for competition for grants and CA also are discussed in response to Question 1. The 'buy-in' procedures used at AID, in fact, by-pass the traditional competitive processes and can implement a need, project or program quicker than any other mechanism presently employed by AID.

Conclusion: The information presented above in response to Questions 2-9, taken as a whole, responds fully to Question 1.

If you have any questions or comments regarding this information please contact me. Also, if you wish a copy of the documents referenced herein, upon which our responses are based, please call.

Owing to the short time frame, this response is not elaborate but we have made every attempt to be responsive to your inquiries.

Sincerely,

Randal C. Teague

Randal C. Teague by BAD

Barbara A. Duncombe

Barbara A. Duncombe

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ANNEX 5

A REVIEW OF THE GOVERNANCE LITERATURE: BIBLIOGRAPHIES

Submitted by: Associates in Rural Development/Management Systems International
Under the Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau/United States Agency for International Development

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ANNEX 6

A SURVEY AND ASSESSMENT OF THE CAPACITY OF US AND AFRICAN REGIONAL INSTITUTIONS FOR THE SUPPORT OF GOOD GOVERNANCE IN AFRICA

(January 14, 1994)

Submitted by: Associates in Rural Development/Management Systems International
contracted under the Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau/United States Agency for International Development

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I. INTRODUCTION AND OVERVIEW

The following report provides a detailed survey and assessment of U.S. institutions and African regional organizations with a potential capacity and interest to provide services (e.g., technical assistance, training) under a proposed "Rapid Response Facility" in support of improved governance in Africa.

The institutions surveyed include universities, university consortia, non-profit organizations, PVOs and NGOs, foundations, professional associations, government resources, and top-level inter-governmental organizations in both the U.S. and Africa. For-profit firms were not included, because, given the limited time available for the survey, and their relative emphasis on other geographic regions.

The sample of U.S. institutions is representative of the types of organizations that could be relevant to a Rapid Response Facility supporting improved governance in African. Detailed profiles on over 60 of these institutions were drawn up. On the other hand, the list of African regional institutions is meant to be more illustrative in nature of the types of organizations the Rapid Response Facility could call upon; detailed profiles were drawn up for 30 different regional organizations or national level organizations with a regional capacity. During the field-based component of the Study, some thirty different African organizations were visited to assess their capacity and interest in participating in a future project.

II. THE SURVEY'S APPROACH

A. The Organizations Surveyed

Sources:

The names of potential respondents were drawn from a variety of sources, including:

- Members of the team working on the Rapid Response Facility,
- Individuals knowledgeable about governance work
- The Citizen's Democracy Corps Compendium
- The Africa Bureau Information Center (ABIC)
- Other respondents

Criteria for inclusion:

Because the concern with governance is still relatively new, some organizations with relevant skills but little or no African experience were included in the list; similarly, some organizations with extensive African experience but relatively little governance experience were also included.

Because Washington is the center of U.S. legislative and policy activity, many of the organizations working in governance are located in Washington. However, the survey tried to cover as broad a geographical range as possible.

B. The Questionnaire

The questionnaire was partly inspired by previous surveys undertaken for USAID and the Democracy Corps Compendium questionnaire. It was designed to take an average of 15 to 30 minutes on average to complete. Many respondents chose to complete the questionnaire in written form and return it by fax. A copy of the questionnaire is included in Appendix A.

Because the Africa Bureau was conducting a parallel study of Historically Black Colleges and Universities (HBCU), and wished for more details concerning them, three additional questions were added for most HBCUs surveyed (some HBCUs were not asked these questions because they had been interviewed before the Africa Bureau requested the additional information):

1. Could you provide us with a (non-exhaustive) list of faculty who would be available and qualified for governance work?

2. Could you provide us with a rough picture of the university's international experience?

3. Domestically, has the university been involved in civic organization, civil rights, voter education, and other governance-related activities?

For this reason, some of the HBCU profiles are more detailed than the profiles of other institutions on the list.

C. Survey Responses

Out of almost 100 U.S. organizations contacted, 65 responded. A small number (4 or 5) openly stated that they were not interested in responding; the rest never got around to it in spite of numerous follow-up calls. Popular reasons for not responding were lack of time, the prolonged absence of qualified respondents, and "your questionnaire is in the mail." Less common ones were that the respondent's entire county burned down in the recent California fires. Part I, provides the detailed profiles of these 65 organizations.

The field visits to African regional organizations with a potential for participation under a rapid response facility were based on a review of ABIC files, personal knowledge of study team members and discussions with U.S. organizations interviewed. Four regional centers were then chosen, i.e., Senegal, Ivory Coast, Kenya and South Africa, as those countries with the largest number of organizations resident. Thirty of those identified in this manner were then interviewed during the field-based component of the study. In addition to these thirty organizations, summary profiles of another 40 organizations compiled by ABIC are included and should be followed up if this study is taken into the design phase. Part II, provides this set of profiles.

D. Suggestions for the Use of These Profiles

The array of skills possessed by the organizations surveyed is such that, even for such a small, representative sample as this, it could be of value to use database software (perhaps D-Base II) to manage the information and make it rapidly accessible. The profiles included in this database should be updated annually: it is easy to lose track of people and organizations beyond this time-span.

In the interest of simplicity and synergy, the civil society and governance databases should be merged. Indeed, many of the records are shared between the two, and the distinction between the two fields is both artificial and impractical. It would seem difficult to have good governance without a healthy civil society: for instance, why insist on budget transparency if there are no citizens' groups who examine the budget?

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III. SUGGESTIONS FOR A FUTURE SURVEY AND ASSESSMENT

Methodology:

This information is provided for the purpose of computing future consultant-days needed for a similar search.

On an average day, for this survey, the consultant was able to contact or follow up on 20 institutions. Approximately half of these contacts resulted in a conversation with a person qualified to respond. On average, between 3 and 6 full responses were received per day, most of which were sent by fax. A few days were needed to gather addresses, develop the questionnaire, start the flow of contacts, and record responses.

The method of faxing questionnaires out after speaking to potential respondents saved some time. It seems, in fact, that people who responded by fax provided more details than other respondents. The method only works if the fax is accompanied by numerous (almost daily) follow-up calls. Any number of calls, from zero to twenty, can be needed. On average, 4-5 calls seemed to be required.

Please note that responses to the questionnaire are purely subjective. Thus, it could be of interest, in the future, to examine outside assessments of the organizations surveyed. Colleges, for instance, are reviewed and appraised by the American Association of Colleges, States and Universities. One respondent suggested that, for universities in particular, no true assessment could be made of existing capacities without an actual visit on campus.

Sources:

Many addresses and resources collected for use in this survey were not used for lack of time. These addresses and resources are listed in Appendix B and in a separate file.

In addition to these resources, one notes that most organizations surveyed have US and African partners who could be of interest for a future survey. Some of this information was provided by our respondents. However, given the limited time granted us, and the suspicions often raised by queries about partners, the list is far from complete. A direct inquiry from USAID on the subject would probably be more fruitful. Additionally, it is conceivable, in the future, that, even as mailing lists can be rented from NGOs, lists of partners could be purchased if necessary.

PART I: U.S. INSTITUTIONS
INVENTORY, PROFILES AND ASSESSMENT

AN ASSESSMENT OF USAID'S CAPACITY FOR RAPID RESPONSE
IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICA

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I. SUMMARY OF PRINCIPAL FINDINGS

A. Background and Overview

The purpose of undertaking this assessment of U.S. institutions with experience in the realm of African governance was to determine the relative capacity, including areas of expertise, of such organizations to provide a range of technical assistance and training services to African institutions, state and non-state, under a proposed USAID-funded rapid response facility. In this regard, some 65 organizations including universities and university consortia; PVOs, non-profit policy centers and research institutes; and professional associations, were interviewed from October through November 1993. While there are certainly many other organizations that either were not interviewed or did not respond to the study questionnaire, the findings, conclusions and recommendations presented here, are based on an adequate and representative universe of such organizations. As indicated in the Introduction and Overview section, a specific attempt was made to target the Historically Black Universities and Colleges' sector of the University system given USAID's long-term commitment of working with HBCUs, as well as the recent Presidential Directive mandating increased involvement of these institutions in activities financed by the U.S. Government. Summary profiles of all the organizations interviewed for this study are found in the following section; and additional information (e.g., annual reports, project summaries, etc.) have been appended as well. Appendix D, Alphabetical Index of U.S. Institutions, provides a complete listing of all organizations interviewed for this study.

B. Principal Findings

Each category of U.S. institution surveyed has a wide range of experience and expertise in both technical areas of governance as well as in specific subregions of Africa. The organizations were broken down into the following categories: (i) Universities, University Consortia and University affiliated research and policy centers or institutes; (ii) Professional Associations; and (iii) PVOs and non-profit organizations including foundations, centers and institutes. The following three sections provide a summary profile of each of these categories:

1. Universities, University Consortia & Affiliated Centers & Institutes

The largest single grouping includes universities, university consortia, and university affiliated research and training centers and policy institutes. Within the university system are those which are publically financed (e.g., SUNY Albany, UCLA), privately funded (e.g., Johns Hopkins, Harvard), Land Grant (publically and privately financed) colleges (e.g., University of Wisconsin, Cornell), and HBCUs (e.g., Fisk, Jackson State, Clark Atlanta). University consortia include the Consortium for International Development (representing some 27 Western Universities), Mississippi Consortium for International Development (representing Jackson State, Alcorn State, and Tougaloo College) and Midwestern Universities Consortium (representing 10 universities in the midwest). The National Association of Schools of Public Affairs and Administration (NASPA), represents some 225 American universities with departments in these two areas. Policy centers and research/training institutes affiliated with major universities include: Carter Center's African Governance Program (Emory University), the Center for Public Policy and Diplomacy (Lincoln University), Institute of Public Affairs (University of South Carolina) and Institute for Urban Research (Morgan State).

While not all of these institutions have African experience and/or a specific governance expertise, there are a significant number with one or the other and in many cases both. It is not uncommon to find an

institution with governance expertise in say Latin America or the Newly Independent States, or those with significant African experience but in fields not directly related to governance, e.g., agricultural research, health education, etc. There are also a number with strong relevant experience in aspects of governance that relate to assistance provided within the context of strengthening American government institutions at the state, local and federal levels. Services provided by these institutions include: (i) workshops, seminars and conferences; (ii) through various publications including journals, newsletters, and special publications; (iii) technical assistance and training programs undertaken through individual consultancies, and generic and tailor-made training programs.

Areas of governance expertise in which these organizations have relevant experience include: (i) executive branch including public administration, policy reform, policy implementation and management, financial management (budget reform and transparency), and decentralization and local government; (ii) legislative branch including rule of law, legal reform, constitutional reform, election design/administration, electoral assistance reform, constituency relations, and legislative organization; (iii) judicial branch including conflict resolution, human rights enforcement, judicial training and support, judicial ethics and discipline, jury trial training, and election design and administration; and (iv) capacity building including strategic planning and management, organizational development and management training. Appendix C, Skills Index of U.S. Institutions, provides a breakdown of university organization in terms of these four areas of expertise.

An important aspect of capacity which the university system offers are the institutional relationships that have been established with African universities and private non-profit research and policy institutes and centers. In many cases these relationships have existed for many years based on formal linkages between, for example, law schools, public administration or political science departments in the U.S. and a given African university (e.g., University of Ghana at Legon; Makerere University in Uganda; (University of Dar es Salaam in Tanzania). Many such relationships have been facilitated through the USAID-supported **University Linkages Program**. Each of the individual organizational profiles provides an illustrative list of African institutions with which these U.S. organizations have established formal linkages. Perhaps an even greater resource are the individual relationships that have been developed between American academics and their colleagues in African universities.

2. Professional Associations and Labor Unions

There are numerous professional associations representing different sectors of American society which were identified as having a potential role to play in strengthening African governance. The African American Labor Center, an international arm of the AFL-CIO, has extensive experience in Africa working with independent labor movements. The International City Management Association, American Bar Association, National Association of State Development Agencies and U.S. Conference of Mayors, among many others, represent professionals or elected official that may have a primary interest in promoting member interests but also have developed expertise in related governance areas, and have provided assistance to similar types of organizations in different regions of the world including Africa. Many of these associations represent elected officials or professional managers within executive branch agencies at all three levels of government. There are also a number of public or governmental organizations which have been set-up to serve the technical and administrative needs of the three branches of American government which have provided assistance to foreign countries. The Congressional Research Service is probably the best known of the professional public sector agencies.

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3. PVOs and Non-Profit Organizations

As might be expected, U.S. PVOs and non-profit organizations such as those involved traditional development and humanitarian pursuits, are far less numerous in the field of governance than other types of institutions discussed here. This is especially true for PVOs. There are a variety of non-profit centers, foundations and institutes such as the African American Institute, National Democratic Institute, the Joint Center for Political and Economic Studies, Lawyers Committee on Human Rights, Woodrow Wilson International Center for Scholars, etc., which have a limited area of interest or expertise that are involved in African governance. These areas of expertise are normally related to some aspect of the electoral process, human rights monitoring, mediation and conflict resolution, and policy formulation and analysis. In this latter category, most of the American non-profit policy and research institutes (e.g., Overseas Development Council, Heritage Foundation, Brookings Institute), are primarily concerned with U.S. issues, although there is no reason why they could not work with similar organizations in Africa to build technical and overall institutional capacity.

4. USAID Experience and Interest in African Governance

A significant number of these organizations have worked with and been financed by USAID at some point in time. Many others have been financed by other branches of the U.S. Government (e.g. Department of State, USIS) to undertake programs on their behalf (e.g., International Visitors programs). They have worked through a number of procurement arrangements including contracts, grants and cooperative agreements, with the latter being the preferred procurement mode. While a significant number have received USAID funding in the past, as concerns funding for African governance in the past five years, the number is actually relatively few. Most organizations indicated a sincere interest in greater participation in this new field but were constrained in doing so by inadequate funding, although they did indicate an ability to contribute in-kind services such as staff time.

C. Conclusions and Recommendations

1. Conclusions

While there are a significant number of U.S. institutions which have both the technical expertise and area knowledge and experience in African governance, they are in relative terms, i.e., in relation to other regions of the world significantly fewer. Two trends seem to be emerging in this regard as well. First, USAID funding patterns appears to be drawing organizations with governance expertise, and even those with African experience to other regions such as the NIS and Eastern Europe. Secondly, it is those organizations which have already built up some experience in African governance and thus have acquired a degree of capacity, which seem to be gaining the lion's share of what funding is available for Africa. These trends are not in fact dissimilar to those witnessed in both the economic development and humanitarian fields. Donor funding in general, has tended over the past few years to be drawn to those regions which have been, for foreign policy and reasons of national interest, accorded higher priority than Africa. This has been mitigated to a significant extent in the case of USAID by the Development Fund for Africa (DFA) legislation which mandated a fixed level of American foreign assistance to Africa. With overall foreign aid levels decreasing or being reallocated to such areas as humanitarian assistance, and a lower DFA funding mandate in 1994, it has obliged non-profit as well as for-profit organizations to reorient their programs to those regions where foreign assistance is now flowing.

In terms of those organizations which are receiving USAID funding, it is seems to be only a relatively small number of larger organizations including PVOs, non-profits and universities that receive USAID funding through larger grants or contracts. Such organizations include the two party-affiliated institutes, i.e., NDI and IRI, IFES, the African American Institute, several universities and non-profit institutes and centers. It should be noted that much of this expertise and corresponding capacity has been acquired "on the job", a result of the funding received from USAID to implement its programs. In fact, in the field of African governance, there is probably more accumulated knowledge and expertise that can be drawn upon through two or three Africa Bureau Democracy and Governance Program-funded projects (e.g., AREAF, Africa Democracy and Governance Project) than in the rest of the community together.

2. Recommendations

In addition to the fact that the field of African governance is a relatively new one, there are simply too few U.S. institutions with an adequate independent funding base to launch their own programs in Africa and bring to bear the expertise that is so desperately needed in the transformations that are currently under way. USAID is going to remain the preeminent source of grant funding for those organizations with both the capacity or the interest to become involved in Africa. As such, USAID is going to have to rethink its strategy of supporting the universe of such institutions that could become involved in this new field of endeavor. This study has already made an initial review of institutions that could be drawn upon to provide assistance in a new centrally-funded project to support improved governance in Africa. Further study is however needed. At a minimum, a far larger number of organizations, both those already identified and those that will be, need to targeted for incorporation in USAID's Democracy and Governance Program in Africa. It certainly appears that it is within the American university system, including consortia, policy centers and research institutes that the principal focus needs to be made. Particular attention should be paid to the minority institutions such as the HBCUs, which have a much larger role to play in this field than they have been accorded to date.

Because of the relative lack of organizations with regional experience, or in the application of their expertise outside of the U.S., there is justification for USAID to provide a component of training and technical assistance, including staff exchanges between U.S. and African institutions to build this capacity. There will also be some governance areas in which sharing of information and new ideas needs to be undertaken with organizations interested in working in African governance. A rapid response facility as proposed in this study would be an appropriate mechanism to increase the base of organizations that want to participate in the governance field and, where necessary, to provide capacity building experience.

AFRICAN GOVERNANCE WORKING GROUP

c/o Center for African Studies
University of Florida, Gainesville, FL 32611
Tel: (904) 392-2183
Fax: (904) 392-2435

University. **Founded**: 1991. **Permanent staff:** None (2 anthropologists, 2 economists, 2 historians, 2 lawyers, and 2 political scientists currently work at the center). **Volunteer Staff:** None. **Membership:** 10.

Publications: See volume edited by Goran Hyden and Michael Bratton, Governance and politics in Africa, into which AGWG had an input.

Contact person: Goran Hyden, Professor

I. AREA OF ACTIVITIES

Regional Coverage: Africa
Offices in Africa: None, but institutional linkages have been formalized in Kenya, Tanzania, Uganda, Nigeria and Zimbabwe.
Country Programs in Africa: None per se

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public administration, policy reform, policy management, decentralization and local government.

Legislative: rule of law, legal reform, constitutional reform, election design/administration, electoral system reform.

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/administration.

Capacity-Building: organization development and management training, management development.

African affiliates and/or partner organizations:

-Inter-Africa group, Addis Abbaba.
-Southern Africa Political Economy Series Trust (SAPES), Harare.
-Dept. of Public Administration, Obafemi Awolowo University, Ile Ife
-Department of Political Science, Univ. of Dar Es Salaam, Dept. of Political Science, Makerere University.
-Human Rights and Peace Centre, Makerere University

-Centre for African Technology Studies, Nairobi

How the organization promotes democratic development and good governance: The AGWG sponsors research by African scholars, advises counterpart institutions and their clients, and organizes conference with officials from African countries.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase foreseen.

Documents sent: None - the AGWG has no formal status outside the University of Florida. However, many members are known through their individual work.

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AFRICAN-AMERICAN LABOR CENTER

1400 K Street, NW, Suite 700, Washington, DC 20005
Tel: (202) 789-1020
Fax: (202) 842-0730

Labor union (affiliate of AFL-CIO). **Founded:** 1965. **Permanent staff:** 30

Publications:

-AALC Reporter (bi-monthly, in French, English, and Arabic)
-sporadic updates on specific issues in Africa (eg the situation in Malawi, the Election Study Tour...)

AALC also contributes to the International Affairs Office's AFL-CIO Bulletin and to the IAD fax sheet.

Contact person: Mary Ann Forbes, Director of Publications and Information

I. AREA OF ACTIVITIES

Regional Coverage: Africa
Offices in Africa: Botswana, Congo, Egypt, Ethiopia, Ivory Coast, Kenya, Nigeria, Senegal, South Africa, Zimbabwe. (The addresses of these offices were among the documents sent by mail.)

Country Programs in Africa: Zimbabwe, Côte d'Ivoire, Burkina Faso, Kenya, Tanzania, Congo, Nigeria, Rwanda, Malawi, South Africa, Botswana, Mauritius, Sierra Leone, Niger, Egypt, ...

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legislative: trade union rights and the law.

Capacity-Building: strategy development, action planning, collective bargaining, media communications, computerization

African affiliates and/or partner organizations: East African Trade Union Consultative Council (EATUCC), Zimbabwe Congress of Trade Unions, Union Generale des Travailleurs de Côte d'Ivoire, Central Organization of Trade Unions-Kenya (COTU), JUWATHA, Tanzania, Confederation Syndicale Congolaise, Nigeria Labor Congress, CESTRAR/Rwanda, Organization of Tanzania Trade Unions, etc... (please see annual report for full list)

US partners in the field of governance: ACTWU, AFSCME, AFT, APWU, A. Philip Randolph Institute, CLUW, CWA, IAM, ICWU, ILGWU, BAC, OCAW, SEIU, AFL-CIO, UFCW, UMWA, USWA

Rapid Response-Governance.

How the organization promotes democratic development and good governance: AALC assists dynamic labor movements which are not aligned with a political party. One of the three stated objectives of AALC programs is to increase tripartite participation. (One assumes that the three parties are workers, companies, and the government). To achieve this, AALC provides training in conflict resolution, research, trade union rights and the law, and political action.

High-quality seminars, workshops and study tours allow for the transmission of theory and factual knowledge, strategy development, and action planning. AALC would like to create dispute mediation centers in Africa so unions and companies could negotiate without calling for the intervention of the government.

Previous work with AID: AALC is currently under a 5 year, $25 M cooperative agreement with AID. Two of the country projects (South Africa and Egypt) are tied to the AID mission. the National Endowment for Democracy supports some of AALC's work with regional trade organizations ($ 800 K). Parts of the USIA's visitors program are now conducted by AFL-CIO.

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AFRICAN-AMERICAN INSTITUTE

Head Office
833 United Nations Plaza
New York, N.Y. 10017

Washington Office
1625 Massachusetts Ave, NW, Suite 210, Washington, DC 20036
Tel: (202) 667-5636
Fax: (202) 265-6332

Non profit. **Founded**: 1953. **Permanent staff:** Approx. 100 (mostly people with interests and expertise in international education, persons with African studies backgrounds, but many other fields as well. Staff members have numerous congressional contacts and access to a large number of networks.)

Publication: Africa Report (periodical)

Contact person:
New York: Carl Schieren
Washington: Stoney Cooks

I. AREA OF ACTIVITIES

Regional Coverage: Africa

Offices in Africa: Senegal, Nigeria, South Africa

Country Programs in Africa: Election observation in Congo, Djibouti, Eritrea, Madagascar, Uganda. Observer training for the OAU. Other programs include a Women's Program in Nigeria (to encourage the participation of women in the political process); a Trade and Investment program; the administration of a number of human rights grants from NED; and work with the State Department's International Visitor Program.

II. DEVELOPMENT BACKGROUND

Governance Specialization: Election monitoring and administration, human rights enforcement

African affiliates and/or partner organizations: Infotech Consultants (Liberia); Liberian Human Rights Chapter; Archdiocese of Monrovia; African Democratic Heritage Foundation (Nigeria); Human Rights Africa (Nigeria); Civil Liberties Organization, Nigeria; GERDDES.

US partners in the field of governance: National Democratic Institute, International Republican Institute, Carter Center of Emory University

Rapid Response-Governance.

How the organization promotes democratic development and good governance: Through a consortium with the National Democratic Institute and the International Republican Institute, AAI works on election processes by fielding observer teams during African elections.

Previous work with AID: AREAF is a cooperative program with AID. AID also contracts with USIA on the international visitors program.

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AFRICARE

Africare House, 440 R Street, NW, Washington, DC 20001
Tel: (202) 462-3614
Fax: (202) 387-1034

NGO. **Founded**: 1971. **Permanent staff:** 100-125 (agronomists, health specialists, business management specialists, social scientists, etc.). **Volunteer Staff:** some interns. **Membership:** None.

Publications: annual report
Contact person: Dr. Joseph Kennedy, Director, International Development and Senior Vice-President.

I. AREA OF ACTIVITIES

Regional Coverage: Africa

Offices in Africa: offices in 26 countries, including: Mali, Senegal, Guinea, Guinea-Bissau, Sierra-Leone, Liberia, Ivory Coast, Burkina-Faso, Niger, Nigeria, CAR, Rwanda, Chad, Somalia, Ethiopia, Zambia, Malawi,Zambia, Zimbabwe, Mozambique, Angola, Namibia, South Africa.

Country Programs in Africa: Over 200 different projects. The major areas are agriculture, food production, water resource development, health, natural resource management, environmental programs, and small business development. There are also other special programs: a food for development program, an internship placement program for black South African students, and an office of Development Education which seeks to educate the American people about Africa.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: decentralization and local government

Capacity-building: organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: Many NGO partners in a large number of countries.

US partners in the field of governance: None

How the organization promotes democratic development and good governance: Africare helps to strengthen local government and NGOs by increasing their capacity and teaching them to set priorities and manage their own affairs.

Previous work with AID: Has been receiving AID funding since 1973 to strengthen local NGOs and local government.

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase planned in the future.

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ALCORN STATE UNIVERSITY

ASU Box 210, Lorman, MS 39096
Tel: (601) 877-6118
Fax: (601) 877-2975

University (HBCU). **Founded:** 1871. **Permanent staff:** 529 (Political scientists, social scientists, and historians).
Volunteer Staff: None. **Membership:** None.
Publications: Please see list sent by fax
Contact person: Dr. Franklin D. Jackson, Vice President, Institutional Advancement, Planning, and Research

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Latin America, and North America
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration

Legislative: legislative training and support, constituency relations

Capacity-Building: management development, financial administration

African affiliates and/or partner organizations: None

US partners in the field of governance: ASU is a member of the Southern Association of Colleges and Schools, as well as a number of other institutions (please see list sent by fax).

How the organization promotes democratic development and good governance: Democratic governance is practiced at the university among administrative, faculty/staff, and student organizations. University faculty and staff members play active roles in the governance of governmental and civic organizations, such as cities, Kiwanis Clubs, Boyscouts, and community action agencies.

Previous work with AID: Member of the Consortium for International Development. Provided training for government officials and farmers.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase is foreseen

Documents sent: A university catalog was sent.

AMERICAN BAR ASSOCIATION

1800 M Street, NW, South Lobby, Washington DC 20036
Tel: (202) 331-2205
Fax: (202) 331-2220

Permanent staff: Approx. 800 (various)
Publications: numerous publications. (no list was provided)

Contact person: Rozanne Staydon, Legislative counsel

I. AREA OF ACTIVITIES

Regional Coverage: Eastern Europe, North America
Offices in Africa: None
Country Programs in Africa: None to date

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: decentralization, state and local government;

Legislative: rule of law, legal reform (in many areas of specialization including tax law, intellectual property, commercial law etc.), constitutional reform, law school accreditation and curriculum development.

Judiciary: judicial reform, human rights enforcement, record management and court computerization, judicial training

African affiliates and/or partner organizations: None

US partners in the field of governance: None, to date-just getting started.

How the organization promotes democratic development and good governance: The Central and East European Law Initiative (CEELI) seeks to advance the rule of law in the world by supporting the law reform process underway in Central and Eastern Europe and the NIS. Resident liaisons are established in countries with ongoing programs.

To do so, it makes available US legal expertise and assistance to emerging democracies that are in the process of modifying or restructuring their laws or legal systems.

It also hosts a "Sister Law School Program" whereby Eastern European Law School deans visit the US for a 4-week period, spending an intensive week at 3 schools.

Previous work with AID: CEELI (Central and East European Law Initiative)

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase foreseen.

Documents sent: An annual report of CEELI was sent by mail.

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AMERICAN JUDICATURE SOCIETY

25 East Washington St., Suite 1600, Chicago, IL 60602
Tel: (312) 558-6900
Fax: (312) 558-9175

Founded: 1913. **Permanent staff:** 18 (4 lawyers, 1 political scientist, 1 adult educator, 1 journalist w/master's degree,3 staff associates, 8 support staff). **Volunteer Staff:** 0. **Membership:** 15,000.

Publications: Judicature (the journal of the American Judicature Society); many others (see list sent by mail.)

Contact person: Kathleen M. Sampson, Director, Information and Program Services

I. AREA OF ACTIVITIES

Regional Coverage: North America, Latin America
Offices in Africa: None
Country Programs in Africa: None at present. However, AJS currently is discussing the possibility of entering a subcontract with the National Center for State Courts, which has an AID contract, to teach judicial selection, judicial ethics, and judicial performance evaluation in Latin America (Deborah Mc Farland, AID program officer, Latin American Bureau)

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Judiciary: judiciary independence, judicial training and support, judicial selection, judicial ethics and discipline

African affiliates and/or partner organizations: None at present. However, AJS regularly welcomes international visitors, including African visitors, to discuss questions of judicial selection, ethics, training and performance evaluation.

US partners in the field of governance: AJS works closely with the Ford Foundation, International Visitor's Center in Chicago, Asia Foundation and others to route visitors through its office.

How the organization promotes democratic development and good governance: AJS works to improve the justice system and to increase public understanding of the important role courts play in our lives. By improving the quality of the judiciary and safeguarding judicial independence, they strive to improve public confidence in the courts.

More specifically, AJS helps emerging democracies to foster an independent and impartial judiciary by providing assistance in setting the criteria and methods for choosing judges, training them, and establishing a code of ethical conduct for them.

AJS also helps to set up evaluations of judicial performance, not tied to their decision making, but based on demonstrated impartiality, courtesy to all parties in the courtroom, productivity and other measurable and observable behaviors.

In October 1994, the Society will sponsor the 14th National College on Judicial Conduct and Ethics. This presents a possible opportunity for judges and other interested parties to learn about the US judicial code of ethics and judicial discipline procedures. With sufficient advance notice, they could consider developing some sessions tailored to international participants.

Previous work with AID: The Society's executive director, Frances Zemans, recently was in Washington to discuss a possible subcontract with the National Center for State Courts (which has a contract with AID's Latin American Bureau) to teach judicial selection, judicial ethics and judicial performance evaluation in Latin America.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase in African activities is expected in the future. AJS would like to conduct activities in Africa similar to those conducted in Latin America.

Documents sent: A description of the Society's history, mission, goals and activities will be sent.

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ASSOCIATION OF CONCERNED AFRICA SCHOLARS

1806 C Street, SE, #4
Washington, DC 20003-2515
Fax: (202) 547-1304

Professional association, not-for-profit. **Founded**: 1973. **Permanent staff:** 7 (political scientists who specialize in Africa). **Volunteer Staff:** 0. **Membership:** 400. **Publication:** ACAS bulletin

Contact person: Lisa Alfred, Executive Secretary

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, Latin America
Offices in Africa: None, but there are members in Africa who are called upon for expertise
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: policy reform, decentralization and local government

Legislative: rule of law, legal reform,constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/administration

Capacity-building: strategic planning and management, organization development and management training.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The organization assists African individuals and organizations in establishing mechanisms that will foster change and accountability.

Previous work with AID: None

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increased level of activity in Africa is foreseen.

Documents sent: some ACAS bulletins will be sent.

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BERGER INTERNATIONAL LEGAL STUDIES PROGRAM

Cornell Law School, Myron Taylor Hall, Ithaca, NY 14853-4901
Tel: (607) 255-2362
Fax: (607) 255-7193

University. **Founded:** 1948. **Permanent staff:** 6 (Law faculty (3-4); administrative staff (3)). **Volunteer Staff:** None. **Membership:** None. **Publications:** Cornell International Law Journal

Contact person: Professor John F. Barcelo III, Director, Berger International Legal Studies Program.

I. AREA OF ACTIVITIES

Regional Coverage: There is no regional coverage per se, but there are strong contacts with Western Europe and growing contacts with Africa and Eastern Europe.
Offices in Africa: None
Country Programs in Africa: The Cornell Law School is currently working with the Peace Corps to place recent law school graduates in teaching positions at selected law schools in countries in Southern Africa.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legislative: rule of law, legal reform, constitutional reform.

Judiciary: conflict resolution, human rights enforcement.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The Berger program is devoted to teaching and research in international and comparative law. The rule of law in public and private affairs is a fundamental premise of the program work and of democracy and good governance as well.

BETHUNE-COOKMAN COLLEGE

640 2nd Ave., Daytona Beach, FL 32015
Tel: (904) 257-5230
Fax: (904) 238-6017

University (HBCU). **Founded**: 1904. **Permanent staff:** 150 staff/ 150 faculty (Academics in business, education, science and math, the humanities, and social sciences.). **Volunteer Staff:** occasionally a group of counselors to the college recommends faculty, promotes business partnerships, etc..

Publications:
-Clarion publication (international network listing sent to alumni)
-annual factbook on the college
-various occasional papers and manuals written by professors

Contact person: Dr. Frederick Milton, V.P., Governmental Affairs

I. AREA OF ACTIVITIES

Regional Coverage: There are no specific contracts with any region of the world; however, the academic curriculum, particularly in the political sciences and social sciences, covers all areas of the world.

Offices in Africa: None

Country Programs in Africa: None at the moment

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, election design/administration.

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, election design/administration.

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: None, though various ambassadors are met through NAFEO (see below)

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Rapid Response-Governance.

US partners in the field of governance: NAFEO (National Association for Equal Opportunity in Higher Education): an organization of HBCUs; the Congressional delegation in Washington; the State delegation in Florida; various corporations, such as McDonald-Douglas and Lockheed.

How the organization promotes democratic development and good governance: The college's strong point is its marketing department. However, as a small, private, church-related organization, Bethune-Cookman college practices and promotes the principles and values of democracy, encouraging its graduates to apply them wherever possible.

On-campus, the college strongly supports an international club, where students are encouraged to meet students from other countries, and a model UN. Domestically, among other activities, the university has been very active in promoting multicultural education in the Florida schools system.

Faculty members qualified and available for work in African governance issues include, among others: Dr. Joseph Taylor, Chair, Div. of Social Sciences; Dr. Russell Mootry, Assoc. Professor, Social Sciences; Dr. Sampson Oli, Assoc. professor, Social Sciences; Dr. A. Smart Uhakhane, Assistant Professor, Area Coordinator, Political Sciences.

Previous work with AID: None, although applications have been made.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase expected in the future, particularly in promoting democratic principles and entrepreneurial activities.

Documents sent: An annual report will be sent.

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BLOUSTEIN SCHOOL OF PLANNING AND PUBLIC POLICY

Rutgers University, Lucy Stone Hall, New Brunswick, NJ 08903
Tel: (908) 932-5475
Fax: (908) 932-2253

University. **Founded**: 1992. **Permanent staff:** Approx. 90 (Planners, public health specialists, lawyers, economists, transportation specialists, political scientists, etc.)
Volunteer Staff: None. **Membership:** None.
Publications: numerous
Contact person: Mark B. Lapping, Dean

I. AREA OF ACTIVITIES

Regional Coverage: Middle-East, Eastern Europe, CIS, North America, Western Europe
Offices in Africa: None
Country Programs in Africa: None per se

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government.

Judiciary: conflict resolution, judicial training and support.

Capacity-building: strategic planning and management, organization development and management training.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: extensive experience in CIS, Eastern Europe/Baltics.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: planned increase in the future

Documents sent: Brochure on the Hubert Humphrey North-South fellowship program.

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CARTER CENTER AFRICAN GOVERNANCE PROGRAM, EMORY UNIVERSITY

1, Copen Hill, Atlanta, Georgia, 30307
Tel: (404) 420-5186
Fax: (404) 420-5196

University affiliate. **Founded**: (Governance program): 1988. **Permanent staff:** 5-7 (Staff members tend to be people with administrative experience. Most have in-country African experience. Many have a background in political science or international development studies.).
Volunteer Staff: numerous.

Publications:
-Africa Demos (a bulletin which monitors the progress of democratization in Africa)
-various seminar and conference reports
-occasional publications

Contact person: Dr. Richard Joseph, Director, African Governance program.

I. AREA OF ACTIVITIES

Regional Coverage: Africa

Offices in Africa: Monrovia, Liberia; Addis-Abbaba, Ethiopia. These offices are directly supervised by the African governance program, but serve the Carter Center as a whole.

Country Programs in Africa: Liberia: conflict resolution, preparation for the elections, networking with local and US NGOs and with the UN. Ethiopia: conflict resolution, human rights program...

The governance program plans to have projects in Zambia, Uganda, and possibly Ghana. The Carter Center has other programs in Africa, focusing on health and agriculture.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: policy reform, policy management, decentralization and local government, election design/administration

Legislative: rule of law, legal reform, constitutional reform, legislative organization, election design/administration.

Judiciary: conflict resolution, human rights enforcement, judiciary independence

Capacity-Building: organization development, systems and procedures.

African affiliates and/or partner organizations:

African Leadership Forum (N.Y. and Nigeria); GERDDES; Foundation for the Democratic Process (FODEP), Zambia.

Ghana: Institute of Economic Affairs; Christian Council; Bar Association.

Ethiopia: Interafrica group; ad hoc Committee for Peace and Development

South Africa: Institute for Democratic Alternatives in South Africa (IDASA); Diakhonia.

Liberia: work with many local NGOs; the program has helped to create the Liberian Network for Peace and Development.

US partners in the field of governance: Global Coalition for Africa, National Democratic Institute, African-American Institute, IFES, Friends of Liberia, Transafrica, Washington Committee on Africa, Lawyers' Committee for Civil Rights under law

How the organization promotes democratic development and good governance: The program provides direct monitoring of transitions, and a general monitoring of progress in democratization and governance through Africa Demos.

It plays a strong advocacy role through meetings, articles in Africa Demos, and other means. It uses its political influence where necessary in the US, in Africa, and in international organizations. For instance, the program has been very active in the Nigerian transition, writing op-eds, providing testimonies to congress and interviews to the media.

Finally, the program uses its leverage with other organizations on behalf of countries or groups wishing to make progress in governance and democratization.

Previous work with AID: The Liberia program was funded by an AID grant. The governance program also is a partner in the AREAF program in Ghana. The Zambian project was partly funded by AID.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: A steady increase is predicted

Documents sent: A copy of Africa Demos and various reports will be sent upon request.

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CENTER FOR DEMOCRACY

1101 15th Street, NW, Suite 505, Washington, DC 20005
Tel: (202) 429-9141
Fax: (202) 293-1768

NGO, non profit, bi-partisan.

Contact person: Caleb Mc Carry, Vice President for Latin America Programs

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Latin America, Eastern Europe, CIS
Offices in Africa: None
Country Programs in Africa: None currently, but have worked in South Africa (1986-87: work with the AND, then in exile, and the government to release Goran Mbeki), Nigeria (pre-election visit), and Namibia.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: election observation/assessment

Legislative: rule of law, legislature development, election observation/assessment

Judiciary: election observation/assessment

African affiliates and/or partner organizations: None

How the organization promotes democratic development and good governance: The Center's goals are to help establish and strengthen democratic institutions, encourage dialogue in conflictual situations, and facilitate and support the accomplishment of long-range objectives in democracies at various stages of development. The organization has been active mainly in election assessments, long-term election observation missions, and legislative development (especially in Latin America). Additionally, the Center has organized international conferences of parliamentarians in Eastern Europe, and developed a strong relationship with the European Parliament and the Council of Europe.

Previous work with AID: The Center has a project from the Latin America Bureau for Costa Rica.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Unknown

Documents sent: A number of fact sheets were sent.

CENTER FOR LEGISLATIVE DEVELOPMENT, SUNY, ALBANY

423 State Street, Albany, NY 122203
Tel: (518) 434-0472
Fax: (518) 434-0394

University. **Founded**: 1970. **Permanent staff:** 4 (+ project staff and graduate assistants) (Public administration specialists and political scientists).

Publications: See list sent by mail

Contact persons: Abdo I. Baaklini, Director and Professor of Public Administration; Dr. Charles S. Dawson, Jr., Deputy-Director and Research Assistant Professor

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, Eastern Europe, South-East Asia, Latin America
Offices in Africa: Bissau, Guinea Bissau (in process of being set up)
Country Programs in Africa: Guinea Bissau Trade and Investment Promotion Support Project (USAID # 657-0021)

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public administration, financial (budget reform and transparency), election design.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration, legislative information systems

Capacity-Building: organizational development and management Training, systems and procedures, strategic planning (legislative development master plans), information systems management.

How the organization promotes democratic development and good governance: The Center was founded with the aim of fostering peaceful social and economic growth in developing countries through the encouragement of democratic institutions, particularly legislatures. The Center has championed the notion of the legislature as a key, but neglected, component in the social and economic development process.

The Center is the primary institution in the United States offering academic and applied studies in legislative research and information technology.

Legislative development, as practiced by the Center, involves imparting legislative administration and management skills and concepts to legislators staff to help them shape national or state goals.

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Essentially, the Center helps interested parties develop their institutional infrastructure to promote democracy and governance.

For more information, see the "Statement of Resources and Capabilities" and brochures sent by mail.

Previous work with AID: In the 1970s, the Center (as the Comparative Development Studies Center) was awarded a $750,000 grant with AID for a worldwide legislative development project (Jul. 1, 1971-June 30, 1977).

At the end of the 1980s, the CLD (as the Comparative Development Studies Center) was awarded a multi-million-dollar, multi-year legislative strengthening grant with the Chilean congress. The Center (University at Albany, SUNY) was the lead implementing institution initially with the SUNY Central Office of International Programs as a partner.

The CLD has recently completed a $642,000 AID-funded comprehensive legislative development contract in Hungary (ANE-0003-C-00-0013, April 12, 1990 to October 1992 as amended).

In tandem with the AID-Hungary project, the CLD received a $200,000 plus grant from USIA (IA-PSPS-GO190285) as amended, to fund the graduate education of two advisors to the Hungarian Parliament and to conduct two 14-day intensive legislative study tours of the U.S. in 1990.

In 1990 the CLD began working as a member of a consortium for legislative development, created at the behest of AID/w on a $3 million, 3 year, cooperative agreement for the Latin America an Caribbean region. (LAC-0770-a-00-0034-00, Aug. 1, 1990 to Dec., 1994)

In the summer of 1993, the CLD, as part of a consortium, was awarded USAID's 5 year Guinea Bissau Trade and Investment Promotion Support Project, which strives to achieve market-oriented economic growth in Guinea Bissau that is broad-based and sustainable. This project will promote infrastructure development through four different components, two of which are the Center's responsibility: (1) trade and investment studies and (2) legal and administrative adjudication. The Center's Budget in this project will be roughly $2.3 million dollars, excluded travel expenses.

In September 1993, the CLD was awarded a $2.3 million 2-year cooperative agreement with AID to help redevelop the Government of Lebanon and its Parliament.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase in activity is foreseen.

Documents sent: Various documents were sent by mail.

CENTER FOR PUBLIC POLICY AND DIPLOMACY AT LINCOLN UNIVERSITY

PA 19352
Tel: (215) 932-8300 x326/7
Fax: (215) 932-4828

University. **Founded**: 1989. **Permanent staff:** 2 (Diplomats, Political Scientists, Economists, Historians, etc.).
Volunteer Staff: as needed.

Publications:
-Human Rights, Economic Development and Democratization in Sub-Saharan Africa: a Blueprint for the Twenty-First Century
-Peace, Unity and Reconciliation in Liberia: A Conference Report (in progress)

Contact person: Dr. William E. Gaymon, Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa,Eastern Europe

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: election design

Capacity-Building: organization development and management training

US partners in the field of governance: Africare, the African American Institute, Government of New Castle County, DE, Howard University

How the organization promotes democratic development and good governance: The Center for Public Policy, via its programs, is actively engaged in promoting democracy and governance particularly throughout Africa. As indicated above, the Center has sponsored two major conferences which, broadly conceived, promote democratization and good governance. The conferences were well attended and discussed sets of scenarios to lead to good governance. The first conference (Human Rights, Economic Development and Democratization in Sub-Saharan Africa) was a three-day conference which brought together 150 people, some of them directly from the continent of Africa.

