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REGIONAL CENTER FOR SOUTHERN AFRICA DEMOCRACY AND GOVERNANCE ASSESSMENT

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Table of Contents

Executive Summary **1**

I. Introduction **3**
1.1 The Task 3
1.2 The Process 3
1.3 Organization of the Paper 3

II. A Recommended Objective for a 2004-2010 RCSA DG Strategy **4**
2.1 The Higher Level Objective 4
2.2 Rationale 4
2.3 The Approach 7

III. Definitions **8**
3.1 Democracy 8
3.2 Civil Society 9
3.3 Rules of the Game 10

IV. Salient Democratization Trends and Obstacles **11**
4.1 Commitment to Democracy 11
4.2 An Implementation Crisis 11
4.3 Uneven Progress 13
4.3. Priority Obstacles to Furthering Democratic Governance 21

V. Regional Approaches to Addressing Salient Democratization Obstacles **27**
5.1 Objectives, Achievements and Limitations of Alternative Platforms 27

VI. Recommendations for an RCSA Strategy for Implementing Democratic Governance at Meso-Levels within Key Institutions of the Democratic Process **30**
6.1 The Central Problem 30
6.2 A New Sub-Goal 30
6.3 Recommended RCSA Strategic Objective 30
316.4 A Broadened Civil Society Mandate 31
6.5 RCSA as a Clearing House for Democratic Governance Expertise 32

VII. Conclusion **32**

Appendices

Appendix 1 – Assessment Team Scope of Work
Appendix 2 – Information Sources

Executive Summary

The Task

Through a Management Systems International team[1], USAID commissioned this assessment for the purpose of developing recommendations for an RCSA strategy for addressing major barriers to, and consolidation of democracy in the Southern Africa region. These recommendations were to be framed in terms of prioritized higher-level outcomes accompanied by thoughts concerning how these outcomes might be achieved.

The Higher Level Objective

The team recommends that RCSA work within the framework of a new sub-goal: strengthening internal governance within key institutions of the democratic process. It recommends that RCSA adopt at its key higher-level objective, within the foregoing sub-goal, the strengthening of internal political party governance. This strategic objective embraces in one way or another all the central empirical requirements of democracy but especially the objective of effective political competition. Vigorous political competition during and between elections is necessary to democracy but not sufficient in and of itself, as often chaotic and undisciplined, sometimes intimidating and violent Southern African politics attest. Equally important are agreed-upon rules that allow the expression and advocacy of political ideas and agendas free of intimidation and suppression by others. The team sees improved internal governance within key democratic institutions as the key to furthering democratic consolidation

Definitions

In proposing this strategic sub-goal, the team works within conception of democracy shared by the academic community and USAID itself, with one additional criterion: processes of interest articulation and aggregation. It works with a conception of civil society that centers on its function, well grounded in political theory, of defining and defending the basic rules of the political game. It envisages a broadened focus of the rule of law to include not only formal constitutional and legal provisions, but also the internal rules by which key democratic institutions govern themselves.

Trends and Obstacles

While Southern Africa has participated actively in democracy's Third Wave, we perceive an implementation crisis in getting governments to accept limits on their power and to live by agreed norms, values and principles. This implementation crisis threatens future democratization progress and may endanger popular support for democratization. The countries of the region have experienced uneven democratic progress. However, all confront major obstacles to further progress including lack of rule-based political behavior, lack of civil society capacity, inadequate implementation of the rule of law, slow implementation of gender equity, insufficient implementation of human rights guarantees, inadequate policy implementation capacity,

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emasculation of subnational governmental autonomy, and insufficient care and nurturing of human resources – most notably in the HIV/AIDS pandemic.

Regional Approaches

The team recommends RCSA implement this strategic objective via one or more regional civil society networks with which it shares the objective of strengthening internal party governance. It recommends this venue rather than working through one or more SADC-related inter-state platforms. It views this strategy as complementary to, rather than duplicative of USAID bilateral democratic governance programming. Evidence suggests that rival political actors can work more effectively with each other at regional levels than within national environments within which their rivalries emerge.

Implications for Civil Society

The recommendation implies a broadened role for civil society as both a cause and effect of maturing new democracies. To sustain their ongoing influence on the advancement and defense of democracy, civil society organizations should combine advocacy capabilities with expertise with which to engage governmental and political bodies in actually strengthening their internal governance. The recommendation assumes continued civil society motivation to further consolidate democratic governance and its recognition that internal governance within key organizations of the democratic process is a major obstacle to realizing democratic consolidation.

Implications for USAID's Regional Center for Southern Africa (RCSA)

The strategy envisages RCSA as a clearinghouse for mobilizing expertise on democratic internal party governance, which it would make available to one or more regional civil society networks sharing that objective. Limited USAID funding would go for making technical expertise available to designated civil society networks, helping to fund their periodic regional meetings for considering this expertise, and for RCSA staffing appropriate to this enterprise.

I. Introduction

1.1 The Task

Through Management Systems International, USAID commissioned this independent assessment for the purpose of developing recommendations for a Regional Center for Southern Africa (RCSA) strategy for addressing major barriers to the transition to, and consolidation of democracy in the Southern African region. These recommendations were to be framed in terms of prioritized higher-level outcomes accompanied by thoughts concerning how these outcomes might be achieved. They were to be formulated so as to address priority obstacles to the advancement of democratization in the region. They were to take into account RCSA's concept paper, the extent and ways in which they might be implemented via cross-national or regional platforms, and how they might realize potential synergies with other RCSA program initiatives.[2]

1.2 The Process

The team has prepared the following analysis of democratization and governance circumstances, obstacles, issues and its recommendations for a new strategy on the basis of the documentation provided by RCSA, its interviews with RCSA staff and bilateral mission Democracy and Governance Officers, and its members' own prior research and experience.[3] The team benefited from an RCSA Workshop on April 23-24, 2000 in which its Democracy and Governance Reference Group members participated.