A second conference, which was entitled "Peace, Unity and Reconciliation in Liberia," brought together over 80 people, of which at least 50 were Liberians, to discuss a strategy which would, eventually, lead to free and fair elections.

Rapid Response-Governance.

A third conference is currently in the planning stages. The conference, entitled "An African Agenda for Economic and Social Transformation in the New Global Environment", will be conducted as a cooperative venture between Lincoln and Howard Universities.

In addition to establishing Lincoln as a forum for the discussion of international questions, the Center is involved in the planning of activities which are aimed at engaging various elements of the United States Government to aid and abet the processes of good governance and democratization in Africa. Over the past year, the Director of the Center has participated in the following meetings:

October 1992-member of a Liberian-American delegation which traveled to Cotonou, Benin to meet with H.E. President Necephore Soglo, of the Republic of Benin. The purpose of the visit was to request President Soglo to use his good offices, as the Chairman of the Economic Community of West African States, to intervene in the Liberian situation.

July 19, 1993- As member of a Liberian-American Delegation, paid a call on the Assistant Secretary of State for African Affairs to present a scenario for U.S. involvement in the Liberia peace process.

July 22, 1993- Member of a delegation of the constituency for Africa which called on Secretary George Moose to present a comprehensive plan for U.S. intervention in Sub-Saharan Africa.

September 17, 1993- Attended the Black Caucus "Brain Trust Meeting" which discussed U.S. foreign policy toward Sub-Saharan Africa.

Previous work with AID: Since the summer of 1991, the Center has conducted Management Training Programs designed to upgrade the management and technical skills of mid-level government and private sector officials from developing countries.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: Reports of 2 conferences mentioned above will be sent by mail.

CENTRAL STATE UNIVERSITY INSTITUTE FOR INTERNATIONAL AFFAIRS

1400 Brushrow Rd, Wilberforce, OH
Tel: (513) 376-6312
Fax: (513) 376-6598

University. **Founded**: 1887. **Permanent staff:** 489 (staff + faculty) -academics from across the board (undergraduate education). **Volunteer Staff:** 1. **Membership:** None.

Publications:
-Catalog
-School newspapers and information letters

Contact person: Clark W. Fuller, Assoc. Dir., Institute for International Affairs

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Latin America
Offices in Africa: No permanent offices, but some temporary offices are set up for occasional projects.
Country Programs in Africa: Egypt, Mali, Senegal, Ghana. Potential future projects: South Africa, Namibia

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures

African affiliates and/or partner organizations:

Senegal: World Vision, International, BP 51, Tchies, Senegal

Ghana: University of Science and Technology, Kumasi, Ghana

US partners in the field of governance: Wright State University, Ohio (joint partners in applying for the Zambia project)

How the organization promotes democratic development and good governance: The university provides short courses in specialized professional training for overseas institutions. Areas covered include connections with government institutions.

The full-time faculty of the political science school are active in various sub-fields of political science, including International Relations, US Government, Political Science, Public Administration, City

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Planning. Faculty available and qualified for governance work include Dr. Ebere Onwudiwe, Dr. Louis Pelekoudas, and Dr. Aaron Aherene Dungey.

Domestically, individual faculty have provided technical assistance to local and state government agencies. Additionally, the university has had a long history of civil rights involvement. The Dean, Arthur E. Thomas, was a fairly prominent activist and still is. The university has provided support to many civic organizations, and has been particularly active in promoting equality and civil rights in military organizations (eg the Pacific Command in Korea and Japan, the Command in Europe, and the civilian employee branch of the military).

Previous work with AID: Land Reclamation project in Egypt, conducted in conjunction with the University of Cairo; Water Resources Development program in Senegal; Planning for the establishment of Mali University in conjunction with MUCIA; University Development Linkages Program with the University of Science and Technology in Senegal.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen (proposals are being prepared for a South Africa tertiary education program and a teacher training assistance program in Namibia.

Documents sent: A booklet of international programs will be sent.

CONGRESSIONAL HUMAN RIGHTS FOUNDATION

1056 Thomas Jefferson St., NW, Washington, DC 20007
Tel: (202) 333-1407
Fax: (202) 333-1275

AID-registered PVO. **Founded:** 1985. **Permanent staff:** 8 (Experts in human rights, democratic institution-building, rule of law, parliaments). **Volunteer Staff:** 2. **Membership:** None.

Publications:
-IPN Network Update (Monthly newsletter for parliamentary network in 108 countries; French/Spanish/English editions)
-Annual Report
-Report/Action Alerts

Contact persons: Paul W. Meek, Vice President, Programs. David L. Phillips, President.

I. AREA OF ACTIVITIES

Regional Coverage: Worldwide coverage (no area privileged)
Offices in Africa: None
Country Programs in Africa: work with parliamentarians and NGOs in the following countries: Morocco; Ethiopia; Eritrea; Guinea-Bissau; Gambia; Mali; Nigeria; Côte d'Ivoire; Ghana; Niger; Togo; namibia; Uganda; Rwanda; Zambia; Botswana; South Africa (NGOs only)

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

African affiliates and/or partner organizations: None

US partners in the field of governance: Work with a number of institutions and individuals including the International Law Institute; Delphi International; American University; Washington College of Law; University of Virginia Law School

How the organization promotes democratic development and good governance: CHRF works to fully empower parliamentarians to create institutions and mechanisms which promote human rights and respect for the rule of law.

Previous work with AID: Currently working on a training and technical assistance project to assist the Haitian parliament.

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III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase planned in 1994-95

Documents sent: Will send by mail a description of the parliamentary network and of the Haiti project.

CONGRESSIONAL RESEARCH SERVICE

Library of Congress, Washington, DC 20540
Tel: (202) 707-5700
Fax: (202) 707-2615

Research service for members of congress. **Permanent staff:** Persons with advanced academic training, people with political and administrative experience, librarians, specialists in the hard sciences, attorneys, economists, etc.

Contact persons: Joseph E. Ross, Director.
Or: Stanley Bach- tel (202) 707-8669; fax (202) 707-2615

I. AREA OF ACTIVITIES

Regional Coverage: All areas of the world are covered through Foreign Affairs and National Defense Divisions.
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization: The CRS's strong point is in legislative matters: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

CRS also has the following areas of expertise:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Judiciary: judiciary independence, judicial training and support, election design/administration.

Capacity-building: strategic planning and management, organization development and management training, management development, systems and procedures.

African affiliates and/or partner organizations: CRS has arrangements for exchanges of materials with governments and libraries throughout Africa. There may not be arrangement with every African country, but this is certainly the goal of CRS.

How the organization promotes democratic development and good governance: The raison d'être of CRS is legislative support. Whether a system is presidential or parliamentary, it must have an effective legislature; to be effective, the legislature must be informed. It must have the institutional capacity and resources to make effective decisions.

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Rapid Response-Governance.

CRS provides reports for the use of congressional committees; within reasonable limits, if an AID mission needs a package of reports sent off to a parliament in Africa, CRS will gladly provide this service. The depth and scope of information available on any subject depends on the level of interest in the subject that congress has had. Beyond information-sharing, the capacity of CRS is limited. It is much more difficult to send people on the field or provide other time-consuming services.

There has been some discussion with Bob Shoemaker to see if CRS would work with a handful of sub-saharan countries for a multi-year legislative development program. CRS could probably at most take on one or two parliaments in this way.

Should AID wish to work further with CRS, CRS will contact the appropriate congressional committees if need be. PLEASE DO NOT CONSULT THESE COMMITTEES BEFORE CONSULTING CRS ON THE SUBJECT.

The future level of activity of CRS in Africa would depend on several factors, the principal ones being the level of AID funding, and the level of congressional support for this activity.

Documents sent: Annual Report

CONSORTIUM FOR INTERNATIONAL DEVELOPMENT

6367 E. Tanque Verde, Suite 200, Tucson, AZ 85715-3832
Tel: (602) 885-0055
Fax: (602) 886-3244

University, not-for-profit training and research institute. **Founded**: 1975. **Permanent staff:** 19 (executive office) + faculty and staff from 12 member institutions. The executive office staff is comprised of: CPAs, forestry specialists, GIS specialists, natural resource management specialists. Member institutions have specialists in various fields, including political scientists, law and public administration specialists, and finance specialists.

Volunteer Staff: None. **Membership:** 12 western universities: University of Arizona, Tucson; California State Polytechnic University, Pomona; Colorado State University, Fort collins; University of Hawaii at Manoa; University of Idaho, Moscow; University of Montana, Missoula; New Mexico State University, Las Cruces; Oregon State University, Corvallis; Texas Tech University, Lubbock; Utah State University, Logan; Washington State University, Pullman; University of Wyoming, Laramie .

Contact person: Ronald V. Curtis, Executive Director; Richard Caldwell, Regional Director, Africa.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, CIS, S.E. Asia, Latin America. Special emphasis is placed on Africa, the Middle-East, And S.E. Asia.

Offices in Africa: Ms. Betty Eckert, 22 Longifalia, Paradepklouf, Sellenbasch 7600, Republic of South Africa, Phone: 27-21-880-1035, Fax: 27-21-880-1035, E-mail: jbe@maties.sun.ac.za

Country Programs in Africa:

Current CID projects:
-Cameroon Agriculture Planning and Policy (AID-631-0059-C-00-9015-00)
-Egypt National Agricultural Research Project (AID-263-0152)
-Senegal Natural Resources-based Agricultural Project (AID-685-0285-C-00-2329-00)
-Many others distributed through CID institutions

II. DEVELOPMENT BACKGROUND

Governance Specialization: All specializations mentioned in the questionnaire

African affiliates and/or partner organizations: CID member institutions have formed many local partnerships for various of their projects, too numerous to list here. Some examples are:

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Senegal:
Senegalese Agriculture Research Inst. (ISRA)
PO Box 3120
Dakar, Senegal
Dr. Mohamadou El Habib Ly, Director General
Ph: 011-221-21-29-13 Fax: 011-221-22-34-13

Lesotho:
Lesotho Planned Parenthood Assn.
PO box 340
A.M.E James Centre
Maseru 100, Lesotho
Mr L. Mosaase, Executive Director

South Africa:
South African Institute for Medical Research
Hospital Street, PO Box 1038
Johannesburg 2000, RSA
Prof. Ruben Sher
Ph: 011-266-27-11-725-0511
Fax: 011-266-27-11-725-3219

CID Institutions have developed working relationships with appropriate ministries in countries where projects have been implemented.

US partners in the field of governance: CID member institutions are partnered with a variety of domestic institutions/firms (too numerous to list).

How the organization promotes democratic development and good governance: CID members are leading universities in 12 Western states. They provide problem solving, analysis, and support for continual upgrading of public administration, and legislative processes at all levels of local and state government. Member universities have been particularly active in assisting communities and county governments with a wide range of governance and administrative needs. Assistance is also regularly provided to Native American tribal governments and to specific units of the federal government. CID member universities have traditionally been a key source of information and data needed by governmental units and by voters to ensure that individual and government decisions are based upon the best available information.

Previous work with AID: CID institutions have participated in over 275 international projects, the majority of which were USAID-funded.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase foreseen

Documents sent: informational brochures will be sent by mail.

DILLARD UNIVERSITY

2601 Gentilly Blvd, New Orleans, LA 70122
Tel: (504) 286-4701
Fax: (504) 286-4883

University. **Founded**: 1859. **Permanent staff:** Approx. 120 faculty (many political scientists; various professionals in business, economics, and other areas.) **Volunteer Staff:** None.

Contact persons: Nchor Bithene Okorn, Coordinator, Political Science area; Associate Professor.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, S.E. Asia, Latin America, North America
Offices in Africa: None
Country Programs in Africa: None per se. Prof. Okorn is trying to develop this area. He would like to create programs in Nigeria, Ghana, and any of the countries of the horn of Africa. Programs could be in democratization, women in development, rural development, health (eg AIDS), hunger, agricultural development.

II. DEVELOPMENT BACKGROUND

Governance Specialization: Had difficulty obtaining information from Prof. Okorn on this subject; it seems that he did not have a full grasp of the capacities of the university. He did know that there was a capacity in strategic planning and management, policy reform, and policy management, but could not be sure about the rest. (he also did not want to refer us to someone who had the knowledge).

African affiliates and/or partner organizations: None currently

US partners in the field of governance: None

How the organization promotes democratic development and good governance: Interviewer's comment: this presentation may not do the university justice; I am not sure if Prof. Okorn had a thorough knowledge of the university's activities.

Democratization requires a citizen informed about democratic structures. The program in political science provides the education necessary for this.

Internationally, the university has a Center for Japanese studies, and the university is a member of the International Institute of International Education.

Domestically, the university has a Center for Black-Jewish relations. It trains students to be enlightened in the community though forums, seminars, and voter education.

Previous work with AID: None

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: There is great interest and professional capacity in the university. An increase in African activities is anticipated if the university can get funded.

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FISK UNIVERSITY

1000 17th Ave., North, Nashville, TN 37208-3051
Tel: (615) 329-8682
Fax: (615) 329-8715

University (HBCU). **Founded:** 1866. **Permanent staff:** Approx. 200 (academics in business administration, the humanities and the fine arts, the natural sciences, the social sciences, etc.)
Volunteer Staff: None. **Membership:** None.

Contact persons: Dean Ormond Smythe

I. AREA OF ACTIVITIES

Regional Coverage: Africa (one historian, 2 political scientists, and one economist with an African background and interests, work on the area.); Latin America; North America; Western Europe
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public administration (there is a Liberian public administration specialist), policy reform, policy management, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, legislative training and support, constituency relations, legislative organization, election design/administration

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, election design/administration.

Capacity-building: strategic planning and management, organization development and management training, management development, financial administration,systems and procedures.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The university has had a long-standing institutional commitment to multicultural studies, preparing students for life in a democratic and multicultural society. For instance, the university has several foreign exchange programs, and requires students to learn a foreign language. The university has produced many prominent alumni very active in the area of governance, including 2 members of congress and 1 member of the Clinton cabinet.

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Rapid Response-Governance.

For years, the university has maintained an institute of race relations and worked on civil rights issues. Many individuals working at the university have been very active in this area.

Many faculty members have connections abroad, including contacts in Africa. Faculty who would be qualified and available for work on governance in Africa would be: Anthony J. Nimley (professor and dept. chair, political sciences); Alexander Arthur (assoc. prof. of political sciences); James A. Quirin (prof. of history); and Solomon Smith (assoc. prof. of economics and director, division of business administration).

Previous work with AID: Last year, the university had a contract for the preparation of Bangladeshi bankers, who studied the principles of banking for several months at the university. There have been other contracts in the past.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Hopefully, the university's level of activity in Africa should remain stable in the future.

Documents sent: Some documents will be sent by mail.

FLORIDA A&M UNIVERSITY

302-304 Perry Paige Bldg, North; 1730 S. Martin Luther King Blvd; Tallahassee, FLA 32307
Tel: (904) 599-3562
Fax: (904) 561-2587

University (HBCU). **Founded:** 1887. **Permanent staff:** Approx. 600 (academics in the following programs: Arts and Sciences, Journalism, Business and Industry, Education, Pharmacy, Health Sciences, Nursing, Engineering, Architecture, Engineering Sciences and Agriculture, School of Basic Studies, Graduate School.)

Contact person(s): Dr. R. Grant Seals, Director, International Programs, College of Engineering Sciences, Technology and Agriculture (CESTA)

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, Latin America, North America, Caribbean
Offices in Africa: None
Country Programs in Africa: Roots and Tubers Research Project, AID-funded, in consortium with other universities: Alabama A&M, University of Maryland, Eastern Shore. One program in Cameroon was canceled by AID.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy management, decentralization and local government, financial (budget reform and transparency).

Judiciary: conflict resolution

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: ITAA Nigeria (Institute of Tropical Agriculture)

US partners in the field of governance: FAVCA: cooperated with the university for work in the Caribbean.

How the organization promotes democratic development and good governance: Faculty who would be qualified and available for governance work include: James Eaton, Henry Finley, Theodore Hemmingway, Larry Rivers, Keith Simmonds.

Internationally, CESTA is the only department on campus which has an organized international affairs sector. Thus, information on the university's international activities is not centralized; it appears however, that CESTA is the main department which has international activities. 21-22 years ago, it

began to work on a major agricultural project in Kenya. Various projects followed: including a small agricultural program in Colombia (livestock). In the late 1970s, the university participated with SECID in other rural development projects (Egypt and other countries.) In 1983-87, the university was the sole contractor in a major institution-building program in Malawi. Similar institution-building programs were conducted with the University of Cameroon, and in Peru, Ecuador, Jamaica and other countries.

Domestically, the university has been a civil rights activist; however, no history is available since most of this work was undercover.

Previous work with AID: See section above and "country programs in Africa" section.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Decline foreseen due to decreasing funding.

FREEDOM HOUSE

120 Wall Street, Floor 26, New York, NY 10005
Tel: (212) 514-8040
Fax: (212) 514-8055

NGO (AID-registered). **Founded**: 1941. **Permanent staff:** 24 (Political Scientists, Human Rights Activists, Journalists, Regional Specialists). **Volunteer Staff:** None. **Membership:** 1000.

Publications:
-Freedom Review (bimonthly magazine)
-Freedom in the World (annual comparative survey of freedom)
-occasional books

Contact persons: Dr. Joseph Ryan, resident scholar. Barbara Futterman, Exec. Assistant

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle East, Eastern Europe, CIS, South-East Asia, Latin America, North America, Western Europe. Special emphasis is placed on Eastern Europe, the CIS, Latin America, and North America.

Offices in Africa: None

Country Programs in Africa: None currently

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public administration, decentralization and local government, election design/administration

Legislative: rule of law, legal reform, constitutional reform.

Judiciary: human rights enforcement

Capacity-Building: strategic planning and management, organization development and management training, management development

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: Freedom House researches, analyzes and publicizes human rights abuses worldwide. It implements programs to strengthen

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civil society in new democracies, conducts in-depth electoral studies missions, and provides Freedom in the World to AID and other organizations that use it regularly in their work.

Previous work with AID: Election monitoring studies in El Salvador, Nicaragua; Study of Salvadoran PVOs to assess needs and capacity to enhance democracy; Four-year strategic plan for FOES (labor/management relations)

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: Freedom in the World 1992-93; Freedom Review, September-October 1993; Freedom Review, November-December 93. (will be sent by mail)

GLOBAL COALITION FOR AFRICA

1850 K Street, Suite 295, Washington, DC 20006
Tel: (202) 676-0834
Fax: (202) 676-1014

World Bank-funded African Support Organization. **Founded:** 1991. **Permanent staff:** 5 prof./ 5 support (Economists, political scientists, public administrators). **Volunteer Staff:** None.

Membership:
-Advisory Committee: approx. 40 members (African countries and Northern partners, Multilaterals such as UN, World Bank)
-3 sub-committees (including one on governance) each have approx. 40 members (same types of members as the Advisory Committee.).

Publications:
-Annual Report
-Papers for committee meetings

Contact person: Aileen Marshall, consultant, governance and democracy

I. AREA OF ACTIVITIES

Regional Coverage: Africa

Country Programs in Africa: Top-level policy debates and discussions. These meetings are usually held in Africa.

II. DEVELOPMENT BACKGROUND

Governance Specialization: All areas of governance issues are addressed at the policy meetings

African affiliates and/or partner organizations: ECA, OAU, ADB. Some smaller organizations are allowed to attend sub-committee meetings, eg FAVDO, the African Economics Consortium, the Association of Public Administration and Management, the African Jurist Association, the All African Council of Churches.

US partners in the field of governance: US State Department and AID

How the organization promotes democratic development and good governance: GCA addresses all governance-related topics (among others) at the senior policy-making level through a North-South dialogue.

Previous work with AID: AID is a constant partner of GCA. On a more specific basis, GCA worked with AID on a co-donor program for a study on political transition in number of African countries.

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Documents sent: An annual report and a number of brochures were sent.

GRAMBLING STATE UNIVERSITY, INTERNATIONAL STUDIES PROGRAM

P.O. Box AF, Grambling, Louisiana 71245, USA.
Tel: (318) 274-2538/2802
Fax: (318) 274-3467

University (HBCU). **Founded**: 1901.

Contact person: Dr. M. Francis Abraham, Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Asia, Latin America.

Offices in Africa: None, but there is currently a faculty member in Africa under the Teachers for Africa program.

Country Programs in Africa: There are several outstanding scholars, with doctoral degrees, in a number of fields, who are from African countries: Eritrea, Sudan, Egypt, Kenya, Ethiopia, Uganda, Ghana, and Cameroon. There are also several scholars from Asian countries.

II. DEVELOPMENT BACKGROUND

Governance Specialization: This question was not directly answered, but Dr. M. Francis Abraham mentioned that the university has been active in voter education and various governance-related activities.

African affiliates and/or partner organizations: There are no partner organizations in Africa, but faculty members have participated in programs in Africa with Tuskegee and Phelps-Stokes programs.

US partners in the field of governance: Many faculty members are active with various voluntary organizations such as Link, League of Women Voters, etc.

How the organization promotes democratic development and good governance: See "governance specialization". The international experience of Grambling State University is summarized in a note by Dr. Abraham, which was faxed with his other responses.

Previous work with AID: The university has received Thomas Jefferson fellows and other scholars sponsored by AID.

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Grambling U. plans to expand its activities in Africa. it is now negotiating faculty and student exchange programs with universities in Ghana, Kenya, Uganda, Nigeria and Tanzania.

Documents sent: A note on the university's international program was sent by fax.

HARVARD INSTITUTE FOR INTERNATIONAL DEVELOPMENT (HIID)

1, Elliott Street, Cambridge, Massachusetts 02138
Tel: (617) 495-0867
Fax: (617) 495-0527

University Affiliated. **Founded**: 1952. **Permanent staff:** 450 (incl. 250 senior staff) (predominantly economists; also social scientists, environmentalists...). **Volunteer Staff:** None. **Membership:** None.

Publications:
-HIID Research Bulletin
-Development Discussion Papers (DDP series)

Contact person: Don Morrisson, Research Associate

I. AREA OF ACTIVITIES

Regional Coverage: Special emphasis on Africa, the Caribbean, the CIS and South-East Asia (Indonesia); HIID also works in the Middle-East and Latin America.
Offices in Africa: HIID has offices in many African ministries of finance (eg in Nairobi, Lusaka, The Gambia)

Country Programs in Africa:

-Redesigning and modernizing the revenue systems in the Gambia, Malawi, Zambia, Lesotho, and others.

-Kenya: Agricultural program with the Ministry of Agriculture (has been running 20 years); customs modernization; macroeconomic advice and budget support tot he ministry of finance; land tenure administration (mainly on the lakes).

-Uganda: budget expenditure controls

-Egypt: project for the modernization of education

-Chad: health advising and computerization.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency).

Legislative: rule of law, legal reform, constitutional reform.

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Rapid Response-Governance.

Capacity Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: Only operates with governments.

US partners in the field of governance: World Teach (a part of HIID); Mason Fellows (finds place in US universities for 3rd world people, some of them government officials); Academy for Educational Development (AED, Washington); RTI associates (Research Triangle Institute).

How the organization promotes democratic development and good governance: In addition to providing overall capacity-building skills to foreign governments, HIID works to create open market economies, in the belief that an economy which runs openly and efficiently serves a wider range of populations than one which does not.

Previous work with AID: Hundreds of programs over the past 40 years.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: The current director foresees a future increase in African activities, depending of course on budget outlooks.

Documents sent: An annual report and some brochures will be sent.

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HOWARD UNIVERSITY INTERNATIONAL AFFAIRS CENTER

P.O. Box HU-232, Howard University, Washington DC 20059
Tel: (202) 806-4363
Fax: (202) 387-6951

University Affiliate (HBCU). **Founded**: April 1993. **Permanent staff:** ambassadors and academicians. **Volunteer Staff:** None. **Membership:** None.

Publications: Journal, newsletter, occasional papers, conference proceedings

Contact person(s): Horace G. Dawson, Ph.D., interim director.

I. AREA OF ACTIVITIES

Regional Coverage: All regions of the world, with particular emphasis on Africa, the Middle East, and the CIS.

Offices in Africa: Association de Recherche Ouest Africaine- Dakar, Senegal. Moustapha Kane, President.

Country Programs in Africa: None at present

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, election design/administration.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, election design/administration

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training.

Capacity-Building: strategic planning and management, organization development and management training, management development.

African affiliates and/or partner organizations: Malawi, Benin, South Africa, Senegal

US partners in the field of governance: Clark-Atlanta University, Georgetown University

How the organization promotes democratic development and good governance: through educational programs, advocacy, legal defense, and technical assistance

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Rapid Response-Governance.

Previous work with AID: Law Reform and Administration of Justice; Impact of Economic Recovery Project on Food Production in Ghana; Malawi Development Program.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: Outlook and Remarks Regarding the International Affairs Center of Howard University by Howard Dawson, Aug. 31, 1993. (sent by fax).

HUMAN RIGHTS PROGRAM, HARVARD LAW SCHOOL

401 Pound Hall, Harvard Law School, Cambridge, Mass. 02138
Tel: (617) 495-9362
Fax: (617) 496-5251

University Affiliated. **Founded:** 1984. **Permanent staff:** 3 (Lawyers). **Volunteer Staff:** None. **Membership:** None.

Publications: Various publications on specific topics (no regular publications)

Contact person: Makau Wa Mutua, Projects Director.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Caribbean, Eastern Europe,CIS, Middle-East (marginally), S.E. Asia, Latin America, North America, Western Europe.
Offices in Africa: None
Country Programs in Africa:
-Kenya, Ethiopia: legal reform work.
-Nigeria, Uganda, Zambia, Tanzania, Côte d'Ivoire, Sudan, South Africa,
-Zimbabwe: worked with human rights groups.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legislative: rule of law, legal reform, constitutional reform, constituency relations.

Judiciary: human rights enforcement, judiciary independence.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The program is first and foremost an academic program. It seeks to teach human rights to students (many of them African), individuals and organizations worked with abroad. This is accomplished through the academic program itself, internships (law students are sent by the program to work with human rights organizations in Africa and transfer their know-how), visits by African politicians and lawyers, and conferences and seminars held in Africa.

Previous work with AID: None directly, but some on a contract basis.

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: should increase quickly as the African program is just beginning.

Documents sent: A brochure might be sent

INDIANA UNIVERSITY SCHOOL OF PUBLIC AND ENVIRONMENTAL AFFAIRS

Bloomington, IN 47405
Tel: (812) 855-7732
Fax: (812) 855-7802

University. **Founded**: 1972. **Permanent staff:** 100 (Lawyers, environmental scientists, and specialists in public administration, policy and management, criminal justice, public health, and politics.). **Volunteer Staff:** None. **Membership:** None.

Contact persons: Philip Morgan, International Programs.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, European Community, Japan, Russia, Bulgaria, Poland, China.
Offices in Africa: None
Country Programs in Africa: Guinea, Kenya

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Capacity-building: institutional design, planning and management, organization development and management training, management development, financial administration, systems and procedures, public/private sector linkages.

African affiliates and/or partner organizations: No specific partners

Previous work with AID: by individual faculty members perhaps.

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INSTITUTE OF PUBLIC AFFAIRS, UNIVERSITY OF SOUTH CAROLINA

Carolina Plaza, Columbia, South Carolina 29208
Tel: (803) 777-8157
Fax: (803) 777-4575

University Affiliated. **Founded:** 1945. **Permanent staff:** 20 (Political scientists, public administrators, lawyer). **Volunteer Staff:** 0. **Membership:** .

Publications:
-The South Carolina Forum (quarterly)
-P SC (Quarterly)
-Review of Public Personnel Administration (quarterly)

Contact person: Glenda Bunce, Office of International Programs

I. AREA OF ACTIVITIES

Regional Coverage: All regions of the world, with particular emphasis on the CIS and Eastern Europe.

Offices in Africa: none

Country Programs in Africa: None currently; in the past, there have been USIA grants for training parliamentarians (Botswana), study tour on public administration for Anglophone Africa, study tour on political process for university students that included participants from North Africa.
Other offices in the university have Africa programs, including an education administration program for South Africa.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration

Capacity-building: strategic planning and management,organization development and management training, management development, financial administration, systems and procedures

African affiliates and/or partner organizations: none currently

US partners in the field of governance: The Institute is a member of SCUPSO. It has cooperated with the National League of Cities and other public service institutes at universities in the southeast such as Georgia, North Carolina, Clemson.

How the organization promotes democratic development and good governance: The university trains local and state managers and elected officials, and has programs in leadership development.

Previous work with AID: There is currently a cooperative agreement for "Local Government and Public Administration in Bulgaria."

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: The most recent annual report has been sent.

INSTITUTE FOR URBAN RESEARCH, MORGAN STATE UNIVERSITY

Cold Spring Lane and Hillen Road, Baltimore, MD 21239-9972
Tel: (410) 319-3004
Fax: (410) 319-3718

Training and Research institute-HBCU. **Founded**: 1978. **Permanent staff:** 8 (demographer, sociologist, urban planner, statistician, and research specialist in urban education.). **Volunteer Staff:** None. **Membership:** None.

Publications: See list sent by fax.

Contact person: Dr. Robert B. Hill, Director.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, S.E. Asia
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public administration, policy reform, decentralization and local government, election design primary health care and family planning program.

African affiliates and/or partner organizations: Planning Mangagement, Information, and Statistical Unit (PMISU); Ministry of Health, Government of Sierra Leone

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The institute contributes to democracy and good governance by empowering women through a beneficiary-led participatory process in development programs.

The following items were sent by fax: a non-exhaustive list of faculty members available and qualified to work on African governance issues; a summary of Morgan State University's international experience; a summary of Morgan State University's domestic involvement in governance activities.

Previous work with AID: A list of previous AID work was sent by fax.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: The final report on a 1990 U.S. AID Grant No. DAN-5053-G-SS-9060 and the key findings on 1992-93 U.S. AID Grant PCE-5063-A-00-11117-00 were sent by fax.

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INTERNATIONAL CENTER FOR LAW IN DEVELOPMENT

777 United Nations Plaza, Suite 7 E, New York, NY 10017
Tel: (212) 687-0036
Fax: (212) 972-9878

NGO. **Permanent staff:** 3 (Legal specialists). **Volunteer Staff:** None. **Membership:** None.

Publications: Occasional publications

Contact person: Dr. Clarence J. Dias, President

I. AREA OF ACTIVITIES

Regional Coverage: Africa, S.E. Asia
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/administration.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: ICFLID promotes democracy and good governance by organizing workshops, seminars, and Action Campaigns, and by issuing publications.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: The level of activity in Africa is expected to remain stable.

Rapid Response-Governance.

Documents sent: A description of the center's program was sent by mail.

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INTERNATIONAL CITY MANAGEMENT ASSOCIATION (ICMA)

777 North Capitol Street, NE, Suite 500, Washington, DC 20008
Tel: (202) 289-4262
Fax: (202) 962-3500

Professional Association. **Founded:** 1914. **Permanent staff:** Approx. 90 (Primarily city managers and other top-appointed local government officials.).
Volunteer Staff: none. **Membership:** Approx. 8000.

Publications: Municipal management series; public management series; Management information series; software reference guide for local governments; various newsletters

Contact persons: Steve McCoy Thompson (call about position)

I. AREA OF ACTIVITIES

Regional Coverage: All regions of the world (including Africa), with particular emphasis on Eastern Europe and Latin America.
Offices in Africa: None
Country Programs in Africa: Programs have been implemented in Morocco, Tunisia, Botswana, Swaziland. There is a prospective program for South Africa. Programs have all focused on technical assistance and capacity building in urban management; in Africa, added emphasis was placed on environmental management.

II. DEVELOPMENT BACKGROUND

Governance Specialization: Work focuses primarily on the executive branch.

Executive: public sector management, public administration, decentralization and local government, financial capacity (budget reform and transparency), environmental management, association management and housing issues.

Capacity-Building: activities include strategic planning and management training.

African affiliates and/or partner organizations: None

US partners in the field of governance: International League of Cities, National Association of Counties

How the organization promotes democratic development and good governance: This information is contained in the questions above.

Previous work with AID: All of the ICMA's overseas work was conducted in partnership with AID.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Will either remain stable or increase if the South African program is launched.

Documents sent: A basic mailing kit will be sent, including a catalogue and overview of the ICMA.

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INTERNATIONAL REPUBLICAN INSTITUTE

121 New York Ave, NW, Suite 850
Tel: (202) 408-9450
Fax: (202) 223-6042

AID-registered NGO. **Founded:** 1984. **Permanent staff:** 70
Volunteer Staff: None. **Membership:** None.

Contact person: Ed Stewart

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, Eastern Europe, CIS, S.E. Asia, Latin America
Offices in Africa: One office in Johannesburg (with NDI/Joint Center)
Country Programs in Africa:

Angola: party-building. *South Africa:* project with NDI and the Joint Center for Political and Economic Studies to strengthen the electoral process in South Africa in preparation for the April 1994 elections. *Kenya, Lesotho, Guinea:* election observer missions. *Guinea, Guinea Bissau, Kenya:* civic education programs (AREAF funded). *Kenya:* work with the League of Women Voters. *Zimbabwe:* working with opposition political parties to strengthen their capacity to participate in the political system.

In the future, IRI hopes to link up political party leaders and election administrators through an African Democratic Network.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: decentralization and local government, election design/administration

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, election design/administration

African affiliates and/or partner organizations: Many NGO partners

US partners in the field of governance: National Democratic Institute, National Endowment for Democracy.

Previous work with AID: Over half of IRI's budget comes from AID. Almost all of the work in African countries is through AREAF

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase in African activities is expected

Documents sent: A copy of a newsletter has been sent by fax. The annual report is not available.

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INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS (IFES)

1620 I Street, NW, Suite 611, Washington, DC 20006
Tel: (202) 828-8507
Fax: (202) 452-0804

Not-for-Profit. **Founded:** 1987. **Permanent staff:** 21 (Regional experts, election experts, information specialists.) **Volunteer Staff:** 3. **Membership:** None. **Publications:** Elections Today

Contact persons: Richard Soudriette, Director; Jeff Fischer, Chief of Staff.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, the CIS and Latin America are emphasized. There are also programs in the Middle-East and Eastern Europe.
Offices in Africa: None
Country Programs in Africa: Angola (1992), Burundi (1992), Comoros (1992), Congo (1991), Ghana (1992), Guinea (1991-92-93), Kenya (1992), Lesotho (1991), Liberia (1992-93), Madagascar (1991), Malawi (1992-93), Mozambique (1992), Senegal (1992) Seychelles (1992), Sierra Leone (1991), Tanzania (1992), Togo (1992-93)

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: election design/administration, public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: election design/ administration, rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping.

Judiciary: election design/ administration, conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training.

Capacity-building: organization development and management training.

African affiliates and/or partner organizations: None specified.

US partners in the field of governance: None specified.

How the organization promotes democratic development and good governance: IFES provides electoral support and government institutional development.

Previous work with AID: IFES has worked in over 60 countries on USAID sponsored projects.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase foreseen

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INTERNATIONAL EXECUTIVE SERVICE CORPS

333 Ludlow Street, P.O. Box 10005, Stamford, CT 06904-2005
Tel: (203) 967-6000
Fax: (203) 324-2531

PVO. **Founded**: 1964. **Permanent staff:** Approx. 130 **Senior staff:** mostly retired business executives and development professionals -mainly in management). **Volunteer Staff:** 12,400. **Membership:** None.

Publications:
-IESC News (every 2 months)
-many other periodicals

Contact persons: Judith C. Halleran, Deputy Director, Business Development Services

I. AREA OF ACTIVITIES

Regional Coverage: All areas of the world-none is predominant

Offices in Africa: Among others, IESC has offices in Zambia, Zimbabwe, Ghana, Morocco, Tunisia, Egypt, Malawi, Mauritius, and Kenya. There is an independent IESC in South Africa.

Country Programs in Africa: In all countries where IESC is present, it provides a package of multiple business services (MBS), networking and linkage services (linkage of local firms to US firms and organizations), and market and technology information services such as the search for joint-venture partners. Some programs are quite large (as in Morocco and Egypt), while others are very minimal (Malawi, Kenya).

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, legislative training and support, constituency relations, legislative organization, legislative record-keeping.

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: IESC works with all the chambers of commerce of the countries it works in. Other partners include USIPO Egypt (US Investment Promotion Organization), the Tunisian-American Chamber of Commerce, and countless local organizations

US partners in the field of governance: Sister Cities (Fort Worth is a particularly good partner), National Association of State Development Agencies (NASDA), Small Business Foundation, and many others.

How the organization promotes democratic development and good governance: IESC has worked in institution-strengthening, policy reform, and public administration. These activities were located mainly in the Baltics, the CIS and the CEE countries, but have also been carried out in Ghana. Additionally, IESC has brought people from these countries into the US, then sent them back to work in their countries of origin.

One notes also that EISC has 2 rapid response facilities, (one in Market and Information Technology, and one in environmental matters). Judith Halleran will gladly refer us to the coordinators of these programs for advice on setting up a rapid response facility.

Previous work with AID: EISC is almost totally funded by AID (80%)

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Unknown as yet, but it is hoped that, as AID pulls out, IESC will be used in the transition.

Documents sent: An annual report and other materials were sent.

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JOHNS HOPKINS UNIVERSITY INSTITUTE FOR POLICY STUDIES

Shriver Hall, Charles and 34th Streets, Baltimore, MD 21218
Tel: (410) 516-7174
Fax: (410) 516-8233

University Affiliated. **Founded**: reconstituted 1987. **Permanent staff:** 25 (Policy analysts, political scientists (housing, non-profits, social networks and organizations, urban affairs, criminology); economists (urban and regional, macro, human capital, etc). **Volunteer Staff:** None. **Membership:** None. **Publications:** Policy currents (quarterly)

Contact person: Michael Bell, principal research scientist and director, local self-government project.

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, CIS, Latin America, North America, Western Europe
Offices in Africa: None
Country Programs in Africa: *South Africa:* Technical assistance to non-profits and local finance systems provided. *Ghana:* non-profit sector development. *Ethiopia:* non-profit sector development

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, budget reform and transparency.

Legislative: constituency relations

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration.

African affiliates and/or partner organizations: The Institute is applying to USIA's university affiliate program, which has approximately 25 partner universities world-wide. (only 1 or 2 in Africa). Also worked in the '80s with PLANACT, Johannesburg, RSA, providing technical assistance to civic organizations. Various others.

US partners in the field of governance: Partners are brought in on an ad hoc basis to address specific tasks. Eg: the Government Financial Officers Association, the US advisory Commission on intergovernmental relations.

How the organization promotes democratic development and good governance: The premise of the Local Self-Governance program is that democracy and government reform efforts cannot work unless local governments are autonomous. The Institute for Policy Studies develops the capacity of local

governments to increase their probability of success. The Institute also has a program working to develop the capacity of not-for-profit organizations.

Previous work with AID: Was a sub-contractor of Rutgers University on a polish local government program.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: hopefully increasing

Documents sent: a brochure was sent.

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JOINT CENTER FOR POLITICAL AND ECONOMIC STUDIES

1090 Vermont Ave., Suite 1100, Washington, DC 20005
Tel: (202) 789-3500
Fax:

NGO (think-tank). The Joint Center is a "Gray Amendment" organization. Its mission as a "think tank" is to focus on issues of concern to black americans. **Founded**: 1982? **Permanent staff:** Approx. 13 (Mostly Ph.D.s in Political Science, International Affairs... no lawyers.) **Volunteer Staff:** interns (4-5). **Membership:** none.

Publications: There are in-house publications, mostly on Eastern Europe and the transition to democracy.

Contact persons: Milton Morris, Vice-President for research

I. AREA OF ACTIVITIES

Regional Coverage: East-Asia (Japan), Africa
Offices in Africa: One office in South Africa
Country Programs in Africa: Botswana, Ghana, Senegal, South Africa, Sudan, Uganda

II. DEVELOPMENT BACKGROUND

Governance Specialization: The center focuses mainly on civil-society-building and has limited capacity and funding for general institution-building. However, the Center has been active in developing a competitive electoral and political process in South Africa.

African affiliates and/or partner organizations:

Afrique Espoir (Senegal)
Botswana Democracy Project
CERDET (Senegal)
Goree Institute (Senegal)
Institute for a Democratic Alternative for South Africa (IDASA)
Institute for Multi-Party Democracy (MPD) (South Africa)
Institute of Economic Affairs (Ghana)
Sudan Democratic Gazette

US partners in the field of governance: Works with the National Endowment for Democracy, the International Republican Institute, and the National Democratic Institute for International Affairs in South Africa.

How the organization promotes democratic development and good governance: Please refer to "governance specialization". The Joint Center would be interested in participating in a Governance Rapid Response Facility.

Rapid Response-Governance.

The Joint Center acts as an administrator for grants from the National Endowment for Democracy to organizations in Africa. The staff thus monitors and evaluates the specific program's objectives, reviews and prepares both financial and program reports, and ensures grantee compliance with federal regulations.

The Center sees its mandate, based on its own historical experience, as facilitating excluded segments of society to participate in the electoral process. It has particular interest in governance and capacity-building as it relates to public participation.

Previous work with AID: The South Africa project is AID-funded,and some of the NED projects have been AID-funded.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Unknown

Documents sent: An annual report was sent and classified under the "civil society" documentation.

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LAWYERS' COMMITTEE FOR HUMAN RIGHTS

330 7th Ave., 10th Floor, New York, NY 10001.
Tel: (212) 629-6170.
Fax: H.Q.: (212) 967-0916.

NGO. **Founded:** 1978. **Permanent staff:** 35 (Lawyers and human rights professionals).
Volunteer Staff: Variable (5-20). **Membership:** None.

Publications:
-Publications catalog
-In Defence of Rights (a compilation of cases of harassment or assault against lawyers and judges across the world)
-The World Bank: Governance and Human Rights
-bound Human Rights Reports
-various briefing papers

Contact persons: Adotei Akwei, Coordinator of the Africa Program (In the N.Y. office).

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Caribbean, Middle-East, Eastern Europe, CIS, South-East Asia, Latin America, marginally Western Europe (Northern Ireland). Latin America is emphasized.

Offices in Africa: None

Country Programs in Africa: -In Kenya, South Africa, Zimbabwe, Uganda, Ethiopia, Ghana, Nigeria, Zambia, and Malawi, the organization has been *examining restrictive laws affecting human rights* organizations and their ability to operate. In Kenya, the organization is *assessing World Bank work* and evaluating ways for the World Bank to factor in human rights issues as a stronger criterion in its programs. In the future, a program in South Africa for the *training of lawyers in the use of the bill of rights* may be implemented. The organization also *reports on peace-keeping networks and conflict-resolution facilities.*

II. DEVELOPMENT BACKGROUND

Governance Specialization: Rule of law, legal reform, constitutional reform, human rights enforcement, judiciary independence, judicial training and support, jury trial training, provision of trial observers on request

African affiliates and/or partner organizations: Affiliated with the OAU (observer status). Also works with the African Commission for Human and Peoples' Rights.

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The organization works along 4 themes:

-promotes the freedom of association for human rights groups
-protects the rights of repatriated refugees
-participates in human rights efforts by multilateral and bilateral institutions (participates in Administration of Justice programs by the US, and in the human rights components of World Bank programs
-mobilizes the legal community in the US in support of human rights work.

Previous work with AID: The organization has evaluated some programs for AID and cooperated with it marginally, but does not accept money from any government.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: The Committee hopes to increase its activities in both francophone and lusophone Africa.

Documents sent: A catalog of publications and an annual report have been sent.