1.3 Organization of the Paper

Section II of this paper presents the team's formulation of a higher-level democracy and governance outcome that it recommends RCSA pursue over the remaining years of this decade, along with thoughts on approaches it considers best suited to their implementation.

Section III sets forth the team's conceptualizations of democracy and of civil society on the basis of which it conducted its inquiry. In this definitional preface, the team relies on both conventional usages in the academic literature and those USAID itself has specified as a basis for its democratization and governance programmatic initiatives.

Section IV outlines salient trends in democratization processes within the Southern Africa region. It acknowledges both dimensions of progress and principal obstacles to further progress in democratic consolidation that recent experience has revealed. It outlines how the recommended higher-level outcome and implementation approach may be optimal in addressing these obstacles and advancing democratic consolidation.

Section V reviews alternative venues and means by which RCSA might address these obstacles regionally and the relative merits and feasibility of utilizing them to address each of these obstacles.

Section VI presents recommendations for RCSA based on the preceding discussion and analysis.

[2] See Appendix 1, Regional Center for Southern Africa DG Assessment, Scope of Work.
[3] See Appendix 2, Bibliography.

II. A Recommended Objective for a 2004-2010 RCSA DG Strategy

2.1 The Higher Level Objective

The team recommends that RCSA focus upon a new democratization sub-goal in formulating its democratization strategy for the remaining years of the decade. That sub-goal should not focus exclusively on achieving the rule of law at the macro-level of constitutional provisions and formal parliamentary legislation but also at the meso-level on rules establishing governance appropriate to democracy within specific institutions central to the democratic process, i.e. legislatures, political parties and ministries both at national and sub-national levels. The central premise of this recommendation is that improvements in the formulation of, and adherence to these rules is an indispensable next step in the consolidation of democratic governance in Southern Africa, because it is especially at this level that progress toward democratic consolidation has stalled or has yet to be achieved.

The team recognizes that, particularly given its likely continued modest level of funding, RCSA must make choices of focus within this expansive, substantially new frontier of programming needed for strengthening democratic governance. While there does not appear to be any obvious or intrinsic hierarchy of priorities within this area, the team suggests that a strategic objective of improved internal governance within political parties would be an appropriate initial point of entry for RCSA. This recommendation also reflects a preference established in RCSA's Reference Group Workshop held in Gaborone in April 2003.

2.2 Rationale

It is the team's underlying hypothesis that a focus on meso-level democratic governance, i.e, governance within institutions central to the democratic process, may be the most important next step in advancing democratic consolidation once at least initial progress has been achieved in conducting reasonably free and fair multiparty national elections and in establishing or strengthening democratic constitutions.

A simple, but often underemphasized conceptual rationale underlies this approach. It is that a fundamental virtue of democracy is that it institutionalizes not only peaceful political competition for offices to define policy but also mechanisms for peacefully resolving conflict generated by that competition. Those mechanisms include not only multiparty elections but also decision-making processes within institutions central to the democratic process. A important difference between stable and consolidated democracies is not only institutionalization of free and fair balloting on election day, but mechanisms for resolving conflict before and after election day balloting. In its current concern with conflict vulnerability within new democracies, it is the team's hypothesis that USAID would do well to center on these broader dimensions of conflict mediation.

There are at least three broad areas within which RCSA in particular, and USAID more generally, might choose to focus: reducing corruption within ministries, strengthening legislative policy making while simultaneously reducing executive dominance, and political party governance.

2.2.1 Reducing Corruption. It is axiomatic that constitutions and formal legislation are not self-implementing or self-enforcing. It is also widely recognized that sub-Saharan Africa, including Southern Africa, has experienced thorough-going neo-patrimonialism, i.e. formal constitutions, rules and governance structures reflecting broadly accepted democratic norms juxtaposed with clientelistic, corrupt, biased, sometimes chaotic political behavior wholly inconsistent with those norms.

The team hypothesizes that a meso-level focus on rules shaping governance practices *within* institutions central to the democratic process is appropriate to the task of reducing this fundamental gap between democratic forms and undemocratic governance practice. Willingness of government and political actors to confront this gap can be taken as an important measure of their commitment to further democratization.

What forms might such improved internal governance take within government ministries? The possibilities are many, including *inter alia* improved processes for establishing budgets, approving and monitoring disbursement of funds; decision-making processes for implementing broad policy mandates; organization of, and access to management information; personnel recruitment, promotion, retention and procedures; and defining and enforcing administrative roles.

To some extent, the objective is not necessarily the cancellation of all informal practices at variance with formal rules governing bureaucratic activity, but establishing *better* informal rules. The organizational management literature has been replete for more than a quarter of a century with injunctions to establish less hierarchical decision-making practices within formally hierarchical organizations, more attentiveness to the concerns, insights, requirements of recipients of governmental action (without surrendering to favoritism and nepotism) within bureaucracies formally structured to accomplish upward accountability from lower to higher ranking officials. Indeed, USAID itself contributed greatly to the development and empirical testing of these recognized best practices in the 1970s.