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MIDWESTERN UNIVERSITIES CONSORTIUM FOR INTERNATIONAL ACTIVITIES

66 E. 15th Ave, Columbus, OH 43201
Tel: (614) 291-9646
Fax: (614) 291-9717

Not for profit corporation (university consortium). **Founded**: Jan. 1964. **Permanent staff:** 20. **Volunteer Staff:** None. **Membership:** Indiana University, University of Illinois, University of Iowa, University of Michigan, Michigan State University, University of Minnesota, Ohio State University, Purdue University, Penn State University, University of Wisconsin-Madison..

Contact persons: William L. Flinn, Executive Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, S.E. Asia, Latin America. S.E. Asia is emphasized.
Offices in Africa:
Ghana:
Nathaniel Bowditch - CEDECOM
P.O. Box 1198, Cape Coast, Ghana, West Africa
Phone: 233-42-2396

Country Programs in Africa: Historic preservation and tourism development in Ghana

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency)

Legislative: legal reform

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

How the organization promotes democratic development and good governance: MUCIA offers advanced training and education for future leaders, and provides technical assistance to governments and universities in building institutions that enhance democracy and good governance.

Previous work with AID: Large training and technical assistance projects in Indonesia, Pakistan, and the Caribbean were implemented. Currently, MUCIA is managing a large environmental policy analysis and training project for AID.

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: General information and project reports were be sent.

MISSISSIPPI CONSORTIUM FOR INTERNATIONAL DEVELOPMENT (MCID)

1225 Robinson Street, Jackson, Mississippi 39203
Tel: (601) 968-8648
Fax: (601) 968-8657

University Affiliated consortium (Jackson State University, Alcorn State University, and Tougaloo College) and NGO/PVO (AID registered). **Founded**: 1989. **Permanent staff:** 12 (2 lawyers, 3 political scientists, 1 public policy and administration specialist, 2 business administration specialists, 2 economists, 2 trainers). **Volunteer Staff:** 15.

Publications: Sustainable Development Through Human Resource Development and Training, Jackson: MCID, 1993

Contact persons: Dr. Ally Mack, Executive Director; Ms. Pamela Moore, Associate Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, CIS, South East Asia, Latin America, North America
Offices in Africa: None
Country Programs in Africa: MCID has implemented projects in or related to the following countries: Burundi, Cameroon, Egypt, Ghana, Lesotho, Mali, Niger, Kenya, Tanzania, Togo, Senegal, South Africa, Swaziland, Zimbabwe

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, local government administration, political campaigns and electoral processes.

Legislative: legal reform, constitutional reform, legislative training and support, and drafting of legislative bills

Judiciary: legal drafting, judicial training and support, privatization laws, mergers and joint ventures laws

Capacity Building: organizational training and management training, management development, financial administration, small business development, women in development, computer applications, environmental education, and leadership training.

African affiliates and/or partner organizations: Jomo Kenyatta University College of Agriculture and Technology, Kenya; Institute of Economic Affairs, Ghana; Makerere University, Uganda; Eastern and Southern African Universities Research Program, Tanzania; The International Institute for Human Rights and Democracy in Africa; University of Zimbabwe, Zimbabwe

US partners in the field of governance: MCID is a member of NAFSA and NAFEO. Other US partners are: Aurora Associates, Inc.; Citizen Education in the Law; Congressional Legislative Black Caucus; Mississippi Legislative Black Caucus; Labat-Anderson, Inc.; League of Women Voters; The Carter Center of Emory University; Southern Regional Council.

How the organization promotes democratic development and good governance: MCID has designed a short-term training program "Democratization and Leadership" specifically geared toward promoting democracy in developing countries as well as the emerging democracies in CIS and Eastern Europe. This training has been attended by participants from various countries in Africa, Eastern Europe, and CIS. In addition, MCID has initiated the Jackson Laboratory in Democracy program to promote good governance and democracy in developing countries. In October 1993, MCID signed a Memorandum of Understanding with the Government of Niger among other things for groups of Nigerians to come to Mississippi to take part in the Jackson Laboratory in Democracy Program. Furthermore, MCID's Executive Director has participated in a series of democracy and governance lectures in West Africa under the auspices of the US Information Agency.

Previous work with AID: The Consortium has had extensive experience in project management. From 1989-91, in conjunction with Partners of the Americas, MCID managed and implemented a two year small business training project for USAID/Honduras. This project involved the training of individuals who owned and operated a variety of small enterprises. Two groups of teachers also received training in environmental education. MCID received special recognition from the USAID/Honduras Mission Director for its management and implementation of this two year project.

MCID has also received two direct contracts from USAID's Office of International Training. These contracts were as follows (1) planning and implementing USAID Week in Mississippi in 1991 (included Contractors Workshop, OSDBU workshop, NAFSA workshop, USAID 25th Anniversary events, and 200,000th participant ceremonies); and (2) planning and implementing an HBCU Technical Training Program in July 1992 (provided training to representatives of 23 historically black colleges and universities to enable them to conduct technical training for individuals from developing countries.)

In 1993, MCID was awarded a research grant under AID's HBCU Research Grants Program to conduct "An Investigation of the Determinants of Success of Small-Scale Business Enterprises in Kenya". This research will be undertaken in collaboration with Jomo Kenyatta University College of Agriculture and Technology. In total, MCID has managed and implemented over 60 training projects as subcontractor of USAID funded projects.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: MCID is poised to expand its activities in Africa in the coming years. For example, MCID is one of the three institutions that were selected by AID to submit a proposal on the Zambia Democracy Project. The decision has not been made on this project. In addition to the research grant awarded through AID's HBCU Research Grants Program, MCID has been awarded a University Affiliation Project with the University of Zimbabwe through the US Information Agency. In October 1993, MCID and the government of Niger signed a five year Memorandum of Understanding to undertake various activities and programs of mutual interest.

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NASPAA (National Association of Schools of Public Affairs and Administration)

1120 G Street, Suite 730, Washington DC 20005
Tel: (202) 628-8965
Fax: (202) 626-4978

Not for Profit. **Founded:** 1970. Incorporated: 1977. **Permanent staff:** 5 (Public and educational administrator, Financial Officer, Administrative Assistants (2)). **Volunteer Staff:** None. **Membership:** 225 member universities.

Publications: Directories/Newsletters/Curriculum/Careers/Internships/Guidelines, Standards, Accreditation/Reports (See list in appendix)

Contact persons: Barbara A. Ridgely, Financial Officer

I. AREA OF ACTIVITIES

Regional Coverage: Central Africa, Middle East, Eastern Europe, S.E. Asia, Latin America (Paraguay)
Offices in Africa: None
Country Programs in Africa: Too numerous to list

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration, etc.

Capacity building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures, etc.

African affiliates and/or partner organizations: Have utilized faculty from NASPAA member institutions for teacher/trainer roles in all technical assistance efforts. NASPAA members are 225 American Universities with graduate programs in public affairs and administration or public policy/management.

How the organization promotes democratic development and good governance: Technical assistance provided by NASPAA to developing countries has always been in the areas of democracy/governance. NASPAA has assisted in building institutions and training local citizens/employees in democratic processes, organization structures, and public policy planning and implementation.

Previous work with AID: contracts/grants/IQC's included many countries (Niger, Togo, Benin, Cameroon, Burkina Faso, CAR, Mali, Morocco, Djibouti, Rwanda, Oman, Belize, SADDC, Chad, Madagascar, Mauritania, Paraguay and Guinea.)

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: decrease foreseen.

Documents sent: "Public Enterprise:" hard copy to follow in mailing

- Congressional Black Caucus Foundation -

Rapid Response-Governance.

NATIONAL BLACK CAUCUS OF STATE LEGISLATORS

444 N. Capitol Street, Suite 622, Hall of the States, Washington, DC 20001
Tel: (202) 624-5457
Fax: (202) 508-3826

Founded: 1977. **Permanent staff:** 6 (Political activists, professionals).
Volunteer Staff: 3. **Membership:** 540. **Publication:** The Legislator (newsletter)

Contact persons: Kofi Owusu, Communication Director, Phone: (202) 624-8833

I. AREA OF ACTIVITIES

Regional Coverage: Africa, North America, Western Europe, with emphasis on North America.
Offices in Africa: None
Country Programs in Africa: None at this time

II. DEVELOPMENT BACKGROUND

Governance Specialization:
Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

Capacity-building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures

African affiliates and/or partner organizations: None

US partners in the field of governance: National conference of State Legislatures (NCSL)

How the organization promotes democratic development and good governance: Participation and inclusion in the democratic process through voter education, registration and motivation of an uneducated, disenfranchised population with little, or no, previous exposure to the process.

Previous work with AID: None known

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase planned in the future: NBCSL plans to be involved in the AND Democracy and Voter Education campaign.

Documents sent: Newsletters, annual reports, and policy documents will be sent by mail.

BEST AVAILABLE COPY 227

NATIONAL ASSOCIATION OF STATE DEVELOPMENT AGENCIES

750 First Street, NE, Washington DC 20002
Tel: (202) 898-1302
Fax: (202) 898-1312

Professional Association. **Founded:** 1947. **Permanent staff:** 10 (Development specialists of all types). **Volunteer Staff:** None. **Publications:** See documents sent.

Contact persons: Miles Friedman, Exec. Dir.

I. AREA OF ACTIVITIES

Regional Coverage: Member states cover all areas of the world. NASDA's agreement with USAID covered all regions as well. However, the current focus is on S.E. Asia.
Offices in Africa: None
Country Programs in Africa: None per se- the National Association of State Development Agencies acts ONLY as a referral service (it may refer AID to state development agencies on specific issues).

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: None

US partners in the field of governance: all the Departments of Development of the US states.

How the organization promotes democratic development and good governance: See documents sent- acts ONLY as a referral service. It can for instance direct an AID mission to the State Development agencies which have the relevant skills and knowledge.

Previous work with AID: 5-year cooperative agreement (2.53 million) ended 1993. Two new cooperative agreements began 10/93- one with US AEP and one with PRE.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: stable
Documents sent: annual report, newsletter, conference proceedings.

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NATIONAL DEMOCRATIC INSTITUTE

1717 Massachusetts Ave, NW, 5th Floor, Washington, DC 20036
Tel: (202) 328-3136
Fax: (202) 939-3166

NGO. **Permanent staff:** approx. 80. **Publications:** NDI reports (quarterly review of NDI's activities); various others (see brochure sent for most recent publications)

Contact persons: Ned Mc Mahon, Senior Program Officer for Africa; Eric Bjornlund

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Latin America, Caribbean
Offices in Africa: South Africa (Cape Town and Johannesburg)
Country Programs in Africa: 1992 programs: Angola, Burundi, Cameroon, East Africa Region, Ethiopia, Kenya, Namibia, Niger, South Africa, Southern Africa Region, Togo, Zambia

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: election design/administration; decentralization and local government; civil-military relations

Legislative: election design/administration; legislative training.

African affiliates and/or partner organizations: GERDDES-Afrique, plus country chapters in francophone Africa. Center for Development Studies.

US partners in the field of governance: National Endowment for Democracy

How the organization promotes democratic development and good governance: Beyond its civic education and political party training programs, NDI's specialty is the election process itself. NDI has also done a great deal of training with legislative groups, i.e. parties which have subsequently taken office in a legislative election. Some work has also been done with local and municipal governments as national governments have been forced to decentralize their power.

Previous work with AID: NDI participates in the AREAF program. It has also implemented other AID programs in Eastern Europe and South Africa, and has responded to requests from missions in Africa.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase is foreseen; NDI wishes to organize a parliamentary training workshop in West Africa.

Documents sent: annual report

NATIONAL ACADEMY OF PUBLIC ADMINISTRATION

1120 G Street, NW, Suite 850, Washington, DC 20005
Tel: (202) 347-3190
Fax: (202) 393-0093

Not-for-Profit (equivalent to the National Academy of Sciences). **Founded**: 1965. **Permanent staff:** 30 public leaders (corporate leaders, journalists, elected officials, judges, public administrators, managers. **Volunteer Staff:** Approx.500 fellows. **Membership:** None.

Publications: See list of publications sent

Contact person: DeWitt John, director, Center for Competitive Sustainable Economics.

I. AREA OF ACTIVITIES

Regional Coverage: Heavy emphasis on Eastern Europe, Western Europe, and Japan. However, many of the fellows of the academy are strongly engaged in development work in all regions of the world.

Offices in Africa: None

Country Programs in Africa: None at the academy itself at the moment, but many of the fellows have African programs running.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency).

Legislative: rule of law, legal reform, constitutional reform, constituency relations.

Judiciary: conflict resolution, judicial training and support, jury trial training.

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

Note that NAPA also has a capacity in rural development

African affiliates and/or partner organizations: None, but NAPA has many sister academies around the world (including Africa?...the respondent was not sure).

US partners in the field of governance: Many of the fellows run partner organizations. A few examples: the International League of Cities; various universities and schools of public administration; etc. Some activities of NAPA have co-sponsors such as the National Civic League, the National

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Association of Regional Councils, the National Association of State Budget officers, the National Governors' Association, the National League of Cities, the National League of Counties, etc...

How the organization promotes democratic development and good governance: NAPA's congressional charter mandates it to improve governance at all levels: federal, state, local, and international.

Previous work with AID: some - but it is only a small percentage of total funding and work. There have been in the past IPAs from the State department and the Standing Committee on International Affairs.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increasing

Documents sent: A catalog of publications and an annual report will be sent.

NATIONAL ENDOWMENT FOR DEMOCRACY

1101 15th Street, 7th Floor, Washington, DC 20005
Tel: (202) 293-9072
Fax: (202) 223-6042

Non-profit, foundation. **Founded:** 1983. **Permanent staff:** 45.
Publications: Newsletter of the National Endowment for Democracy (quarterly)

Contact person: Thomas O'Connor, Deputy Director of Program

I. AREA OF ACTIVITIES

Regional Coverage: Africa, CIS, Eastern Europe, Latin America, Caribbean, Asia, Middle-East
Offices in Africa: None
Country Programs in Africa: Botswana, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Ethiopia, Kenya, Liberia, Malawi, Mali, Nigeria, Senegal, Sierra Leone, Sudan, South Africa, Uganda, Zaire, Zambia

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: financial training

No capacity per se beyond this-NED is strictly a grant-making organization. (please see below how NED supports democratic development and good governance)

African affiliates and/or partner organizations: Many grant recipients (see annual report)

US partners in the field of governance: National Democratic Institute; International Republican Institute; a number of American groups which act as "pass-throughs" for grants.

How the organization promotes democratic development and good governance: NED is strictly a grant-making foundation, although it does provide some training to some of its grantees in financial management to help them fulfill their reporting requirements. Grantees are mostly civil society institutions, but NED the institutions supported often provide capacity-building for government institutions.

Previous work with AID: NED has worked with AID for three programs: Nicaragua, Eastern Europe (SEED I and II), and South Africa.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Cannot be predicted.

Documents sent: An annual report was obtained (please see the "civil society" document file).

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NATIONAL JUDICIAL COLLEGE

Judicial College Building,
University of Nevada, Reno, NV 89557
Tel: (702) 784-6747
Fax: (702) 784-4234

Not for profit training institute. **Founded**: 1963. **Permanent staff:** 40 (Lawyers, judges, other professionals). **Volunteer Staff:** 3.

Publications: See brochure sent by mail -

Contact persons: Dorothy Souza or Claudia Miner

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, CIS, Latin America
Offices in Africa: None
Country Programs in Africa: None to date

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legal: special emphasis on law, legal reform, and constitutional reform. Other areas: legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

Judicial: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design and administration.

African affiliates and/or partner organizations: Capacity Building: Organization development and management training activities.

US partners in the field of governance:

The African-American Institute
1625 Massachusetts Ave., NW, Suite 210
Washington, DC 20036

How the organization promotes democratic development and good governance: The National Judicial College holds many country-specific governance programs, e.g. in Russia, Poland, Hungary, Bolivia, Chile etc.

Previous work with AID: Programming for many participants affiliated with the Judicial World-Wide and PIET program.

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III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Planned increase in the future

Documents sent: a brochure and annual report were be sent.

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NATIONAL PEACE FOUNDATION

1835 K Street, NW, Suite 610, Washington, DC 20006.
Tel: (202) 223-1770
Fax: (202) 223-1778

Not-for-Profit. **Founded**: 1982. **Permanent staff:** 5 (Mainly administrative staff- including training, finance, editing and communications specialists.) **Volunteer Staff:** Approx. 2. **Membership:** Approx. 10,000 (non-trade specific- consists of people interested in establishing a US academy for peace).

Publications:
-Quarterly Newsletter: "The Peace Reporter"
-Directory of National Organizations Working on the Arab-Israeli Conflict

Contact person: Stephen Strickland, President

I. AREA OF ACTIVITIES

Regional Coverage: Middle-East, the CIS, and marginally Eastern Europe.

Offices in Africa: None

Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization: Legislative training and support, conflict resolution, civic organization training (e.g. for women's groups), shared decision-making. These skills are also applied to environmental programs.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The organization tries to develop the skills of the people so they can make their own decisions, and learn to cooperate instead of taking an adversarial position.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: None at the moment

Documents sent: The draft of the latest annual report, a newsletter, and a report issued for members will be sent to ARD.

OFFICE OF INTERNATIONAL TRAINING, CLARK ATLANTA UNIVERSITY

James P. Brawley at Fair St., Atlanta, GA 30314
Tel: (404) 880-8612
Fax: (404) 880-8625

University Affiliated (HBCU). **Founded**: 1987. **Permanent staff:** 10 (Political scientists, and academics in international development and education, international affairs, public administration, women in development, entrepreneurship, and business).

Contact person: Dr. Earl Picard, Director, Office of International Training

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, South-East Asia, Latin America
Offices in Africa: None
Country Programs in Africa: *Zambia:* HRD; *Burkina Faso:* training of trainers and enterprise creation; *Mali:* WID; *Guinea:* training of trainers; *Burundi:* private sector development; *Rwanda:* entrepreneurship; *Central African Republic:* women entrepreneurs; *Niger:* training of trainers in health; *Madagascar.*

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Legislative: rule of law, constitutional reform, legislative training and support, constituency relations, election design/administration.

Judiciary: conflict resolution, judiciary independence, judicial training and support, election design/administration

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration

How the organization promotes democratic development and good governance: Strong capacity-building activities.

Previous work with AID: Currently, the office of international training has a 3 year contract with USAID Nepal to strengthen democratization. All the programs mentioned above were AID-funded.

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: A program description was sent by fax.

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ORGANIZATION DEVELOPMENT INSTITUTE

11234 Walnut Ridge Road, Chesterland, OH 44026
Tel: (216) 462-4333
Fax: (216) 729-9319

Professional Association. **Founded**: 1968. **Permanent staff:** None (Organizational Development (OD) professionals). **Volunteer Staff:** all members. **Membership:** Approx. 500.

Publications:
-Monthly newsletter (approx. 10pp): Organizations and Change
-Quarterly Journal (approx. 100 pp): Organization Development Journal
-International Registry of OD Professionals/OD handbook (these 2 volumes are bound together and include a list of all the OD networks of the world, the OD code of ethics, current OD academic projects, and the resumes of all registered OD professionals. May be purchased for $25.
-books: International OD, Conflict Resolution Technology, "What's new in OD", among others.

Contact person: Donald W. Cole, R.O.D.C., President.

I. AREA OF ACTIVITIES

Regional Coverage: All regions of the world; dominant regions are Central and Eastern Europe.

Offices in Africa:

Uganda: Henry R. Rugasira, c/o Uganda Business Bureau, City Hall, William Street, P.O. Box 1718, Kampala, Uganda. Tel: (42370) -31029 or -58947

South Africa: Training Program for Leaders, Community Development and Management Association of Africa, (a multiracial association of community leaders interested in OD and non-violent community change). P.O. Box 151, Heartbeesport, 0216 South Africa, Tel: 27-1211-530780. Fax: 27-1211-530781, Contact: Lou Dutoit, R.O.D.C.

Tanzania: Sizya Lugeye, Ministry of Agriculture Training Institute, P.O. Box 1334, Ukiriguru-Mwanaz, Tanzania, Tel: (068) 40596

Sierra Leone: ala B. Conteh, c/o Ta-Tee, 10, 1st Street, P.O. Box 1086, Freetown, Sierra Leone, (mostly rural development projects)

Nigeria: Peter C. Njoku, Training Director- Staff Welfare Services, P.O. Box 1841, Jos. Plateau State, Nigeria.

Country Programs in Africa: None so far.

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Rapid Response-Governance.

II. DEVELOPMENT BACKGROUND

Governance Specialization: Organizational Development- works mostly to develop an emerging private sector (universities and businesses); develops links between private and public sector.

African affiliates and/or partner organizations: See "Offices in Africa"

US partners in the field of governance: Please order the International Registry of OD professionals for a full list (the list is 300pp. long and could not be reproduced here.)

How the organization promotes democratic development and good governance: The organization works to provide the education and motivation that people need to change their environment. More specifically, it promotes the dissemination of information about organization development and the more effective management of organizations and government; organizes 3 yearly conferences on OD; provides training (mostly in CIS and CEE countries, but also in Egypt), and establishes OD networks worldwide.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Anticipated increase in the future (possible program with South Africa).

Documents sent: An application blank (summarizing the organization's activities) has been received.

ORGANIZING FOR DEVELOPMENT- AN INTERNATIONAL INSTITUTE (ODII)

2134 Leroy Place N.W., Washington, DC 20008
Tel: (202) 483-6344
Fax: (202) 234-1392

Professional Association, not-for-profit. **Founded**: 1988. **Permanent staff:** 6 management consultants. **Volunteer Staff:** 20.

Publication: newsletter

Contact persons: Ms. Turid Sato, Director

I. AREA OF ACTIVITIES

Regional Coverage: All areas of the world are covered
Offices in Africa: None
Country Programs in Africa: Governance program in Sierra Leone

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration.

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/administration

African affiliates and/or partner organizations: IPAM, Sierra Leone; African Leadership Foundation, Nigeria.

How the organization promotes democratic development and good governance: ODII has an inclusive holistic methodology (AIC) which provides for equal and free participation of all stakeholders in the planning, decision-making and interactive learning processes.

Previous work with AID: Training of AID staff/managers

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: increase in African activities foreseen

Documents sent: A newsletter was sent by mail. A summary of the Sierra Leone program was faxed.

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PARLIAMENTARIANS FOR GLOBAL ACTION

211 East 43rd Street, 1604, New York, NY 10017
Tel: (212) 687-7755
Fax: (212) 687-8409

Not-for-Profit. **Founded:** 1979. **Permanent staff:** 12 (qualified graduates in international relations). **Volunteer Staff:** 6. **Membership:** 910 parliamentarians. Members are from all political tendencies. They must either be members of sitting parliaments or be members of parliament in exile.

Publications:
-Annual Report
-quarterly newsletter
-occasional papers

Contact persons: Aili Jetha ,Assistant program coordinator.

I. AREA OF ACTIVITIES

Regional Coverage: All regions of the world, with special emphasis on Africa, Eastern Europe, and, more recently, Haiti.

Offices in Africa: No offices per se...only contacts in various parliaments.

Country Programs in Africa: Programs in Togo, Burkina-Faso, Cape-Verde, the Gambia, Kenya, Tanzania, Tunisia, Zambia, Zimbabwe, Côte d'Ivoire

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: decentralization and local government, election design/administration.

Legislative: rule of law, constitutional reform, election design/administration.

Judiciary: institutional development, election design/administration

African affiliates and/or partner organizations: None

US partners in the field of governance: International Commission of Jurists; other partners are mainly parliamentarians, alumni parliamentarians, professors in the US, Canada, and all over the world.

How the organization promotes democratic development and good governance: Parliamentarians for Global Action is a non-partisan body, which promotes the principles of democracy in general, and provides practical assistance in the following ways:

-constitutional analysis,
-electoral observation (e.g. in Togo, for the recent presidential elections, the organization found that the electoral lists had been severely doctored, and decided to withdraw from the country and denounce the elections).
-building support systems for parliaments under physical crisis (eg, currently, in Burundi and Haiti). The organization gathers signatures from parliamentarians from around the world condemning physical attacks on parliaments (eg in Togo). It also sends delegations of parliamentarians from around the world to countries where parliaments are threatened, to negotiate with the executive.

In the near future, the organization is planning to move away from its "firefighting" approach. It will create solidarity networks prior to and after elections, so that parliaments will not fall apart when the election is not favorable to the party expected. (eg in Angola and Burundi). Additional "preventative maintenance" measures should be encouraged to help build parliamentary procedures.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: There should be an increase in the organization's activities in Africa. In 1991, the organization participated in a conference in Abidjan on democracy, debt-relief and development in Africa. Two years later, it participated in the Windhoek Conference in South Africa, where electoral assistance, the role of the military, and democracy were discussed.

Documents sent: a basic mailing kit was sent.

PARTNERS FOR DEMOCRATIC CHANGE

823 Ulloa Street, San Francisco, CA 94127
Tel: (415) 665-0652
Fax: (415) 665-2732

Not-for-Profit. **Founded:** 1989. **Permanent staff:** 20 (3 nationally) (Ph.D.s, political scientists.). **Volunteer Staff:** 5. **Membership:** None.

Publications:
-Annual brochure
-mediation quarterly

Contact persons: Suzanne Di Bianca-office coordinator

I. AREA OF ACTIVITIES

Regional Coverage: Eastern Europe, CIS

Offices in Africa: None

Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, policy reform, policy management, decentralization and local government.

Legislative: rule of law, constituency relations

Judiciary: conflict resolution, human rights enforcement, ethnic reforms

Capacity-Building: strategic planning and management, organization development and management training.

African affiliates and/or partner organizations: None

US partners in the field of governance: None specified

How the organization promotes democratic development and good governance: Not specified

Previous work with AID: None

Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: None

Documents sent: An annual newsletter and brochure have been sent.

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SOUTHERN UNIVERSITY SYSTEM

Center for International Development Programs,
Box 10596, Baton Rouge, LA 70813
Tel: (504) 771-2008
Fax: (504) 771-4242

University (HBCU). **Founded**: 1880.

Publications: See list sent by fax

Contact persons: Gloria Braxton, Director, Center for International Development Programs

I. AREA OF ACTIVITIES

Regional Coverage: Africa

Offices in Africa: None

Country Programs in Africa: Democracy in Africa Program, Nigeria

II. DEVELOPMENT BACKGROUND

Governance Specialization: Please note that the information in this section may not be exhaustive.

Executive: fiscal management; minority and gender issues in election design/administration.

Legislative: human, civil and political rights issues.

Judiciary: human, civil and political rights enforcement; university curriculum development

Capacity-Building: Executive Training models for public managers for effective delivery of services at the State and local levels; Total Quality Management training workshops; case-writing methodology (for managerial self-evaluation)

African affiliates and/or partner organizations: University of Lagos, Faculty of Law, Professor A. O. Obilade, Dean, Lagos, Nigeria.

How the organization promotes democratic development and good governance: The Center promotes democracy and good governance through relevant workshops and technical assistance.

In Africa, the Democracy and Governance program in Nigeria seeks to establish a university linkage between the Southern University Law Center and the University of Lagos Faculty of Law. The linkage is designed to provide an educational mechanism for the systematic inquiry into questions related to human, civil, and political rights in the American and Nigerian Constitutions. Individual faculty members have worked in other African countries.

Rapid Response-Governance.

Domestically, the University has played a pivotal role in the education and training of individuals for participation in the democratic process in America. Among other activities, it has provided the leadership since the early sixties in training African American elected and appointed state and local governmental officials with the State of Louisiana. A more detailed description of the university's civic activities was sent by fax.

Previous work with AID: The Office of International Development Programs was established in 1976 as an outgrowth of the 211 (d) grant program from USAID. Past AID experience includes the Cameroon Agriculture Institution-Building Project (1970-76); the Kenya Project (Studies of smallholder cooperatives' economic and sociological aspects- 1978); the Sierra Leone Adaptive Crop Research and Extension project (1979-86); the Jamaican Agricultural Educational Project (1987-90); the Zaire Applied Research and Outreach Projeet (1990-92); the Small Ruminants Project in Sierra Leone (1990-92); and the Democracy in Africa Program (1992-94). A more complete list was sent by fax.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase is foreseen in the future

Documents sent: A number of documents were sent by fax; others will be sent under separate cover.

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SOUTHERN UNIVERSITY AT NEW ORLEANS

6400 Press Drive, New Orleans, LA 70126
Tel: (202) 223-2533
Fax: (202) 223-2540

University (HBCU). **Founded**: 1956. **Permanent staff:** 290 (professors and supporting staff). **Membership:** Southern Association of Colleges and Schools.

Publications: 2 year university catalog, among others.

Contact person: Josephine Okoronkwo, International Student Advisor

I. AREA OF ACTIVITIES

Regional Coverage: North America

Offices in Africa: None

Country Programs in Africa: No country program in Africa yet, but the following existing programs: international travel program (foreign language department); International Studies Certificate Program (to be established); African an African-American studies center.

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, election design/administration

Capacity-Building: strategic planning and management, organization development and management training, management development, systems and procedures.

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: Not specified

Previous work with AID: helped to train AID trainees

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Activities in Africa should be increasing

Documents sent: None at this time

THE DEMOCRACY DEVELOPMENT INITIATIVE OF THE FEDERAL BAR ASSOCIATION

1815 H Street, NW, Suite 408, Washington, DC 20006
Tel: (202) 638-0252
Fax: (202) 775-0295

Professional Association (NGO). **Founded:** Feb. 1990. **Permanent staff:** 1 (Talent bank of approximately 200 members coordinated by a steering committee). **Volunteer Staff:** None. **Membership:** 200.

Publications: None

Contact persons: Ken Nankin, Chairman (202) 973-7918

I. AREA OF ACTIVITIES

Regional Coverage: CEE/NIS
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration

Judiciary: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/administration

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: Ongoing program handling requests for assistance.

Previous work with AID: None

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III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: uncertain

Documents sent: a flyer was sent by fax.

TRANSAFRICA

1744 R Street, NW, Washington, DC 20003
Tel: (202) 797-2301
Fax: (202) 797-2382

Not-for-Profit. **Founded:** 1977. **Permanent staff:** 12 (No lawyers currently; many political scientists, liberal arts specialists) **Volunteer Staff:** interns (5). **Membership:** 10,000.

Publications:
-Newsletter: Transafrica News
-Transafrica Forum (quarterly) issued by the educational affiliate of Transafrica

Contact persons: Mwiza Munthali, information specialist

I. AREA OF ACTIVITIES

Regional Coverage: Africa and the Caribbean
Offices in Africa: None
Country Programs in Africa: Monitors US policy towards Africa and the Caribbean

II. DEVELOPMENT BACKGROUND

Governance Specialization: Lobbies congress on US policy positions on Africa and the Caribbean; pushes funding for democratization and other areas; monitors foreign assistance for Africa and the caribbean; particularly in democratization; tries to get the US business community involved in African and Caribbean issues. The educational affiliate educates the American public on African issues, notably through the Arthur Ashe Jr. Foreign Policy Library, which contains 4,000 volumes on Africa, the Caribbean, and US foreign policy.

African affiliates and/or partner organizations: None

US partners in the field of governance: None officially, but there are loose partnerships with unions, the Washington Office on Africa, Africa Watch, the American Committee on Africa (in New York), and AFSCME (the American Federation of State, City, and Municipal Employees: Ph (202) 439-1124

How the organization promotes democratic development and good governance: See "governance specialization". A fax sheet will be sent for additional details.

Previous work with AID: None so far, but since AID has considerably changed its method for providing aid since the end of the Cold War, a future partnership can be envisioned.

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An increase is likely.

Documents sent: An annual report and other documents will be sent by mail; other documents will be faxed.

UCLA AFRICAN STUDIES CENTER

10244 Bunche Hall, Los Angeles, CA 90024
Tel: (310) 825-3686
Fax: (310) 206-2250

University. **Founded**: 1959. **Permanent staff:** 28 faculty in African studies (social sciences, public health, planning, law)

Publications: None

Contact persons: Edmond J. Keller, Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa
Offices in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization: Rule of law, constitutional reform

How the organization promotes democratic development and good governance: The faculty at the UCLA African Studies Center has the theoretical and substantive knowledge to contribute to any organization wishing assistance in this area. Some have participated in election observer delegations in Africa, others have written and taught about such issues.

Previous work with AID: various faculty on multiple occasions

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: stable

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UNITED STATES INSTITUTE OF PEACE

1550 M Street, NW, Suite 700, Washington, DC 20005
Tel: (202) 457-1700
Fax: (202) 429-6063

Founded: 1984. **Permanent staff:** 50 (conflict resolution specialists, political scientists, former policymakers, lawyers, publications specialists, etc.) **Volunteer Staff:** None. **Membership:** None.

Publications: Books, reports, issues briefs. Examples are listed below:
Books:
-Directory of Resources on the Rule of Law for Africa (forthcoming);
-Making War and Waging Peace: Foreign Intervention in Africa (forthcoming, December 1993);
-Minorities at Risk: A Global View of Ethnopolitical Conflict
Reports:-Conflict and Conflict Resolution in Mozambique;
-Achieving Post-Settlement Peace in Mozambique: The Role of the International Community;
-South Africa: The National Peace Accord and the International Community;
-Economic, Social and Administrative Reconstruction in Somalia.

Contact persons: Gregory McCarthy, Director of Public Affairs and Information; Neil Kritz, Assistant General Counsel for the Rule of Law; David Smock, Senior Program Officer (Africa Programs).

I. AREA OF ACTIVITIES

Regional Coverage: Africa, the Middle East, and Eastern Europe are emphasized. There are also programs in the CIS, S.E. Asia, and Latin America.
Offices in Africa: None
Country Programs in Africa: None per se

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Legislative: rule of law, constitutional reform.

Judiciary: conflict resolution, human rights enforcement

African affiliates and/or partner organizations: None

US partners in the field of governance: None

How the organization promotes democratic development and good governance: U.S.I.P. provides grants to organizations and institutions in the United States and Africa for projects related to Africa, and by making information on the rule of law more widely available.

Previous work with AID: Informal cooperation through an interagency group on the rule of law.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: The organization's activities and programs on Africa should be increasing.

Documents sent: A biennial report, general factsheet, Rule of Law Initiative factsheet, and Africa activities factsheet will be sent by mail.

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UNIVERSITY OF WISCONSIN LAW SCHOOL

Madison, Wisconsin 53076
Tel: (608) 262-3093
Fax: (608) 262-5485

University. **Founded:** 1848. **Permanent staff:** 70 (Mostly lawyers) **Volunteer Staff:** none. **Membership:** None.

Publications:
-Wisconsin Law Review
-other law journals

Contact persons: Dean Dan Bernstine- (608) 262-0618

I. AREA OF ACTIVITIES

Regional Coverage: Africa
Offices in Africa: None
Country Programs in Africa: None currently

II. DEVELOPMENT BACKGROUND

Governance Specialization: Prosecution, legislative drafting, judiciary independence, judicial training and support

African affiliates and/or partner organizations: None

US partners in the field of governance: Member, Association of American Law Schools

How the organization promotes democratic development and good governance:

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

US CONFERENCE OF MAYORS

1620 I Street, NW, Washington, DC 20006
Tel: (202) 293-7330
Fax: (202) 293-2352

Not-for-Profit. **Founded:** 1932. **Permanent staff:** 55 (Many people with a background in government work. political scientists, specialists in the environment, health, etc.) **Volunteer Staff:** None. **Membership:** 500 cities (30,000 + inhabitants).

Publications:
-US Mayor (every 2 weeks)
-A number of specialized publications on transportation, AIDS-related issues, etc.

Contact persons: Kay Scrimger, program director

I. AREA OF ACTIVITIES

Regional Coverage: Eastern Europe, Latin America, Western Europe. African activities are limited due to a lack of funding.
Offices in Africa: None
Country Programs in Africa: None currently

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency).

Legislative: legal reform, legislative training and support, constituency relations.

Judiciary: conflict resolution, human rights enforcement.

Capacity-Building: strategic planning and management, organization development and management training, management development, financial administration, systems and procedures.

African affiliates and/or partner organizations: None

US partners in the field of governance: Works closely with all public interest groups such as the National Association of Counties, the National Conference of State Legislatures, the National Governors' Association, the League of Cities, the International City Managers' Association, and most sister/brother groups.

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How the organization promotes democratic development and good governance: The conference of mayors conducts several training sessions for mayors, including a leadership training program for new mayors at Harvard. It also provides ongoing technical assistance for mayors and their staff in a variety of areas such as transportation, economic development, AIDS, health issues. Finally, it provides an ongoing institutional setting for networking and the exchange of information.

Abroad, with the support of the USIA, the Conference of Mayors has created several training institutes for new mayors in Poland (1990), Hungary, Argentina and other Latin American countries, and helped other countries to create organizations similar to the Conference of Mayors. A number of delegations of mayors from outside the country were additionally housed by the Conference of Mayors.

Previous work with AID: None

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: An area of interest is that of trade sanctions against South Africa. In a resolution of June 1992, it was agreed that when Mandela and DeKlerk would reach an agreement for the lifting of economic sanctions, the Conference of Mayors would urge mayors to do the same. Thus, possible work with South Africa is anticipated.

Documents sent: An annual report and the latest copy of US Mayor will be sent.

WASHINGTON OFFICE ON AFRICA

110 Maryland Ave., NE, Suite 112, Washington, DC 20002
Tel: (202) 546-7961
Fax: (202) 546-1545

Not-for-Profit. **Founded:** 1972. **Permanent staff:** 3. **Volunteer Staff:** Numbers vary. **Membership:** 900.

Publications:
-Newsletter
-Occasional country updates, longer policy publications

Contact persons: Kristen Lee, Executive Assistant

I. AREA OF ACTIVITIES

Regional Coverage: Africa
Offices in Africa: None
Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization: *Executive:* policy reform

African affiliates and/or partner organizations: WOA is a 21 year-old church and trade-union sponsored Africa advocacy organization. As such it has no African partner organizations per se. However, each sponsor has either African partners, affiliates, or staff operating in Africa.

US partners in the field of governance: Apart from the grassroots constituency across the US, WOA works together most directly with religious organizations on its board of directors. WOA also works in coalition with the Africa Fund, Bread for the World, the Lawyers' Committee for Human and Civil Rights Under Law, and the Association of Concerned Africa Scholars, to name a few. The organization is church and trade-union sponsored. Please refer to the document sent by fax for a full list.

How the organization promotes democratic development and good governance: WOA seeks not only to influence US foreign policy towards Africa, but to educate US citizens. This will serve to build a wider public constituency on African issues, to democratize the foreign policy process, and to involve a wide range of individuals and groups in influencing policy debates. WOA is also primarily concerned with promoting those policies that are supported by the majority of our African partners, furthering this inclusive process, and translating this into work on foreign policy issues.

Previous work with AID: None

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: Increase foreseen

Documents sent: The 1992 Annual Report for WOA's educational affiliate, the Africa Policy Information Center, has been sent by fax.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

1000 Jefferson Drive, SW, Washington, DC 20560
Tel: (202) 357-2429
Fax: (202) 357-4439

Nonpartisan institute for advanced study, established by Congress as the official memorial to the nation's 28th president. **Founded:** 1968. **Permanent staff:** 80 (academics, administrators). **Volunteer Staff:** 0. **Membership:** not applicable.

Publications: The Wilson Quarterly; Monthly calendar; Annual Report; Occasional Papers

Contact persons: Charles Blitzer, Director. Moira Egan, Director of External Affairs

I. AREA OF ACTIVITIES

Regional Coverage: The center is organized into geographical area and topical programs, such as the Asia Program, the Latin America Division, the Division of International Studies, the Historical Cultural and Literacy Studies, and the Kennan Institute on Advanced Russian Studies.

There is no program focusing exclusively on Africa; programs related to Africa usually fall under the purview of the Division of International Studies. There are scholars in residence who are African, and because Fellows chose their own topics, there is often at least one scholar researching the region. Areas most emphasized are Eastern Europe, the CIS, S.E. Asia, Latin America, and Western Europe.

Offices in Africa: None

Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization: Too diverse to list; fellows conduct research work in all areas of the humanities.

African affiliates and/or partner organizations: None (though some of the fellows would have African contacts)

US partners in the field of governance: None

How the organization promotes democratic development and good governance: The Woodrow Wilson Center awards Residential fellowships of up to one year through an open international competition in all areas of the humanities and social sciences. In addition to the independent research of the fellows, the Wilson Center sponsors, meetings, lectures and conferences, which are open to the public.

Previous work with AID: None

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Rapid Response-Governance.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: The future level of activity in Africa cannot be anticipated

Documents sent: A copy of the Annual report and other materials will be sent by mail.

WORKSHOP IN POLITICAL THEORY AND POLITICAL ANALYSIS, INDIANA UNIVERSITY

513 North Park Ave., Bloomington, IN 47408-3895
Tel: (812) 855-0441
Fax: (812) 855-3150

University affiliate; training and research institute. **Founded**: 1973. **Permanent staff:** 15 (). **Volunteer Staff:** None. **Membership:** None.

Publications: list will be sent under separate cover

Contact persons: Elinor Ostrom, Co-Director

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Eastern Europe, CIS, S.E. Asia, North America

Offices in Africa: None

Country Programs in Africa: None

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: policy reform, decentralization and local government.

Capacity-building: organization Development and management training

African affiliates and/or partner organizations: Makerere University, Kampala, Uganda

US partners in the field of governance: None

Previous work with AID: Decentralization and Financial Management contract for 7 years

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: the level of activity in Africa is expected to remain stable.

Documents sent: Annual report sent under separate cover.

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WORLD CONFERENCE OF MAYORS

101 Fonville Street, Tuskegee, AL 36083
Tel: (205) 727-2180
Fax: (205) 727-4280

Association of mayors from around the world. **Founded:** 1984. **Permanent staff:** None (Lawyers, Accountants, Clerical etc.) **Volunteer Staff:** 4. **Membership:** 1104.

Publications: None

Contact persons: Johnny Ford, Founder

I. AREA OF ACTIVITIES

Regional Coverage: Africa, Middle-East, Caribbean
Offices in Africa: Mayor Mamadou Diop, Dakar, Senegal
Country Programs in Africa: None per se

II. DEVELOPMENT BACKGROUND

Governance Specialization:

Executive: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/administration

Legislative: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/administration.

Capacity-building: organization development

African affiliates and/or partner organizations: None specified

US partners in the field of governance: None specified

How the organization promotes democratic development and good governance: The WCM serves as a mechanism for the mayors and city officials to directly work toward democracy and good governance at the local level through its 5 goals: trust, trade, tourism, technology, training...

Previous work with AID: Since 1984, WCM has worked with AID in The Gambia, Liberia, Senegal. Has also worked on the Albany Market Project in Banjul.

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: WCM expects an increase in the level of its African activities in the future.

Documents sent: The Annual Summit Program will be sent by mail.

PART II: AFRICAN REGIONAL INSTITUTIONS:
AN ILLUSTRATIVE SAMPLE

AN ASSESSMENT OF USAID'S CAPACITY FOR RAPID RESPONSE IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICA

(January 14, 1994)

Submitted by: Associates in Rural Development/Management Systems International
under Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau, United States Agency for International Development

I. Introduction and Overview

A. Summary of Principal Findings

During the field based component of this study, some 30 different African regional organizations were interviewed for the purpose of determining their capacity for delivering services under rapid response facilities supporting either civil society development or improved governance in Africa. If, rather than looking at the issue as one of regional organizations with such a capacity, it is put in terms of organizations that have a capacity to support civil society or, in this case, improved governance on a regional level, then national level organizations can also be considered. For example, the Law Department at the University of Dar es Salaam, has attracted participants to its program in human rights monitoring and enforcement from a number of countries in the subregion; it could thus be called upon by a centrally-funded project to provide services to members of the judiciary in a number of surrounding countries. Likewise, the Ghanaian Institute of Management and Public Administration (GIMPA), has a number of courses or could devise a number of training programs in areas related to public sector management. These institutions are in addition to strictly regional (or subregional) organizations with a specific skill or expertise that is provided or "marketed" on a regional basis.