2.2.2 Diminishing Executive Branch Dominance/Strengthening Legislative Branch Policy Making Capacity. Within the family of mature, stable democracies, significant variation is to be found in the balances of power and responsibility among legislative, executive and judicial branches. Against the background of widespread authoritarian rule in Southern Africa, and in the continent as a whole, in the first decades of political independence, it is widely recognized that the dominance of executive branches, indeed of heads of state/government personally, needs to be reduced as one important element of strengthening democratic governance. Current tests of political will in several countries over adherence to term limits for heads of state/government have been but one manifestation of the importance of this issue.

The team's hypothesis is that the formulation of, and strengthened adherence to, rules defining how democratic legislatures govern themselves is a key simultaneously to the improvement of legislative branch policy making capacity and increased legislative independence of overbearing executive branch interference in legislative deliberations. Clear and effective rules, established on the basis of legislators' consent, governing policy formation, leadership selection, appropriate (i.e. non clientelistic) responsiveness of civil society and interest group input, ethical legislative

behavior, and allocation of legislative roles and posts as between majority and minority parties are among the kinds of rules that distinguish strong and effective legislatures from those that are less so, including many within Southern Africa and the continent as a whole.

To the degree that legislatures evolve, and resolve to adhere to, rules for their internal democratic governance, it follows that the capacity for effective legislative activity will be enhanced. Moreover, to the degree that legislatures establish such rules, they simultaneously make it more difficult politically for chief executives to suborn the independence and, therefore, the power of legislative bodies vis-à-vis those executives. Although legislative strengthening initiatives have been undertaken bilaterally by USAID and other donors, it is the team's hypothesis that considerably more needs to be done in this area.

2.2.3 Political Party Governance. Based largely on the deliberations of RCSA's Reference Group Workshop, the team recommends that RCSA concentrate for the remainder of the decade on strengthening internal governance within a third core set of core institutions in the democratic process, political parties. Within this area, it recommends that priority be given, first, to democratic internal governance within parties and then, on that foundation, to inter-party agreements on defining and enforcing fair competition during election campaigns.

Among students and observers of new democracies, substantial progress in achieving free and fair balloting in national multiparty elections has drawn attention to pervasive abuses of the democratic process that occur during the prior election campaigns and to often chaotic, undemocratic, sometimes violent decision-making processes within political parties. The weakness of opposition parties results at least in part from these deficiencies. Ruling parties often lack effective rules and practices establishing lacking any real semblance internal democracy, and where they exist on paper they tend to be seriously weakened by the absence of effective separation between party and government, facilitating heavy-handed domination of ruling parties by heads of state/government. These counterproductive practices undermine not only the stability of new democracies as mechanisms of peaceful conflict mediation as well as competition but also public confidence in the wisdom and efficacy of democracy.

USAID and other donors have devoted substantial financial and organizational resources to strengthening political parties in sub-Saharan Africa over the last decade as well as to improving the efficiency and fairness of electoral rules and practices. However, the extent and the focus of such assistance appears to have been such that only limited progress has been in ameliorating these ills during the first decade of Third Wave democracy in Southern Africa, and the continent at large.

There will be the objection that internal party governance is too close to the core of political life in Southern African countries for it to be susceptible to external assistance. A great deal of the success of such assistance would appear to turn on the degree of donor attentiveness to such sensitivities, i.e. to facilitating and supplying external technical expertise rather than by attempting to prescribe such rules on the basis of external experience. Additionally, there is some evidence from democratization assistance to legislative and party strengthening to date that where such assistance takes place in regional or international settings rather than within

countries, receptivity of political actors to such assistance and to working across political divides increases substantially.

It may also be the case that the further democratic consolidation proceeds, the greater the degree of political will required to institutionalize these advances. The team's proposal relies for its feasibility upon three empirically testable propositions:

- Political parties that feature stable, democratically constructed internal governance rules make those parties stronger by enhancing the morale and motivations of its rank and file members;

- Ranks and file members of political parties, even ruling parties, chafe at their lack of ability to influence outcomes and are, therefore, relatively soft targets for external appeals from civil society and external funding from donors for strengthened internal democratic governance;

- Money talks to domineering party leaders as well as rank and file members. Some will see their self-interest advanced by external resources available for internal democratization and the possibilities for increasing their levels of internal support by acquiescing in these individuals, and their rivals will, too;

- Civil society organizations will find it in their self interest to press for more stable internal democratic governance because one outcome is likely to be greater party accountability to civil society demands.

2.3 The Approach

To implement the goal of strengthening internal party governance and to make the most effective use of RCSA's likely sharply limited financial and personnel resources, the team envisages an approach under which RCSA would become a clearinghouse for garnering of sources of expertise on the strengthening of internal party governance. RCSA would then facilitate the communication of such expertise to one or more networks of civil society organizations devoted to demanding internal democracy within parties in the same manner as they have demanded transitions to democracy of authoritarian governments.

The self-interest of civil society organizations in demanding internal party democracy would lie in the greater transparency of party processes and, thereby, voter accountability between elections as well as at election time. Through shared information and experiences, civil society networks centered on this objective would strengthen the capability and determination of member organizations. Implicit in such a process, also, is the gradual evolution of civil society organizations from primarily *advocacy* roles in promoting democratization increasingly also to roles of *engagement* with political parties in communication expertise on internal governance practices to them.

III. Definitions

Crucial to the task of furthering the consolidation of democratic governance is clear and appropriate working definitions of key terms, including democracy, civil society and the nature of the rule-based governance envisaged.

3.1 Democracy

In a 2000 technical publication, USAID's Center for Democracy and Governance has identified five indispensable elements of a consolidated democracy.[4] These elements and the central questions to be asked empirically regarding each are:

- Consensus. Is there a basic consensus on the fundamental rules of the game, and is the political contest played by those rules?