Much in the same way that U.S. institutions were classified in Part I of this institutional assessment, so too can the African regional organizations. Thus we can talk of the following categories: (i) Universities, University Consortia and University-affiliated research and policy centers or institutes; (ii) professional associations; and (iii) PVOs and non-profit foundations, research and training institutes and centers. Most universities in Africa are public institutions as are most of the management and public administration institutes. A brief discussion of each of these categories are presented below:

1. Universities, University Consortia and University Affiliated Centers and Institutes

While there are no "regional" universities per se, there are numerous University Departments, Schools, centers and institute which attract students from many countries in the region and/or have developed a specific expertise in an area relevant to governance. The University of Senegal's School of Journalism; The University of Ghana at Legon's Political Science Department; the Centre Ivoirian de Rechereche et d'Etude Juridique at the National University of Ivory Coast; and the Institute of Development Studies at the University of Nairobi, to name just a few, are universities with excellent reputations in one of several areas that could be of interest to a rapid response facility. Obviously, the greatest institutional strength of African universities today are their staff of academics. Such a resource could be drawn upon for assessments in different sectors or to provide technical assistance or design training programs in a number of areas from judicial training to policy formulation. Universities have also increasingly been used to host seminars, conferences and workshops. And finally, as periods of political liberalization give way to democratic transitions, and governmental control over the content of what is taught and who manages these institutions loosens and becomes depoliticed, the university takes on a neutral locus within countries and the larger subregion. What African universities lack today is a physical infrastructure and material resource to support its abundant and rich human resource base. As this has become a major constraint to universities in providing a decent education to their students, it will also serve as a major constraint in the area of governance assistance.

2. Professional Associations

There are a number of professional associations that have been established on a regional basis to serve their members and that are as well, affiliates of international bodies. The African Jurists Association (Senegal), the Association des Instituts de Formation et Perfectionnement en Management en Afrique

(Ivory Coast), Association of African Universities (Ghana), African Association for Public Administration and Management (Kenya), African Economic Research Consortium (Kenya), and the African Political Science Association (Kenya), give an idea of the range of such associations that provide a means for professionals in these different areas to group together to advance their common objectives. At a minimum, they provide means for contacting a wide range of professionals with expertise in relevant areas. At a maximum, many of these groups undertake a range of hands on activities from the holding of seminars and workshops to the publication of scholarly journals and training materials. Many of them and particularly those with a public administration orientation are increasingly becoming in the larger realm of governance and developing training programs for their members and key figures in the public sector to improve skills in these areas. There are only a handful of such organizations which have any significant funding however and thus leave them with very limited capacity to undertake but a few low impact activities.

3. PVOs and Non-Profit Organizations

There are few, if any traditional regional PVOs, that offer any potential skills or expertise for improving governance in the state sector. There are however a number of regional training and research centers, some of which are publically financed which could play a limited role in providing assistance under a rapid response facility. The Centre African d'Etude Superieurs en Gestion (CESAG) and the East and Southern Africa Management Institute (ESAMI) cover the two principal African Subregions in terms of public administration and management training for government bureaucrats and increasingly policy makers. At the national level, similar institutions such as the Kenya Institute of Administration, GIMPA, and the Malawi Institute of Management are all geared towards building relevant skills in public sector personnel, and have attracted staff from other countries as well. Goree Institute (Senegal), the Council for the Development of Economic and Social Research in Africa (CODESSRIA-Senegal), Le Centre d'Etude et de Recherches sur la Democratie Pluraliste dans le Tiers Monde (CERDET-Senegal), African Economic Research Consortium (AERC-Kenya), are several of the better known policy, research and training institutions that have begun to reorient their activities to issues of democracy and governance, and which could become more active in these areas with additional support.

Again there are probably as many national level non-profit centers and institutes as their are regional ones that have the capacity to work on a regional level. In Ghana, the Institute of Economic Affairs has established itself as one of the pre-eminent "think tanks," policy institutes and research centers in Anglophone West Africa. South Africa has a significant number of such non-profits (IMMSA), many of which are attached to private universities. Once South Africa has moved beyond the initial stages of democratic transformation, and the country can begin to focus on external issues, such organizations will have a significant role to play in subregional affairs.

B. Conclusions and Recommendations

While one sees the gradual evolution of a regional "civil society" in Africa, the same cannot be said of a similar phenomenon among states institutions. Whether this would take place within the context of regional integration, or in the development of regional organizations designed to support the development of state institutions is difficult to say. One looks at such regional "state" institutions such as the Economic Community of West African States (ECOWAS), the Preferential Trade Area (PTA) of Eastern and Southern African countries, and even SADCC countries, and there seem to few if any related

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institutions which offer any possible support in terms of providing assistance to executive, judicial or legislative institutions in these countries. One also wonders how effective donor financed institutions such as the African Capacity Building Project (World Bank) based in Zimbabwe has been in the strengthening the more narrow state institutions of the executive and the permanent bureaucracy. While these types of regional institutions do not offer a rapid response facility any potential expertise or skills, consideration should be given to discussions with them towards collaborative efforts.

What is evident is that there are few regional organizations which can at this point contribute to the development of capacity within the state sector of African countries. It appears that national universities and particularly their staff have a significant role to play in improving governance in Africa, and that their ability to transcend national boundaries is important. As institutions the universities lack the institutional capacity in most cases to play an expanded role without significant donor support. There are numerous exceptions to this observation, and particularly a select group of policy centers, research and training institutes, and academic departments (e.g., law, political science). They have become players in both their countries and within their immediate subregion because they have been able to market their services and thus bring in revenues to retain staff and provide for their material needs. This is perhaps the most interesting observation that was noted during the country studies undertaken for this assessment.

This assessment only touched the surface of the university systems in several African countries. A survey and assessment focussing only on universities needs to be undertaken. Nigeria, Zimbabwe and South Africa, not covered in this assessment, must necessarily be included in a follow on should this recommendation be accepted. The same can be said for other national level non-profit centers and institutes. Their potential and capacity for working in the governance domain is probably greater than those few regional organizations that currently exist. In either case, national level institutions if they are going to participate in any meaningful way in a governance project are going to have to receive some form of institutional support from USAID if they are to move beyond a national focus to a regional one.

AFRICAN REGIONAL INSTITUTIONS INVENTORY, PROFILE AND ASSESSMENT

GHANA

Association of African Universities
Contact: Professor Donald Ekong, Secretary General
Tel: (233-21) 774495
Fax: 774821

International African Law Association

Pan African Journalists Union

IVORY COAST

Groupe D'Etude et De Recherches Sur La Democratie et le Developpement Economique et Social en Afrique (GERREDES)
Contact: Ayo Saikou Alao, President
(Works at African Development Bank)
Tel (225) 44.63.05
Fax: 44.67.09

GERRDES was founded as an NGO in May 1990 for the promotion of monitoring the process of democratization as a part of African countries' development and through the applied research. Its headquarters are in Cotonu, Benin and with a sub-office in Abidjan. Made up of 1,500 members with national offices in over 20 countries in west and central Africa. Most programs are initiated and implemented through the volunteer efforts of its members. GERREDES AFRIQUE is the panAfrican organization and GERREDES Nationaux represents the twenty national programs.

GERREDES research programs and activities are implemented by the Center for the Study and Research on Democracy and Development (CIRD). These include: (i) studies on a variety of human rights, electoral systems, relationship between democracy and development, etc; (ii) election monitoring with over 500 volunteers available for participation; (iii) conferences promoting non-partisan democratic politics; (iv) the publication of the journal "Democracy and Development;" and (v) civic education and mediation programs.

Analysis: GERREDES is currently one of the preeminent democracy and human rights organizations in Africa. It has received significant funding (e.g.National Endowment for Democracy grant recipient) from a variety of donors. While it is primarily involved in francophone Africa, it is making attempts to establish national programs in Eastern and Southern Africa as well; it thus has the capacity to make significant interventions throughout the continent. It has maintained a neutral stance in most election exercises with some questions raised in the Cameroonian elections by USAID and the Embassy. It has close working relationship with NDI among others. Some questions about the sincerity of its top leadership have been raised on occasion, which should be looked into in later stages of design or in project start-up.

Institute African pour le Developpement Economique & Sociale (INADES-Formation)
Contact: Jean-Luc Masson, Directeur de la Recherche, Evaluation-Pedagogie
Tel: (225) 44.31.28
Fax: 44.06.41

Is an international (Pan-African) non-profit (association) NGO with a goal in promoting social and economic development focusing on increasing the free participation of people in the transformation of their societies. Its PanAfrican office is in Abidjan and with national offices and programs in Ivory Coast, Burkina Faso, Burundi, Cameroon, Ethiopia, Kenya, Rwanda, Chad, Togo and Zaire.

Overall objective is the training of the rural adult population. Specific objectives include: (i) improving agricultural production, marketing and management (ii) assisting their clients to understand their common problems through analysis and reflection; and then helping them to chose the interventions which will address those identified given the resources available to them (iii) helping their clients to organize themselves in order to provide a common voice vis-a-vis decision makers concerning policies which affect them. In summary, INADES serves as a catalyst for grass-roots organization, capacity building and advocacy.

INADES prefers to work through NGOs and existing local organizations to achieve its objectives at the grassroots level. It is engaged in training of peasants and NGO staff including an acclaimed group correspondence program in the areas of agriculture and animal husbandry, rural animation, extension and management (small projects, farm management, cooperative and group management). It also undertakes research, studies and evaluations for a wide range of public and private organizations. Interventions and activities include: sets of educational and training manuals used in correspondence courses; a quarterly review, AGRIPROMO, as well as numerous periodicals which are published by national offices; audio-visual materials; study trips and exchanges; and workshops and seminars. Strong capacity in the development local language training materials.

Analysis: In June 1992 at its General Assembly meeting a colloquium on Democracy and Development was held in which it was decided that INADES would move into the area of democratic development and particularly in the field of civic education. Each of the national programs have been charged with developing action plans during 1993 with a focus on ways to increase transparency, governance and democratic practice in the client organizations and communities with whom they work. INADES has also had AID experience through projects initiated through REDSO in the late 1980s. Definitely deserves further consideration and discussions in a later phase of the design process for the civil society component.

Potential Organizations not contacted in Ivory Coast:

Association des Instituts de Formation et Perfectionnement en Management en Afrique

Association Internationale pour la Democratie Aid-Afrique
Contact: Ms. F.A. Khaudjhis-Offoumou
Tel: (225) 22.18.63
Fax: 22.48.57

Centre Ivoirian de Recherche et d'Etude Juridique (CIREJ)
Universite Nationale de Cote d'Ivoire
Contact: Dr. Zakpa Komenan
Tel: (225) 44.84.29

KENYA

African Association for Public Administration and Management (AAPAM)
Contact: O.A. Wafula, Program Officer
Tel: (254-2) 521844
Fax: 521845

AAPAM is an international professional association for African public administrators and managers and serves as a forum for the articulation and dissemination of ideas on human capacity building. It has a membership of over 500 top administrators and 50 corporate members which includes institutions and schools of public administration and management and parastatals in Africa. Primary membership in Anglophone Africa but is looking to increase membership in francophone in coming years with the establishment of an office in Dakar. For the last 30 years, and formally since 1971, it has been in the forefront of efforts to strengthen the administrative and management capacity of African public administrators, i.e., through human capacity building.

Objectives include: (i) provides a forum for the exchange of ideas; (ii) brings together top African administrators & managers to discuss topical managerial problems; (iii) fosters professionalization (iv) assists, encourages and contributes to the study of problems and techniques of public administration and management; (v) promotes research; and (vi) fosters affiliation and maintains liaison with other international organizations with similar interests.

AAPAM activities include: (i) publication and distribution of annual Roundtable reports; (ii) publication and distribution of books on public administration and management, quarterly newsletter, biannual journal and occasional papers; (iii) sponsors research and publication of findings on topics of interest; (iv) supports training seminars, workshops; (v) collection, exchange and dissemination of documentation to members; and (vi) consultancy services to professional training centers, governments and other relevant bodies.

Research and Seminars include: (i) Research program/Senior-Policy seminars on institutional capacity building enhancement in African public administration; (ii) enhancing public policy management capacity in Africa; (iii) women in top management; (iv) enhancing the capacity of local governance; and (v) public enterprises performance and privatization. From November 29-December 4, 1993, AAPAM will sponsor its 15th Annual Roundtable Conference in Banjul, with the theme: "Political Pluralism and Good Governance in Africa: The Implications for the Public Service." Throughout 1993, AAPAM has sponsored a series of conferences in various African countries on issues related to public policy and management in Africa, including strengthening electoral administration; strengthening public policy management capacity; women in top management; and cultural aspects of labor management. A major research undertaking during 1993 was a comparative study on **"ethic values and accountability in public administration."**

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Rapid Response-Governance.

Analysis: Issues that AAPAM is addressing through research and training are increasingly relevant to those of governance, i.e., local government and decentralization, impact and consequences of political pluralism on civil service, etc. Reaches individual policy makers directly and through member institutes which can be drawn upon for research, training and consultancies.

All African Conference of Churches (AACC)
Contact: Mutombo Mulami, Secretary for International Affairs
Tel: (254-2) 441483/441339
Fax: 443241

AACC has a membership of 140 African churches in all countries except six Sahelian and North African Countries (muslim) and 21 Christian Councils or umbrella organizations in 20 different African countries. International Affairs Division has three principal programs: peace and reconciliation, human rights and election monitoring. Wants to get more involved in civic education and would be willing to work with members to develop generic and tailor made materials in this area.

Analysis: AACC's network and coverage is one of the widest of any panAfrican organizations working in Africa. Individual members and councils have been in the forefront of democratic transitions, peace and mediation efforts, and human rights in most African countries. AACC can play a major role in increasing the capacity of its individual members to participate more effectively in current areas of operations and in additional ones as well. Assistance would have to be channeled through the National Christian Council-USA as AACC can not accept funding directly from governments. What about a US PVO which is the recipient of a Cooperative Agreement?

African Women's Development and Communication Network (FEMNET)
Contact: Dr. Joyce Mangvwat, Executive Director
Tel: (254-2) 440299
Fax: 443868

FEMNET is a regional membership organization founded in 1988 (outgrowth of African Women's Taskforce founded in 1984) to ensure that women participated effectively in end of Women Decade activities, and in followup to the Decade. Goals include: (i) strengthening the role and contribution of African NGOs focusing on women's development; (ii) creating an infrastructure and channel through which NGOs will reach each other and share crucial information, knowledge, and experience in order to improve their input in women's development; (iii) maintaining close working contact with UN agencies, OAU and other agencies with similar objectives; and (iv) publicizing the Networks activities and services through publications, awards, exhibitions and the mass media.

Organized by subregion of which there are five. Three basic programs: (i) Networking with member organizations through production of a quarterly newsletter (FEMNET news) published in English and French that has addressed various women's issues; (ii) The African Girl Child project which has focused on addressing the disparities in girl's education (UNICEF funded and collaboration); and (iii) gender responsive planning and programming project. Members in 36 African countries with representative National Focal Points.

Rapid Response-Governance.

Currently responsible for coordinating 1995 Women's World Conference in 1995 including regional preparatory workshop to take place in Dakar in 1994. 1993-1995 program plan includes: (i) setting up an information and documentation center and increased participation and representation in regional and international meetings; (ii) women's empowerment program with focus on women's legal rights, female education and health, women's participation in the maintenance and promotion of peace; (iii) encouragement of the formation of lobby groups in all member countries to champion women's empowerment; and (iv) capacity building for affiliates and top level staff and leaders of National Focal Points.

Analysis: A well established although financially strapped organization with extensive contacts throughout the continent that is already involved with a number of empowerment, advocacy, training and research activities directly and through member organizations.

African Confederation of Cooperative Savings and Credit Association (ACCOSCA)
Contact: Victorine Kpohazounde, Chief Research and Development
Tel: (254-2) 721944/721928
Fax: 721274

An Apex organization for savings and credit cooperative movements in Africa and a member of the World Council of Credit Unions. ACCOSCA has 28 affiliated movements in subSaharan Africa. Excluding Nigeria (with over 12,000 credit unions), there are a total of 5,000 credit unions in 27 countries with some five million members. Has subregional offices in Abidjan and Moshi, Tanzania. National Cooperative Business Association (NCBA) and the Cooperative League of the USA (CLUSA) are the U.S. sister Apex organizations of ACCOSCA. **Conrad Adenaur Foundation is a major ACCOSCA donor.**

Objectives include: (i) delivery of essential services and technical information to the national credit union associations (affiliates) to improve their operations, maintain financial viability and foster growth towards self-reliance and self-sufficiency; (ii) provide financial assistance and services to national movements; (iii) representation of African movement with other pan-African and international organizations and African governments; and (iv) identify and develop leadership at all levels of the movement.

Wants to become more involved in assisting national movements create a more enabling environment by lobbying for a legislative framework which encourages credit union growth and autonomy. ACCOSCA assists members, through its legal modernization program to know what types of reform legislation to lobby for vis-a-vis their governments.

Analysis: Potential for reaching a large number of people in 28 countries indirectly through the individual credit union movements, themselves made up of primary unions in both rural and urban areas (roughly 50/50 percent). Members themselves are demanding increased democracy and improved governance within their own organizations. Wants to develop civic education materials and needs technical assistance to do so.

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African Association for Literacy and Adult Education (AALAE)
Contact: Paul Wangoola, Secretary General
Tel: (254-2) 222391
Fax: 340-849

AALAE is an African regional umbrella organization for national level adult literacy NGOs with member organizations in over thirty SubSaharan countries. As with other regional professional NGOs, provides a number of services including research, training, and representation to and on behalf of member organizations. It has conducted research in the field of community education and adult learning which has led it into the areas of local governance and capacity building.

Analysis: Could be very useful in developing civic education materials in local languages through the training of national level adult literacy NGO staff in both methodology and content. Also could undertake research into community education and learning as a means for the dissemination of learning related to democratization and governance issues at the grassroots level.

African Economic Research Consortium (AERC)
Contact: Anne Gordon Drabek, Dissemination Coordinator
Tel: (254-2) 228057/225234
Fax: 219308

Is a non-profit professional research association funded by a number of foundations, bi-lateral and multi-lateral aid agencies and national governments. Principal objective of AERC is to strengthen local capacity to conduct independent research into problems pertinent to the management of economies in sub-Saharan Africa. This is accomplished through the improvement of economic policies as a necessary precondition for sustained economic growth; and promoting locally-based research conducted largely by highly qualified and motivated resident national economists. Strategy includes a flexible approach to improving the technical skills of local researchers, allows for regional determination of research priorities, strengthens national institutions concerned with economic policy research, and facilitates closer ties between researchers and policymakers.

Program elements include: (i) Research supported by AERC through grants to informally constituted teams belonging to two current research networks: International Trade and Balance of Payments Management; and Domestic Resource Mobilization and Macro-economic Management; (ii) (annual) conference, (national level) seminars, (periodic) workshops, and (occasional) meetings; (iii) institutional support and training through the award of modest grants to assist teaching departments, research centers and economic associations; to support graduate research by African students; and to help finance institutional attachments for African and non-African scholars; and (iv) Publications and Dissemination including a Research Paper series and Special Papers series.

Analysis: AERC is willing to share its inventory of African researchers on a country basis. Possibility of using these individual professionals to assist African NGOs that want to become involved in the independent analysis of economic policies promoted by their governments and foreign aid agencies. Possibility of training of NGO staff.

Potential Organizations Not Contacted in Kenya:

Institute of Development Studies, University of Nairobi
Contact: Professor Njuguna Ng'ethi, Director
Tel: (254-2) 334-244/500-432 (Hm)

Women, Environment and Development Network (WEDNET)

African Association of Political Science

African Academy of Sciences

SENEGAL

Forum of Voluntary Agencies in Development (FOVAD)
Contact: Mazid N'Diaye, Secretary General
Tel: (221) 25.55.62
Fax: 25.55.64

FOVAD is the only regional umbrella organization representing African NGOs. It is acknowledged as such by the U.N. system and its specialized agencies, the World Bank, bi-lateral donors and many northern NGO consortia such as InterAction. Its members are national consortia from other African countries such as CONGAD in Senegal, CONGACI in Ivory Coast, GAPVOD in Ghana, and TANGO in Tanzania. It's overall mission is to support individual member development and present a common position on issues of importance to African NGO vis-a-vis African governments and international donors. FOVAD provides services including: (1) undertakes research on issues relevant to NGO community; (2) provision of technical assistance and training to members in area of NGO capacity building as well as technical issues identified by and common to it members; (3) collection and dissemination of information to member organizations; and (4) representation and advocacy of members in regional and international fora and vis-a-vis governments and donors. Publishes newsletter and special studies.

In its 1993 General Assembly held in Harare, FOVAD members decided to adopt "civil society" and its promotion, as the major theme of its next three year plan. In 1994, a major conference on civil society is planned to take place in South Africa following elections there. Its focus will be what democracy and good governance mean from the perspective of the grassroots. USAID might want to keep track of this conference through direct contact with FOVAD or InterAction.

Sees lack of consensus and overall leadership within African NGO community as its greatest weakness. Without common voice vis-a-vis donors, NGOs tend to gravitate to and accept donor agenda as defined by where there funding is directed. Danger in the recent focus of democracy and governance by donors in subverting NGO priorities, and specifically how they define the types of activities that they should be engaged in this new area.

Analysis: FOVAD is relatively new but has become a recognized representative of African NGOs. It is a member of the International Council of Voluntary Agencies (ICVA), the World Bank's NGO Steering Committee, and has strong ties to InterAction and several other national umbrella organizations in the

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North. Its Executive Director, Mazid N'daiya, is a well known member of the African NGO community, and is a dynamic force in continental affairs. Working with and through FOVAD to enhance African NGO capacities in the area of civil society promotion makes good sense.

Reseau Africain pour le Development Integre (RADI)
Contact: Dame Sall, Executive Director
Tel: (221) 25.75.47
Fax: 41.28.91

A sub-regional NGO (also works in Burkina Faso and Guinea) which works with grassroots organizations in capacity building for local development. Has undertaken training for grassroots organizations in Senegal on government's new decentralization policy and its potential impact on local organizations. Also runs a rural para-legal clinics assistance program for villagers designed to inform them of their rights in such areas as land reform, human, civil, and women's rights.

Analysis: RADI has established itself as one of the more capable subregional NGOs in the Sahelian area. While its programs in Senegal are significantly stronger than in the other countries where it has offices, it appears to have useful ties in them and certainly works in areas, i.e., NGO and grassroots capacity building, and on issues, para-legal assistance which respond to identified needs in civil society strengthening.

Goree Institute
Contact: Mr. Andre Zaiman, Director
Tel: (221) 21.70.81
Fax: 22.54.76

Regional democracy institute started in 1987 by members of IDASA, South African democracy institute, itself formed by liberal white South Africans. Focus is the integration of democracy, development and culture. Looks at the relationship between state, civil society and private productive sectors. For the latter two sectors, state must provide "space" for them to develop and grow which has taken place during political liberalization process in most African countries and needs to consolidated following democratic transitions.

Currently in a capacity building stage including establishment of its office and a "Sabatical Residence"; the setting up of an electronic library capable of storing documents, studies, etc.; electronic mail connecting it with international data bases including Library of Congress; and desktop publishing capacity. Currently a staff of three but intends to add research and program directors. Seems to have a diverse funding base including N.E.D. grants. Has found it relatively easy to gain funding for programmatic activities but less so for institutional and operating costs.

Programs are little more than one year and include: (1) comparative African empirical research around issues of political culture and change (2) training of civil society organizations in areas of strategizing, policy formulation and advocacy and in general institutional strengthening (3) education especially in bringing together Africans at the Sabatical residence for extended periods of time to undertake research, reflections and workshops on a range of topics related to democratic governance including policy analysis, formulation and making; and (4) dialogue and culture which promotes inter-subregional contact among

civil society institutions and universities; and looking at non-traditional ways to extend democracy education through appropriate cultural methods and mediums including traditional performing arts.

Analysis: The institute has impressive physical facilities, including its setting on Goree Island, seems well run with dedicated staff and has a programmatically coherent set of objectives and activities. Has hosted several workshops to date bringing together members of organizations with similar objectives. The residential center is an ideal location for small (10 to 20 persons) groups to reflect and discuss issues of common interest. And its research agenda including a comparative study (using Kenya, South Africa and Nigeria) of political culture and change could have great value in establishing an empirical basis in these areas as well as in identifying competent African researchers. It offers a potentially important resource for a centrally funded activity.

Council for the Development of Economic and Social Research in Africa (CODESRIA)
Contact: Moriba Toure, Deputy Executive Secretary
Tel: (221) 25.98.22/3
Fax: 24.12.89

CODESRIA is a pan-African NGO set-up in 1973 which serves African research institutes, social science faculties of African Universities and professional organizations. Principal objectives are facilitating research, promoting research-based publishing and creating multiple fora geared towards the exchange of views and information among African researchers. Specifically, CODESRIA aims to: (i) develop the social sciences in Africa by mobilizing the African social science community to undertake fundamental as well as problem oriented research from a perspective which is more relevant to the needs of the African people; (ii) to develop scientifically a comparative and a continental perspective expressing the specificity of the development process in Africa; (iii) to promote cooperation and collaboration among African universities, research and training institutes, as well as professional associations; (iv) to promote the publication and the distribution of research results of African researchers; and (v) to promote and defend the principle of independent thought and research and the liberty of researchers.

CODESRIA undertakes the following activities: (i) comparative interdisciplinary research both at the continental and national level; (ii) financial support for training of African researchers; (iii) documentation and retrieval of information on research for individual researchers and institutions; and (iv) collaboration with and support of other African non-governmental social science organization (sub-regional and/or panAfrican professional organizations Multinational Research Working Groups from various disciplines and different countries work on a common theme as well as National Research Working Groups from a select number of countries are supported in various thematic areas. CODESRIA also holds yearly thematic conferences (e.g. Democracy and Human Rights in Africa: The Internal and External Contexts held in Harare in May 1992); has a grants and fellowships program; a "Reflexion on Development Program" funded by Rockefeller Foundation for senior African researchers; and a training program related to research.

CODESRIA publishes: a Journal, Africa Development; a bulletin, The CODESRIA Bulletin; a Book Series; a Working Paper Series; a Monograph Series; and the publication of a Index of African Social Science Periodical Articles and a Directory of Research Projects and Training. Through its Documentation Center CODESRIA operates a number of major information and data bases and publishes:

the Directory of Research and Training Institutes in Africa; the Register of Research projects in Africa; the Roster of African Social Scientists and the Index of Social Science Periodicals.

CODESRIA, through its networking with professional Associations organizes and hosts the annual meeting of twelve African social science NGOs including: the African Association of Political Science; Association of African Women for Research and Development; Associations of Central and West African Economists; etc.

Analysis: Although a number of respondents have stated that CODESRIA's effectiveness has declined over the past several years, there has been a serious internal review of its capacity and an acknowledgement by its new management that it needs to become less dogmatic and more inclusive in the future. It certainly is one of the, if not the, premier research cum policy institute in Africa with an extensive pan-African network of both individuals and institutions. It has held seminars, conferences and workshops in many areas of democracy/governance and civil society over the past five years and has published works and studies on the same. Its D/G program is now financed by Rockefeller Foundation and it is keenly interested in playing a larger role in this area. Recently started a "Summer Institute in Democratic Governance" in conjunction with Cheikh Anta Diop University. The aim of the Institute is to promote research and debates on issues relating to the management of development and conduct of public affairs (governance) in a democratic perspective.

Association of African Women for Research in Development (AAWARD)
Contact: Veronica Mullei, Executive Secretary
Tel: (221) 25.98.22/3
Fax: 24.12.89

AAWARD is a panAfrican non-governmental organization devoted to the critical appraisal of and research on issues pertaining to the multiple roles of African Women in the continuing struggle for change in African society and North-South relations. It is only a few years old and is currently based in the CODESRIA offices in Dakar. So far it has sponsored research activities in a number of areas, held several workshops and conferences on women's issues, and provides information through its resource center. ECHO, a quarterly newsletter is published in French and English.

Analysis: It is difficult to say how effective AAWARD is, has been or could be, although it seems to have solid donor funding (e.g., CIDA, NORAD, Africa Canada Partnership) and good outreach to women's organizations, primarily consortia, umbrella organizations and professional associations throughout the major subregions of Africa. It also seems to be well-known by other Women's organizations visited during the Mission to six other African countries made as a part of this study.

Environment and Development in the Third World (ENDA TM)
Contact: Jacques Bugnicourt, Executive Secretary
Tel: (221) 21.60.27/22.42.29
Fax: 22.35.92

ENDA is a panAfrican NGO with both direct interventions in various areas of economic and social development, and in the area of development research, technical assistance and training, and publications and information dissemination. The majority of ENDA's programs are in West Africa with national

offices in Mali and Guinea Bissau as well as offices in Zimbabwe and Madagascar. ENDA programs fall into the following categories: (i) rural and urban environmental development; (ii) hunger and poverty; (iii) appropriate technology especially geared towards alternative energy sources; (iv) development communications; (v) support to indigenous peoples; and (vi) human and civil rights. Democratization, governance and civil society promotion are all themes built into its normal programming. In collaboration with the Economic Commission for Africa and the Centre PanAfrican de Prospective Sociale, ENDA recently held a seminar in Cotonou on "Citizenship and Poverty: African Perspectives," and will hold one for Anglophone Africa in Addis Ababa in February 1994.

Analysis: ENDA represents a specific type of panAfrican NGO which promotes grassroots development, including capacity building for NGOs and local organizations. Other organizations in the same category are **INADES Formation** (headquartered in Ivory Coast) and the **Pan African Institute of Development** (headquarters in Cameroon and office in Zambia). They are all involved in research, training, provision of technical assistance, and advocacy. Most receive significant funding from international donors, both bilateral and multilateral, and undertake a significant degree of contracting as well. While ENDA does not appear to have extensive programs in democratization and governance per se, it has been working in the area of NGO and grassroots capacity building and empowerment for two decades. The leap from these areas into the field of democracy and governance is not as great as many think and thus they should be considered as a possible resource institution in the future.

International Organization of Consumer Unions (IOCU)
Joint ENDA/IOCU
Contact: Amadou Cheikh Kanoute, Program Director for West Africa
Tel: (221) 22.35.92

The IOCU is an international non-profit organization based in London with two subregional offices in Africa, Dakar covering West and Central Africa; and Zimbabwe covering Eastern and Southern Africa. The overall aim of the IOCU is to "support, educate and protect consumers throughout the world." In Africa, IOCU and ENDA are jointly undertaking a program of support to consumer unions to achieve IOCU objectives. Specific activities undertaken by the joint effort include: (i) training of journalists as to their role in consumer protection and the issues to which they should be sensitive. A four day workshop for 30 journalists from 11 West and Central African countries was held in Dakar in mid-1993; (ii) working with national unions to create a legal environment to protect consumers (in line with UN guidelines of 1985) and to ensure that individual country rights conform to standards of UN regulations and to which individual countries agreed to through relevant conventions; (iii) working with regional and subregional bodies such as ECOWAS to define their roles in the promotion of consumer protection; (iv) create an enabling environment for and assist consumer organizations to emerge; and (v) work with concerned government agencies to ensure standards exist and are enforced. The types of issues covered by consumer organizations include: dangerous and fake drugs, including drug recalls and ensuring expiry dates are labeled (Nigeria); issues of quality of goods with ingredients and contents well-marked; etc.

Analysis: Consumer rights are certainly an important area of governance and national level consumer unions are an important civil society organization which can ensure that governments are responsive to consumer problems and address relevant issues through appropriate legislation and enforcement. The ENDA/IOCU joint partnership in Africa appears to be an effective one and merits consideration as a regional organization with which to work. **{The national organization in the U.S. is based in New**

York: Rhoda Karpatikin (914) 667-9400}. Important national consumer organizations in Africa include: the Consumer Association of Ghana, Kenya Consumer Organization, and the Nigeria and Senegal Consumer Associations.

Le Centre d'Etude et de Recherches sur la Democratie Pluraliste dans le Tiers Monde (CERDET)
Contact: Jacques Nzouankeu, Director
Tel: (221) 24.47.81
Fax: 25.29.36

CERDET is a panAfrican non-profit organization founded in 1985, in Dakar. It primary mandate is to examine judicial, political, economic, social, cultural, and religious obstacles to democratization in the third world but with a particular focus on Africa, and propose solutions. Of particular interest is CERDET's focus on intermediary structures including private and public institutions, the judiciary, the press, and political parties. CERDET attempts to link the efforts of intermediary structures with the goals of grassroots organizations more representative of the general populace. Its 1993 research agenda includes:

1. the role of the existing public sector in the democratization process and the development of alternative models of public affairs administration;

2. the decentralization of African states and empowerment of local institutions, with judicial and technical support;

3. the integration and protection of ethnic and other minorities without a threat to overall national unity; and

4. the promotion of federalism, particularly in larger unitary African countries.

The Center's publications to date include a teaching manual on democracy to be used in secondary schools; an encyclopedia of articles, bibliographies, and studies on democracy and human rights in the third world; and a review of research findings intended to encourage the development of relations between grassroots organizations and political players. CERDET also publishes a biannual journal of research, information, and opinions called "Alternatives Democratique dans le Tiers Monde." From December 13-17, 1993, CERDET will host a colloquium on "Decentralization in Africa: a comparison of Objectives and Politics."

Analysis: In contrast to such regional democracy/human rights organizations as GERRDES, GOREE Institute, CODESRIA, etc., CERDET does not seem to have the same level of recognition outside of Senegal. It does however, seem to have the focus, capability and interest, in addition to dynamic leadership and a committed if small staff, to participate in a D/G program. Further follow-up with CERDET should be undertaken should the design of a rapid response facility(s) materialize.

African Consultants International
Gary Engleberg & Lillian Baer
Contact: (221) 25.36.37
Fax: 23.29.65

ACI is a subregional consulting firm which provides services to foreign firms and individuals working in the development arena. It also provides a range of training services and has a network of individual consultants and trainers available in a diverse area of technical expertise including primary health care and family planning; agricultural extension and agro-forestry; organizational development, WID, credit, language and cross-cultural instruction. ACI specializes in: (i) training and conference design; (ii) training of trainers; (iii) training materials development; (iv) team building and group dynamics; and (iv) implementation, supervision, and evaluation of training programs and conferences. Services provided to foreign firms and individuals include: (i) organizing professional visits; (ii) setting up new offices or providing required administrative and logistical support; (iii) cross-cultural orientation; (iv) setting up of workshops and conferences; and (v) a documentation center with data banks of development institutions and consultant registry for the subregion.

Analysis: ACI is reviewed for its knowledge of the region and capacity to provide a subregional administrative and logistical capability to one or both of the centrally-funded facilities. The principals of the firm, two former Peace Corps Volunteers, have lived and worked in Senegal for over 15 years and have provided services for AID, World Bank, etc. If the intended facilities do not have an actual African presence, it would be worthwhile exploring with ACI, or other such firms their interest in providing local services for these projects.

Centre African D'Etude Superieures en Gestion (CESAG)
Contact: Dr. Boukary Sawadogo, Director of Programs, Studies and Training
Tel: (221) 22.80.22
Fax: 21.32.15

CESAG is the management institute covering West and Central African countries just as the Eastern and Southern African Management Institute (ESAMI) is the counterpart organization covering the other two African subregions. It provides a range of training, educational and research services in public and private sector management to the countries of the Economic Community of West African States. It has programs in the following areas: (i) graduate level and continuing education programs including 18 month masters programs in business administration, health management and auditing; (ii) consulting services and research; (iii) in conjunction with the European Center for Development Policy Management courses in state governance and the institutional analysis of policy making capacity; (iv) rural organizational management including work with Group d'Interet Economique or small and micro-enterprises, entrepreneurial training; (v) Not-for-Profit (organizational) management and entrepreneurship; and (vi) policy formulation, analysis and management.

CESAG has exceptional training facilities with residential units for 64 trainees; an audio-visual studio which can make videos (currently making a video for CONGAD on NGO management issues); a state of the art auditorium with seating for 300; and numerous training rooms for breakout sessions.

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Rapid Response-Governance.

Analysis: According to a number of different respondents, the quality of CESAG programs has decreased over the past several years due to inadequate funding and a loss of some of its core teaching cadre. It still serves however as an important regional management institute and has established relations with other national level management institutes in the subregion. Its physical facilities are impressive and could be utilized for any number of training, workshop, conference and seminar requirements. Follow-up at some point would be beneficial should a design actually come to fruition.

Potential Organizations Not Contacted Based in Senegal:

African Jurists Association
Contact: Maitre Benoit Ngom, President
Tel: (221) 21.19.48
Fax: 21.19.48

A detailed information packet was recently received and is available as part of this study on this AJA.

Association of Professional Media Women
Contact: Madame Savane, President

Center for Information Studies (CESTI)

IRED (Geneva Headquarters)
Contact: Fernand Vincent, Secretary General
Tel: (22) 734.17.16
Fax: 740.00.11

SOUTH AFRICA

Development Resource Center/Independent Study
Contact: David Bonbright
Tel: (27-11) 838-7504
Fax: 838-6310

Information packet received and available and interview conducted.

IMMSA
Contact: Charles Nupin
Tel: (27-11) 726-7104

Information packet received and available and interview conducted.

South African Institute of Race Relations
Contact: John Kane-Burman, Executive Director
Tel: (27-11) 403-3600

Information packet received and available and interview conducted

IDASSA
Contact: Dr. Alex Mobrane, Director
Tel: (27-21) 47-3127

Information packet available

Center for Development Studies, University of Western Cape
Independent Forum for Electoral Education (IFEE)
Contact: Robert Mopp
Tel: (27-21) 453-207

Institute for Multi-Party Democracy
Contact: Oscar Dhlomo
Tel: (27-31) 304-3836 or (31) 304-0556

THE GAMBIA

Center for Democracy and Human Rights Studies, The Gambia
Contact: Executive Secretary
Tel: (220) 94525
Fax: 94962

Created in 1989 by an act of the Gambian Parliament to promote in cooperation with other African and international organizations the observance of human rights and democratic principles in all parts of Africa. It is an independent organization governed by a council of experts, and has observer status with the African Commission on Human and People's Rights. The Center's programs include: (i) Activities to increase awareness in Africa of international human rights procedures and to increase the flow of information between African and international human rights groups; (ii) the publication of reliable and objective research about human rights in Africa; (iii) A documentation center containing books, reports, journals, and brochures dealing with human rights issues in Africa. Produces a quarterly newsletter in French and English, "African Human Rights Newsletter," as well as a series of occasional papers on human rights in Africa; and (iv) education and training programs, including: a training course for human rights activists; a seminar for francophone magistrates which focused on the rules of law, international human rights standards, professional ethics, and courtroom management; and a course for senior law enforcement officers on the role of the police in protection of human rights.

Analysis: Respondents in other countries did not seem to be aware of the Center's operations. Its location in the Gambia could make it less accessible than similar centers or Institutes in the Ivory Coast or Senegal. On the other hand, it seems to be one of the few democracy and human rights centers claiming a PanAfrican capability based in an Anglophone country in West Africa. Given its location it may be more useful to think of it as a subregional organization at the most, but one which has both an Anglophone and Francophone orientation. Its courses for magistrates and law enforcement agents seem relevant. Since the Center was not visited by a study team member, it should be at some point in the future.

ZIMBABWE

Women in Law and Development in Africa (WILDAF)
Contact: Florence Bulegwa, Executive Director
P.O. Box UA 171, Union Avenue, Harare, Zimbabwe
Tel: (263-4) 729151
Fax: 731-901/2

Is a PanAfrican NGO based in Harare, which is made up of a network of individuals and institutions linking law and development. Undertakes training in legal areas, networking, research, lobbying, policy advocacy and formulation for women's groups throughout Africa. Has provided a series of training programs for women's leaders on various legal issues concerning development issues.

Analysis: This is an organization that needs to be contacted at some point to ascertain its capabilities in more detail than was able to be done second hand in this study. Harare is a regional center of relatively great importance (perhaps more so than South Africa) and other organizations their also need to be interviewed.

MWENGO
Contact: Ezra Mbogori, Executive Director
Tel: (263-4) 38025 (Hm)
Fax: 702570 (c/o Mrs. Kaitano)

The Center for NGOs in Eastern and Southern Africa, MWENGO, overall mission is to harness the capacities of NGOs in the region to articulate and implement an African development agenda rooted in ongoing experiences and analyses, with a sensitivity to both the realities and aspirations of african societies. Formed in 1991 as a membership organization open to indigenous NGOs, networks, and umbrella organizations in the region. Two principal areas identified: (i) the question of NGO identity and legitimacy; and (ii) policy research and advocacy. Activities include: (i) Research and publications: to develop a set of evaluation criteria and baseline indicators for assessment of NGO performance; to develop a publication series for purposes of disseminating useful information and analysis; to increase the capacity of NGOs and grassroots organizations through training in research and advocacy skills; (ii) Networks Management: Undertake an analysis of existing networks and umbrella organizations to enable a more effective interaction and division of labor among them. Issues that MWENGO will focus on are: (i) Who lobbies for the poor? (ii) pluralism: What implications and roles for NGOs? The Key issue of **participation** to increase **voice** for grassroots organization in developmental policy formulation; (iii) Advocacy; and (iv) Partnerships.

Analysis: MWENGO is just in the process of establishing its offices in Harare and thus has not undertaken any major activities at this point. It's potential however is great, as its leadership is superb and the process of consultation with NGOs in the region leading to its creation fostered real commitment to its goals. The need for such a subregional NGO is real and demonstrates the evolution of an regional NGO sector in Africa. MWENGO and the developmental NGOs that it represents, will primarily focus on "little democracy/little governance" issues with participation, empowerment, capacity building at the grassroots level as well as enhancing the understanding and capacity of NGOs for democratic self-governance.

OTHER AFRICAN REGIONAL ORGANIZATIONS FOUND IN ABIC LIBRARY

AAPAM: African Association for Public Administration and Management.See Article in African Voices, Summer 93 for a profile. Founded in 1971; aims to strengthen the administrative and management capacities of African public administrations.
Address: Secretary General, AAPAM, P.O. Box 48677, Nairobi, Kenya.
Tel: 242-2-521844 Fax: 254-2-521845

African Association of Political Science, P.O. Box 14798, Nairobi, Kenya. Phone: (254-2) 802182 3/802176. Telex: 25446 AFACS. Telefax: 802185. Covers Senegal, Zimbabwe, Kenya, Ethiopia, Sudan, Nigeria, Niger, Zaire, Egypt, and other countries.

African Network for Integrated Development, rue 39 X 44 Colobane, B.P 12085, Dakar, Senegal. An umbrella organization grouping various NGOs. Tel: (221) 224495. Contact: M. Madzide N'Diaye.

The African Centre for Development and Strategic Studies (ACDESS). According to the African-American Institute, this is a non-profit NGO for research and studies, which provides a forum for discussion and exchange of views among researchers, experts, decision-makers, and practitioners on issues of economic and political development. Its international board includes both donors and senior African decision-makers.

Africa Leadership Forum (Ota, Nigeria). Headed by former Nigerian head of State General Olusegun Obasanjo. According to the African-American Institute, this organization is widely acknowledged as the premier African organization examining strategies for increased popular participation in elections and the post-election consolidation phase and resolution of regional conflict.

Ahmadu Bello University, Department of Political Science, Zaria, Nigeria. Contact: Dr. Jibrim Ibrahim.

Association Internationale Pour la Democratie, AID-Afrique, c/o Cabinet Khandjis-Offoumou, 08 B.P. 803, Abidjan, Côte d'Ivoire. Promotes democracy in Africa through seminars, conferences, and election observation.
Tel: (225) 221863. Fax: (225) 224857. Contact: Ms F.-A. Khaudjhis-Offomou.

Association Ivoirienne de Science Politique, Cidex 3 B.P. 227, Abidjan, Côte d'Ivoire. Tel: (225) 432884. Fax: (225) 224038. Contact: Dr. Yves N'Goran.

Association Togolaise des Juristes Démocrates. A special interest group which seeks to further human rights.
Address: 82 Boulevard de la Victoire, B.P. 277, Lomé, Togo.
Tel: (228) 216092. Fax: (228) 216734. Contact: Ms. Dyanama Ywassa. (ref: Bakary).

CAFRAD: Centre Africain de Formation et de Recherche sur l'administration du développement, Tangers, Morocco. Contact: Mamadou Tchiam (ref.: Mamadou Kante)

Rapid Response-Governance.

CERDET: Centre d'Etudes et de Recherches sur la Démocratie Pluraliste dans le Tiers Monde. See Article in African Voices, Summer 93 for profile. Founded in 1985, seeks to examine judicial, political, economic, social, cultural, religious, and philosophical obstacles to democratization in the Third World, particularly in Africa.
Address: CERDET, B.P 12092, Dakar (Colobane), Senegal.
Tel: 221-244781Fax: 221-252936

CESAG: Centre d'Etudes Supérieures Africain en Gestion, Dakar, Senegal. Has a bad reputation as an institution, but has many competent persons. Contact: Boukary Sawadogo, Directeur des Programmes.

Centre International des Civilisations Bantou (CICIBA). A university research institute which focuses on the Bantou civilization (Central Africa).
Address: B.P. 770, Libreville, Gabon. Tel: 701677/ 763523.

CIREJ (Centre Ivoirien de Recherches et d'Etudes Juridiques.) Université Nationale de Côte d'Ivoire, 01 B.P. 3811, Abidjan 01. Tel: (225) 448429. Contact: Dr. Zakpa Komenan (Ref: Bakary)

Centre de Promotion des Droits de l'Homme, B.P. 2588, Bujumbura, Burundi. Fax: (257) 233139.

CLUSA: Cooperative Leagues of the USA, Ouagadougou, Burkina-Faso. Does much grassroots-level work (training, coops etc.) Contact: Papa Sené.

CODESRIA: Council for the Development of Economic and Social Research in Africa. Research Institute; publishes a series of books, journals and articles on African politics and economy. Exec. Sec: Thandika Mkandawire. Other potential contact: Mamadou Diouf.
P.O. box 3304, Dakar, Senegal. Tel: 230211 or 230374. Fax: 241289

Commission Béninoise des Droits de l'Homme, B.P. 04-0607, Cotonou, Benin, Tel: (229) 301514. Fax: (229) 300077. Contact: M. Saïdou Agbantou.

ENEA: Ecole Nationale d'Economie Appliquée, Dakar, Senegal. Has activities in decentralization and rural development.

ESAMI: East and Southern African Management Institute, Arusha, Tanzania

Faculté des Sciences Juridiques, Economiques et Politiques (FASJEP), Université Nationale du Bénin, Campus Universitaire d'Abomey-Calavi, B.P. no 1287, Cotonou, Bénin. tel: (229) 360126. Contact: M. Jean-Gratien Zanouvi.

Faculté des Sciences Economiques et Juridiques, Université de Niamey, B.P. 12442/10896, Niamey, Niger. Tel: (227) 740941.
Fax: (227) 733862. Contact: Abdoulaye Niandou-Souley.

Faculté des Sciences Juridiques et Politiques, Université de Yaoundé II, Yaoundé, Cameroon. fax: (237) 233922. Contact: Dr. Luc Sindjoun.

FAVDO: Federation of African Voluntary Development Organizations, Dakar, Senegal. According to the African-American Institute, it is the principal Africa-wide consortium of non-governmental and voluntary organizations. The Director of FAVDO has expressed a keen interest in the democratization process and would assist in the identification of appropriate NGOs for participation in project activities.

Centre d'Etudes et de Recherches en Géopolitique, B.P.13131, Libreville, Gabon. Contact: Louis-Marc Ropivia.

Fondation Congolaise des Sciences Politiques, B.P. 2319, Brazzaville, Congo. Contact: Dr. Marion Madzimba-Ehouango.

GERDDES: covers Ivory Coast, Benin,Senegal. Promotes democracy through conferences, seminars, and election observation.
President: Sadikou Alao. Address: 01 BP 82112, Abidjan, Côte d'Ivoire. Tel: 225-446305. Fax: 225-44-6709 or 225-44-8327.

GERDES: Groupe d'Etudes et de Recherches sur la Démocratie, l'Economique et le Social. BP 10105, Douala, Bessengue, Cameroon. Contact: Celestin Monga or Fabien Eboussi-Boulaga.

Gorée Institute (Center for Democracy, Development and Culture in Africa; works in human rights issues, organizes many conferences, seminars and training programs.) B.P. 6413, Dakar-Etoile. Tel: (221) 21 70 81.
Fax: (221) 22 54 76. Resource person: Dr. André Zaiman.

Human Rights Africa for Continental Defence of Rights and Liberties. 34, Aje Street, P.O. box 2959, Yaba Lagos,Nigeria.
Tel: (234) 1 860 73 7. Resource Person: M. Tunji Abayomi.

Institut Africain Pour La Démocratie/Africa Forum for Democracy. An organization funded by UNDP, whose mission is similar to that of GERDDES. Does not seem to be quite operational yet.
Address: c/o UNDP regional Director for Africa, Dakar, Senegal. Contact: M.P.C. Damiba.

Institute of Development Management, P.O. box 1357, Gaborone, Botswana. Tel: 52371 (?) serves 3 countries: Botswana, Lesotho, Swaziland. Evaluated UN and ILO training.

Institute of Development Management, Moragoro, Tanzania. Can do low-level in-house training for things such as first-line extension work, clerical, office management

Institut Panafricain pour le Développement (West Africa and Sahel). Based in Cameroon. Does agricultural policy formulation, implementation; evaluation and management of agricultural policy. Contact: Ismael Kante.

International Development Research Center, P.O. Box 62084,
Nairobi, Kenya. Contact: Professor Kabiru Kinyanjui

Ligue Ivoirienne des Droits de l'Homme (LIDHO), /o M. René Degni-Ségui, Faculté de Droit, Université nationale de Côte d'Ivoire, B.P. V-179, Abidjan, Côte d'ivoire.

PAID: The Pan-African Institute for Development, Douala, Cameroon. According to the African-American Institute: founded in 1964, it is an Africa-wide development research and training not-for-profit NGO with four regional institutes located in Burkina-Faso, Cameroon, and Zambia. PAID assumes an integrated approach to rural development, possesses a wealth of experience in participatory training programs, especially in decentralized local government planning, and has extensive experience in organizing programs of popular participation. The PAID network will be helpful in all phases of the electoral process.

U.E.R. des Sciences Juridiques et Politiques,-Université de Saint Louis, B.P. 234, Saint-Louis (Senegal).
Tel: (221) 611768.
Fax: (221) 611884. Resource person: Babacar Kanté.

University of Botswana: Center for Public Administration Training

Université Hassan II, Morocco. Has a Public Affairs program.

Université Mohammed V, Morocco. Has a public affairs program.

APPENDIX A

QUESTIONNAIRE-IMPROVING GOVERNANCE

Name of Organization:

Address:

Phone:Fax:

Category: *(Please circle the appropriate answer)*

Professional Association -- University -- University affiliate -- Firm -- Not-for-Profit -- NGO/PVO (AID registered/non AID registered) -- Training and Research Institute -- Other (please specify):

Date founded:Number of Permanent staff:

Volunteer Staff:Membership:

Staff composition *(Lawyers? Political scientists? etc.):*

Publications:

Contact person(s): *(Please include name and position)*

I. AREA OF ACTIVITIES

Regional Coverage *(Please circle appropriate answers and underline your predominant regions)*:

Africa -- Middle-East -- Eastern Europe -- CIS -- S.E. Asia -- Latin America -- North America -- Western Europe

Offices in Africa *(Please include addresses and contact names if possible):*

Country Programs in Africa:

II. DEVELOPMENT BACKGROUND

Governance Specialization: *(please circle appropriate answer)*

TECHNICAL EXPERTISE

***Executive*: public sector management, public administration, policy reform, policy management, decentralization and local government, financial (budget reform and transparency), election design/ administration, other:**

***Legislative*: rule of law, legal reform, constitutional reform, legislative training and support, constituency relations, legislative organization, legislative record keeping, election design/ administration, other:**

***Judiciary*: conflict resolution, human rights enforcement, judiciary independence, judicial training and support, jury trial training, election design/ administration, other:**

CAPACITY BUILDING

Strategic Planning and Management, Organization Development and management training, Management Development, Financial Administration, systems and procedures, other:

African affiliates and/or partner organizations: *(please specify addresses and contact names if possible)*

US partners in the field of governance:

How do you feel that your organization promotes democracy and good governance? ***(please provide specific examples if possible)*:**

Previous work with AID:

III. FUTURE INTERESTS/ACTIVITIES

Expected future level of activity in Africa: *(increasing, decreasing or stable)*

Could you send us an Annual report or other documents: *(please specify which)*

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APPENDIX B

RESOURCES FOR A MORE DETAILED SURVEY

-A separate folder submitted with this report includes lists of addresses not used for this survey for lack of time.

-In the institution profiles of this survey, the "US partners in the field of governance" section often contains useful names and/or addresses.

-Publications to be consulted: Encyclopedia of associations; AID booklet of contractors (Africa Bureau: Democracy and Governance/ AFR USAID and USG Mission Resource Guide); African Voices, a publication of ABIC. (check the "organizations" section- note: summer of 1993 has already been covered).

-Potential AID resource persons:

Patricia Johnson, Africa Bureau.
Tel: (202) 663-2731

Richard Whittaker, Asia Bureau.
Tel: (202) 647-8298

Bill Cole, Near East Bureau.
Tel: (202) 663-2457

Kristen Loken (Commonwealth of Independent States Bureau).
Tel: (202) 736-4267

Deborah McFarlan, Latin America Bureau.

-Potential Resource organizations:

. The Africa Bureau Information Center (ABIC) has a number of databases which can be tapped. Tel: (202) 736-4132. As an example of the resources available, the "resources" folder submitted with this report includes a listing of USAID grantees for legislative development work.

. UN Economic Commission for Africa (Addis Ababa, Ethiopia)

. Think-tanks such as the Brookings Institution. For instance: contact Joan Nelson on policy reform, or Marina Ottaway: (202) 547-0629

-One might consider contacting non-African, non-US institutions eg in France, Canada, Great Britain.

-The Organization Development Institute has a listing of 300 OD organizations and consultants worldwide, which can be purchased for $25.

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92754

AN ASSESSMENT OF USAID'S CAPACITY FOR RAPID RESPONSE IN SUPPORT OF IMPROVED GOVERNANCE IN AFRICA

(January 14, 1994)

D.O. # 19

Submitted by: Associates in Rural Development/Management Systems International
Under Africa Bureau's Democracy and Governance Project

Submitted to: The Office of New Initiatives/Democracy and Governance Program
The Africa Bureau, Agency for International Development

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The team especially wants to thank Dr. Robert Charlick, Senior Advisor to the Africa Bureau's Democracy and Governance Program for his overall guidance and supervision during the conduct of this study. Likewise, to Mr. John Rigby, Project Manager and Ms. Dana Danowski, Assistant Project Manager of the Democracy and Governance Project, for their patient backstopping of the team and insights on a range of pertinent issues. To our colleagues in the Africa Bureau, our specific thanks go to Mr. Robert Shoemaker and Ms. Patricia Johnson of ONI-DG for their support and encouragement throughout the study period. And finally, to the USAID/Mission Officers who provided team members numerous suggestions and insights as to what was taking place in the field, and which enriched our work and this study immeasurably. It is our hope that this document will ultimately assist them in their efforts to promote democratic governance and sustainable development in their individual programs.

The conclusions and recommendations contained in this study are those of the study team, and in no way should be construed to represent those of the Agency for International Development. Likewise, any errors and omissions rightfully rest with study team itself.

Study Team:	Leslie M. Fox	Team Leader/Democratic Governance Specialist
	Nicholas Van de Walle	Political Scientist/Governance Specialist
	Mamadou Kante	Political Scientist/Executive Branch Specialist
	Tessy Bakary	Political Scientist/Legislative Branch Specialist
	Benoit Ngom	Political Scientist/Judicial Branch Specialist
	Richard Vengroff	Political Scientist/Decentralization Specialist
	Jonathan Otto	Development Management Specialist
	Melanie Wasserman	Research Assistant

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EXECUTIVE SUMMARY

SUMMARY AND OVERVIEW

Democracy building has now become one of the corner-stones of American foreign policy, and official American development assistance is seen as one of best ways to promote this new policy. Within USAID's sustainable development strategy, the strengthening of civil society is seen as one of the likeliest means to promote democratization around the world. Disillusionment with the results of thirty years of donor support to the state sector in developing countries has been the principal reason for this reorientation to the non-state sector. Civil society has now come to dominate the discussions of donors in general and USAID in particular. While this is a logical reaction to the less than satisfactory experience of our previous efforts in the domain of economic development, it would be a mistake to believe that supporting the growth of civil society alone will ensure the emergence and sustainability of democratic systems. Where democratically elected regimes have come into existence in Africa, there is a compelling, if not obligatory reason to provide strong support to the state sector. One cannot talk about a state-society paradigm promoting democratic governance without accepting the need for strong state institutions capable of carrying out a set of governance functions necessary to, at a minimum, guarantee societal stability and the emergence of a strong non-state sector.

This study on improved governance in Africa provides a conceptual framework in which governance is seen as a process embedded in society and not just in state institutions. At the same time, it isolates the state sector from the larger realm of state-society relations for the purpose of examining ways to improve governance functions within the principal institutions of the state. This is done by identifying four primary dimensions of governance, i.e., accountability, transparency and informational openness, the rule of law, and institutional pluralism and participation, and proposing a set of short to medium term interventions that are designed to enhance increases in each of these dimensions within the state sector.

A major point made in the Conceptual Overview section, is that governance cannot be improved more than marginally without addressing societal conceptions of authority which are intimately tied to changes in political and cultural norms. Thus, since improvements in governance interact strongly with and depend upon changes in societal norms and de facto rules, they generally can be achieved only over significant periods of time. Specific types of assistance which can be useful in the short to medium-term, therefore must be started up quickly once political opening are sufficient to warrant direct assistance to centralized state institutions and must continue over time. It is to this need, that this study was commissioned and to which it addresses itself. The remainder of the executive summary, touches on the major issues and recommendations made in the overall study including the several annexes attached.

IMPROVING GOVERNANCE IN THE STATE SECTOR

Governance reform is not just the improvement of technical management of political processes. Thus it is not just a question of building the capacity of state institutions such as the executive branch including the permanent bureaucracy, to improve their effectiveness in the management of public resources. The same could be said for the judiciary and legislative branch in terms of providing them with both the means and independence to undertake those functions accorded to them within a constitutional framework. Governance reform fundamentally involves changes in relations between

state and society, which includes empowering civil society organizations and making state institutions more responsive and accountable to citizens.

Shared governance, one of the principal concepts underlying the Africa Bureau's strategy of "democratic governance," is one in which governance functions can place either within state institutions or within those of the non-state public; the non-state sector is therefore very much involved in the "supply" of good governance. It also explicitly posits a role of the non-state or civil society in "demanding" good governance from state institutions, and thus requires in the African context specific interventions to strengthen civic organizations and NGOs to undertake these functions. Thus, improvement of governance capacity cannot be accomplished solely in the public sector. It is inextricably linked to a strong civil society and to a strong state. Achieving democratic governance without strong state institutions capable of providing an enabling environment for the emergence and growth of civil society is, therefore, no more possible than expecting good governance without an empowered civil society capable of demanding it.

While there is little empirical evidence that ties the conditions for good governance emanating from state institutions to any particular regime type, the assumption is made, and conceptually defended, that a democratic system embodied by principles of political pluralism, human rights protection and regular elections, is the most conducive. As such, politically improved governance involves making the management of political processes more effective and participatory. There is a far greater empirical link between the notion that improved governance does seem important to and is a contributing factor for the promotion of economic growth. Growth, in fact, depends on the regular and reliable provision of "public goods including social, economic and physical infrastructure, information, civil order, and some assurance of the right to benefit from risks taken and investments made". Improved governance, it can be argued, is also required by the state to garner a level of popular legitimacy which enables it to undertake unpopular economic reforms while asking citizens to bear some of the painful costs that result from it.

The most serious causes of poor governance are the dominant patterns of political authority that have evolved over time in a given society. In the African context, as well as in other regions of the world, these governance patterns can be described in terms of asymmetrical power relationships that have developed both within the state sector itself; and between it and civil society. Concentrated, non-accountable structures of authority produce intrinsically poor governance and low levels of legitimacy and support. Only secondarily can poor governance be attributed to lack of training and experience with governing state apparatus. In short, the problems of governance are structural and normative, embedded in the state institutions and within the larger society as well. This implies both structural reform and a fundamental change in societal norms and values, both of which are long-term endeavors.

Although internal state reforms are unlikely to be sufficient in themselves, if we leave aside the primary role of civil society in improving democratic governance, then there are actions that can be undertaken at the level of the state (governmental) institutions that can lead to increased accountability and transparency:

- improving the monitoring and evaluation capacity of legislatures;
- empowering judiciaries to investigate and sanction illegal actions of incumbents in other branches of government;

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- strengthening legal systems to make decision making more predictable and just and based on the rule of law;

- enhancing the capacity of all state sector institutions to provide timely and accurate information as to their functioning, performance and decision making;

- strengthening the deliberative and rule-making capabilities of legislatures; and,

- improving the deliberative and rule-making capacities of other state institutions at all levels of the political process including meaningful decentralization programs which ultimately lead to greater institutional pluralism and participation.

Undertaking these actions and others discussed below are important because without reform within the state, civil society itself can never be expected to become fully effective. Nor can it be expected that the demand for good governance from without can ever ensure the achievement of a state sector that is accountable, responsive and transparent. The state simply has too much power and too many opportunities to either ignore or by-pass the oversight and monitoring functions of the non-state sector.

Strategies with corresponding sets of interventions for improving governance functions must be developed. The following interventions should be considered at various stages of the democratization process:

Pre-transition

In a pre-transition phase, the emphasis of governance reform should be on the non-state sector and principally those civic organizations and NGOs that can increase the demand for good governance from state institutions while improving their capacity for good self-governance in their own institutions. Where there appears to be some degree of independence from the executive branch by either African judiciaries or legislatures, then actions to build up their governing and decisional capacities may be warranted. This will need to be assessed on a case by case basis and closely monitored. As USAID's recent sustainable development strategy states, a component of this assessment process would include discussions with civil society actors to determine the appropriateness of undertaking interventions in support of state institutions.

Post-transition

In a post-transition phase, primary attention should be focussed on instruments and institutions that are internal to the state itself, particularly legislative oversight and decentralization to improve local government. The underlying principle in this regard is to decrease the power of the executive branch vis-a-vis the legislature and judiciary and also to increase the symmetry in power relations between central and local governments. The history of African governance has been one of state building embodied in the executive branch and at the expense of other state institutions at both the national and local levels. Secondly, interventions should be designed to improve and strengthen the capacity of all state institutions including the executive to make and implement policy more effectively so that they can respond to societal demands for improved state governance. Finally, any intervention that is considered should be viewed through the optic of the governance perspective which essentially

translates in to how to improve public governance while enhancing accountability, rule of law, transparency and participation.

USAID'S PARTNERS IN DEVELOPMENT

As part of the assistance strategy proposed to strengthen capacity for improved state governance, the study has identified potential U.S. and African regional organizations that lend themselves to the natural "partnership" relationship that USAID has indicated is its goal in the achievement of its sustainable development objectives. Both U.S. institutions including universities, professional associations, non-profit research and policy institutes as well as African regional organizations (e.g., universities, policy centers, and research and training institutes), have demonstrated expertise in a number of relevant governance areas that could be drawn upon under a rapid response facility supporting improved governance.

U.S. INSTITUTIONS

While there are a number of U.S. institutions which have both the technical expertise and area knowledge and experience in African governance, in contrast to other regions of the world they are relatively few. Two trends seem to be emerging in this regard as well. First, USAID funding patterns appears to be drawing organizations with governance expertise, and even those with African experience, to other regions such as the NIS and Eastern Europe. Secondly, it is precisely these organizations which have already built up some experience in African governance seem to be gaining the lion's share of what funding is available for Africa. These trends are not in fact dissimilar to those witnessed in both the economic development and humanitarian fields. Donor funding in general has tended over the past few years to be drawn to those regions which have been, for foreign policy and reasons of national interest, accorded higher priority than Africa. This has been mitigated to a significant extent in the case of USAID by the Development Fund for Africa (DFA) legislation which has mandated a fixed level of American foreign assistance to Africa. With overall foreign aid levels decreasing or being reallocated to such areas as humanitarian assistance, and a lower DFA funding mandate in 1994, it has obligated non-profit as well as for-profit organizations to reorient their programs to those regions where foreign assistance is now flowing.

In terms of those organizations which are receiving USAID funding, only a relatively small number of larger organizations, including PVOs, non-profits and universities, have receive USAID-funding through larger grants or contracts. These organizations include the two party-affiliated institutes (NDI and IRI), International Foundation for Electoral Studies (IFES), the African American Institute, several universities and non-profit institutes and centers. It should be noted that much of this expertise and corresponding capacity has been acquired "on the job", a result of the funding received from USAID to implement its programs.

In addition to the fact that the field of African governance is a relatively new one, there are simply too few U.S. institutions with an adequate independent funding base to launch their own programs in Africa and bring to bear the expertise that is so desperately needed in the transformations that are currently under way. USAID is going to remain the preeminent source of grant funding for those organizations with both the capacity or the interest to become involved in African governance. As such, USAID should rethink its strategy of supporting the universe of such institutions that could become involved in this new field of endeavor. This study has already made an initial review of institutions that could be drawn upon to provide assistance in a new centrally-funded project to

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support improved governance in Africa. Further study is however needed. At a minimum, a far larger number of organizations, both those already identified and those that will be, need to be targeted for incorporation in USAID's Democracy and Governance Program in Africa. It certainly appears that it is within the American university system, including consortia, policy centers and research institutes, that the principal focus needs to be made. Particular attention should be paid to the minority institutions such as the HBCUs, which have a much larger role to play in this field than they have been accorded to date.

Because of the relative lack of organizations with regional experience, or in the application of their expertise outside of the U.S., there is justification for USAID to provide a component of training and technical assistance, including staff exchanges between U.S. and African institutions to build this capacity. There will also be some governance areas in which sharing of information and new ideas needs to be undertaken with organizations interested in working in African governance. A rapid response facility, as proposed in this study, would be an appropriate mechanism through which to broaden the base of American organizations that want to participate in the governance field; and, provide a means where necessary, to increase their capacity for this greater participation.

AFRICAN REGIONAL ORGANIZATIONS

While one sees the gradual evolution of a regional "civil society" in Africa, the same cannot be said of a similar phenomenon among states institutions. Whether this would be expected to take place within the context of regional integration, or in the development of regional organizations designed to support the development of state institutions is difficult to say. One looks at such regional "state" institutions such as the Economic Community of West African States (ECOWAS), the Preferential Trade Area (PTA) of Eastern and Southern African countries, and even SADCC countries, and there seem to few if any related institutions which offer any possible support in terms of providing assistance to executive, judicial or legislative institutions in individual member countries. While these types of regional institutions do not offer a rapid response facility any potential in terms of expertise or skills, possible collaborative efforts should be discussed with them.

What is evident is that there are few regional organizations which can contribute to the development of capacity within the state sector of African countries. It appears that national universities have a significant role to play in improving governance in Africa. Their current ability to transcend national boundaries is important. However, the universities lack the organizational capacity in most cases to play an expanded role in African governance without significant donor support. There are numerous exceptions to this observation, and particularly a select group of policy centers, research and training institutes, and academic departments (e.g., law, political science). They have become players in both their own countries and within their immediate subregion as well because they have been able to market their services and thus bring in revenues to retain staff and provide for their material needs. This is perhaps the most interesting observation that was noted during the country studies undertaken for this assessment.

This assessment only touched the surface of the university systems in several African countries. A survey and assessment focussing only on universities should be undertaken in a future design stage. Nigeria, Zimbabwe and South Africa, not covered in this assessment, must necessarily be included in a follow on should this recommendation be accepted. The same can be said for other national level non-profit centers and institutes. Respondent in both the state and non-state sectors interviewed during the field component of this assessment, made it clear that they were most comfortable and felt

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that the best source of knowledge for improving governance in their countries could come from individuals and organizations in neighboring countries. The potential and capacity of national level institutions for working in the governance domain is probably greater than those few regional organizations that currently exist. In either case, national level institutions, if they are going to participate in any meaningful way in a governance project, are going to have to receive some form of institutional support from USAID if they are to move beyond a national focus to a regional one.

DEVELOPING A RAPID RESPONSE CAPACITY FOR CIVIL SOCIETY PROMOTION

While USAID has heightened its commitment to more directly support democracy and governance, most Missions in Africa do not now have extensive in-house capacities to analyze, design and implement activities in this area. Thus, there is the perceived need to provide various forms of assistance to Missions as they decide how best to respond to opportunities, and then take early steps to support and enhance moves towards greater democracy.

It is expected that the lion's share of USAID investment in D/G in Africa will come from the bilateral OYBs of Missions. The supportive, centrally-funded project options explored in this study are meant to assist a number of Missions to program and utilize their resources, and to provide complementary assistance at specific points in their programs.

The normal time frame for USAID project design and procurement is incompatible with the quick pace and unpredictable nature of democracy building that the Agency is attempting to influence in one way or another. Not only do Missions need access to a variety of assistance options, but they must also be able to procure services far faster than usual.

The discussion of mechanisms presented in this study aims to work within the limits of procurement rules and their accepted practice, while at the same time searching for the most powerful institutional arrangements, the most supple financial instruments, and the most responsive implementation mechanisms to support Missions in their D/G activities.

Activities Missions may wish to pursue in relatively short term D/G assistance cover a spectrum of inputs such as technical assistance and training, financial grants and commodities. These resources can be provided to government and parastatal agencies, private firms, NGOs, and professional agencies. They are highly site-specific, and often time-limited in their utility and application.

Timing is crucial in D/G matters, and the ability to respond in a punctual fashion must be factored into project design and procurement/assistance decisions. It is important, however to define "timeliness" in terms of the "rapid" response facility that is being proposed here. This study makes the distinction between the ability to respond to needs and opportunities in the context of democratic transitions or consolidations; and in situations of an emergency nature which may be associated with "failed states," or countries just emerging from some type of national calamity, including civil strife. The recommendations made here concerning the types of interventions, and the mechanism with the capacity for rapidly delivering them, pertain to the former case only. USAID is currently in the process of designing a program with requisite capacity that would address those countries in a "crisis and transition" situation.

Secondly, whatever instruments and arrangements are employed, it is vital that Missions be perceived as the primary client. This proposed project is not supporting the programs and projects of PVOs and/or universities, although they are considered as possible service providers as discussed above.

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Secondly, whatever instruments and arrangements are employed, it is vital that Missions be perceived as the primary client. This proposed project is not supporting the programs and projects of PVOs and/or universities, although they are considered as possible service providers as discussed above.

The design of a rapid response facility supporting improved governance is predicated on needs identified by USAID/Missions relative to their own country programs.

In making its final recommendation concerning the most appropriate "implementation modality" for the rapid response facility, the study team has reviewed the full range of procurement instruments currently in use by USAID (i.e., contracts, grants and cooperative agreements), as well as the institutional arrangements (e.g., consortium, joint venture, single institutional project manager) employed in the management of these instruments. This discussion is presented in Part VI.

The conclusion and corresponding recommendation of the study team concerning the most appropriate "implementation modality" to support improved African governance in a timely and responsive manner is that of a ***Cooperative Agreement employing a single institutional project manager***. Perhaps the best example and potential model for this proposed facility is the Cooperative Agreement entered into with the International Foundation for Electoral Systems. The part of the IFES cooperative agreement that supports African Electoral Assistance takes the cooperative agreement to the regional level. It demonstrates the considerable flexibility of this instrument to serve Mission-determined D/G needs in a series of countries in a responsive and rapid manner.

This recommendation is made with one principal caveat. What is ultimately being recommended is the use of a cooperative agreement instrument. It provides all the flexibility that is required to assure responsiveness and timeliness to Mission requests. While this is the same instrument recommended for the civil society rapid response mechanism, the selection of a U.S. PVO or non-profit organization (including universities) as the single institutional project manager is open to further discussion. Although we would encourage serious consideration of a for-profit firm in this role, there are serious questions whether one would be willing to work under a cooperative agreement mechanism given the fact that their fees would have to be waived. In short, the cooperative agreement is the most powerful procurement instrument consistent with the exigencies of a rapid response capability, the choice of the external project manager from among for-profits and non-profits is not altogether clear at this point.

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I. INTRODUCTION AND OVERVIEW

This study responds to the Africa Bureau's request to prepare a report that "will provide the basis for the Office of New Initiatives/Democracy and Governance Office (ONI/DG) to formulate a Project Implementation Document for the proposed design of a centrally-funded Rapid Response Facility to Support Improved Governance [in the state sector] in Africa." This is the second of two studies being submitted by Associates in Rural Development (ARD) and Management Systems International (MSI), under contract to ONI/DG through the Africa Bureau's Democracy and Governance Project. The companion study which looks at developing a "Rapid Response Facility to Support Civil Society in Africa" has been previously submitted under separate cover. Together the two studies encompass the broader realm of state-society relations, and provide specific recommendations by which the Bureau can advance its stated strategy of promoting "democratic governance" in Africa within the larger Agency-wide goal of fostering sustainable development. As such, both studies should be treated as responding to the same overall objective, but focussing specifically on the means for doing so in a responsive and timely manner. The remainder of this introductory chapter presents: (i) study purpose and objectives; (ii) study structure and content; and (iii) study methodology.

A. Study Purpose and Objectives

The Statement of Work (see Annex 1) detailed under this work order calls on the contractor to "outline and design a funding mechanism that will provide the Africa Bureau with a new centrally funded project to support improved governance in furtherance of sustainable development." In this regard, four specific tasks and a corresponding set of "deliverables" were detailed in the SOW and will be incorporated in and contribute to the final report that outlines the modalities of a rapid response mechanism to support improved governance. These four deliverables include:

1. An assessment of the perceived needs of for rapidly disbursed support as seen by newly elected regimes, and by key sectors civil society with an interest in public policy performance. In addition, the views of USAIDs, Country Teams and other donors in selected countries will be sought.

2. An analysis of existing literature and empirical evidence of the probable outcomes of strengthening specific types of governance institutions which link public interest groups to the policy process to determine which approaches are most likely to contribute to stable democracy and improved governance.

3. An analysis of U.S. and African regional organizations (particularly including U.S. universities, professional associations, and other U.S. PVOs and African regional organizations) in key areas of need for improved governance, to determine where the existing capability for assistance in this area is found, and how additional capability can be rapidly created.

4. An analysis of various implementation modalities with recommendations for organizing a rapid response and support facility (including technical assistance and financial support) which can be made available in a timely manner, and particularly to bridge the transitional period between Mission project design and implementation.

Support for improved governance through this proposed facility is to be considered in each of three stages of the democratization process: (i) the initial stage of "political liberalization," and thus distinct from a pre-transition stage; (ii) "democratic transition" embodied by a "deepening" of political and

economic reforms initiated in the previous stage, and leading to the holding of multiparty elections; and (iii) "democratic consolidation," marked by the installation of a democratic regime following free and fair elections. The project is not intended to work in countries in a pre-transition stage marked by the secure hold on political power by an authoritarian regime; or in so called "failed states," in which there exists no recognized political authority capable of maintaining public security, and where disputes are resolved through armed conflict rather than peaceful negotiation. In terms of support to state sector institutions, there is little likelihood that direct support will be forthcoming during the pre-transition stage other than on a case-by-case basis. This is consistent with USAID's overall criteria developed for sustainable development and transition countries.

B. Study Structure and Content

This purpose of this section is to provide a guide or road-map as to what will be found in the overall study. It also provides a very summary discussion of the contents of each of the component sections. While each of the components, i.e., individual chapters and annexes, that compose the overall study have been integrated to provide a logical and coherent sequence to support what is essentially a pre-design document, they can also be treated as discrete studies in and of themselves. Thus, for those whose may only have an interest with, for example, issues related to decentralization and improved governance, or on the nature of a possible rapid response mechanism, the study is structured so that the individual components can be read as stand-alone documents.

Part II: Conceptual Overview and Operational Principles

Governance has increasingly entered the lexicon of development theory and in some quarters is considered a necessary element for a successful sustainable development strategy. As a concept however, it offers little in the way of an operational approach and strategy that could promote improved governance within the state sector in Africa. In Part II of this study, a review of the relevant literature has been undertaken leading to the presentation of the "state of the art" in terms of the current "best knowledge" of this field of thought. From this discussion, a number of "operational dimensions" of governance are developed that provide the means by which to formulate a strategy and program of support for the promotion of improved governance in state sector institutions. In the Conceptual Overview section therefore, four governance dimensions have been identified in this regard, i.e., **accountability, rule of law, participation and rule of law, and transparency and open information**, the promotion of which, it is posited, will lead to improved governance in targeted state institutions. Two principal points are made in this overview section. First, that governance takes place not only within the state sector but within civil society as well. And secondly, the most likely set of interventions to increase improved governance in the state sector are likely to be those that in fact strengthen civil society. These points are amplified in the following text.

Part III: Operationalizing a Program of Civic Action

In Part III, the study moves another step in the direction of operationalizing a concrete program of improved governance in state sector institutions. It does this, in Section A, through a discussion of the three institutions of the state: the executive, legislature and judiciary, in terms of the types of interventions which could best promote increased accountability, transparency, rule of law and institutional pluralism. It should be noted that in addition to a review of these three state sector institutions, the study also looks at and has commissioned a paper on decentralization and its role in promoting improved governance. Each of the four sections of Part III, thus provide a brief overview

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of the institution covered (and decentralization), with a corresponding set of short to medium-term interventions that could be supported by the proposed rapid response facility. Discussions of institutional capacity concerning each of the state institutions is provided in summary fashion in this section.

Part IV: Supporting Improved Governance: The Role of U.S. and African Regional Institutions

Part IV, "Supporting Improved Governance: The Role of U.S. and African Regional Organizations" provides a summary assessment of the capabilities and interests of U.S. institutions including universities, professional associations and PVOs and African regional organizations in the area of governance. The section also includes a number of recommendations concerning which organizations among these two communities should be targeted for the provision of assistance under the proposed rapid response facility.

Part V: Programmatic Parameters and Issues

In Part V, program parameters and issues are presented that are intended to serve as the basis for the development of a Project Implementation Document. In this regard, there are sub-sections which discuss: (i) background and the problem address; (ii) recommended project purpose; (iii) project scope and priorities; (iv) types of project assistance provided; and (v) future design issues.

Part VI: An Analysis of Implementation Modalities

In Part VI, a review of AID "acquisition and assistance" procurement instruments is undertaken to determine which implementation modality would most likely provide the type of rapid response capability needed to address the constraints which USAID/Missions have previously encountered in trying to support civil society in their field programs. A rapid response capacity is seen as a function of (i) the type of instrument employed, i.e., contract, grant or cooperative agreement; and (ii) the institutional arrangement, (e.g., consortium, single institutional project manager) employed under the selected instrument. The review thus commences with a discussion and comparison of contracts, grants and cooperative agreements, and provides examples of several centrally funded projects as a means for identifying those aspects which facilitate responsiveness and timeliness (or which constrain them). Part VI, ends with a number of different options and specific recommendations for the implementation modality that could be employed in a rapid response facility. It also identifies a number of contracting issues which require further review by AID, as the removal of some constraints to rapid response require either new regulations (and thus new legislation) or waivers on those that already exist. There are as well some issues which simply could not be resolved here as neither the written regulations nor concerned AID procurement officers were themselves clear, or could interpret exactly what could or could not be accomplished or permitted under a particular instrument. While this presentation was developed for use in the civil society study as well as this one on governance, the conclusions and recommendations have been modified to respond to the specific needs related to a governance activity.

Study Annexes

Annexes attached to this study either respond to specific deliverables as noted in Section A, above, or provide additional information on specific topics discussed in summary in the main body of the study. The following annexes are attached:

Annex 1: Detailed Statement of Work

Annex 2: Commissioned Papers:

In order to gain a more in-depth understanding of needs and capacities of the three state sector institutions that would be the target of a governance program, individual papers were commissioned on the **Executive, Legislative and Judicial** branches as a part of this study. As noted above, an additional paper was commissioned on **decentralization** given its importance as a strategy towards improving governance within both the state and civil society sectors. Each of these papers includes a review of the relevant literature, conceptual overview and operational sections, and a set of recommended short and medium-term interventions. Equally important, each of these papers provides an assessment of the institutional capacity of the concerned state institutions. Each of these papers are rich in detail concerning the specifics of these institutions within the African context.

Annex 3: Inventory, Profile and Assessment of U.S. PVOs and African Regional NGOs

Some sixty U.S. institutions, including PVOs, professional associations and universities were interviewed in both the U.S. and Africa during the course of this study. This side-study provides an inventory and profile of those institutions assessed as either playing a significant role in African economic and political development, or as having potential to do so. Individual summary profiles exist for each with relevant documentation describing their programs in more detail also available for review. A general assessment was conducted as to the capability of these organizations in key areas of governance support. It should be clearly understood that while a significant number of these organizations were interviewed in person, the majority were interviewed over the phone or responded to written questionnaires. As such, the assessment presented should only be taken as an initial step in what would surely be a major research undertaking itself.

Twenty-five African regional organizations, including NGOs, professional associations, research, training and policy institutes/centers, and universities, were directly interviewed during the field component of this study. In addition, a search was made through The Africa Bureau's Information Center (ABIC), which uncovered a number of additional organizations that could be contacted in a later stage of the design process. This Annex thus includes an inventory, summary profile and analysis of institutional capabilities of these organizations. A note of caution is also made, as in the above case, to not treat the assessments of these organizations as definitive answers but as initial reviews that will require additional follow-up.

Annex 4: Comments from USAID/Missions and Country Teams on Rapid Response Facility

Six USAID/Missions were visited during the field-based component of this study, i.e., Senegal, Ivory Coast, Ghana, Uganda, Tanzania, and South Africa to elicit comments from concerned Mission officers and Country (Democracy) teams on the need for a rapid response facility. In addition, comments from the field to the Africa Bureau's "Draft Blueprint" on democracy and governance were

reviewed from another three countries, i.e., Chad, Madagascar, Kenya. These responses were instrumental in determining field needs and perspective concerning support for civil society development, and their experiences with other facilities already in place.

Annex 5: Review of the Literature & Bibliographies

The literature on governance that was reviewed during this study, as well as other documents that were referred to in the preparation of the "implementation modalities" section and NGO inventory, profiles and assessments are presented in this annex.

Annex 6: Legal Opinion Concerning Mechanisms Study

Under this study a law firm specializing in USAID procurement regulations was engaged to provide legal advice on the different funding instruments and what could or could not be accomplished under them in terms of expediting services under a rapid response facility. This annex provides specific opinions on nine procurement questions the answers to which assisted the team to arrive at the recommendations made concerning the most relevant implementation modality for the proposed facility.

C. Study Approach and Methodology

This study included both U.S. and field-based components. A combination of political scientists with specialization in African democratic governance, development management specialists with extensive AID experience, and research assistants contributed individual pieces to this study. In the U.S., reviews of existing literature and empirical evidence related to the governance field were undertaken and have provided the conceptual framework and rationale for supporting a program of improved governance, as well as specific recommendations for the types of interventions that would most likely work in the African context. Research was conducted in a number of areas to prepare for specific study components including (i) the AID procurement process and regulations; (ii) U.S. organizations working in the field of democracy and governance; (iii) African regional organizations capable of supporting national level democratization efforts; and (iv) existing centrally funded projects supporting AID's regional and technical bureaus. These activities were undertaken from October through mid-December 1993.

The field-based component took place for four weeks between mid-October and mid-November with seven different African countries visited. The purpose of this visit was to gain field level input and perspective into the design process of a rapid response facility to support civil society in Africa. Specific objectives included:

1. to assess the capacity of African regional institutions to support improved governance at the country level.

2. to assess the capabilities of U.S. institutions with African programs to support improved governance.

3. to gain input from and the insight of USAID/Missions and country teams, key sectors of civil society, donors and officials from newly elected regimes, in selected countries in terms of their perceived needs for a rapid disbursing mechanism in support of improved governance.

4. to assess the needs of state institutions in selected countries to determine the types of rapid response needs not likely to be met through the conventional AID project process or existing centrally funded facilities all ready in operation.

5. to ascertain the nature and extent of other donor supported initiatives in the areas of governance.

The final report was consolidated, reviewed and revised throughout the month of December 1993.

II. CONCEPTUAL OVERVIEW AND PROJECT RATIONALE

A. Introduction and Summary

Governance is broadly defined as the managerial dimension of political processes -- the manner in which people within a given polity organize to make and implement decisions about the use of public resources. Governance reform involves not only bringing about changes in the way that state institutions operate, but also altering the nature of state-society relations, in particular by empowering non-governmental organizations and by making government organizations more responsive and accountable to the citizenry.

The ultimate objective of governance reform is democratic governance, in which the application of principles of accountability, transparency, the rule of law and popular participation generate national systems of governance that are responsive to the needs and preferences of the citizenry, respect human and political rights and promote broad-based sustainable economic growth.

Governance has moved to the forefront of the development agenda in Africa during the 1990s, as the donor community has increasingly come to believe that resolving the current economic crisis requires significant improvements in the governance of most countries in the region. This assessment is based on the view that in recent years many donor sponsored projects and economic reform programs have been technically sound, but have failed to reach their objectives because public institutions have performed in a deficient manner. African governance has too often been characterized by the corruption and incompetence of public officials acting behind a veil of secrecy, by extremely lax budgetary and accounting systems, the arbitrary and inconsistent application of laws, and little or no participation in decision making by non-state organizations.

Sustained and broad-based economic growth is unlikely in such an environment, because there is too much uncertainty and risk for long term investment to take place. This exemplifies the point that government action creates the institutional context in which markets operate, and that effective governance is necessary for the private sector to spearhead sound development. Governments provide key public goods such as infrastructure that all businesses use. They provide a properly functioning legal system, which is similarly critical for economic agents as it provides predictability, secure property rights and a effective means to arbitrate disputes.

Improving governance in Africa thus has the objective of creating effective and participatory public institutions that garner broad popular legitimacy and are able to promote sustainable economic growth. Most experts have identified four overlapping and complementary components to democratic governance: public accountability, the rule of law, participation, and transparency. Each involves a series of measures designed to improve how public institutions function and interact with

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social and economic forces. A program of assistance needs to promote these four components of governance within the executive branch of government, the legislative and the judiciary. This text emphasizes the public sector, while a companion piece discusses civil society, but it should be recognized that the two are inextricably linked: democratic governance requires a strong civil society and vice versa.