- Rule of Law. Is there ordered liberty? Is politics, indeed are life, liberty, and property, bound by the rule of law?

- Competition. Is there competition in the system? Election is one Form of competition, but not the only one. Are there a competition of ideas, a free media, and a vibrant civil society? Is a healthy set of checks and balances present in the government?

- Inclusion. Are there problems of inclusion and exclusion? Are parts of the population formally excluded and disenfranchised from meaningful political and social or economic participation? Is participation high or low?

- Good Governance. Good governance refers to more than government itself. It refers to the way in which social institutions, both in the public and private sectors, actually work. Is there good governance, or at least the capacity for good governance – not only by the state but by institutions in general?

In this paper we work within the parameters set forth by this array of essential elements of democracy. We would, however, offer one additional essential criterion for a well-functioning democracy, which we identify as:

- Interest articulation and aggregation. In a well-functioning democracy, it is essential that there be venues and skilled practice for articulating the wishes of citizens, not only in elections, but on a day-to-day basis. Are there effective institutions such political parties, interest groups, and civil society organizations for articulating and aggregating citizen preferences? Are there transparent, legitimized rules and procedures for aggregating diverse citizen preferences into broad policies and mediating differences that arise in the process?

[4] Center for Democracy and Governance, *Conducting a DG Assessment: A Framework of Strategy Development*. Technical Publication Series. Washington, DC. November 2000. p.2-3

The addition of this sixth criterion is important, because it helps to address what we believe is also a limitation of the contemporary academic literature on democratization: an emphasis on democracy as a system of peaceful, regularized competition at the expense of effective, means for mediating and resolving differences that helps to keep political competition peaceful. Implicit in both democratic political competition and democratic means of resolving differences that remain peaceful and non-violent are rules governing competition and mediation that are acceptable to political actors involved. This applies not only to agreement on basic rules of the political game, embodied in constitutions, for democratic systems as a whole but to governance within individual institutions that are central to the democratic process, e.g., political parties.

A key to an effective working conception of democracy is parsimony, i.e., centering on those aspects that are both necessary and sufficient. The Reference Group Workshop in Gaborone engaged briefly in a discussion of the central elements of democracy. We believe most of those articulated on that occasion are included, implicitly or explicitly, within the six broad characteristics just enumerated – the presence of political opposition, government accountability, political culture, representative government, free and fair elections, rule of law, basic human rights, agreed upon norms. Separation of powers is most explicitly present in American democracy, less so in parliamentary democracies and in certain presidential democracies such as France. However, strengthened internal governance within key institutions of the democratic process strengthens their capacity both to assert their views and to resist encroachment by outside actors. In this way, implementation of the team's key recommendation would in effect strengthen separation of powers in a de facto, if not de jure sense.

We recognize, of course, the intimate connections between democratic institutions, economic performance and the socioeconomic well being of citizenries. However, we adhere, at least for purposes of this exercise, to an analytical distinction between democracy as a system of rules and processes and the policy choices and policy implementation outcomes that transpire through those systems of rules and processes.[5]

3.2 Civil Society

Civil society's importance to democracy is recognized throughout at least the contemporary academic literature on democracy and democratization and in the democracy programming of USAID and other major donors. A centrally important implicit or explicit element in the modern history of democratic political philosophy – and many would argue much of ancient and

[5] The discussion of democracy in the Workshop included presence of political opposition, government accountability, strong civil society organizations that can hold government accountable (CSO = people's expression of what democracy should be, holding a social contract, defines the role of the state, political expression, CSO as the space between the family and the state), the political culture of the various countries has to be taken into account, the people benefiting from what goes in the country, representative government, free and fair Elections (the elections have to be periodic), rule of law, separation of powers (limitation on the Executive), basic human rights, agreed upon norms, values on the exercise or limits of power, government implementation of policies and development programs, human development

medieval political philosophy as well – civil society has been in the democratic spotlight empirically since the emergence of democracy's Third Wave in the late 20th century.[6]

There has been a healthy debate in the literature on democratization concerning the operational meaning of civil society, including that of the Reference Group Workshop. Broadly speaking, the debate has centered on two different by no means mutually exclusive interpretations. On the one hand, a more inclusive definition of civil society encompasses all the social and organizational space between the family and the state, including horizontal relations among civil society groups as well as between those actors and the state. An alternative, narrower, less spatial, more functional, more explicitly political definition centers on the activities of societal organizations insofar as they undertake to define and uphold core norms, rules and/or policies by which citizens choose to be governed. For purposes of this exercise, we think the latter definition is more appropriate.

Primarily in the academic literature a further distinction often appears between political society and civil society. Political society is typically conceived as incorporating those political actors more or less professionally involved in the business of politics, e.g., political parties and legislatures. By contrast, civil society is understood to include those organizations of volunteers who, with varying degrees of intensity, perform according to the above narrower definition of civil society. In this essay, we proceed on the premise that, while analytically useful, the distinction empirically often becomes very tenuous and is, indeed, not essential to a working definition of democracy.

3.3 Rules of the Game

We distinguish in this report between formal rules for democratic governance, such as may be incorporated in constitutions and legislation, and internal rules of key democratic institutions that are created by, for and are limited in their scope to, those institutions. It is with the latter that we are concerned, in particular those that may evolve within political parties.

These rules lack the force of law and may, therefore, appear to resemble houses built upon the foundation of sand rather than rock. They may appear to be an unstable and even ephemeral basis upon which to program external democratization assistance. However, it is our hypothesis that the strength, efficacy and legitimization of those rules by those to whom they apply is an important differentiating factor between stable, mature, consolidated democracies and those embryonic ones lacking those qualities. We hypothesize that these arenas represent the next stage in advancing democratic consolidation after the institution of democratic constitutions and replicable free and fair multiparty elections.

[6] Civil society has not been the sole possession of liberal democratic political philosophy, for it is central to the teachings of Gramsci at one end of the political-philosophical spectrum and of Hegel at the other. .
There has been a worrying and unfortunate tendency in some recent literature on democratization in less developed countries to discount the importance of civil society by defining implicitly as inclusive only of embryonic democracy-promoting organizations because those are the only organizations which USAID and other donors, for obvious reasons, undertake to support!

IV. Salient Democratization Trends and Obstacles

4.1 Commitment to Democracy

Southern Africa region has participated extensively in what Samuel Huntington has termed democracy's "third wave." Most Southern African countries have taken at least the first steps toward becoming multi-party democracies. They pay at least some attention to governance issues and the consolidation of democracy, respect for the rule of law, respect for human rights and to peace and stability. Reforms of constitutions, and of political and electoral systems, have been under way in many countries to make them more democratic, participatory, transparent, accountable and inclusive.

The Southern African region is somewhat distinctive within sub-Saharan Africa as a whole in its commitment and progress toward democratic governance. On the one hand, some countries in the region have been among the continent's leaders in working to achieve democratic elections and respect for the rule of law – South Africa, Namibia, Mozambique, Botswana and Malawi. On the other hand, Southern Africa has been unique in the density of SADC and SADC-related institutions established to advance and secure progress in countries in the region toward these objectives. It remains to be seen to what extent these regional institutions buttress the progress of these leading new democracies, jump-start progress in countries with non-functioning democracies – Congo, Angola, Swaziland and Zimbabwe – or stimulate further progress in countries that have made more limited or less secure progress – Zambia, Tanzania and Lesotho.

We believe the evidence conjures up the worrisome prospect that democratization may have crested in important respects, even in countries in the region that have made the most progress. Indeed, there may be evidence of some ebbing in popular enthusiasm for, and willingness to participate in further advancing, some elements of the progress already made. Afro-Barometer surveys have suggested that democracy enjoys the support of generally large if uneven majorities in the eight surveyed countries of the region. Levels of satisfaction with democratic progress are sharply lower in six of the eight countries than support for democracy in principle, Botswana and Namibia exempted. Significantly, despite their strong preference for democracy, difficulties and problems in implementing democracy have led majorities or large minorities in all eight countries to not yet forswear all alternatives to democratic governance. Table 1 tells the tale. A recent USAID-commissioned assessment of democratic progress in Mozambique warns of an ebbing of commitment and progress in that country as does another examining the vulnerability of South Africa to relapse into democracy-threatening violence internal conflict.

4.2 An Implementation Crisis

The still promising but clearly not irreversible democratic progress of Southern Africa lends increased importance and urgency to the central questions with which this assessment is concerned: the sizeable percentages in all eight countries unwilling to renounce all alternatives to democracy testifies to the extent of incomplete democratic consolidation, generally defined as widespread belief that democracy is "the only game in town."[7] What are the underlying obstacles to further, sustained democratic progress, and what can be done toward this objective at the regional by RCSA?

[7] For example, Juan Linz and Alfred Stepan, "Toward Consolidated Democracies,' 7 *Journal of Democracy* 2, 1997, p.15

Table 1
Southern African Support for Democracy

	Botswana	Lesotho	Malawi	Namibia	S. Africa	Tanzania	Zambia	Zimbabwe	S. Africa Avg.
Demo. Preferred to all alternatives	74	59	92	67	91	88	87	81	80
Very/fairly satisfied w/ democratic progress	75	38	57	64	52	70	59	18	54
Reject all non-demo. alternatives	61	34	53	36	41	53	69	49	57

Source: Afro Barometer, Popular Attitudes to Democracy, Selected Countries 1999-2001

The team's hypothesis is that the heart of the problem in the region is not one of norms and goals but of *implementation*, specifically: getting political parties and governments actually to accept the limits to their power and to live by agreed upon norms, values and rules that democratic governance requires.

It would be easy to ascribe only partial and incomplete implementation of democratic institutions and practices to lack of political will on the part of political and governmental leaders. To be sure, political will is involved, but to ascribe lack of progress solely to political will would be very substantially to oversimplify the problem. To a large extent, comprehensive political transitions of this nature are less a matter of people wanting or not wanting democracy than of demonstrating how the interests of the their country as well as those of particular communities will be better and more fairly served in practice under a democratic order. That process, in turn, depends upon envisaging, and skill in fashioning, structures, rules and processes for implementing broad democratic principles that persuade individuals and groups they can trust each other to adhere to those principle.[8] Ultimately, as the democratic consolidation literature makes clear, citizens as a whole must be persuaded that democracy is and must be the only game in town.

The team's hypothesis is that incomplete and uneven progress toward democratic governance in Southern Africa reflects the fact the focus of democratization initiatives has been upon the macro level – instituting free and fair elections, and constitutional reforms – rather than upon more meso level implementation of democratic practices in core democratic institutions, e.g., political parties, legislatures and government ministries. We project that further progress in more macro level indicators of democratic progress may hinge in large part on skill and progress in determining how to make democracy work within these core institutions of the democratic progress, i.e., that it is at this level that further progress needs to be won in establishing rules that engender trust and persuade actors and groups that their legitimate interests can compete and be accommodated fairly.