Democratic governance, the objective of governance reform, should be distinguished from both the more narrow concept of governmental efficiency and from the more specific and normative notion of "democracy". Democratic governance certainly includes efficient public management and governmental efficiency, but in addition it incorporates broader issues such as the quality of state-society interactions. On the other hand, democratic governance is not linked closely to a specific type of political regime. Although authoritarian political rule is clearly not compatible with democratic governance, which requires some degree of pluralism and participation, there is no presumption that democratic governance necessarily implies a specific type of pluralist political regime.

B. Governance and Sustainable Development

One of the major developmental lessons of the 1970s was that "getting the prices right" was a necessary condition of economic growth in Africa (World Bank, 1981). Experts agreed that Africa's economic crisis had resulted from wrong headed economic policies. Inappropriate price signals to producers and consumers created incentives to engage in behavior that was inimical to the long term health of African economies. This problem was particularly severe in agriculture, where inadequate government producer prices for cash crops such as cocoa, coffee and cotton had resulted in stagnation or even decreases in the production of what was often a significant proportion of total exports and government revenues. The 1980s witnessed extensive attention to micro-economic policy reform, as donors focused on improving incentives through price liberalization and deregulation, notably in agricultural inputs and marketing, credit reform, currency devaluation (Sandbrook, 1993; World Bank, 1989).

A decade of these efforts has had but a minimal impact on Africa's troubled economies, however. When and where African governments adopted them, structural adjustment reforms did not generate the kind of economic response from the private sector that donors had hoped. In most countries of the continent, economic stagnation and decline have continued and debt burdens have worsen. By the late 1980s, donors and independent scholars were forced to ponder why economic reform measures did not have the same impact in Africa that they were having in East Asia or Latin America (Corbo et al., 1992). Increasingly, they have decided that the real root of Africa's economic problems are as much related to mal-governance as to wrong headed economic policies.

This argument had long been made by academics (Sandbrook, 1986; Callaghy, 1986). It was explicitly accepted by the donor community only with the publication by the World Bank of its 1989 report, *From Crisis to Sustainable Growth*, which openly argued that Africa's economic crisis was at root a "crisis in governance" (p. 60). The Bank now argued that getting the prices right is a necessary but not sufficient condition of economic success, and that market prices are ineffectual and even perverse in their effects if certain social institutions are not functioning properly (World Bank, 1991; Brautigam, 1992). In particular, all sorts of non-price factors affect the quality of incentives, and unless they are addressed, price reform by itself will not have the desired impact. These arguments have long existed in the "institutionalist" economics literature, ably surveyed by Eggerstsson (1990, see also North, 1990).

The major non-price factor identified in this literature as essential to economic growth is the quality of public governance. Communities must ensure that a host of public goods and services are provided regularly and predictably for the market to function well. Private economic agents need regular access to information, for example, on which to base their decisions. Sustained long term investment requires a climate of stability and civil order, as well as long term guarantees about the sanctity of property rights (Eggerstsson, 1990). Finally, economic growth benefits from the existence of a well maintained public infrastructure (roads, bridges), as well as the provision of such services as police services, legal enforcement, education, and a sound environment. These elements are all *public goods*, goods or services that will not be fully provided by the private sector because an individual investor cannot capture all the benefits accruing from their production. For example, an economic agent that invests in a police force can not easily charge other economic agents for enjoying the benefits of law and order. As a result, public goods must be supplied communally by some governing body, as a result of a general consensus that the provision of these goods and services is desirable to the economy as a whole.

Although non-state actors can play significant roles in the provision of public goods, realistically, some part of the state apparatus has to play a leading role. For example, even if much "rule making" can be privately formulated and maintained, notably by associations within civil society, it will remain often necessary and usually efficient for some higher authority to enforce the rules.

As donors have rethought the relationship between the state and economic growth, they have come to focus on the developmental costs of Africa's record of poor governance. An assortment of governance shortcomings have discouraged long term investment and lessened the ability of economic agents to prosper. Investors lack information about existing laws that are relevant to their activities, because governments fail to publish and disseminate regular revisions of the law codes, often continue to apply some laws after they have been rescinded and fail to apply others. An outdated, ill-suited and inconsistently applied regulatory apparatus constrains the economy and lends itself to the arbitrary and sometimes corrupt exercise of discretionary power by an often incompetent administration (Gray, 1993). Government decisions are made with little transparency and the citizenry is not allowed to participate in the elaboration and design of economic policies; there are significant differences between announced policy and the policies actually implemented; basic budgetary information is not made public while national statistics are not reliable. In turn, citizens resist or flout public authority, because it is widely viewed as not legitimate; tax evasion or customs fraud are endemic, for example.

Improving these areas is now perceived as a pre-requisite of renewed sustainable economic growth in Africa. Investor confidence about predictable, transparent and competent governance must be achieved before African countries will attract significant infusion of private capital. State authority must be perceived as legitimate, or citizens will not accept the responsibilities of citizenship, let alone the austerity demanded by economic reform. The lesson from Latin America and Asia suggests further more that private entrepreneurs will wait up to several years after the introduction of reforms to make sure they are sustained before they are confident enough about the sustainability of the reforms to risk their assets. Thus, the impact of governance reforms on investment and growth is unlikely to be immediate, and will have to be assessed within a 3-5 year time horizon.

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C. Governance and Democracy

Democratic governance does not necessarily imply a specific political regime type, but it is true that respect for human rights and basic political freedoms, as well as substantial popular participation are inherent components of democratic governance. For example, it is difficult to imagine an authoritarian regime making headway on the openness component of governance without increasing political pluralism. Because it increases the discretionary power of office holders, governments are unlikely to increase the transparency of decision making processes unless they are forced to do so by opposition parties, the media, or by independent judiciaries and legislatures. It is likewise difficult to see how to improve the rule of law, without strengthening the independence of the judiciary. In practical terms, then, governance reforms are likely to entail political liberalization and democratization in authoritarian political systems. At the same time, there is no reason to think that democratic governance is not compatible with a wide variety of constitutional forms and types of open political systems. There is no reason to believe that American democracy is more likely to promote good governance than Japanese or Austrian democracy.

The reasons for this link between governance and political reform can be understood if attention is focused briefly on the underlying causes for poor governance in African states. To some extent, poor governance is caused by a lack of training and experience within the state apparatus. To a much larger extent, however, poor governance has its roots in the nature of political authority in these countries. Power is concentrated in small numbers of individuals as a result, not of constitutionally granted legitimacy, but rather of a) clan or ethnic ties and b) control over the means of coercion and repression (Chazan et al, 1991). In the absence of legitimacy, political elites rule through intimidation and through the discretionary distribution of state resources to selected clients. State power is used to control economic activity and divert it for political ends (Callaghy, 1984; Joseph, 1987; Bayart, 1990). In such political systems, governance is necessarily characterized by an absence of transparency and predictability, arbitrary abuses of power, and the inconsistent application of laws (Theobald, 1990).

Sustained political reform is thus clearly a necessary condition for improved governance in Africa today. Is it a sufficient condition? The relationships between regime type, economic performance and government performance are extremely complex and likely to be affected by a host of cultural, historical, sociological and ideological factors, as well as by the extent of available natural endowments. The correlation across African states between the quality of governance and the degree of political freedoms and rights is far from clear. Some authoritarian regimes have demonstrated better governance than others. Gambia, a working democracy with regular elections and one of the freer presses in West Africa, is afflicted by many of the symptoms of mal-governance of its more authoritarian neighbors. Ghana on the other hand has improved its governance quality under the Rawlings regime, on the other hand, without undergoing significant political liberalization (Herbst, 1992).

If we look outside of Africa, it is similarly difficult to establish clear relationships between simple regime type and economic performance. A number of recent surveys seem to demonstrate that although sustained rapid growth has typically occurred in authoritarian regimes, they can also be associated with economic fiascos, while many democracies have achieved quite enviable economic records (Kohli, 1986; Sirowy and Inkeles, 1990; Bollen and Jackman, 1985). Moreover, there is some evidence that the economic growth promoted by authoritarian regimes is less broad-based and equitable than the growth promoted by more pluralistic regimes. Ultimately, the difference between

a Korea and a Kenya lies less in the extent of political pluralism and human rights in the two countries, and more in the quality of governance which seems considerably higher in Korea. Good governance thus appears to be linked not only to political pluralism but also to other factors.

In brief, on balance, the continuation of the present round of political reform in Africa is likely to improve governance in many states, but it would be erroneous to expect dramatic improvements in the absence of other sociological, institutional and cultural changes.

The donors' advocacy of governance reform and democratization are closely intertwined in Africa, and in some cases, the two terms are almost used interchangeably. This should not obscure the fact that the promotion of each serves different and only partly overlapping objectives. The donors are today united in their belief that good governance is a prerequisite for rapid growth in Africa. Because there is much less consensus about the relationship between economic growth and specific types of democratic rule, the advocates of democracy have been more likely to advocate democratization as a good in itself, rather than as an instrument for economic development.

Regardless of its impact on economic growth, democracy should remain a desirable goal in any political system, amply justified by philosophical and humanistic concerns. For donors, as for Africans, therefore, it should be an end in itself for African states (See Ake, 1990, 1992). On the other hand, the donors' interest in governance is based on the perceived link between governance reform and economic performance. At least since the 1989 World Bank report, *From Crisis to Sustainable Growth*, the donor community has accepted the premise that the economic crisis is at root a crisis of governance and that African states need to undergo dramatic improvements in governance before they overcome the current economic crisis. Good governance is thus in large part not an end in itself, but rather an instrument to reach more satisfactory economic performance (World Bank, 1991). For its part, USAID has come to advocate democratic governance as an instrument to promote broad-based sustainable economic development that reconciles growth with popular participation and equity concerns.

Governance reforms should thus be driven by pragmatic concerns. Promoting greater accountability or transparency is desirable in the present African context, but they are not ends in themselves. Indeed, it is easy to think of contexts in which too much transparency would be counterproductive, for example, or in which one would want to limit accountability (eg, the accountability of public officials to narrow interest groups). Some economic policy decisions such as whether or not to devalue the currency and by how much have to be conducted secretly to be effective.

D. The Components of Governance

Democratic governance is usually meant to include several distinct if overlapping components: accountability, the rule of law, participation and institutional pluralism, and transparency. Each of these components is critically important to democratic governance, and they are all mutually reinforcing. In other words, high levels of accountability will be difficult to attain without widespread participation and/or transparency. Similarly, the rule of law will not significantly improve governance if the principles of public accountability are not widely respected.

The following four sections examines each of these elements of democratic governance. Each element is defined and related to the overall concept of governance, its links to sustainable and broad-

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based development are clarified and some general guidelines regarding the best means of improving them are provided.

1. Accountability

Accountability is defined as ***the ability to hold public actors and their representatives to act according to norms of conduct that are in the public interest.*** Public accountability implies that clear rules of conduct are known and broadly accepted and that public officials who do not respect these rules in their public actions will be disciplined or replaced through regular and legal processes. It is now widely agreed that public institutions are much more likely to be effective and supportive of economic development and of the general welfare of the population if public officials are held accountable for their actions.

Accountability is comprised of two distinct but related sub-processes (Moore, p. 42-43): first, an *appraisal* process through which the performance of the state is assessed; and a *sanctioning* process, through which poor performance is penalized and good performance is rewarded. Effective accountability requires that both these processes be present. Appraisal capacity in the absence of sanctions will lead only to frustration and cynicism about inadequate institutional performance; while sanctioning capacity will serve little positive purpose in the absence of the ability to appropriately evaluate performance. Each of these sub-processes in turn involve other components of governance: thus, appraising state performance involves transparency and open information, while sanctioning inappropriate state performance is more likely when the legal system functions well.

Evidence from an extremely wide set of historical periods and different cultural settings suggests that the absence of public accountability is likely to exact a significant cost in development performance. If public officials are not accountable to the public, they are more likely to act a) in their own interests or b) in the interests of small numbers of privileged elites. Governmental performance is likelier to be diminished and its benefits withheld from large segments of the population. This same evidence suggests that large, hierarchical, centralized bureaucracies without strong external masters, competitors, or alternatives are the least likely to be responsive to their clients/citizens or accountable for their mistakes.

There are several costs associated with low levels of accountability. First, scarce public resources are less likely to be efficiently used, as the provision of public goods and services will be of low quality, inadequate or inappropriate in every area in which the state is a significant provider. While the quality of public investment is likely to decrease, government consumption will increase in the form of higher salaries, perks and privileges, and featherbedding. It is almost universally true in Africa that large increases in state budgets have not resulted in improved services or policy making capacities.

Second, low levels of accountability increase the likelihood that there are significant differences between stated government policy objectives and actual policy implementation. There are typically no instruments for citizens to make sure that governments undertake the policies they have committed themselves to.

The accountability of state institutions requires both a) **internal** mechanisms that increase the capacity of state institutions to regulate themselves; but also b) **external** mechanisms that can impose accountability from outside the state. Internal mechanisms include for example processes that make

public servants more accountable to their superiors within the bureaucracy; in the French tradition, for example, most Francophone African states have the *Inspection Générale de l'Etat*, a corps of inspectors which reports directly to the presidency on the efficiency and probity of the central administration. There can also be independent scrutiny mechanisms within the state apparatus, such as an Auditor-General, Ombudsman, or in the French system, the *Cour des Comptes*, that report to the legislature, or some other external authority. In addition, professional associations such as the Bar, are useful instruments of accountability: they promote professional standards and norms of behavior by allowing members of the profession to judge and in some cases sanction peers that do not perform adequately.

On the other extreme, external mechanisms monitor and sanction state performance from the outside. These include societal mechanisms of accountability, such as information regarding public satisfaction about governmental services. The media, neighborhood and village associations, professional groups, business associations and more informal mechanisms (market groups, ethnic associations etc) can provide valuable information about governmental performance that serve to promote accountability. The ultimate external institution of accountability is of course elections, in which populations sanction poor governmental performance by voting incumbents out of office.

In between these two extremes are mechanisms of accountability that involve different institutions within the state. Such mechanisms of accountability come from a system of checks and balances between the branches of government in a democratic government. For example:

- the legislature is endowed with the power to monitor and evaluate the performance of the government and of the permanent bureaucracy. In turn, the citizenry arbitrates disputes between the legislature and executive by voting in regular and routine elections.

- the Judiciary is empowered to investigate and sanction illegal actions within both the executive and the legislature.

Progress on accountability will require the strengthening of both internal and external mechanisms. Widespread skepticism about the ability of the state to discipline itself is grounded in several decades of failed civil service reform, public management projects and institutional development efforts (Dia, 1993a). Many experts have argued that the impetus for increased accountability must come from the outside and must be wrested from the state that is bound to try to defend its discretionary powers. The need for external mechanisms is indeed motivating the recent emphasis on the strengthening of civil society, viewed as necessary to counterbalance the power of the state.

Yet, the limits of external mechanisms must also be perceived. External monitoring of public sector performance can never be fully effective as there is always likely to be significant information asymmetries between the state apparatus and outside organizations, and state agents are likely to be able to find ways of getting around external controls. Because it controls much of the public agenda, has disproportionate financial and organizational means and controls much of the flow regarding public information, the state apparatus can never be fully accountable to outside forces. Indeed, in a complex area such as public finance, the cost of effective external oversight is likely to be prohibitively high and may in the final analysis not be realistic. Certainly the appraisal component of public sector accountability will typically require some internal mechanisms to be effective, even if the ultimate impetus for the sanctioning of inadequate public sector performance will probably come from outside the state. As a result, a combination of internal and external mechanisms is probably

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necessary to increase accountability appreciably, and democratic governance interventions need to devise new programs to strengthen existing or invent new internal mechanisms of accountability, in addition to the programs designed to strengthen civil society.

2. Transparency and Informational Openness

Transparency is defined as ***the widespread, timely and accessible availability of information regarding public decision making and implementation processes***. It captures the notion that there is a wide number of circumstances in which public access to information is unambiguously good. It is linked to other elements of democratic governance: transparency makes accountability easier to achieve, for example, and widespread popular participation in decision making processes is not possible unless information is widely disseminated.

The governance literature has identified three primary benefits of open information and transparency: a) greater economic efficiency and growth; b) greater public sector accountability and less corruption; and c) improved public decision making processes.

a) **Economic Efficiency:** Most experts agree that economic efficiency and sustained growth requires that economic agents benefit from access to timely, relevant and reliable information. The absence of such information leaves economic agents uncertain about economic conditions and their evolution over time, and they are likely to view long investments as risky. Markets with incomplete information and/or information asymmetries are inherently inefficient and will not function properly without state intervention.

Markets themselves provide much of that information and economic agents themselves are likely to invest in the collection of information, when such investments are clearly profitable. Nonetheless, it must be recognized that information is often a public good, so that governments have a critical role to play providing information, or helping to make it public; government's role is central not only in providing information about budgetary, monetary and fiscal matters, but also in the collection of various social, economic and technical data that economic agents use to make their investment decisions.

Examples include timely and accurate data on inflation to allow investors to calculate real rates of return, as well as other national accounts data that inform regarding the health of the macro-economy; data on technical and quality standards for manufacturers, importers and exporters, on rules and regulation for domestic agents, and so on.

b) **Controlling corruption**: Corrupt, illegal and unethical behavior thrives on secrecy and the absence of transparency, as it cannot withstand scrutiny (Klitgaard, 1988; Heidenheimer, 1989). By itself, transparency can not completely eliminate corruption, but it can lessen it by making it more costly and raising the possibility of discovery and sanction. The complete end of public corruption depends on the development and widespread internalization of new norms of behavior within the public service. Without these broad cultural changes that can only come slowly, public officials will always find ways of escaping public scrutiny to engage in profitable acts of corruption. In the meantime, however, greater transparency is likely to be one of the most effective weapons to reducing the incidence of corruption.

Corruption involving the government often entail areas in which the government is intervening in some manner (Klitgaard, 1988). Thus, the easiest way of eliminating corruption such as customs fraud, smuggling or tax evasion is to eliminate the government subsidy, tax or tariff that made the corruption possible in the first place. Decisions by government to intervene in the economy and contravene the free play of markets has to take into account the cost of the corruption made possible by its policy. In many circumstances, however, government intervention is justified by other factors and eliminating it is not a realistic option. In such circumstances, greater transparency and the free flow of information is the best mechanism for circumscribing corruption. Thus, widely accessible and detailed accounting and budgeting records are a critical instrument for ensuring institutional probity. Well kept records makes supervision possible as well as external monitoring and sanction. Accounting requirement and open budgetary procedures are also a useful tool for limiting private sector corruption. Opening up decision making processes to the public similarly facilitates participatory decision making and lessens the opportunities for collusive and corrupt behavior.

c) **Improving decision making:** Many observers have argued that decision making is improved by public debate. Even when government officials are irreproachable from an ethical perspective, their policy choices and performance are still likely to be improved by public scrutiny and debate. The disadvantages and side costs of specific policy choices are more likely to be discerned, and alternative policies are more likely to be considered. An informed public debate about policy is not a guarantee of good policy. Providing widespread information may allow certain segments of the population to hijack the debate on behalf of their own narrow interests. Governments need to be at least somewhat protected from the pressures of special interests and powerful minorities. Providing information and thus ammunition to such groups may not advance the public interest. Nonetheless, the danger that policy decisions will be made in the public interest is probably on balance abetted by the flow of information and transparency. Policies that promote narrow parochial interests and lack widespread popularity are less likely to result from an open process than from a closed one. Public information is the first step to meaningful participation, another objective of governance reform (see below).

3. The Rule of Law

By the rule of law, is meant ***the existence of a legal system, or stable set of rule, sufficiently insulated from the locus of political authority that all citizens, regardless of their power and wealth, have a minimum degree of confidence that their rights under the law will be upheld if they follow its rules***. The key characteristic of such a legal system is that rules are applied predictably and consistently. People need to know the rules in advance and need to know the penalty for transgression. Law, or in other words a stable set of rules, is understood in this context quite broadly to mean the regulatory environment, legislation, courts' decisions, and also customary law in its various guises.

The rule of law has two major dimensions: a **formal** dimension which includes the factors necessary to making a system of rule effective (The World Bank, 1991). These are that rules are known in advance, that they are enforced regularly and consistently, and that they serve a clear purpose and are eliminated when that purpose is no longer served effectively. Secondly, they have a **substantive** dimension, which refers to the content of laws, including such concepts as justice, fairness and liberty (the World Bank, 1991).

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The rule of law has a) economic implications and b) broader political implications, notably for the rights of citizens.

a) **Economic implications:** Laws are essential for managing conflict and allocating resources in a manner that is legitimate to the citizenry and broadly supportive of welfare and economic development. Most economists agree that the cornerstone of a successful economy is secure and stable property rights, without which long term investment is risky and uncertain. Farmers will not work a field if they believe there's a strong likelihood that the fruit of their labor will be taken from them. Entrepreneurs will not build factories and accrue inventory if they think that someone can come and take them away from them if their investments are profitable. All too often in recent African history, investors have discovered that the legal system provided inadequate protection from the exactions of corrupt officials or unscrupulous business partners. As a result, they have either invested their capital in other parts of the world or they have invested in short term speculative activities that do not benefit the economy in the long term. Rather than invest in productive assets and technological advance, investors tend to invest in socially wasteful rent-seeking activities in such economic systems, lowering the long term growth rate.

The rule of law implies on the other hand that property rights are secure and stable. It indicates that the discretionary power of decision makers is carefully circumscribed, and that rules will be applied consistently without regard to power or wealth. The rule of law implies the existence of a system of adjudication that can resolve disputes between social and economic actors, both state and non-state and even at the initiation of the non-state actor, in an impartial, consistent and transparent manner. Laws need not only to be in the books, but also applied regularly and consistently. Judgments need to be faithfully carried out.

Such a legal environment helps reassure entrepreneurs that the economic environment is predictable enough to make rational long term investments. In addition, a well functioning legal system can increase economic efficiency because it decreases the cost of economic transactions. It should be noted that some rules undermine economic growth: inappropriate regulations or legal limits and controls on investment can discourage entrepreneurs, for example. In these circumstances no rules may be preferable to bad rules. Nonetheless, an emerging conclusion from the literature is that an absence of stable rules does exact long term economic costs.

Adjudication need not be in the American mode of an adversarial court proceeding, but can take any number of other forms, from quasi-official tribunals (ie. a labor board) that are empowered to arbitrate conflict and make legally binding decisions; to private non-judicial methods of arbitration. Particularly in the country side, long standing traditions of conflict arbitration exist that can be tapped into and adapted to suit current needs. More generally, this underscores the notion that the state need not play the central role in establishing or enforcing rule based behavior, that often can have resulted from community based customary norms.

b) **Political implications:** These economic implications of stable rules and of the rule of law are but one limited facet of their overall implications. More generally and in political terms, the rule of law implies that public governance is based, however imperfectly, on impersonal rule and principle, rather than on the preferences and materials interests of a small number of powerful individuals. The opposite of the rule of law is the rule of men. The rule of law plays a critical role in protecting citizens from the state, without which political participation and contestation is impossible. Here, the concern is with the substantive aspect of the rule of law. The governance

literature has tended to argue that at least minimal levels of justice, fairness and liberty have to be embodied in the rule of law for governance to improve.

In brief, a strong legal system that includes such notions as equality before the law, due process or independence of the judiciary, is perhaps the fundamental cornerstone of democratic governance. If principles of transparency and open information are not codified in rules that are well known, legitimate and enforceable, they will be respected by the powerful only when that serves their purpose. Similarly, accountability is meaningful only in the context of a legal system, which establishes clear norms of behavior and a mechanism for punishment when these are not respected.

4. Participation and Institutional Pluralism

Participation and institutional pluralism refer to ***the existence of a large and diverse set of non-state institutions and organizations that allow citizens to freely and constructively participate in national decision making***. Non state organizations that participate themselves or that promote the participation of individuals in politics serve to empower citizens vis a vis the state, and enhance their "voice" in the public arena. Participation can involve any element of civil and political society, from political parties to church organizations, to unions, farmer groups and business associations. It includes institutions such as the university and media which inform and encourage participation. It encompasses activities such as informing, lobbying, voting, protesting, writing and various other means of persuasion through which individual citizens and various groups try to peacefully impact decision making. But more than the existence of specific organizations, inclusive participation requires the existence of a public space, or arenas, in which public debates can take place. The term institutional pluralism captures the notion that in a participatory political system, state institutions do not monopolize or try to eliminate these arenas, but share them with other institutions, including some which do not share the state's policy preferences. It further implies that policy outcomes reflect the preferences of a majority at the conclusion of a participatory process, but that the minority which does not share those preferences not be punished in any way, and be allowed to participate in subsequent policy debates.

Participation has long been theorized to be a fundamental component of democracy. In Dahl's classic statement of democratic theory (Dahl, 1971, pp. 2-4)), democratic rule requires that all citizens have the opportunity a) to formulate preferences through freedom of expression, notably by forming and joining independent associations; b) to signify their preferences to their fellow citizens and to the government; and c) to have their preferences weighted equally by the government, regardless of the content or source of the preferences. The right to political participation (along with the right of expressing disagreement with the government, which Dahl calls "contestation") is thus central to Dahl's notion of democracy. When participation is not allowed or circumscribed by the government, decision making is made by a small proportion of the population, and rule is essentially "oligarchic". Dahl focuses mostly on individuals and tends to underemphasize the importance of institutional pluralism in empowering individual citizens. Yet non-state organizations aggregate interests and represent them in the political system, giving voice and power to individuals who otherwise might not have their preferences registered. They can be considered as critical intermediaries between citizens and the state.

The governance literature has perceived participation and institutional pluralism as fundamental components of democratic governance as well. They overlap considerably with the other components of governance, but are particularly important in the context of democratic governance, and well worth

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a separate discussion. First, participation and institutional pluralism improves decision making by subjecting policy proposals to scrutiny and increasing the number and sources of inputs into the process. Policy dilemmas subjected to the "market place of ideas" are more likely to result in sound policy. Different interests and values can be confronted and gauged. Needs and problems that otherwise would not filter up to decision makers can be brought to their attention. The process is also likely to result in more broadly legitimate policies, which can be useful when the state faces difficult and potentially unpopular choices. In particular, widespread participation and institutional pluralism will facilitate the generation of policies that promote broad-based sustainable economic development.

Second, by empowering individuals vis-a-vis the government, institutional pluralism is essential to public accountability. Institutions can monitor the state's performance, determine whether or not policy implementation is in keeping with promises, and can sanction performance when it is not. Similarly, if institutions outside of the state do not take advantage of it, transparent public policy processes will not lead to improved governance. Thus, in general, popular participation can be a powerful check on state power.

Indeed, too powerful in the estimation of some scholars, who suggest that governments such as those in Africa need to make difficult decisions and that popular participation in decision making will only complicate matters. Since Huntington (1968), many political scientists have worried that the institutionalization of the state in many Third World countries is not advanced enough for states to effectively process popular demands. More recently and in the context of the politics of structural adjustment, many scholars suggest that decision makers need to be insulated from popular pressures to be effective on behalf of the public good (Nelson, 1984; Lal, 1983). The danger that popular participation will overwhelm decision makers is a particularly relevant one in Africa, where state structures are already weak, ineffectual and permeated by societal interests in the form of clientelism.

The danger is a real one, and governance reform should be aware of the need to promote the institutionalization of state structures, notably through civil service reform and improvements in public management. The intolerance of the state for public participation has sometimes been motivated by the understandable wish to protect and cover up its own weaknesses. Nonetheless, the asymmetries in power, information and resources between the state and civil society in Africa are such, that the first priority must be in enhancing the abilities and resources of the latter.

Third, moreover, institutional pluralism and participation leads to a strong associational life and a vibrant civil society, which creates informal norms of behavior and obligation which reinforce the sense of community of citizens. Many scholars and political theorists now argue that there is a positive correlation between economic growth on the one hand and this sense of community and civic virtue on the other hand (Putnam, 1992). Historically, countries where state power is embedded in societies with civic virtues appear to be characterized by effective governments that promote economic growth (Evans, 1992).

There are several distinct approaches to increasing participation. First, various civic, economic and political organizations need to be strengthened and in some cases created if they do not already exist. In a first stage, this may imply attention to the legal system which has established an array of regulations and laws that undermine the ability of individuals to create such organizations separately from the state, or that restrict their activities. The state may enjoy a statutory monopoly on unions, trade and professional associations and the press, for example, that needs to be revoked before such

independent groups can flourish. Censorship laws, or laws limiting the right to strike and demonstrate need to be reformed. Other states have relied on non-legal mechanisms to weaken these groups. It may be important to protect fledgling associations from the intimidation, coercion and even violence of the state; that will usually entail the elaboration of a legal environment which effectively guarantees rights of political participation.

Even when such rights are guaranteed, associations may be quite weak and in need of assistance. Surveying the recent experience in Africa, the speed and dynamism with which civic organizations emerge once the authoritarian state withdraws is quite striking. Yet, an array of long term technical and financial assistance will be necessary before most African countries exhibit a comparably rich collection of civic associations as exist in the west. Most organizations appear to be suffering from the ills that afflict the society they emerge from: poverty, shortage of technical skills, corruption and so on. Given the poverty of their members, many organizations find it difficult to attract the resources needed for strengthening themselves. The NGO sector has attracted its share of opportunistic entrepreneurs, who have been tempted by the sector's rapid growth and donor support to undertake short term schemes of dubious merit, wasting resources and the good will of the community.

Second, decentralization and deconcentration of the state apparatus itself will help increase participation in Africa. At present, the formal governance structures of African states are typically highly centralized. As Wunsch argues, "Almost without exception, African governance today denies all but the most minute and routine authority to sub-national authorities" (Wunsch, 1992; see also Mawhood, 1983). decentralization involves not only administrative devolution of decision making and budgetary autonomy from the central government to local, county, provincial, or departmental authorities, but also shrinking the size and prerogatives of the central state in favor of a greater reliance on non-state organizations and on market forces. By this definition, privatization and economic liberalization are forms of decentralization.

Insofar as decentralization limits the power of centralized bureaucracies in the capital and redistributes power to new, smaller and more participatory institutions, it enhances institutional pluralism. Provincial and municipal governmental bodies may often be more responsive to the needs of citizens, particularly in democratic polities with regular local elections.

Third, the role of the media is critical, and governance programs need to include measures to strengthen news organizations. An independent media is critical to disseminating information and empowering non-state actors. The press can inform the citizenry about policy issues, and can investigate and publicize abuses. Even the weakest free press raises the potential cost of abuses of power by the state, and thus serves as a deterrent. The press as an institution is thus critical to the effectiveness of transparency.

In the context of this discussion of institutional pluralism, the press is also relevant as a series of private organizations. One of the most striking characteristics of the lack of pluralism in authoritarian regimes is the manipulation of information by the state to suit its own needs. Pluralism in the area of information requires a strong and vibrant press that challenges the state's hegemony in the production and distribution of data. This implies changes in censorship laws; it also implies improving the training of journalists, publishers, print, radio and television technicians; the development of professional standards and ethics in the media, and assistance to ensure the financial viability of media companies. By itself, the removal of censorship and government monopolies may not significantly

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strengthen the independent media, whose influence may initially be limited to a small number of educated individuals in the capital. The recent evidence from Africa suggests the independent media is usually limited to a small number of underfinanced and not always very professional weekly newspapers.

III. OPERATIONALIZING A STRATEGY TO SUPPORT IMPROVED GOVERNANCE

Attempts to reform and improve governance in Africa are likely to be extremely country specific. In every country, the nature of governance deficiencies are different, as is the relationship between regime type (eg. how much political pluralism is tolerated) and governance, the urgency of reform and the demand for change. Programs to promote democratic governance will necessarily have to tailor each intervention to these country specificities. Nonetheless, several general principles of intervention in the area of governance appear in the literature and need to inform donor efforts. In no particular order, several general guidelines follow:

A. Emphasizing Aid to the Non-State Sector

First, governance interventions should be sensitive to the degree of progress the political system has made in its transition to democratic rule. In countries in which the transition has either stalled in its early phases or has yet to begin, there may be little potential for improving state accountability or transparency through mechanisms and institutions within the state. It may for example be naive to expect that donor assisted efforts to improve public management within the executive branch will result in a significant impact on the quality of governance, as there is likely to be very little commitment on the part of political leaders to enhancing democratic governance. A program which emphasizes institutional development within the central administration to the detriment of intervention in civil society is unlikely to achieve democratic governance objectives.

Instead, in countries in the early stages of their transitions, governance programs should emphasize non-state organizations for as much of the governance aid as possible. Within the state, organizations outside of the executive branch of government, notably the judiciary and the legislature should receive most of the aid.

This principle emerges from the realization that the state's performance will improve most if external forces are empowered and strengthened so that they can bring pressure to bear on the state to increase its accountability and the transparency of governmental processes. The reinforcement of civil society puts pressures even on authoritarian governments, and can serve to pave the way for subsequent democratization. This is indeed one of the key insights of the recent governance literature. Thus, civic associations should be targeted for much of the governance assistance in pre-transition states.

Aid to the state, on the other hand, should be targeted at the judiciary and the legislature, and the primary objective of such aid should be to enhance their independence from the executive branch. Aid to those branches of government might be particularly desirable in states undergoing a critical phase of their transition, since the strengthening of the other branches of government will typically serve to check and balance the power of the executive branch, which typically houses the last holdouts in a protracted transition. For example, assistance that helps to professionalize the judiciary can only increase its independence from the executive and lead to checks on arbitrary abuses of power.

B. Emphasizing State Institutions After the Transition

On the other hand, in countries which have reached the final stages of the democratic transition or have completed it, governance programs should focus special attention on the instruments of democratic governance that are internal to the state itself. In the fledgling democratic state, it will be particularly important to create or strengthen emerging traditions of democratic governance; for example, institutional instruments that establish legislative oversight over the central administration, or anti-corruption procedures. Similarly, governance programs can promote decentralization objectives with projects to increase the capacities of local government. In states which have completed their transition, strengthening the state's policy making and economic planning capacities can be the first step to a fully participatory policy process involving other state actors and civil society. Strengthening state institutions after the transition should be aimed at helping states process societal demands more effectively and more transparently.

C. Aid to the State: Distinguish Governance from Traditional Institution Building

Nonetheless, projects within the executive branch should clearly distinguish themselves from past donor activities in institution building and public management, or else these projects will fail for the same reasons so many of their predecessors did (Dia, 1993a and 1993b; the World Bank, 1991b) and they will little advance the governance agenda. Activities should be clearly tied to the governance agenda rather than to more traditional institution building objectives. Examples of governance aid to the state include the following:

1. State Finances

The decision making processes surrounding how the state manages its resources are key to governance because they largely determine the weight of the state on the economy. In addition, they are areas in which governance has typically been the most strongly conditioned by patrimonial and authoritarian practices. This includes the budgetary process, public procurement, tax and tariff collection, and so on. It does not include tax reform, however important that is in many countries, because tax reform is a more traditional component of micro-economic policy reform in structural adjustment programs. The objective should be to increase the accountability, transparency and popular participation in these processes, which have long been the private domain of a small group of powerful elites, acting with virtually no accountability. In many countries, the budgetary process has been so corrupted that the normal channels of the central administration have been virtually excluded from the process. To change this, measures might include assisting the central administrative units in charge of formulating and monitoring the budget, helping the government release more timely information to the legislature and public, decreasing the importance of off-budget expenditures, or limiting expenditures under the control of the Presidency.

Tax and tariff collection is another area where many African governments need assistance, since non-payment (often by politically powerful individuals and businesses) undermines the state's revenue base. Finally, public procurement procedures in many countries need to be reinforced and made more transparent.

Other measures would seek to improve state management of its finances by empowering organizations outside of the executive. The legislature in particular should be provided technical assistance to increase its capacity to monitor the budgetary process and contest executive priorities, eventually

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leading to an informed national legislative debate about the budget. Similarly, donor efforts could focus on disseminating budget and procurement data to the media, to increase their transparency and the possibility of accountability.

2. National Data

National economic and social data have continued to deteriorate in Africa. In many countries, even basic economic data are no longer available on a timely basis, making even basic policy analysis a futile exercise in "planning without facts" (Mosley, 1992). In some countries, data is no longer being collected as statistical units have been starved of operating funds. In other countries, the data exists, but there is no money to publish and disseminate it. The paucity of good data weakens governance in a number of ways, and assistance is needed to rebuild or improve data collection and dissemination systems.

3. Auditor General/Ombudsman

Aid can play a role in strengthening internal performance monitoring and disciplinary mechanisms within the state, such as the office of auditor general or ombudsman, or the Inspection Générale.

4. Attack State Monopolies

One of the lessons from the governance literature is that institutional monopolies in the governance realm are as destructive as they are in the economic realm. Governance reform thus must try to eliminate statutory monopolies, when they are not clearly justified. For example, state monopolies in the media: An independent written press is emerging in many African states, as many governments have lessened their censorship. On the other hand, in most countries, a strict state monopoly on radio and television is maintained. Radio in particular is a powerful medium that reaches far more households than the written press. It could also be a powerful instrument for participatory development. Donors need to actively promote the end of the government monopoly on the airwaves. A healthy institutional pluralism should also be encouraged in such areas as education, research, or even justice (see below).

D. Respect Indigenous Institutions

Next, stable democratic governance requires that public institutions are "at one with the social values of the societies in which they are embedded" (Landell-Mills, 1992a, p. 546). It is now widely agreed that one of the underlying causes of mal-governance in Africa was the practice of simply importing European institutions at the end of the colonial era and after independence, without adapting them to fit African sociological and cultural realities (Dia, 1991). Transparency, accountability, the rule of law and participation are universal concepts, but they can be achieved through many different types of institutions. Governance reforms are more likely to succeed and to be sustained if they have strong cultural resonance, and enjoy popular backing.

Indigenous institutions which have evolved out of local traditions should for example be empowered and strengthened when they can play a significant governance role. This is not to make the excessively romantic suggestion that traditional African institutions were all inherently democratic or efficient, although some undoubtedly were. Nonetheless, indigenous institutions are more likely to generate a sense of ownership by local populations, providing them with a legitimacy that many

formal institutions of the state today do not enjoy. At a minimum, governance reform should not make a-priori assumptions about the superiority of certain institutional structures; rather it should be tolerant of efforts to adapt traditional institutional forms, and to experiment until appropriate structures evolve over time.

E. Promote the Rule of Law

Promoting the rule of law should be a critical component of any democratic governance program because it simultaneously strengthens the state and civil society. Rule based behavior will strengthen state capacities and reinforce progressive elements within the state, but at the same time it will protect non-state actors from arbitrary abuses of power. Program activities might include:

1. Training for Judges

In many countries, judges are ill-trained, and lack professionalism. Their status and independence has been undermined too often in the past, and strengthening the corps of judges is urgent. This can be done by improving their training, particularly in specialized areas -- notably commercial law -- where training is particularly deficient at the present. It also involves finding ways to increase their independence vis a vis the state executive, and formulating mechanisms for identifying and disciplining corrupt and incompetent judges;

2. Official Gazette

In many countries, new laws are not systematically published on a timely basis or made widely available. The result is confusion regarding the legal code and much greater possibility for arbitrary and discretionary decision making. This leads to chronic problems, particularly in the context of commercial law, where it provides disincentives to private investment. Yet, there is no reason to believe that such a publication would be very difficult or expensive to publish. USAID could finance technical assistance in desk-top publishing and finance the dissemination costs.

3. Private Arbitration

Setting up private mechanisms of arbitration may be a desirable option when the public judicial system is particularly inefficient. All that is needed is an arbitration procedure that is credible to two sides of a dispute, and a legal framework that ensures the enforcement of the awards. This solution may be particularly appealing in the countryside, where it would build on traditional mechanisms of arbitration.

F. Avoid New Aid Dependencies

There is always a danger that the recipients of aid grow dependent on it and that it smother their independence and sense of initiative. This danger is particularly relevant for an aid program that will focus on small and often young associations in the non-governmental sector. It is important that the development of civil society be the natural outgrowth of perceived needs and citizens' desires, rather than the fads, and/or bureaucratic needs of the donors. Governance programs should develop strategies to deal with this danger. Although this is an area in need of further study, several elements of such a strategy can be deduced from aid's experience in other areas. First, aid should focus on organizations that have already demonstrated the ability to raise revenues for their activities, that have

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a large number of active members, and that practice good governance themselves. Second, a significant proportion of the aid should go to intermediary and umbrella organizations for distribution down to grass roots level organizations. These organizations will encourage the consolidation and institutionalization of the NGO sector. Aid efforts in general should promote coordination, cooperation and unity among associations. Third, the recipient institutions of aid should be active participants in the design and implementation of governance projects. This last point is particularly relevant for the state sector, where the extent to which the recipient institution is pro-active and takes initiatives.

G. Good Governance Starts at Home

A final general principle that should guide USAID interventions in the area of governance is that the intervention itself should apply principles of good governance to project design and implementation. That is to say that governance projects should be transparent, accountable and decentralized to every extent possible, without undermining effectiveness. Attention to governance issues will make USAID more credible to its clients in the recipient countries and will provide project personnel and project beneficiaries with experience in the benefits of good governance. An example might include involving local associations in the funding decisions of small grant projects to grass roots organizations. Associations thus involved would be able to judge for themselves the benefits of impartial, transparent and non-partisan decision making.

H. Decentralization and Governance Reform

Because the primary emphasis in the body of this report has been geared towards improved governance in the specific institutions of the state, a brief discussion of decentralization and recommended interventions is presented and expanded upon in the Annex 2(d).

1. Overview and Strategy

Decentralization has been variously viewed as a policy and as a method or mechanism for more effectively identifying, developing, preparing, and implementing policy. It has serious implications for a full range of issue areas, from agriculture and health to public works, the environment, gender equity, and education. Decentralization is closely linked to broader efforts to improve the quality of governance and thus make policy choices and implementation more effective, more participatory and more responsive to democratically expressed needs and objectives. Finally, it is suggested by many authors that decentralization is more conducive to overall economic development than are highly centralized regimes.

Discussions of decentralization figure prominently in much of the thinking associated with the concept of governance. Although there is some disagreement in the literature regarding the relationship between good governance and democracy this author believes that the link between the two is very strong. The hypothesized relationship between decentralization and governance is supported by the observation that the African nations with the "best" long term records of democratic governance also have for extended periods been involved in serious experimentation with the implementation of various forms of decentralization.

Findings on the impact of decentralization in developing countries have been quite mixed. Much of the inconsistency can be attributed to the fact that the correlation between "formally" announced

programs of decentralization and a serious and successful effort at its implementation is quite low, or in some cases nonexistent. Subsequently, numerous African nations have undertaken "so-called" decentralization programs, primarily involving deconcentration and delegation, rather than devolution, but few have demonstrated the political will necessary for successful implementation.

It must be emphasized that in Africa, as elsewhere, decentralized government agencies should not and can not be expected to make up for central government deficiencies. Decentralization should instead be viewed as a means to complement efforts to increase overall government capacity by strengthening local governmental capabilities. We must therefore begin to look at decentralization as an evolutionary rather than a revolutionary process, a process for which the advantages and disadvantages can only be assessed over time and in a particular context. There seems to be an unrealistic and unjustified assumption among policy makers (including the donor community) that decentralization provides instant benefits and immediately contributes to sound governance. Why should we expect that newly established local governments or procedures for deconcentration in central ministries will not take considerable time and effort to solidify.