[8] Samuel Huntington's *The Third Wave: Democratization in the Late Twentieth Century* (Norman, Oklahoma, University of Oklahoma, 1991) illustrates this point as clearly as any work.

The balance of section 4 will review the extent and shortcomings of progress toward democratic governance in Southern African countries and single out the priority obstacles standing in the way of further democratic progress, with particular reference to key institutions of the democratic progress – government ministries, political parties and legislatures. Section 5 explores regional strategies for addressing these problems and Section 6 details the team's recommendations for a strategy outlined initially in Section 2.

4.3 Uneven Progress

4.3.1 Overview. The Southern Africa region currently finds itself in what may be a historic moment of flux on democratic governance. The region can boast some of the most stable and promising democratic governance gains in Africa, but significant backsliding threatens to derail some of these gains and to propel the region away from democratic reform.

On the one hand, multiparty elections have become regularized throughout the region, producing functioning legislatures. First, a Southern African political culture has begun to emerge which features an expectation that multiparty elections will be held as legally scheduled and that opposition parliamentarians seated in legislatures will be accorded the right to voice their views and do so insistently without fear of retribution. Second, constitutional structures embracing basic human rights, the rule of law and multiparty election have been erected where once single party non-democracies held forth (e.g., Malawi and Mozambique and arguably Tanzania), apartheid in South Africa and Namibia has ended, and Botswana has remained a well-established democracy. Third, civil society has kept up steady pressure on governments in the region for further democratization for more than a decade.

On the other hand, serious problems stand in the way of further democratization and, indeed, threaten backsliding. Overbearing executive branch political manipulation has included suborning of legislative, judicial and civil society activities. Ruling parties, long in power, have bent constitutional rules so as to intimidate, co-opt and frustrate opposition parties' efforts to mobilize support. Opposition parties have increasingly been weakened by intra-party factionalism and incapacity to build and sustain coalitions. Civil society organizations, despite their efforts, still lack sufficient expertise, broad political bases and advocacy skills to be able to influence policy making, allowing political leaders to escape real accountability and government agencies to manipulate social and economic processes to their advantage. Corrupt bureaucratic and fiscal practices appear to have spread and worsened in Southern African countries despite efforts to mount anti-corruption efforts. Broad social, economic and ecological crises – the HIV/AIDS pandemic, recurrent and deepening droughts, declining world prices and ongoing gender discrimination – have severely and negatively impacted governance capacity as well as economic reform and progress. HIV/AIDS and gender equity have not enjoyed the priority attention as democracy and governance issues that they deserve. In the future, they should be treated as crosscutting issues and be mainstreamed in USAID programming areas and approaches.

Illustrative of the possible ebbing of democratic progress is Mozambique. Mozambique's initial national multiparty elections in 1994 were exemplary against a background of almost continuous civil war for decades. Democratic governance has been sustained, not least because, or in spite,

of the singular strength of the opposition Renamo party. Yet, a recent USAID assessment concludes that notwithstanding "laudable achievements and indicia of economic, and at the present time, political stability, democracy and governance in Mozambique in October 2002 is clearly deteriorating."[9] The report cites an effective evisceration of a constitutionally enshrined separation of powers, a dysfunctional judiciary, low political tolerance and social trust and rule of law "always a fragile flower in Mozambique, has wilted in the heat of generalized corruption."[10]

4.3.2 The Evidence. One approach to portraying real but incomplete and uneven progress toward democratization is to review available statistical indices as they bear on some of the central properties of democratic government rehearsed in Section 3. While statistical evidence alone is rarely sufficient to the purpose, it can help to pinpoint key trends and difficulties. Three such well regarded indices have been Freedom House reports on respect for civil and political liberties, the World Bank's recent important but infrequently examined *Governance Matters* surveys of democratic governance progress, and the University of Maryland's *Polity* data centered on progress in institutionalizing: (1) restraints on executive power that characteristically went largely unchecked under authoritarian *ancien regimes*; and (2) stable, peaceful political competition in countries, many of which have long struggled with deep ethnic, economic and political divisions. Additionally, all three permit a degree of longitudinal comparison.

4.3.2.1 Consensus on Fundamental Rules of the Game. One key gauge of progress in democratic governance is the extent to which countries around the globe have accomplished adequate working levels of consensus on fundamental rules of the political game, normally expressed in constitutional documents. The *Polity* data probe one crucially important dimension of that consensus: agreement on curbing unrestrained executive branch power. A score of 7 represents a high degree of constitutional consensus, a score 1 low or non-existent consensus.

Table 2
Constitutional Consensus on Limiting Executive Power

	Ang.	Bots.	Cong	Mal.	Moz.	Nam.	Safr.	Tanz.	Zamb.	Zimb.	Region Avg.
2000	3	7	--	5	4	5	7	3	5	3	4.7
1996	3	7	--	7	5	7	7	3	5	3	5.2

The *Polity Data* tends to confirm statistically what has been evident empirically, i.e., limited progress on the crucial task of changing from political systems where chief executives enjoyed unrestrained rule to democratic systems with constitutional limits on their powers. Indeed, the data suggest some possible backsliding in the region as a whole, influenced by contestation over chief executives' term limits in Namibia, Malawi and, until recently, Mozambique. The data reflects and, indeed, foreshadows the crisis of lawless executive power exhibited by President Mugabe in Zimbabwe in the context of the 2002 elections and with respect to the explosive issue

[9] Management Systems International, *The State of Democracy and Governance in Mozambique* (Washington, DC, 2002) p.1
[10] *Ibid.*

of land redistribution that has plagued the country since independence. Tanzania's low score appears to reflect as much the continuing inability of opposition parties to gain political traction against the forty-year incumbency of the ruling CCM as it does abuses by its current president and his predecessors. However, the opposition parties continue to allege government efforts to bribe or intimidate their members into defection to the ruling CCM. Also factoring in Tanzania's score is the crisis over the less than free and fair elections on Zanzibar. Angola's efforts to establish a constituting enshrining democratic governance, initiated in 1998 have yet to come to fruition.

Not included in the survey is Swaziland, whose monarchy appears increasingly anachronistic in the region and in which a crisis looms over the king's interference with the asserted independence of the judiciary. Civil society and opposition forces are not only excluded from access to governmental processes, but are routinely harassed for their political beliefs, many people being driven into exile. At a time when considerable attention has centered upon Zimbabwe, Swaziland is a political powder keg ready to explode.

A central question underlying modest progress in imposing limits on executive power in Southern African democracies is how to implement restraints on executives over and above establishing constitution provisions requiring it. The team's hypothesis is that an important part of the answer lies in institutionalizing countervailing power in other key institutions of the democratic progress – regularized procedures for leadership selection, policy determination and implementation, conflict mediation, etc. in legislatures, parties and ministries. The more established these internal rules are within other core democratic institutions, the more political friction an errant chief executive is likely to experience in seeking to run roughshod over their autonomously established practices.

4.3.2.2 Rule of Law. A second key dimension of consolidation democratic governance is the rule of law. The Freedom House and World Bank *Governance Matters* data both help to portray the extent and limitations of democratic progress in this area.

Freedom House differentiates political liberties associated with free competition of political ideas and competition for office from civil liberties associated more closely with the rule of law. Freedom House scores liberties on a scale of 1 to 7, with 1 indicating comprehensive observance of liberties. It considers scores of 1 and 2 to indicate real freedom, those of 3, 4, and 5 partial freedom, and 6 and 7 as lack of freedom.

Governance Matters estimates rule of law observance for all countries. It norms each country's score rather than, as Freedom House does, assigning it an absolute grade. The scores range from plus 2 to, in most cases, minus 2 around a standardized mean of 0.[11]

Freedom House scores suggest little real progress in 2001/2 throughout the region in strengthening civil liberties beyond the partially free status the region as a whole enjoyed a decade earlier. At the same time, they indicate considerable variation within the region. The

[11] The confidence intervals, however, differ from country to country, somewhat diminishing the reliability of intercountry comparisons which remain, to use the Bank's favored phrase, "indicative."

Governance Matters data suggest that by global standards, the rule of law in Southern Africa remained well below average, most dramatically in war-torn Angola and Congo.

Table 3
Estimates of Rule of Law Observance in Southern Africa

	Ang.	Bots.	Cong	Mal.	Moz.	Nam.	Safr.	Tanz.	Zamb.	Zim.	Region Avg.
Civil Liberties											
2001	6	2	6	3	4	3	2	4	4	6	4.0
1991	4	2	5	6	4	3	4	5	3	4	4.1
Rule of Law											
2000	-1.5	0.7	-2.0	-0.4	-0.3	1.2	-0.1	0.2	-0.4	-1.0	-0.4
1997	-1.2	0.5	-2.2	-0.4	-1.1	1.0	-0.4	0.2	-0.4	-0.2	-0.5

South Africa's improvement reflects ongoing progress in dismantling the remnants of apartheid but still an element of lawlessness in many communities that many observers of the country's politics argue has been abetted by significant corruption in local law enforcement agencies. Crime and corrupt policing continue to have implications for democracy and governance as citizens see progress or lack thereof on these two issues as reflecting the true depth of governance challenges facing South Africa's young democracy. Also on crime, South Africa remains one of the most traumatized and violent societies given its past and history of apartheid. Apartheid has produced many generations of socially marginalized, dislocated and angry youth, and properly integrating this sector into society is a fundamental challenge facing South Africa.

The dramatic improvement in Malawi's observance of civil liberties reflects the end of Dr. Kamuzu'Banda's quarter-century of authoritarian rule. Zimbabwe's regression heralds the increasing authoritarianism of the Mugabe administration that its corrupt elections in 2002 brought to the world's attention. Angola's decline reflected the intensification of the war effort and abuses by both government and UNITA prior to the changed circumstances produced by Jonas Savimbi's death.

What factors underlie weak, albeit uneven, implementation of the rule Zambia's difficulties have underscored the importance of adding *Interest Articulation and Aggregation* as an additional core and defining characteristic of democracy? Zambia has had no lack of political competition. What Zambia has lacked is intra-party rules and agreements between parties which both insure respect for the rights of competitors to speak their mind and provide effective conflict resolution mechanisms where the requisite levels of tolerance have been lacking in Southern Africa. The team's hypothesis, reflected in the analysis to follow and its central recommendation, is that improved rule of law depends on the formation and implementation within court systems and ministries of appropriate rules for implementing constitutional injunctions to observe the rule of law. Support for advocacy of the rule of law needs to be complemented with specific rules and procedures within key government organizations for making that happen. The focus of democratization analysis and assistance has appeared to be on the macro framework, i.e., the constitutional and legal level while the implementation problem has been concentrated within specific institutions of the democratic process. Implementing stable, effective rules and

processes within these agencies is required, and it is there that the team hypothesizes democratization assistance should focus.

4.3.2.3 Political Competition. A third key criterion for the existence of a consolidated democracy is the presence of political competition in an environment where individuals and groups can freely express their ideas, particularly but by no means only during election seasons. Freedom of political expression and competition hinges not only upon constitutional and legal guarantees but also upon the commitments of the competitors to tolerate and respect each other's rival opinions and programs. In particular, political parties need to underwrite commitments both within their respective ranks and in their contestation with each other.