Although the existence of a serious decentralization program may not be a necessary condition for democratic governance, it may be an important contributing factor. It may also play a major role in retarding the development of authoritarian regimes, as seems to be indicated by the cases of Kenya Ghana, Senegal, and Nigeria

Decentralization does not offer a short-term quick fix approach to an otherwise floundering regime by transforming the existing forms into a process of democratic governance. Although many criticize the lack of success of decentralization programs, they rarely do so on the basis of a long term perspective on the activities, and developing relationships of decentralized units with other organizations and governmental institutions.

What are the key roadblocks associated with successful implementation of decentralization programs in Africa? Those which appear to be nearly universally problematic are financial and human resource issues. Many others such as structure, legal relations, participation, and the quality and preparation of elected officials which have been identified as obstacles in many African nations, while important, are less prevalent.

It is clear from this review of the issues that "serious" decentralization programs can make an important contribution to the development of democratic governance as well as to limiting the possibility of authoritarian rule. The implications of this for donor support in such key areas as local government finance, human resource development, personnel administration, and participation are quite significant. It is extremely important that whatever assistance is provided be afforded to those systems in which "serious" programs of decentralization are being implemented, rather than to those many states where it serves as a mere facade. Therefore, careful measurement and monitoring are strongly indicated as appropriate donor strategies and as guides to investment in decentralization in any given country.

2. Recommended Interventions

- AID should establish an independent set of regional monitoring capabilities.

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- Regional training and analysis centers or institutions should be established or selected which are capable of designing and implementing long and short term training interventions and consultant services in support of decentralization.

- AID should seriously consider long term support programs to assist developing countries to implement and maintain decentralized governmental units. These should focus on the critical areas of human resource development, local finance, and intergovernmental relations.

- Decentralization may be more appropriate to certain policy areas than to others. Which policy area to start with in a given country should be determined on the basis of locally relevant contingencies rather than on an across the board prescription.

- It may be possible to significantly expand tax resources available to local government.

- The human resource base can not be developed overnight. Longer term plans for the training of local government administrative personnel and managers should be looked at.

- Promoting participation at the local level may require including representatives of associational groups in governmental committees, and opening up hearings and meetings dealing with their interests and primary concerns.

- Donors should include local government set asides as components of and preconditions for involvement, into as many of their projects as possible.

- Exchanges of personnel between African countries should be encouraged.

- Establishing professional associations of local government employees and elected officials in each nation could promote professionalization, improve staff morale, improve contacts and the exchange of experiences with professionals in other countries, and lead to a general improvement in the status of government employment at the local level.

IV. A PROFILE AND ASSESSMENT OF U.S. AND AFRICAN REGIONAL INSTITUTIONS

A. U.S. Institutions

1. Summary of Principal Findings

Background and Overview

The purpose of undertaking this assessment of U.S. institutions with experience in the realm of African governance was to determine the relative capacity, including areas of expertise, of such organizations to provide a range of technical assistance and training services to African institutions, state and non-state, under a proposed USAID-funded rapid response facility. In this regard, some 65 organizations including universities and university consortia; PVOs, non-profit policy centers and research institutes; and professional associations, were interviewed from October through November 1993. While there are certainly many other organizations that either were not interviewed or did not respond to the study questionnaire, the findings, conclusions and recommendations presented here, are

based on an adequate and representative universe of such organizations. As indicated in the Introduction and Overview section, a specific attempt was made to target the Historically Black Universities and Colleges' sector of the University system given USAID's long-term commitment of working with HBCUs, as well as the recent Presidential Directive mandating increased involvement of these institutions in activities financed by the U.S. Government. Summary profiles of all the organizations interviewed for this study are found in the following section; and additional information (e.g., annual reports, project summaries, etc.) have been appended as well. Appendix D, Alphabetical Index of U.S. Institutions, provides a complete listing of all organizations interviewed for this study.

Principal Findings

Each category of U.S. institution surveyed has a wide range of experience and expertise in both technical areas of governance as well as in specific subregions of Africa. The organizations were broken down into the following categories: (i) Universities, University Consortia and University affiliated research and policy centers or institutes; (ii) Professional Associations; and (iii) PVOs and non-profit organizations including foundations, centers and institutes. The following three sections provide a summary profile of each of these categories:

a) Universities, University Consortia & Affiliated Centers & Institutes: The largest single grouping includes universities, university consortia, and university affiliated research and training centers and policy institutes. Within the university system are those which are publically financed (e.g., SUNY Albany, UCLA), privately funded (e.g., Johns Hopkins, Harvard), Land Grant (publically and privately financed) colleges (e.g., University of Wisconsin, Cornell), and HBCUs (e.g., Fisk, Jackson State, Clark Atlanta). University consortia include the Consortium for International Development (representing some 27 Western Universities), Mississippi Consortium for International Development (representing Jackson State, Alcorn State, and Tougaloo College) and Midwestern Universities Consortium (representing 10 universities in the midwest). The National Association of Schools of Public Affairs and Administration (NASPA), represents some 225 American universities with departments in these two areas. Policy centers and research/training institutes affiliated with major universities include: Carter Center's African Governance Program (Emory University), the Center for Public Policy and Diplomacy (Lincoln University), Institute of Public Affairs (University of South Carolina) and Institute for Urban Research (Morgan State).

While not all of these institutions have African experience and/or a specific governance expertise, there are a significant number with one or the other and in many cases both. It is not uncommon to find an institution with governance expertise in say Latin America or the Newly Independent States, or those with significant African experience but in fields not directly related to governance, e.g., agricultural research, health education, etc. There are also a number with strong relevant experience in aspects of governance that relate to assistance provided within the context of strengthening American government institutions at the state, local and federal levels. Services provided by these institutions include: (i) workshops, seminars and conferences; (ii) through various publications including journals, newsletters, and special publications; (iii) technical assistance and training programs undertaken through individual consultancies, and generic and tailor-made training programs.

Areas of governance expertise in which these organizations have relevant experience include: (i) executive branch including public administration, policy reform, policy implementation and management, financial management (budget reform and transparency), and decentralization and local

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government; (ii) legislative branch including rule of law, legal reform, constitutional reform, election design/administration, electoral assistance reform, constituency relations, and legislative organization; (iii) judicial branch including conflict resolution, human rights enforcement, judicial training and support, judicial ethics and discipline, jury trial training, and election design and administration; and (iv) capacity building including strategic planning and management, organizational development and management training. Appendix C, Skills Index of U.S. Institutions, provides a breakdown of university organization in terms of these four areas of expertise.

An important aspect of capacity which the university system offers are the institutional relationships that have been established with African universities and private non-profit research and policy institutes and centers. In many cases these relationships have existed for many years based on formal linkages between, for example, law schools, public administration or political science departments in the U.S. and a given African university (e.g., University of Ghana at Legon; Makerere University in Uganda; (University of Dar es Salaam in Tanzania). Many such relationships have been facilitated through the USAID-supported **University Linkages Program**. Each of the individual organizational profiles provides an illustrative list of African institutions with which these U.S. organizations have established formal linkages. Perhaps an even greater resource are the individual relationships that have been developed between American academics and their colleagues in African universities.

b) Professional Associations and Labor Unions: There are numerous professional associations representing different sectors of American society which were identified as having a potential role to play in strengthening African governance. The African American Labor Center, an international arm of the AFL-CIO, has extensive experience in Africa working with independent labor movements. The International City Management Association, American Bar Association, National Association of State Development Agencies and U.S. Conference of Mayors, among many others, represent professionals or elected official that may have a primary interest in promoting member interests but also have developed expertise in related governance areas, and have provided assistance to similar types of organizations in different regions of the world including Africa. Many of these associations represent elected officials or professional managers within executive branch agencies at all three levels of government. There are also a number of public or governmental organizations which have been set-up to serve the technical and administrative needs of the three branches of American government which have provided assistance to foreign countries. The Congressional Research Service is probably the best known of the professional public sector agencies.

c) PVOs and Non-Profit Organizations: As might be expected, U.S. PVOs and non-profit organizations such as those involved in traditional development and humanitarian pursuits, are far less numerous in the field of governance than other types of institutions discussed here. This is especially true for PVOs. There are a variety of non-profit centers, foundations and institutes such as the African American Institute, National Democratic Institute, the Joint Center for Political and Economic Studies, Lawyers Committee on Human Rights, Woodrow Wilson International Center for Scholars, etc., which have a limited area of interest or expertise that are involved in African governance. These areas of expertise are normally related to some aspect of the electoral process, human rights monitoring, mediation and conflict resolution, and policy formulation and analysis. In this latter category, most of the American non-profit policy and research institutes (e.g., Overseas Development Council, Heritage Foundation, Brookings Institute), are primarily concerned with U.S. issues, although there is no reason why they could not work with similar organizations in Africa to build technical and overall institutional capacity.

d) **USAID Experience and Interest in African Governance:** A significant number of these organizations have worked with and been financed by USAID at some point in time. Many others have been financed by other branches of the U.S. Government (e.g. Department of State, USIS) to undertake programs on their behalf (e.g., International Visitors programs). They have worked through a number of procurement arrangements including contracts, grants and cooperative agreements, with the latter being the preferred procurement mode. While a significant number have received USAID funding in the past, as concerns funding for African governance in the past five years, the number is actually relatively few. Most organizations indicated a sincere interest in greater participation in this new field but were constrained in doing so by inadequate funding, although they did indicate an ability to contribute in-kind services such as staff time.

2. Conclusions and Recommendations

a) **Conclusions:** While there are a significant number of U.S. institutions which have both the technical expertise and area knowledge and experience in African governance, they are in relative terms, i.e., in relation to other regions of the world significantly fewer. Two trends seem to be emerging in this regard as well. First, USAID funding patterns appears to be drawing organizations with governance expertise, and even those with African experience to other regions such as the NIS and Eastern Europe. Secondly, it is those organizations which have already built up some experience in African governance and thus have acquired a degree of capacity which seem to be gaining the lion's share of what funding is available for Africa. These trends are not in fact dissimilar to those witnessed in both the economic development and humanitarian fields. Donor funding in general has tended over the past few years to be drawn to those regions which have been, for reasons of foreign policy and national interest, accorded higher priority than Africa. This has been mitigated to a significant extent in the case of USAID by the Development Fund for Africa (DFA) legislation which mandated a fixed level of American foreign assistance to Africa. With overall foreign aid levels decreasing or being reallocated to such areas as humanitarian assistance, and a lower DFA funding mandate in 1994, it has prompted non-profit as well as for-profit organizations to reorient their programs to those regions where foreign assistance is now flowing.

Only a relatively small number of larger organizations including PVOs, non-profits and universities receive USAID funding through larger grants or contracts. Such organizations include the two party-affiliated institutes (NDI and IRI), IFES, the African American Institute, several universities and non-profit institutes and centers. It should be noted that much of this expertise and corresponding capacity has been acquired "on the job", a result of the funding received from USAID to implement its programs. In fact, in the field of African governance, there is probably more accumulated knowledge and expertise that can be drawn upon through two or three Africa Bureau Democracy and Governance Program-funded projects (e.g., AREAF, Africa Democracy and Governance Project) than in the rest of the community together.

b) **Recommendations:** In addition to the fact that the field of African governance is a relatively new one, there are simply too few U.S. institutions with an adequate independent funding base to launch their own programs in Africa and bring to bear the expertise that is so desperately needed in the transformations that are currently under way. USAID is going to remain the preeminent source of grant funding for those organizations with both the capacity and interest to become involved in Africa. As such, USAID is going to have to rethink its strategy of

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supporting the universe of such institutions that could become involved in this new field of endeavor. This study has already made an initial review of institutions that could be drawn upon to provide assistance in a new centrally-funded project to support improved governance in Africa. Further study is, however, needed. At a minimum, a far larger number of organizations, both those already identified and those that will be, need to be targeted for incorporation in USAID's Democracy and Governance Program in Africa. It certainly appears that it is within the American university system, including consortia, policy centers and research institutes that the principal focus needs to be made. Particular attention should be paid to the minority institutions such as the HBCUs, which have a much larger role to play in this field than they have been accorded to date.

Because of the relative lack of organizations with regional experience, or in the application of their expertise outside of the U.S., there is justification for USAID to provide a component of training and technical assistance, including staff exchanges between U.S. and African institutions to build this capacity. There will also be some governance areas in which sharing of information and new ideas needs to be undertaken with organizations interested in working in African governance. A rapid response facility as proposed in this study would be an appropriate mechanism to increase the base of organizations that want to participate in the governance field and, where necessary, to provide capacity building experience.

B. African Regional Organizations

1. Summary of Principal Findings

During the field based component of this study, some 30 different African regional organizations were interviewed for the purpose of determining their capacity for delivering services under rapid response facilities supporting either civil society development or improved governance in Africa. If, rather than looking at the issue as one of regional organizations with such a capacity, it is put in terms of organizations that have a capacity to support civil society or, in this case, improved governance on a regional level, then national level organizations can also be considered. For example, the Law Department at the University of Dar es Salaam, has attracted participants to its program in human rights monitoring and enforcement from a number of countries in the subregion. It could thus be called upon by a centrally-funded project to provide services to members of the judiciary in a number of surrounding countries. Likewise, the Ghanaian Institute of Management and Public Administration (GIMPA), has a number of courses or could devise a number of training programs in areas related to public sector management. These institutions are in addition to strictly regional (or subregional) organizations with a specific skill or expertise that is provided or "marketed" on a regional basis.

Much in the same way that U.S. institutions were classified in Part I of this institutional assessment, so too can the African regional organizations. Thus we can talk of the following categories: (i) Universities, University Consortia and University-affiliated research and policy centers or institutes; (ii) professional associations; and (iii) PVOs and non-profit foundations, research and training institutes and centers. Most universities in Africa are public institutions as are most of the management and public administration institutes. A brief discussion of each of these categories are presented below:

a) Universities, University Consortia and University Affiliated Centers and Institutes: While there are no "regional" universities per se, there are numerous University Departments, Schools, centers and institute which attract students from many countries in

the region and/or have developed a specific expertise in an area relevant to governance. The University of Senegal's School of Journalism; The University of Ghana at Legon's Political Science Department; the Centre Ivoirian de Rechereche et d'Etude Juridique at the National University of Ivory Coast; and the Institute of Development Studies at the University of Nairobi, to name just a few, are universities with excellent reputations in one of several areas that could be of interest to a rapid response facility. Obviously, the greatest institutional strength of African universities today are their staff of academics. Such a resource could be drawn upon for assessments in different sectors or to provide technical assistance or design training programs in a number of areas from judicial training to policy formulation. Universities have also increasingly been used to host seminars, conferences and workshops. And finally, as periods of political liberalization give way to democratic transitions, and governmental control over the content of what is taught and who manages these institutions loosens and becomes depoliticed, the university takes on a neutral locus within countries and the larger subregion. What African universities lack today is a physical infrastructure and material resource to support its abundant and rich human resource base. As this has become a major constraint to universities in providing a decent education to their students, it will also serve as a major constraint in the area of governance assistance.

b) **Professional Associations:** There are a number of professional associations that have been established on a regional basis to serve their members and that are as well, affiliates of international bodies. The African Jurists Association (Senegal), the Association des Instituts de Formation et Perfectionnement en Management en Afrique (Ivory Coast), Association of African Universities (Ghana), African Association for Public Administration and Management (Kenya), African Economic Research Consortium (Kenya), and the African Political Science Association (Kenya), give an idea of the range of such associations that provide a means for professionals in these different areas to group together to advance their common objectives. At a minimum, they provide means for contacting a wide range of professionals with expertise in relevant areas. At a maximum, many of these groups undertake a range of hands on activities from the holding of seminars and workshops to the publication of scholarly journals and training materials. Many of them and particularly those with a public administration orientation are increasingly becoming in the larger realm of governance and developing training programs for their members and key figures in the public sector to improve skills in these areas. There are only a handful of such organizations which have any significant funding however and thus leave them with very limited capacity to undertake but a few low impact activities.

c) **PVOs and Non-Profit Organizations:** There are few, if any traditional regional PVOs that offer any potential skills or expertise for improving governance in the state sector. There are, however, a number of regional training and research centers, some of which are publically financed which could play a limited role in providing assistance under a rapid response facility. The Centre African d'Etude Superieurs en Gestion (CESAG) and the East and Southern Africa Management Institute (ESAMI) cover the two principal African Subregions in terms of public administration and management training for government bureaucrats and increasingly policy makers. At the national level, similar institutions such as the Kenya Institute of Administration, GIMPA, and the Malawi Institute of Management are all geared towards building relevant skills in public sector personnel, and have attracted staff from other countries as well. Goree Institute (Senegal), the Council for the Development of Economic and Social Research in Africa (CODESSRIA-Senegal), Le Centre d'Etude et de Recherches sur la Democratie Pluraliste dans le Tiers Monde (CERDET-Senegal), African Economic Research Consortium (AERC-Kenya), are several of the better known policy, research and training institutions that have begun to reorient their activities to issues of

democracy and governance, and which could become more active in these areas with additional support.

Again there are probably as many national level non-profit centers and institutes as their are regional ones that have the capacity to work on a regional level. In Ghana, the Institute of Economic Affairs has established itself as one of the pre-eminent "think tanks," policy institutes and research centers in Anglophone West Africa. South Africa has a significant number of such non-profits (IMMSA), many of which are attached to private universities. Once South Africa has moved beyond the initial stages of democratic transformation and the country can begin to focus on external issues, such organizations will have a significant role to play in subregional affairs.

2. Conclusions and Recommendations

While one sees the gradual evolution of a regional "civil society" in Africa, the same cannot be said of state institutions. Whether this would take place within the context of regional integration, or in the development of regional organizations designed to support the development of state institutions is difficult to say. One looks at such regional "state" institutions such as the Economic Community of West African States (ECOWAS), the Preferential Trade Area (PTA) of Eastern and Southern African countries, and even SADCC countries, and there seem to few if any related institutions which offer any possible support in terms of providing assistance to executive, judicial or legislative institutions in these countries. While these types of regional institutions do not offer a rapid response facility any potential expertise or skills, possible collaborative efforts should be discussed with them.

What is evident is that there are few regional organizations which can at this point contribute to the development of capacity within the state sector of African countries. It appears that national universities have a significant role to play in improving governance in Africa, and that their ability to transcend national boundaries is important. The universities, in most cases, lack the institutional capacity to play an expanded role without significant donor support. Exceptions to this observation include select group of policy centers, research and training institutes, and academic departments (e.g., law, political science). They have become players in both their countries and within their immediate subregion because they have been able to market their services and thus bring in revenues to retain staff and provide for their material needs. This is perhaps the most interesting observation that was noted during the country studies undertaken for this assessment.

This assessment only touched the surface of the university systems in several African countries. A survey and assessment focussing only on universities needs to be undertaken. Nigeria, Zimbabwe and South Africa, not covered in this assessment, must necessarily be included in a follow on should this recommendation be accepted. The same can be said for other national level non-profit centers and institutes. Their potential and capacity for working in the governance domain is probably greater than those few regional organizations that currently exist. In either case, national level institutions if they are going to participate in any meaningful way in a governance project are going to have to receive some form of institutional support from USAID if they are to move beyond a national focus to a regional one.

V. PROGRAMMATIC PARAMETERS AND ISSUES

This study was undertaken with the explicit objective of assisting the Africa Bureau prepare for a new project activity. It has thus moved progressively from the conceptual to the operational, and in this

section a further fleshing out of basic programmatic parameters and related issues will be presented. It also provides necessary background to Part VI, the discussion of "mechanisms" which could facilitate a rapid response capacity to support Mission initiatives in strengthening state sector governance. The following topics will be discussed: (i) the problem addressed; (ii) recommended project purpose; (iii) scope and priorities; (iv) types of services offered; and (v) design issues.

A. The Problem Addressed

Democracy building has become a key element of AID's newly formulated sustainable development strategy. The Africa Bureau's Democracy and Governance (D/G) Program has now two solid years of experience in this new field, while remaining fully consistent with the basic tenets of the new Agency-wide strategy. AFR's D/G Program has been guided conceptually by its strategy paper on "Democratic Governance in Africa," and supported programmatically through several centrally-funded projects providing an array of services at both the Bureau level, and to USAID/Missions in the region. Electoral assistance in the form of short-term technical assistance and small grants has been provided to the Africa region through a consortium of three U.S. PVOs under the centrally-funded AREAF project. A second regionally funded facility, the Democracy and Governance Project, provides the Africa Bureau with a number of advisory and support services. Through a buy-in provision, individual USAIDs can obtain assistance to undertake D/G assessments, designs and evaluations. Finally, through the 116(e) Human Rights and Democracy Fund, USAIDs and Embassies can secure grant assistance for small, discrete, one-time activities undertaken by indigenous NGOs and civic organizations that advance the democratization process or support human rights activities.

At the field level, Development Fund for Africa (DFA) funding has been utilized by individual Missions to design a range of D/G activities, from stand-alone, multi-component projects to the integration of D/G principles and approaches into on-going sectoral programs and projects. Several of these newly designed projects have discrete components which specifically support the growth and strengthening of state institutions, including the executive, legislature and judiciary. As the Africa Bureau has gained experience over the past two years with its D/G program, a number of critical needs have emerged which neither existing centrally-funded facilities nor country level projects have been able to meet. It is in response to these identified needs, or "gaps," in supporting African civil society, that a new centrally-funded project would address itself. The following discussion lists those problem situations identified by either officers in the Bureau itself, D/G advisors at the two REDSOs, or by staff at the Mission level (see Annex 6, for a detailed response from both REDSO and individual Mission officers).

- A number of Missions have designed (or intend to design) stand-alone D/G projects using normal OYB funding under the DFA, but have been unable to initiate assistance responding to planned or emerging opportunities, because a project implementing agency (i.e., contractor or cooperative agreement recipient) has not been in place. Past experience has shown that it has taken over two years from an initial D/G assessment to the arrival of the implementing agency. From the approval and authorization of such projects, to the arrival of the resident technical assistance team has taken well over one year. Rwanda and Zambia are the two most obvious cases to date. Providing interim support, particularly during the period from project authorization to the arrival of the technical assistance team, is an especially glaring need.

- There are numerous Missions that do not currently have a stand-alone D/G project, nor plan on one in the near future, but wish to support some aspect of civil society development. The preference of many Missions is to integrate principles of democratic governance into on-

going, or newly designed sectoral activities. Such missions do not have the capacity to assess local conditions to determine what kind of support to provide, and to which types of organizations in such circumstances.

It is the first instance that initially instigated the idea for a new rapid response facility; and together with the second case, that has caused the greatest delays, and hence frustration, at the field mission level. There are however a number of situations, recently magnified by the plan to close several missions in the Africa region, to which such a response facility could also address itself.

- In countries with no AID mission -- the result of either not meeting the criteria established for sustainable development or transition countries, or because the level of AID program activity did not warrant a full-scale mission -- there no longer exists a means for supporting civil society development. One can envisage situations in either case where an AID regional office or American Embassy, might want to access some form of limited assistance to support newly democratizing regimes.

- The pace of events and the number of activities related to democratization and improved governance are proliferating much in the same way that African regime changes have taken place over the past half-decade. During this period numerous workshops, seminars and conferences related to governance have been held throughout the continent with the participation of African governments, non-governmental organizations and universities. Not only is this information not being shared within the region, or even among neighboring countries, AID itself has little comprehensive knowledge (ABIC has managed to a degree) of the magnitude of these activities, or what if any of them are worth supporting. A response facility could serve as a repository of knowledge accumulating within the region and keep the Bureau and individual Missions apprised accordingly.

In summary, the principal problem identified during this study was the lack of an assistance mechanism capable of supporting, in a timely manner, USAID mission initiatives in the area of improved governance. "Rapid response" as defined here refers to accelerating or expediting the time it takes to move a request for assistance that comes from a USAID/Mission through the current AID procurement process. It does not refer to responding to crisis or emergency situations that may arise in a given country. This new facility would be geared primarily to working in sustainable development and transition countries with resident USAID/Missions and within the context of an approved country program strategy. Failed states (e.g. Somalia, Angola, Liberia) or countries that are still in a pre-transition stage (e.g., Togo, Zaire) would not be the object of this response facility. AID is currently developing a program to respond to such situations.

B. Recommended Project Purpose

The recommendation of the study team concerning the principal purpose of a rapid or accelerated response facility is the following:

> ***To provide timely assistance to USAID missions wanting to improve governance capacity in the state sector as a component strategy in their country programs; or in countries where such assistance would further regional objectives; or that would contribute to the achievement of AID's overall mission of sustainable development.***

This would be a centrally-funded facility, much as the Africa Bureau's two existing projects supporting its Democracy and Governance Program ... but with some major differences. It would be designed to fill an existing gap which neither of these two other projects currently address. The expected and probable outcome of an accelerated infusion of resources would be to remove bottlenecks to the initiation or sustenance of USAID supported programs of governance reform and state institutions' capacity building. A rapid response facility is not intended to replace the project development process, only to complement it by providing "bridging" resources prior to, and in the early stages of, approved projects; or in countries where a stand-alone project is not envisaged, or where there is no USAID/Mission. Only through carefully planned projects with longer time horizons can the norms, practice and capacity of state institutions be realistically reformed to undertake the governance roles that provide the framework for a truly democratic system to grow and develop.

C. Scope and Priorities

AID cannot hope to strengthen the state sector everywhere in Africa. This is so not only because assistance resources are limited, but because opportunities are not uniformly available across Africa, especially in countries where civil society is underdeveloped and where a transition to democracy has not begun. AID policy now takes explicit account of a country's "progress toward democracy, respect for human rights, and lawful governance" in the allocation of development assistance (USAID, 1991, 2). The new agency strategy calls for democratization programs in three types of country: (1) "sustainable development countries" which will receive an integrated package of assistance; (2) countries undergoing a national crisis where timely provision of assistance is needed to reinforce democratic institutions; and (3) countries where USAID's presence is limited, but where "aid to non-governmental sectors may facilitate the emergence of a civil society, help alleviate repression, or prevent reversals of democratic gains" (USAID, 1993a, October 5 draft version, 37).

Priorities for the allocation of democratic governance assistance to governance can be established with reference to the stages of democratization enumerated earlier:

- Top priority for DG assistance to governance should go to countries that have completed a democratic transition and are seeking to consolidate fragile democratic institutions. In these cases, USAID's partners would be both civic organizations and state institutions within the host country. Where a government has been installed as the result of a free and fair election, there should be no prohibition on assisting institutions in political society (like political parties and legislatures) and the state (like electoral commissions and court systems). In Africa in late 1993, such priority countries include Benin, Zambia, Madagascar, Mali and Niger.

- DG assistance is also warranted in countries that are undergoing a political transition or have completed a flawed transition, but it should be carefully targeted at selected civic institutions. In these countries, civil society institutions including civic organizations carry the burden of pressing the democratization process forward, including reform in state governance, and should receive the bulk of USAID assistance. Governments would only qualify for DG assistance during a political transition if they have undertaken major, and ostensibly permanent, political liberalization reforms. Even then, bilateral assistance to governments should be limited to pluralizing and loosening the legal environment specifically, to enable the conduct of free and fair elections. In the incomplete transition category, examples include Malawi and Mozambique, and, in the flawed transition category, Kenya and Ghana.

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- For the most part, USAID assistance to governments is not appropriate in pre-transition situations. These include situations in which the government has been unwilling to open up politically, or has done so but later reversed itself. Civil society is usually extremely frail in these situations. Only limited amounts of assistance should be provide to these low priority countries and all of it should go to non-governmental entities, both domestic and international. Classic cases here are Zaire and Togo.

- No assistance at all should be extended for DG work where government authority has broken down and where power has fragmented into the hands of armed factions ... so called "failed states." Where violence is prevalent, civil society cannot exist and democratic transition is precluded until peace can be guaranteed. On this list in Africa in early 1994 are Somalia, Liberia, and Angola.

D. Types of Assistance Provided

To determine potential mechanism options offering an accelerated response capacity it is obviously necessary to determine the types of assistance that would need to be made available. Based on discussions with Mission personnel in the field, the following types of assistance would be made available through a new centrally-funded project: (i) country-level governance Rapid Assessments (RA), (ii) technical assistance and training, (iii) financial grants and commodity assistance, (iv) networking and information collection and dissemination, and (v) project management. These services are prioritized and briefly discussed below:

1. Governance Rapid Assessments

Some Missions have a general idea of the type of assistance they would like to provide, and to which organizations they would like to provide it. More often than not however -- and especially where there is either no intention of mounting a multi-component D/G project, or where there is no resident mission -- USAID only knows that it would like to do something to strengthen the state sector, but not the specific type of activity, or which state institutions or strategies would be most appropriately targeted. The need for governance assessments is therefore of primary importance.

2. Technical Assistance and Training

The illustrative list of interventions presented in III.A, above, require a range of technical assistance and training capabilities that no single organization, or consortium for that matter, could provide. Thus, the project would have to be able to draw upon a diverse set of experiences and expertise from within the U.S. university community, the for-profit sector, and PVOs as well as from qualified African regional organizations. The project would obtain these services through subcontracts and/or grants to selected service providers. There is also the option of providing direct funding, i.e., grants, to targeted state agencies and letting them "procure" their own services, with perhaps the intermediation of the project which would serve as a broker or facilitator of partnering relationships.

3. Financial Grants and Commodity Assistance

The completion of a Rapid Assessment would indicate both the feasibility of undertaking a short to medium-term country level governance support activity and provide the specific technical areas and institutional development needs (e.g. judicial training, constitutional reform, strategic planning, etc.)

around which a project or program could be developed. In addition to general technical assistance and training needs identified through the assessment, and that would be provided by the project directly, there are likely to be numerous instances where a Mission wants to provide short-term grant or commodity assistance to a state agency for a variety of purposes. This could include contracting for its own technical assistance needs, covering core operating costs during an interim period, procuring commodities, etc. The ability of a Mission to make grants to such state institutions is an extremely time-consuming undertaking, if it is possible at all given current AID regulations.
A number of Missions cited commodities as one the most important needs at various points in the democratization process in their countries. This included commodity needs related to support the constitutional drafting process, legal reform and judicial support. Small-scale procurement, i.e., under $50,000 was found to be a particularly difficult action for most Missions to achieve. Commodity procurement would thus be an important service that a rapid response facility could provide to Missions.

4. Networking and Information Collection and Dissemination

A valuable function that could be provided through a regionally-funded project would be the collection and dissemination of information to a wide range of actors in the Africa region concerned with issues of strengthening state governance. Specifically, the project could sponsor workshops and seminars for these parties on topics of mutual concern and interest, as well as commission studies and research into relevant areas identified by state actors or USAIDs. These activities could be undertaken to meet country-specific or sub-regional, e.g., the Sahel or Southern Africa, needs. Providing such services would place the project in a good position to serve as a regional "repository" of knowledge and experience for USAID concerning governance and the state institutions that carry it out in individual countries.

5. Project Management Responsibilities

While internal AID management of a centrally-funded project is a possible option, it is unlikely that current staffing requirements, given Agency-wide O/E considerations, would permit it. More importantly, given current USAID procurement practices, it is equally unlikely that the capacity for a rapid response would be achieved through internal USAID management. Thus, project management of a centrally-funded rapid response facility would be "externalized" to deal with the constraints posed by the above mentioned realities. Part VI, following, discusses the mechanism options that could be used in an externally managed project to achieve a rapid response capacity in support of improved governance. The range of services noted above, provide an idea of the project managers responsibilities under the proposed project. One issue to keep in mind concerning project management responsibilities within the framework of a rapid response facility, is whether increased responsiveness would be achieved through the basing of the project team, or some of its members, in Africa.

VI. MECHANISMS: DEVELOPING A RAPID RESPONSE CAPACITY IN SUPPORT OF AFRICAN GOVERNANCE

A. Overview

A.I.D. has identified democracy and governance (D/G) as a major program area, and USAID Missions are attempting to factor new policies and guidelines into their strategic objectives and

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activity portfolios. While USAID Missions must grapple more directly with D/G factors, most Missions in Africa do not now have extensive in-house capacities to analyze, design and implement activities in this area. Thus, there is the perceived need to provide various forms of assistance to Missions as they decide how best to respond to opportunities, and then take early steps to support and enhance moves towards greater democracy.

It is expected that most of USAID investment in D/G in Africa will come from the bilateral OYBs of Missions. The supportive, centrally-funded project options explored in this paper are meant to assist a number of Missions to program and utilize their resources, and to provide complementary assistance at specific points in their programs.

The normal time frame for USAID project design and procurement is incompatible with the quick pace and unpredictable nature of the D/G changes that USAID is attempting to influence in one way or another. Not only do Missions need access to a variety of assistance options, they must also be able to procure services far faster than usual.

This paper aims to work within the limits of procurement rules and their accepted practice, while at the same time searching for the most powerful institutional arrangements, the most supple financial instruments and the most responsive implementation mechanisms to support Missions in their D/G activities.

Activities Missions may wish to pursue in relatively short term D/G assistance cover a spectrum of inputs such as technical assistance and training, cash and commodities. These resources can be provided to a spectrum of entities, such as government and parastatal agencies, private firms, NGOs and professional agencies. They are highly site-specific, and often time-limited in their utility and application.

Instruments and arrangements for new D/G support activities also have a few essential attributes. Firstly, timing is crucial in D/G matters, and the ability to respond in a punctual fashion must be factored into project design and procurement/assistance decisions. Secondly, whatever instruments and arrangements are employed, it is vital that Missions be perceived as the primary client.

With these needs in mind attention turns to the choices for instruments to meet them. To understand the options one must understand the fundamentals of A.I.D. procurement.

The watershed distinction in transactions between A.I.D. and recipients of awards is that of "acquisition" and "assistance". This basic distinction defines the two categories of relationships, and from them flow the options for instruments. Briefly put, in acquisition the principle purpose of the transaction is to acquire property or services for the direct benefit or use of the federal government. The legal instrument for acquisition is a contract.

In contrast to acquisition, the principle purpose of "assistance" is to transfer money, property, services or other things of value to the recipient to accomplish a public purpose of support or stimulation. The legal instruments for assistance are cooperative agreements and grants, distinguished from each other by "substantial involvement" on the part of the USG agency in the case of cooperative agreements, as discussed in detail below.

Each instrument has its selling points and drawbacks for the kinds of services deemed necessary to support Missions' diverse needs in their timely involvement in governance reform and state sector transformations. Contracts function very well for certain kinds of well defined tasks, such as fielding technical assistance teams for assessments and evaluations; and they allow A.I.D. maximum control of a project.

The level of control that contracts afford to A.I.D. can be an advantage to the Agency in getting (or at least specifying) exactly what it wants, on its own terms. However, the exercise of this control carries a cost as well in terms of the management burden of supervision, which is more demanding for A.I.D. than either a cooperative agreement or a grant.

One disadvantage of contracts for meeting the needs of Missions in D/G is their questionable use in making grants or subgrants. Small, well targeted funding is certainly a potent mechanism for Missions' assistance in support of state sector reform. While it has been determined that contractors may make subgrants in certain cases, it has proved to be problematic in practice. Given the uncertain status and dearth of successful precedents for contract-based grant making, it would seem unwise to saddle D/G support projects -- which require speed and which are likely to be experimental in their own right -- with the burden of pioneering this frontier of A.I.D. procurement.

Cooperative agreements seem to be neither inherently slower or faster to implement than contracts. They can be amended to add new funding and new activities with relative ease, when such potential is written into the initial agreement.

Cooperative agreements hold a lot of potential to help build capacity for newly emerging participants in D/G. Among these are African regional organizations that could offer leadership in many aspects of governance reform. The cooperative agreement is a proven instrument for subgrant funding to local and national institutions. PVO/NGO umbrella projects in Africa illustrate its potential to reach well into civil society with direct funding, training and other assistance in an integrated package of services. There are no legal constraints to an "umbrella" mechanism working to strengthen state institutions and this is discussed in more detail below.

The part of the IFES cooperative agreement that supports African Electoral Assistance takes the cooperative agreement to the regional level. It demonstrates the considerable flexibility of this instrument to serve Mission-determined D/G needs in a series of countries in a responsive and rapid manner.

A cooperative agreement with one major non-profit agency appears to be the best option for an accelerated access facility that can serve the various needs of Missions and regional offices for support in the governance area. This cooperative agreement could provide the full range of services noted above, including those not easily obtained through a contract. It could be designed and written so that service provision is triggered by Missions, and by regional offices on behalf of countries without Missions.

This cooperative agreement should be endowed with several conditions to ensure its effectiveness. The core funding should be large enough to allow the project to respond to Missions' initial requests without the necessity of adding new funds through amendments. On the other hand, it should have ample provision for the absorption of additional funding when Missions or regional offices require follow-on services.

B. The Problem to be Addressed

Many African nations are in the midst of struggles to redefine and restructure the essential relationships between citizens and their government. Moving towards a more democratic society is hardy ever a smooth, painless or linear process; yet it can create exciting opportunities for reforming relationships that enhance the prospects for people-centered development at all levels. There are profound connections between democracy writ large and small -- from elected constituent assemblies at the national level, to freedom of association for local groups of natural resource users.

1. The Requirement of Timeliness

In this paper the emphasis is not on crises or emergency situations in D/G, such as countries experiencing civil war, or those that have not yet made a clear commitment to become democratic. The focus here is on countries that are actively engaged in a process of transition, or in post-transition consolidation of a more democratic society. It also includes, the possibility for work in certain pre-transition situations where A.I.D. may want to support a movement toward democracy.

The requirement of timeliness in this case is not one demanding extremely swift action in a matter of hours or days as in disaster response; rather it usually requires the capacity to respond within a few weeks, to help build on the momentum for continuing democratization efforts. The resulting support may be quite brief, or it may have a medium term duration of perhaps three to eighteen months.

It is less a question of "rapid response" to a particular event, than "accelerated access" to resources in support of an unfolding process. In this perspective the question must be viewed as a procurement/assistance issue -- how to get services, commodities and other resources to Missions and designated African institutions in an efficacious and expeditious manner.

2. Procurement Constraints

Stakeholders in U.S. foreign assistance have become increasingly critical of the overly complex procurement/assistance system under which D/G and all other A.I.D. activities must take place. Both inside and outside of A.I.D. there are calls to overhaul this slow moving, redundant, cumbersome system. From personnel at USAID Missions visited for this study, many criticisms were recorded (see Annex 6 for report of these interviews.)

In November 1993 a Joint Task Force established by A.I.D. and InterAction, which consisted of personnel from both A.I.D. Washington and the US PVO community, made this statement in the course of reviewing the operational relationship between A.I.D. and the PVO/NGO communities:

> "It is the conclusion of the Task Force that the process is redundant, excessively costly to both USAID and PVOs, stifles risk taking, adversely affects project and program effectiveness and does a poor job of monitoring and ensuring prudent use of federal funds." (Policies for a More Effective Partnership")

The smallest procurement efforts can become almost impossible. A classic example from the D/G field illustrates this reality. One USAID Mission has been trying for well over a year to make about $25,000 in funding available to the country's only private newspaper. The project that supports the resident A.I.D. D/G advisor has no grant making capacity. Since the newspaper is profit-making in

nature, it was deemed ineligible for 116(e) funds; nor does it qualify under the Mission's PVO Co-Financing Project. Attempts to carry out a straightforward PIO/T procurement have so far failed in the face of higher priority, multi-million dollar projects that preoccupy the Regional Contracting Officer.

While this example may seem trivial, it is emblematic of the need for new tools to help Missions make meaningful, timely contributions for advancement of democratic governance. Until promised systemic reform is put into place, however, all players are obliged to optimize whatever flexibility can be extracted from existing mechanisms and regulations.

Putting these elements together, the principle problem in conceptualizing this accelerated access facility is:

> **How to respond to needs of Missions attempting to support improved governance in a timely fashion within the existing A.I.D. procurement/assistance environment.**

3. Notes and Caveats

In addressing this broad sweep of issues it is inevitable that certain concepts will be completely familiar to some readers, perhaps annoyingly so; others may find much that is new or that they have only partially understood. While this is not a primer on A.I.D. procurement (such a document has yet to be written), basic concepts are reviewed as needed. Jargon is minimized, and imprecise terms like "buy-in" are circumvented wherever possible. Research for this paper revealed considerable disparity among A.I.D. personnel, non-profit agencies and for-profit firms in their comprehension of procurement/assistance regulations and applications. Establishment of a common data base on certain fundamentals may be a useful contribution at this point.

As to the accuracy of information presented here, one might well bear in mind that A.I.D. regulations contains many internal inconsistencies, and that regulations are constantly being modified. Add to this the variety of interpretations, plus intentional and unintentional distortions introduced in actual application, and it appears that no statement of any complexity can be made without risk of contradiction. It is not so much a question of understanding a body of factual data in its irreducible detail as it is an exercise to ascertain the general principles of a disorderly (and somewhat dysfunctional) system that is continually changing.

This paper aims to work within the limits of procurement rules and their accepted practice, while at the same time searching for the most powerful institutional arrangements, the most supple financial instruments and the most responsive implementation mechanisms to support Missions in their D/G activities. One interviewee suggested that this is like trying to 'hot wire' A.I.D.'s procurement/assistance system. There may be some truth to this; however, to extend the metaphor, one must at the same time avoid both short circuits and electrocution.

C. The Clients: Their Needs and Current Resources

1. Missions' Situations

Formulating options to meet the challenge described above, requires an appreciation of the variety of situations in which various Missions find themselves, with regard to the political and social status of

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their host countries, the changing priorities and modalities of A.I.D. involvement in certain African nations (including the absence of a Mission), and the particular D/G needs within a given Mission's portfolio. A sampling of actual and possible scenarios include:

* Several Missions plan stand-alone D/G projects, or are in the midst of developing such projects, and want to provide support to D/G activities in the interim, which will then be passed off to the D/G project once its implementation begins

* Other Missions anticipate work in just one aspect of D/G such as decentralization

* Missions may wish to incorporate D/G objectives into specific sectoral projects dealing with environment or population as a cross-cutting theme or mode of operation

* In a country that is classified neither as sustainable nor in transition by A.I.D., i.e., where there is no USAID Mission, Regional Offices (REDSOs) might want to support work on civil society issues with non-governmental agencies

* A.I.D. might wish to undertake certain D/G activities in a country without a Mission for reasons other than its status as sustainable or in transition

It is expected that most of USAID investment in D/G in Africa will come from the bilateral OYBs of Missions. The kind of centrally created project explored in this paper is meant to assist Missions to better program and utilize their resources, and to provide complementary assistance at specific points in their programs.

In the rapidly evolving situations typical of political transformations in Africa, a key element of responsiveness is punctuality. The normal timeframe for A.I.D. project design and procurement/assistance is incompatible with the quick pace and unpredictable nature of the changes that A.I.D. is attempting to influence in one way or another. **Not only do Missions need to have access to a variety of assistance options, they must be able to access them far faster than usual.** This brings us to consider the kinds of activities that Missions might contemplate undertaking, with all due haste, in the transition and post-transition phases of democratization.

2. The Range of Potential Mission Activities

Some of the examples noted in Part III, above, and adapted from companion papers which analyze the needs for new D/G mechanisms from sectoral perspectives, i.e., civil society, public sector governance, media in democracy and so forth. They may be discrete time-limited activities that pinpoint a specific need, or they may be steps towards a larger D/G project that is working its way through the A.I.D. approval and acquisition/assistance processes.

Note that the following examples and the discussions in this paper have generally avoided the major activities relating directly to electoral assistance, in acknowledgement of the existing A.I.D. resources for this aspect of D/G. While this new "accelerated access" capacity it not meant to overlap with AREAF and other electoral assistance efforts, it is also true that some of these efforts have begun to expand their mandates into other D/G areas, blurring the distinct focus they originally had.

This is an illustrative listing meant to inform subsequent discussion on what procurement/assistance mechanisms and institutional arrangements may be most appropriate. It is possible that USAID Missions might want to support or respond to one or more of the following in a timely manner:

* Civic organizations require international consultants to help design and conduct a participatory process of strategic planning with their membership

* A key human rights group needs bridge funding to continue information gathering and publishing activities in the months prior to the start-up of a new A.I.D.-funded D/G project that will provide them on-going support

* A committee of the Electoral Commission that is re-vamping the voter registration system want to make a study tour to several other African countries that have implemented automatic registration as citizens reach the age of majority

* Non-governmental women's organizations and local women's advocacy groups need support for a series of local workshops on women's rights that is meant to help launch a national consortium to lobby for legal reform to end discrimination

* Police and paramilitary forces could benefit from programs that help them respect and uphold human rights

* The country's journalists who are not familiar with the opportunities and obligations of a freer press would benefit from training by an Africa regional organization promoting press freedom and responsibility;

* Publishing and dissemination of an Official Gazette would greatly enhance general understanding of the legal code and new laws, especially in commercial law where it lifts barriers to private investment.

This diverse, non-exhaustive list sheds light on several key characteristics of the activities Missions may wish to pursue in relatively short term D/G assistance.

* They cover a spectrum of inputs such as technical assistance and training, cash and commodities

* They provides these resources to a spectrum of entities, such as government and parastatal agencies, private firms, NGOs and professional agencies, among others

* They are highly site-specific, and often time-limited in their utility and application.

3. Existing Resources Available to Missions in D/G

A fair question might be which of these activities, and many others not listed, might be provided or obtained under current assistance mechanisms. As detailed in the "Africa Bureau: Democracy and Governance AFR USAID and USG Mission Resource Guide" of July 1992, there currently exists several centrally funded assistance mechanisms available to Missions. However, that document notes: "This is mainly for electoral and human rights activities normally outside of Missions' strategies and

programs under DFA." Examples include the AREAF cooperative agreement with the consortium of the African American Institute, the International Republican Institute and National Democratic Institute for electoral assistance, and the Africa Democracy and Human Rights Fund Project for funding to African governments and NGOs in support of civil and human rights. Another service is senior governance advisors resident in the region.

Some other assistance facilitated by ARF/ONI/DG requires Missions to add their own resources, such as the ARD/MSI services contracts, the Checchi/Howard IQC for Legal Reform/Administration of Justice, and the IFES cooperative agreement for electoral assistance. One might also cite a variety of A.I.D. resources and facilities not directly labeled D/G that could further Missions' D/G objectives, such as the Decentralization Management and Finance Project or Gender in Economic and Social Systems Project.

The services and resources available through these projects and mechanisms are mainly of the short term technical assistance variety, such as strategy assessments, support at various stage of the project design/implementation/evaluation cycle, training in pre-determined areas, and assistance around elections. Important as these are, none of them provide the fungible resources necessary for most of the activities listed in the last section, and for many others that Missions might want to undertake.

In other words, despite this array of services, many Missions do not have ready access to resources for the assortment of discrete and punctual activities required to support D/G opportunities as they present themselves. This is an especially difficult reality in the period between a D/G project design and its start-up, but it can also affect Missions without plans for stand-alone D/G projects, or Missions whose existing D/G projects simply did not include provisions for certain services.

4. AREAF: A Point of Comparison

Before considering the options for dealing with the needs outlined above, it is instructive to look at a major centrally-funded project in D/G in Africa, one that is very well known and thus serves as a point of comparison: the Africa Regional Electoral Assistance Fund (AREAF). Designed several years ago, when Africa Bureau capacities in the electoral assistance subsector were still quite limited, this cooperative agreement with a consortium of three US PVOs is meant to provide a variety of assistance in different circumstances. In a given situation its intervention could be limited to a one-time electoral system assessment, or it might involve a comprehensive program throughout an electoral process.

One of the unique features of this cooperative agreement is that it can be accessed either by request of the U.S. Embassy or USAID Mission, or from African organizations themselves. Another feature is that these requests can be channelled through A.I.D. Washington, or directly to the cooperative agreement's partnership. The result is considerable autonomy for the implementing agencies, since requests from Africa do not have to pass through USG institutions, nor do they have to come through the sponsoring A.I.D. office in Washington.

What the study team found during field visits, and recorded in its report (see Annex 4) is that some Missions are disappointed with AREAF's performance. Missions perceptions include: a) the length of time it has taken the consortium to field personnel (is excessive, due in part to inter-agency tensions among consortium members over which one will carry out which assignments); b) that the consortium has not always been responsive to Mission's needs, e.g., some Missions perceive

consortium members as following their own agendas under this project; c) that consortium members refuse to deal with commodity issues as requested by certain Missions on the grounds that this is not consortium members' specialty; and d) that the Missions have difficulty accessing other assistance actors because the consortium mechanism seems limited.

The blame, if blame there be, for AREAF consortium members pursuing their own agendas, is misplaced. This cooperative agreement was set up with the intent of supporting activities designed by the consortium members -- to allow these agencies to use their skills by their own best lights, although close coordination with Missions and U.S. Embassies was anticipated. These agencies are simply taking advantage of the agreement they negotiated to work both within Missions' frameworks, and without them.

The case of AREAF does bring home several key points, and so sets the stage for discussion of instruments and arrangements for new D/G support activities. Firstly, timing is crucial in D/G matters, and the ability to respond in a punctual fashion must be factored into project design and procurement/assistance decisions. Secondly, whatever instruments and arrangements are employed, it is vital that Missions be perceived as the primary client.

Several things have changed since AREAF began. At the time AREAF was designed D/G was not a mainstay of A.I.D.'s program, and A.I.D. may have wanted to keep a certain distance from some D/G activities of doubtful outcome. Now D/G is central to A.I.D.'s mission and Mission involvement in-country activities is clearly indicated. Also, the connotation of D/G has come to encompass much more than a narrow focus on elections and the statist portion of the democratic governance equation. In the course of broadening generally accepted definitions of D/G, civil society issues have taken a more prominent place. In this area Missions have much experience; leadership in future A.I.D. funded D/G efforts of the kind discussed in this paper belongs to the Missions.

D. Acquisition, Assistance and Their Instruments

In this section the main categories and instruments available for D/G (and all other) development activities are reviewed, and some of their major features discussed.

1. Defining Acquisition and Assistance

The watershed distinction in transactions between A.I.D., or another federal agency, and recipients of awards is that of 'acquisition' and 'assistance'. This basic distinction defines two categories of relationships, and from them flow the options for instruments.

Briefly put, in acquisition the principle purpose of the transaction is to acquire property or services for the direct benefit or use of the federal government. This is purchase for USG or third-party use. The legal instrument for acquisition is a contract.

In contrast to acquisition, the principle purpose of assistance is to transfer money, property, services or other things of value to the recipient to accomplish a public purpose of support or stimulation. The legal instruments for assistance are cooperative agreements and grants, distinguished from each other by "substantial involvement" on the part of the USG agency in the case of cooperative agreements, as discussed in detail below.

Under assistance transactions the character of the relationship between the A.I.D. and the recipient is not that of overseer as in acquisition. There is less emphasis on control of the recipient by the Agency. In a grant the Agency is a 'patron' of the grantee, while a cooperative agreement establishes the Agency as a 'partner' of the recipient in a collaborative development relationship.

This straightforward description masks a great complexity in procurement and assistance relationships that have developed by practice in every federal agencies' use of these instruments. The distinction between assistance and acquisition is far less clear cut than it might appear, and has been blurred further by those hoping to benefit from perceived advantages of one or another of the legal instruments.

2. The Instruments

As noted above, the choice of instruments flows from the character of the relationship: acquisition is by contract, while assistance is by grant or cooperative agreement. Each of these three has its own operating structure, level of A.I.D. involvement and other qualities.

One major characteristic of assistance instruments, i.e., grants and cooperative agreements, is that recipients cannot charge a profit on them. This has had the effect of virtually eliminating for-profit firms from the pool of assistance recipients, as few, if any, such firms are willing to forego profit on a regular basis. The converse is not true, however, as non-profit organizations such as PVOs and universities can be awarded contracts, and in some cases have been encouraged to charge a management fee under contracts. The review here begins with a description of some of the features of each instrument.

a) Contracts

Contracts are usually explicit concerning the services or commodities to be acquired. They spell out expectations in detailed terms and permit relatively little room to alter provisions once the contract is signed.

For contracts with A.I.D. the contractor is doing the Agency's bidding to execute a project or otherwise provide services designed and defined by A.I.D. with close control and management of the contract by A.I.D. As noted below, contract variants have been developed to make the instrument more responsive and better targeted, but that does not reduce the controlling nature of the instrument.

Under Congressional mandate certain contracts and portions of contractual arrangements are "set aside" for designated categories of agencies for reasons of social equity, i.e., small business firms and small economically and socially disadvantaged firms. These are outlined in Annex 8.

(i) Core and Requirement Contracts

One of the main types of contracts developed for increased flexibility, and especially adapted and refined by A.I.D. to include the possibility of Missions' funding involvement, is the combination of a core contract and a requirements contract. The core contract may provide a lot of services or relatively few, while the requirements contact is 'a promise for a promise' between A.I.D. and the contractor. In this arrangement, A.I.D. promises to use the contractor in defined areas of expertise, and the contractor promises to meet the Agency's needs in these areas.

Advantages of Missions' use of the requirements contract mechanism to fund their country-level technical assistance needs are: A) it is relatively quick and easy for them compared to other procurement options; B) it provides A.I.D. some assurance that Missions really want the services, i.e., they are willing to put their budgets into them; C) it does not draw down on funds in the core contract, especially when Missions' requests are sizeable.

An advantage of a larger core contract with funds from which Missions can request technical services without having to pay separately, is that these core-funded services can be approved and undertaken without the involvement of the A.I.D. Contracts office for individual agreements under $25,000. Keeping Contracts out of the decision-negotiation-implementation loop saves at least a few weeks time in responding to requests, and potentially months if the request comes in the final quarter of the fiscal year when Contracts is more bogged down than usual.

The ARD/MSI Services Contact for D/G support, under which this study was funded, is a ready example of the core and requirements contracts combination. In this case the core contract provides technical and logistical assistance to Africa Bureau for development of Africa D/G policies, while the companion requirements contract has provisions for country-level assistance with assessments, project design and evaluations. As with other such core and requirements contracts, the arrangement allows A.I.D. access to targeted technical assistance that is: A) readily available, i.e., the contractor is geared up to rapidly field personnel with specific capacities; B) easily procured, as the existing contracts avoid time consuming procedures of competition and negotiation for each new activity.

(ii) Indefinite Quantity Contracts (IQCs)

IQCs are agreements which pre-qualify selected contractors to perform specified services in a given area of expertise. This type of contract allows Missions to avoid a lot of the normal competitive process in acquiring services, by going straight to one or more of the IQC contractors to get bid(s) on a specific task. All the funding under an IQC is though Missions adding resources for tasks they define -- within the scope of the IQC, that is.

While there are currently no IQCs targeted at D/G by name, a number of existing categories overlap with some of the skill areas needed for D/G (see Annex 8). For example, the Management Consulting Services IQCs are designed so that:

> "... a variety of consulting services can be made available on short notice to address requirements for such types of services as: ... program/project planing, implementation and evaluation ..." (USAID Office of Procurement Handbook)

One IQC directly involved with certain D/G issues is the Legal Reform/Administration of Justice IQC with Checchi and Company Consulting as prime contractor and Howard University School of Law as subcontractor. This IQC can provide technical assistance to Missions and to African institutions that Missions designate in such fields as constitutional law, structure of judicial systems, development of bar associations, and court administration.

The advantage of IQCs is that once they are set up, i.e., after a formal competitive bidding process, they provide a relatively uncomplicated mechanism for obtaining certain categories of assistance in selected sectors. Typical IQC uses are for project designs and evaluations, or for well defined competencies within a sector.

The limitation for using existing IQCs to meet needs that are particular to D/G is that these IQC contractors probably will not have consultants readily available with specific D/G skills. As the Checchi/Howard IQC indicates, D/G is just as complex and sector-specific in its issues and specialized skills requirements as any other major area of development activity.

(iii) When Assistance Becomes Acquisition

The border area between acquisition (contracts) and assistance (cooperative agreements and grants) is sometimes unclear. What starts out in the design phase of a project as assistance may end up as a contract if the nature of the relationship is redefined or the field of possible recipients changes. For example, the management of the support unit for the Somalia PVO Development Partners Project was originally envisioned as a cooperative agreement but became a contract when it was decided that the competition for implementation should be open to for-profits as well as non-profits to ensure the most technically competent implementor is available.

Another case is when an intended cooperative agreement relationship slips into the fuzzy areas where assistance ends and acquisition begins, i.e., when the scope of work is overly specific and A.I.D.'s control is defined in terms that more closely resemble a contract. In such situations A.I.D. Contracts personnel may declare the relationship to be one of acquisition and insist on a contract. More than once an anticipated Request for Applications (RFA), which is used for cooperative agreement competition, has come out of A.I.D. Contracts office as a Request for Proposals (RFP) for a contract. The Senegal PVO/NGO Support Project is a recent example of a cooperative agreement that became a contract when the design went to Contracts.

(a) Cooperative Agreement

While contracts have been used by the federal government since the beginning of the republic, and grants for well over a century, cooperative agreements are a development of recent decades. As such, they are somewhat less encumbered and enriched by the laws, regulations and practices that have grown up around contracts and grants.

Cooperative agreements don't have 'set asides' in the way that contracts do. However, terms of a Request for Applications in competitive situations may stipulate that a percentage of subcontract work be negotiated with minority and women owned small businesses.

The distinguishing mark of a cooperative agreement, in contrast to a grant, is the 'substantial involvement' of A.I.D. in the project. If an award recipient can expect to manage the project without A.I.D. participation and intervention, then there is no substantial involvement and a grant is appropriate. When the terms of the assistance indicate the recipient can expect such involvement, the proper instrument is the cooperative agreement.

The nature and extent of substantial involvement on the part of the federal agency awarding a cooperative agreement is negotiated on a case by case basis. It is meant to help spell out the partnership between recipient and A.I.D. Typical areas of specified involvement include, but are certainly not limited to this illustrative list:

* approval of key project personnel
* concurrence on international travel plans

* review and approval of the selection of subgrants or subcontracts
* limiting recipient discretion with respect to the scope of services offered
* submission and approval of annual workplans and budgets with performance indicators
* prescriptive involvement in project structure and management
* monitoring or operational involvement over and above the normal exercise of A.I.D. oversight responsibilities.

In principle these negotiated levels of involvement serve to clarify expectations and facilitate the smooth functioning of the relationship. For example, agreement on annual workplans should allow mutual understanding of activities and deliverables on an agreed schedule, and permit the recipient agency to carry out its project management without undue additional involvement by A.I.D.
In some cases the substantial involvement clause becomes an excuse for intrusion into the daily affairs of project management by A.I.D. personnel on a level more appropriate for a contract. The resulting tensions can have a deleterious impact on project performance.

The issue of appropriate levels of A.I.D. involvement is an issue in grants as well as cooperative agreements. Returning to the November 1993 report of the Joint Task Force which was made up of personnel from both A.I.D. Washington and US PVOs:

> "The distinction between the roles and function of the three types of procurement mechanisms -- grants, cooperative agreements, and contracts -- has become increasingly blurred. As a consequence USAID staff have, in some circumstances, become as directly involved in implementation of a grant arrangement as they are in the management of a contract. Cooperative agreements, while useful, have been implemented in a manner that promotes conflict. These devices establish a gray area that allows 'substantial involvement' of the Agency in implementation. This has encouraged micro-management."

Within A.I.D. the cooperative agreement has come into general use since the early 1980s. It seemed a useful new mechanism to give the Agency adequate involvement in project activities while boosting A.I.D.'s support to PVOs and NGOs as mandated by Congress.

Attention is first directed to a major category of cooperative agreements, the PVO/NGO umbrella projects, and then to two cooperative agreements in the D/G sector in Africa, one at the national level and the other at the regional level.

(i) PVO/NGO Umbrella Projects Under Cooperative Agreements

An increasingly common use of cooperative agreements -- and one that has direct relevance for some types of D/G activities -- is PVO/NGO umbrella projects, also known as PVO/NGO support projects or PVO co-financing projects. In umbrella projects a lead agency makes subgrants to PVOs and/or NGOs, and may also provide technical assistance, training, coordination, or other services, as an integrated package.

With few exceptions the mechanism of choice for these umbrella projects has been cooperative agreements, which offer the promise of consolidating A.I.D.'s management burden and decreasing its operating expense for multiple PVO/NGO relationships, while simultaneously increasing funding to PVO/NGOs. A small group of US PVOs have specialized in the management of these umbrella projects, combining skills in institution strengthening with those of grants management.

What makes umbrella projects under cooperative agreements particularly relevant to D/G efforts is their ability to make funding available to formal and non-formal agencies and community organizations that Missions would otherwise have considerable difficulty assisting directly. Whereas a national NGO would have to go through a registration process with USAID in order to receive USG funds directly -- a process many of these agencies would fail for lack of sophistication in their financial and managerial systems, and which some find unacceptably intrusive on the part of a foreign government -- that same national NGO could receive funding under an A.I.D.-funded umbrella project that is managed by a US PVO or other non-profit agency.

Another quality relevant to meeting D/G needs that PVO/NGO umbrella projects have is the institutional enhancement of the organizations they fund. The painstaking technical assistance and encouragement required to help such national institutions become strong enough to take their rightful place in expanding African civil societies are provided by the intermediary agency. As previously noted, the same expertise provided through the umbrella mechanism that has traditionally gone towards strengthening non-state institutions can as well be directed towards assistance to the state sector.

One rather specialized umbrella-type project that has facilitated a lot of intra- and inter-country collaboration is the centrally funded PVO/NGO Natural Resource Management Support Project (NRMS). In addition to establishing highly collaborative, user-designed NRMS programs in four African countries, what makes PVO/NGO NRMS an interesting precedent for D/G activities is that this cooperative agreement is with one US PVO that leads a three-agency 'consortium': World Learning leading, plus CARE and World Wildlife. However, the role of the consortium members is to provide guidance to the project, not to divide up project resources, which are largely destined for in-country activities selected by self-constituted national NRMS committees.

(ii) The Democracy Initiatives and Governance Project in Rwanda

The USAID Mission in Rwanda employs a cooperative agreement for the management of this fairly complex project in D/G. It provides an interesting example of how a cooperative agreement recipient can use subcontracts to get the technical assistance it needs from other agencies.

In this case the US PVO World Learning Inc. (WLI) was awarded the cooperative agreement to manage the project. WLI subcontracted with a for-profit firm, ARD, for technical expertise in three of the four major project areas, i.e., national assembly, local government and the press center. WLI also subcontracted with a non-profit agency, Americas Development Foundation, for assistance with the other major project area, which is development of an NGO umbrella agency for human rights groups.

Subgrants planned under this project will be made with WLI since it is the cooperative agreement recipient. For certain resources destined for governmental agencies WLI has signed Memoranda of Understanding and will do the procurement directly.

(iii) IFES Cooperative Agreement

In the area of D/G, an excellent example of how a cooperative agreement can work on the regional level is the Africa Electoral Assistance cooperative agreement with the non-profit foundation, the International Foundation for Electoral Systems (IFES). In 1991 A.I.D. Bureaus were invited to add

funds to a cooperative agreement IFES signed with A.I.D./R&D; the Africa Bureau did this, adding $1,000,000 for short term election assistance.

Requests or proposals for IFES's assistance from USAID Missions and US Embassies in Africa are reviewed by a joint State/A.I.D. committee. This committee has moved expeditiously to allot funding, often making decisions on a weekly basis. In one case, a proposal and budget were approved in a few days and election-related commodities (fax machines and sound equipment) were on their way by air freight within 72 hours. Still, IFES enjoys no special procurement waivers.

The capacity to add funds to the original IFES cooperative agreement has also been used by Missions to obtain IFES's specialized services. About 20 such additions -- each executed by an amendment -- have been made world-wide, especially for larger scale efforts that would have quickly depleted the core cooperative agreement funding. Typically these amendments have been negotiated and signed in a month or less.

About 75% of the core funding has been used for one type of activity: pre-election assessments; the other 25% has focused mainly on follow up activities to earlier assessments. While commodity procurement has been done on both the international level and local level (such as printing costs), no grants have been made under IFES's work in Africa. Although grant making is possible, the nature of the work, i.e., electoral processes, has not called for grants.

Field research for this study revealed that Missions have a positive general impression about IFES's work in Africa (see Annex 3). The IFES staff members credit their responsiveness to Missions' needs to: a) punctual decisions by the committee overseeing their Africa work; b) the relatively large, i.e., $1,000,000, core funding for Africa which avoids the need for Contracts office involvement in many cases; and c) the people within the system who are willing and able, in some cases, to make things move swiftly.

b) Grants

Under a grant, A.I.D. makes an award without expectation of participation in the management of activities which are proposed by a PVO or other non-profit to further its programs. After a period of review, estimated to take 60-90 days, if the grant proposal is approved an agreement is negotiated that is much simpler than customary contract documents. In most cases, the management functions of A.I.D. are to review periodic progress and financial reports, possibly participate in one or more evaluations, and receive audit reports. Grants are usually not labor intensive for A.I.D.; on the other hand, A.I.D.'s ability to direct the detailed course of the project is correspondingly limited.

One salient characteristic of grants, which is often extended to cooperative agreements, is their cost sharing aspect. A.I.D. policy calls for PVOs to pay 25% (calculated in cash and/or in kind) of the cost of a typical Mission-funded operational program grant or OPG, while the centrally funded Matching Grant program managed by FHA/PVC requires a 50-50 cash contribution of non-USG funds. The goals and principles of cost sharing are widely accepted and include: preserving or enhancing PVOs' independence, privateness and influence on the activities, and leveraging of new resources. However, PVO leaders and some A.I.D. staff argue that rigid, centrally determined cost sharing requirements may be inappropriate and may impact negatively on project design and implementation.

Many question whether cooperative agreements and even some grant activities that are the initiative of A.I.D. should be subject to matching requirements. This issue is potentially relevant to D/G activities, where the best qualified PVOs or other non-profits might not be able or willing to meet strict cost sharing demands. A.I.D. can and does waive matching requirements on a case by case basis.

The advent of the cooperative agreements, coinciding with the rise of PVOs and other non-profits in terms of their share of A.I.D. funding, has reduced the use of grants, though no overall figures are available. It seems likely that in many areas of D/G, A.I.D.'s legitimate stewardship responsibilities and desire for substantial involvement will make cooperative agreements the instrument of choice in assistance. This is especially true for centrally funded projects that are meant to support Missions. It should be noted, however, that in some cases Missions themselves are using grants for in-country D/G activities, thus avoiding the management burden of cooperative agreements.

3. Advantages and Disadvantages of These Instruments

a) Advantages and disadvantages of contracts

One advantage that contracts have over assistance instruments is that they draw from the largest possible field of provider agencies, in principle at least. Two factors limit this apparent advantage. One is that a number of contracts are set aside for certain categories of firms, which eliminates the majority of potential competitors. A second limitation is that many non-profits routinely decline to participate in the intensely competitive arena of contracting for a variety of reasons. Simply put, contracts attract firms and agencies that are interested in being contractors, and miss a lot of others.

Another advantage of contracts is that they are widely accepted and thoroughly understood by a coterie of highly competitive for-profit contractors, by a small number of non-profits that accept funds through contracts, and by their counterpart personnel within A.I.D. who manage contracts. In some cases contracts can be streamlined in their efficiency to deliver commodities, technical assistance, and other services -- streamlined within the context of A.I.D. procurement. This is an important quality for D/G work.

To their detriment, contacts are often not terribly flexible instruments. Terms of the original contact are changed or amended later only with considerable difficulty. This appears not so much an inherent limitation of the instrument as an indication of the work load and mindset of those charged with negotiating and reviewing them. Whatever the cause, contracts are not easily altered once implementation begins.

Another disadvantage of contracts for meeting the needs of Missions in D/G is their questionable utility in making grants or subgrants. Small, well targeted funding is certainly a potent mechanism for Missions' assistance to governance institutions whether from civil society or the state sector. While it has been determined that contractors may make subgrants in certain cases, it has proved to be problematic in practice. Contractors -- most of whom have little experience working with, let alone funding, local agencies -- express concern about potential liability for actions of subgrantees they might be obliged to fund. Contradictory opinions about the serviceability of this practice, if not its actual legality, have been voiced by specialists in both program and procurement offices. Given the uncertain status and dearth of successful precedents for contract-based grant making, it would seem

unwise to saddle D/G support projects -- which require speed and which are likely to be experimental in their own right -- with the burden of pioneering this frontier of A.I.D. procurement.

The level of control that contracts afford to A.I.D. can be an advantage to the Agency in getting (or at least specifying) exactly what it wants, on its own terms. However, the exercise of this control carries a cost as well in terms of the management burden of supervision, which is more demanding for A.I.D. than either a cooperative agreement or a grant.

A lot of A.I.D. personnel spend most of their working lives supervising contractors in their execution of contracts, including myriads of routine tasks required for assuring compliance with terms of contracts, with A.I.D. regulations, and with the Competition in Contracting Act, an Act which is not applicable to assistance instruments. It is worth contemplating whether this is the highest use of career A.I.D. personnel, some of whom have decades of experience in areas relevant to the governance realm (e.g., decentralization, policy reform) and sustainable development.

b) Advantages and disadvantages common to assistance instruments: cooperative agreements and grants

Some attributes are generic to assistance instruments, and so apply to grants and cooperative agreements alike. For example, both appear to require inputs of non-USG funding by recipients through cost sharing (although this is frequently waived or loosely interpreted, especially for cooperative agreements that A.I.D. instigates). Cost sharing is a double edged sword. On the forehand cut it leverages new resources and involves the recipient in a more active way than 100% A.I.D. funding would; the backhand slice is that rigidly interpreted cost-sharing requirements can eliminate those agencies unwilling or unable to raise large amounts of non-USG funding for sizeable projects. One result has been multi-million dollar RFAs which generate only one or two proposals because of the need to contribute non-USG resources.

One oft cited advantage of assistance is that these instruments can afford A.I.D. some distance from the actual activities, the same as other donors enjoy when making grant funding available to PVOs, NGOs, foundations and other non-profits. Grants, and in some cases cooperative agreements, allow recipients to pursue their own programs without A.I.D.'s name directly attached, especially if considerable non-USG funds are also involved.

Working with assistance instruments, as opposed to acquisition, for D/G projects can have an important impact on enlarging the cohort of non-profit participants involved in D/G efforts, particularly among those that may not bid on RFPs for contracts, such as certain colleges and universities and professional associations. This would simultaneously increase the pool of participating agencies available for expanding D/G programming, and reduce the quasi-monopoly of the dozen agencies that have taken the lion's share of A.I.D.'s D/G activities in Africa in the last five or six years. Enlarging the field of participants for A.I.D.'s newest 'pillar' is a practical necessity.

A corollary to the enlargement of the D/G pool of agencies is the potential of assistance funding to enhance the D/G capacities and interests of non-profit agencies that are active in most African countries, designing and implementing their own diverse programs in various sectors. Improved performance in applying principles of democracy and good governance to the rest of their work could have a profound impact on PVOs, NGOs and other development partners of A.I.D. In some ways, it may reinforce their natural inclinations, such as their focus on strengthening local institutions. It may

also serve to deepen and broaden their analysis and methodology, for example, encouraging them to examine the representativeness of local groups in terms of participation and benefit for women, youth, ethnic minorities and other elements of society that may be marginalized, or to explore more collaborative and transparent relationships with national partner agencies.

A prime advantage of both cooperative agreements and grants is that they can be the basis of subgrant funding programs to a variety of African national and regional institutions with much less difficulty than contracts. To date, none of A.I.D.'s PVO/NGO umbrella projects in Africa have been implemented through a grant, the preferred instrument being cooperative agreements. The single umbrella project under which the intermediary agency is contracted to be directly responsible for subgrants has made an extremely slow start.

Assistance instruments can be managed by A.I.D. with much less supervision than contracts, a savings in A.I.D. staff time and effort. The ever increasing squeeze on OE budgets, and the planned closure of a number of Missions in African countries where A.I.D. may want to continue or initiate D/G programming would seem to favor use of these instruments.

Militating against these advantages of grants and cooperative agreements is the fact that some A.I.D. personnel seem uninformed or unappreciative of the distinctions among the instruments. Reaching for levels of control required of contracts in oversight of assistance instruments forfeits some of the potential benefits of these instruments. As this tendency appears to be wide-spread in the Agency, it is rendering assistance instruments less effective.

Another downside of assistance is its virtual exclusion of for-profit firms most of which would not accept a cooperative agreement even when allowed since profit can be made on federal assistance. Thus the field of participants is narrower, or at least different, for assistance instruments. It is noted, however, that valued technical assistance from for-profit firms can be obtained through subcontracts under a cooperative agreement, as illustrated by the Rwanda D/G project cited above.

c) Advantages and disadvantages of cooperative agreements

Cooperative agreements seem to be neither inherently slower or faster to implement than contracts. They can be amended to add new funding and new activities with relative ease, when such potential is written into the initial agreement. In terms of speed, amending a cooperative agreement is probably on a par with writing delivery orders under a requirements contracts, an operation that similarly serves to expand that instrument's reach.

Cooperative agreements hold a lot of potential to help build capacity for newly emerging participants in D/G. Among these are African regional organizations that could offer leadership in many aspects of governance, such as judicial reform, policy formulation, or in drafting legislation, to cite just a few areas.

The cooperative agreement is a proven instrument for subgrant funding to national institutions. While their use has been limited in relation to the state sector, their utility in direct funding and in the provision of other assistance in an integrated package of services is certainly possible. Subgrant funding can target host country institutions, US organizations, third country or Africa regional agencies, or any combination. It can be as small as mini-grants for discrete activities, like those

listed earlier as potential Mission-level D/G investments, or as large and complex as multi-million dollar, multi-year, multi-country programs.

Cooperative agreements can foster cooperation among institutions. Whereas the rules of competitive contracting discourage or even prohibit information sharing (when it might lead to illegal collusion), cooperative agreements such as those used for PVO/NGO umbrella projects can enhance inter-agency collaboration within the development community to the benefit of all parties.

To date PVO/NGO umbrella projects in Africa have been Mission-funded projects, not centrally created facilities to meet needs in a number of countries (with the notable exception of the PVO/NGO NRMS Project, which is in its own category.) The part of the IFES cooperative agreement that supports African Electoral Assistance takes the cooperative agreement to that regional level. It demonstrates the considerable flexibility of this instrument to serve Mission-determined D/G needs in a responsive and rapid manner, from technical assistance teams to commodity procurement.

As the AREAF experience illustrates, a cooperative agreement can be designed and executed that sometimes fails to give Missions the responsive services they want from a centrally funded mechanism in the D/G field. AREAF is designed in such a way that the consortium members are not obliged to focus primarily on meeting the Mission's needs in a given country. Rather than blame the instrument itself for this alleged shortcoming, the AREAF example serves as a reminder that a cooperative agreement must be fashioned with care in order to optimize beneficial aspects of this instrument without inadvertently incorporating others.

Underlying the positive attributes of the cooperative agreement, which has shown itself to be most malleable, is its essential nature as an instrument of assistance, not acquisition. However the substantial involvement clause is written and interpreted, and there is general agreement that it is often misused to exert inappropriate control, the relationship is one of collaboration. Collaboration should be a strong point of this instrument. The recipient cannot just go off and do its own thing without involving A.I.D., as some might do under a grant. And A.I.D. cannot simply dictate its desires without fear of contradiction, as it often does in a contract relationship. The cooperative agreement is a partnership that can draw on the knowledge and experience of both sides. Mission personnel cannot be omniscient in all aspects of D/G theory and programming; likewise, an implementing agency will not appreciate all the political and institutional ramifications of every D/G activity. Under a cooperative agreement they should be able to negotiate a course of action that calls on their complementary strengths.

d) Advantages and disadvantages of grants

Grants represent the least management burden for A.I.D., with potentially the most distance from the Agency. For projects that are innovative, experimental, risk-taking or for other reasons need lots of room to change course and adapt, grants offer the best option.

Not surprisingly, grants are the preferred instrument among non-profit agencies. They appreciate the freedom of action in grants, compared to the often tedious negotiations under other instruments on relatively unimportant aspects of their activities. These agencies lament the audit-phobia that seems to be driving A.I.D. project managers to tighter controls of project resources under all instruments, but particularly cooperative agreements. Grants reportedly permit recipients to concentrate on results rather than inputs.

The reverse side of the control coin is that it is often more difficult for A.I.D. to cooperate effectively in project activities funded under grants. For many grant recipients A.I.D. funding is only part of their program resources. They may feel that since A.I.D. is just one of several donors that have opted to contribute to activities designed by the recipient, A.I.D. has no proprietary rights to direct the project. Missions may be less able to pinpoint services or stipulate specific tasks during the course of grant implementation. For this and other reasons grants are not that popular with Missions for many kinds of projects.

e) Conclusions

Each instrument has its selling points and drawbacks for the kinds of services deemed necessary to support Missions' diverse needs in their timely involvement in democratic transitions. In brief:

* Contracts function very well for certain kinds of well defined tasks, such as fielding technical assistance teams for assessments and evaluations; and they allow A.I.D. maximum control of a project.

* Cooperative agreements can do what contracts do, but cut out many players with experience in contracting; however, they also offer a proven way of combining forms of technical assistance, training, grants and grants management for reaching a diverse cross-section of state and civil society institutions.

* Grants seem underutilized as A.I.D. seeks more active involvement in activities it funds; still, as the Agency is stretched beyond limits by its own bureaucratic requirements and reduced work force, a reconsideration of grants may be in order.

The final thought on these instruments and their effectiveness is the primordial significance of the people involved. A two-year study of PVO/NGO umbrella projects concluded that this is a key ingredient in project success, one that is beyond the legalities of the instrument and the mechanics of the design:

> "Another set of lessons for all projects that emerges for the umbrella projects studies concerns that central importance of people and personalities -- both positive and negative. On the plus side, dynamic, intelligent and dedicated people can make even a mediocre project design work very well, and can overcome many deficiencies and difficulties in project situations. Conversely, small-mindedness, enlarged egos, turf-protecting mentality and bureaucratic mindsets can thwart a good project design and poison a promising situation. In the face of rigid regulations and procedures, or in situations of conflict among project partners, some people work creatively to find solutions, cut red tape and reach compromise. Such people are unsung heroes of A.I.D. and its partners in development." ("Designs for Collaboration: A Study of PVO/NGO Umbrella Projects in Africa")

E. Options for Institutional Arrangements

1. Some Common Institutional Arrangements

This section contains brief sketches of some common forms of institutional arrangements currently used to provide technical assistance under the instruments discussed above. It is not an exhaustive list

of every possible permutation, but rather a quick look at a few models that might be relevant in contemplating resources for Missions working on governance issues.

* Contract with a prime contractor and no subcontractors. This seems to work fine for large firms, within a well defined concentration or sector for which there is considerable consultant expertise. One example among many is the Labat-Anderson Private Sector Development Contract with AFR/ONI/PS to provide technical assistance to Missions in private enterprise development. It is unclear how many contractors at this point have broad skills in D/G, although the opportunity to bid on contracts has certainly served as the catalyst for amassing new expertise in other cases.

* Contract with a prime and one or more subcontractors is another standard formula that works well, even for smaller firms. Subcontracts allow new contractors to gain experience and build their reputations. This model can produce friction among the contractor and subcontractors over sharing the project's business, especially if a requirements contract provides for new funding resources.

* IQCs with a small groups of pre-selected contractors that are available in selected fields: might there be an IQC for D/G in the future? There would be some advantages to this in terms of identified sources for Missions for certain well-defined services, if A.I.D. is confident of just what those services should be. There is, however, considerable potential for overlap and confusion with other D/G initiatives providing apparently similar services to those that a new group of IQC contractors might offer. Also, IQCs may not be as rapid as other options, since they still goes through limited competition and Contracts for each use.

* Cooperative agreement with one agency in charge, i.e., without subcontracts or subagreements. This is like the IFES cooperative agreement for Africa Electoral Assistance, or some PVO/NGO umbrella projects. Even the PVO/NGO NRMS project is of this model, since that project's so-called 'consortium' is really part of the project's support system, and not a group of agencies held together by the expectation of splitting up a package of funding. This institutional arrangement can work very nicely if the recipient is mature and supports the project well. It is not necessarily the best option for a relatively new or inexperienced agency, however.

* Cooperative agreement with one agency recipient and one or more subcontracts or subagreements. Some PVO/NGO umbrella or support projects have this institutional arrangement. At times it is used to meet a requirement for subcontracting with minority or women owned firms, and at times to secure complementary skills. Examples of the latter include the Rwanda D/G project cited above, and the Namibia LIFE project under which the cooperative agreement recipient, World Wildlife Fund, has a subagreement with World Learning to advise the grant making part of the project. This institutional arrangement could be especially useful if it included one or more African regional organizations as sub-recipients or in a management-advisory 'consortium' like the PVO/NGO NRMS Project has set up.

* Cooperative agreement to a consortium of agencies with the intention that they will all share the work and funding. AREAF is an example of a consortium of three agencies that came together for that project. Various pre-existing consortia of U.S. colleges and universities manage cooperative agreements, for example the MUCIA consortia that has the cooperative agreement of research, technical assistance and other activities in the Environmental Policy and Training project (EPAT). This seems to offer the advantage of ready access to skills of several agencies, but questions arise around these consortia-based institutional arrangements. Do the members actually have

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complementary skills or are they essentially similar, having grouped together mainly to bolster their chances of being awarded the cooperative agreement? Does competition for project resources inhibit collaboration among consortium members, or with other potential service providers?

* Cooperative Agreements under University Development Linkages Program (UDLP) provide funding which connects U.S. colleges and universities to counterpart institutions in developing countries (see Annex 8). A few of the 40 current cooperative agreements worldwide involve D/G work in Africa. One of these is the agreement between University of Florida and Makerere University in Uganda that is meant to analyze human rights education and improve teaching techniques. The UDLP could be a vehicle for certain kinds of state institutional enhancement programs, from legal reform to monitoring of democratization efforts to curriculum development for citizen education. As a university-based program UDLP has certain limitations; however, it could be used much more than it currently is in A.I.D.'s D/G portfolio.

* Grants to individual agencies to carry out discrete activities are a time-honored method for helping PVOs and NGOs develop new approaches and promote them in rural development projects. Even with the current popularity of cooperative agreements a lot of grants are made, as they require relatively little on-going management by Mission staff. The new D/G funding agreement with a US PVO in Mozambique, for example, is in the form of a grant. When a Mission has confidence that requesting agencies will not require its close supervision, grants offer a lot of flexibility and room for innovation.

* Grants to US PVOs under the centrally funded Matching Grants program support clearly defined, field-oriented programs that are carried out in a number of countries. With a project life of 3-5 years for each grant, the Matching Grant program encourages A.I.D. Washington office and Missions to add resources to the grant for country-specific activities that are consistent with the scope of the grant. Democratic institution building is already among the sectors of activity that this program supports, and there is certainly room for more PVOs with multi-country D/G program concepts to tap into this A.I.D. resource, in collaboration with the relevant Missions. One limiting factor is the 50% cost sharing provision of this program.

2. Mechanism Options for Rapid Response Capacity

To review briefly, the key characteristics for a new facility to provide accelerated access to resources for Missions' needs in the area of governance are: a) a variety of possible services available in whatever combination may be required, including technical assistance, training, commodity procurement, funding to local, national and regional institutions, and management of that funding; b) the determination of activities through direct consultation with the Missions, or with regional offices for countries without Missions; c) these services provided on a timely basis, i.e., within weeks rather than months of request, and from one central source.

It should be obvious that not all of the possible D/G activities that a Mission might want to support can be accomplished through a single project. The previous section of this paper indicates some of the possible approaches that might be useful in a Mission's integrated approach to D/G. This final section looks only at options for a centrally-funded facility that can provide a number of Missions with a constellation of services in the area of democratic transformation.

The need for such a facility might not be self-evident to those operating at a certain distance from field realities. Closer inspection reveals a great deal of concern among Mission personnel over how they are to absorb this new 'pillar' of D/G into their portfolios, and a growing concern within the Africa Bureau over how opportunities can be seized in countries without Missions where the Agency may want to offer assistance in governance areas.

The continuation and expansion of AREAF or other mechanisms that are intended to deal with issues specific to electoral processes will not meet many needs in governance programming. These are substantially different fields of endeavor, requiring different kinds of expertise, and so cannot be simply cobbled together for expediency sake. The reluctance of AREAF consortium members to conceive of their mission as primarily Mission driven, and that project's lack of experience in commodity procurement and local grants making, further diminish AREAF's ability to meet the need for responsive, multi-faceted services in support of governance reform. A new facility is required.

For most centrally funded technical assistance projects, the design calls for a contract, perhaps with one or more subcontracts. Undoubtedly this approach would produce a number of workable proposals that could meet most of the desired service requirements. However, because it is a contract, it would not offer easily accessible grant making and grant management capacities for Missions. This key piece would have to be picked up through a separate funding mechanism, or perhaps through a subagreement with a non-profit agency. In either case, the grant making and managing would not be consolidated directly with the rest of the services provided. This would add another layer of time-consuming decision making to the process -- thus retarding the response time and reducing the integrated nature of the program. In other words, using a contract would mean sacrificing some desired characteristics of this new facility.

A cooperative agreement with one major non-profit agency appears to be the best option for an accelerated access facility that can serve the various needs of Missions and regional offices for support in the governance area. This cooperative agreement could provide the full range of services noted just above, including those not easily obtained through a contract. It could be designed and written so that service provision is triggered by Missions, and by regional offices on behalf of countries without Missions, as is the case in the IFES cooperative agreement.

The option of signing a cooperative agreement with a consortium of agencies does not appear to offer significant advantages over a single recipient, and may entail some disadvantages. A number of consortia arrangements have shown the potential for internal competition and tension among members, which can work to the detriment of the project. Through a series of Memoranda of Understanding, a single lead agency managing a cooperative agreement can have access to the services of many agencies or individuals on an as-needed basis, without concern for which ones are receiving more or less than their pre-determined share of activities.

The cooperative agreement for this new facility could, however, encourage a collaborative approach based on the mutual support and advice of several other knowledgeable agencies. As the PVO/NGO NRMS model suggests, given the right incentives, A.I.D. can encourage agencies working on similar problems to contribute their counsel for the common good. In the rapidly evolving field of D/G, and state sector transformation in particular, a combination peer advisory board and ideas diffusion network could enhance the new facility's effectiveness.

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This cooperative agreement should be endowed with several provisions to ensure its effectiveness. The core funding should be large enough to allow the project to respond to Missions' initial requests without the necessity of adding new funds through amendments. On the other hand, it should have ample provision for the absorption of additional funding when Missions or regional offices require follow-on services. For example, initial assessments may best be done with core funding to permit a rapid response to Missions' requests. If these assessments lead to requests for additional services above a certain cost threshold, then amendments may be used to add Mission resources.

More design work is need to refine this rough concept for a new facility, and to carry it through the normal stages of project identification and design. Undoubtedly the concept will go through a number of revisions and improvements before the major stakeholders agree on its overall shape and function. If the designers keep in mind the complex nature of the tasks at hand, i.e., supporting the transformation of societies in diverse countries, and create a project responsive to the requirements of these situations, then it could become a useful tool for A.I.D. and could make a valuable contribution to improving democratic governance in Africa.