Although Freedom House has recorded significant improvement in the observance of freedom of political expression during the decade of the 1990s, Table 4 indicates that the region as a whole has remained within the partially free category, with an average score of 3.9. Angola, Congo and Zimbabwe remain in the unfree category for well-known reasons. Malawi, Mozambique, South Africa and Tanzania recorded dramatic improvements over the course of the decade. The *Governance Matters* scores appear broadly consistent with those of Freedom House. They show Botswana, Namibia and South Africa as having established above average protection of freedom of expression by global standards.

Only Zambia registered retrogression from designation as a country of free political expression to one that is only partially free, bordering on unfree. This retreat reflects the impact of chaotic, authoritarian intra- and inter-party practices not only on free political expression itself, but also ultimately on durability of its protection under the country's constitution and laws. The attempts to ban former president Kaunda from further competition for the presidency, and on his life and that of several of his followers dramatized the problem. The unresolved contest of wills between the country's current and former presidents has well illustrated the destabilizing effects on the political system as a whole of internal party anarchy and of failure to making ruling parties and governments autonomous from one another.

Table 4
Estimates of Freedom of Expression in Southern Africa

	Ang.	**Bots.**	**Cong**	**Mal.**	**Moz.**	**Nam.**	**Safr.**	**Tanz.**	**Zamb.**	**Zimb.**	**Region Avg.**
Political Liberty											
2001/2	6	2	6	4	3	2	1	4	5	6	3.9
1991/2	6	1	6	7	6	2	5	6	2	5	4.6
Political Voice											
2000	-1.3	0.8	-1.7	-0.1	-0.2	0.3	1.2	-0.1	-0.2	-0.9	-0.2
1997	-1.0	0.8	-1.6	-0.1	-0.2	0.5	0.9	-0.3	-0.1	-0.7	-0.2

Zambia's difficulties have underscored the importance of adding *Interest Articulation and Aggregation* as an additional core and defining characteristic of democracy. Zambia has had no lack of political competition. What Zambia has lacked is intra-party rules and agreements between parties, to which all actors subscribe, that both insure respect for the rights of

competitors to speak their mind and provide effective conflict resolution mechanisms where the requisite levels of tolerance have been lacking.

The importance of civil society advocacy to furthering and sustaining crucial attributes of democracy, including free and respectful marketplace of ideas, has been a consistent theme in the academic literature and USAID policies for more than two decades. Some recent academic literature has been both inaccurate and unhelpful by implicitly treating the weakness of democratic civil society as a measure of its theoretical and practice importance.[12] The importance of a strong civil society in stimulating democratic transitions has been proven in places like South Africa, Kenya and Malawi. Its continuing importance to furthering democratic consolidation is equally important, but experience has shown that it has been difficult to sustain civil society's momentum and strength once a democratic transition has been initially accomplished. In South Africa, civil society's post-transition role has been troubled by loss of leaders to government positions and division and uncertainty over how to balance roles of advocacy and cooperation regarding a government it was instrumental in bringing to power.

The team hypothesizes that civil society's role in democratization is of continuing importance, not ephemeral, but that its dominant roles may change as both cause and consequence of democratic maturation. That hypothesis, underlying the recommendations detailed in Section 6, is that civil society's role needs to broaden from advocacy alone to engagement of government as itself a source of expertise on effective democratic governance. A recent USAID assessment of democratic governance in Zambia appears to underscore this recommendation arguing that,

> *A strong emphasis should be place on the development or strengthening of mechanisms that link civil society organization to the policy process, probably around specific reform agendas. Demand-driven reform efforts appear likely to succeed more easily where key government stakeholders can be involved. [in] articulation of problems and identification of solutions.*[13]

4.2.2.4 Governance Quality. The importance of good governance to democracy has been recognized in academic treatments of the subject as well as those of USAID. A frequent minimum operational conception of good governance has been the absence of corruption. Botswana, Namibia and South Africa have all ranked above the mean in Transparency International rankings, which are based on in-country surveys of corruption perception. Angola, Tanzania, Zambia and Zimbabwe ranked well below average, as indicated in Table 5. The World Bank's *Governance Matters* corruption surveys tally with those of Transparency International. Its estimates of the quality of regulatory performance are somewhat more encouraging for Malawi, Tanzania and Zambia, which also gained ground between the 1997 and 2000 surveys. Zambia's record on corruption slipped in the same survey.

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[12] Nelson Kasfir (ed.), *Civil Society and Democracy in Africa* (London: Frank Cass, 1998); Marina Ottaway and Thomas Carothers (eds.), Funding virtue : Civil Society Aid and Democracy Promotion (Washington, DC: Carnegie Endowment, 2000)

[13] Associates in Rural Development, *Democracy and Governance Assessment of Zambia: Transition Resumed?* (Washington, DC, January 20030, p. vii.

Table 5
Estimates of Governance Quality in Southern Africa

	Ang.	Bots.	Cong	Mal.	Moz.	Nam.	Safr.	Tanz.	Zamb.	Zimb.	Region Avg.
Corruption rank	1.7	6.4	--	2.9	--	5.7	4.8	2.7	2.6	2.7	4.2
World rank	98	24	--	68	--	28	36	71	77	71	68
Corruption											
2000	-1.1	0.9	-1.2	0.1	0.1	1.3	0.4	-0.9	-0.9	-1.1	-0.3
1997	0.9	0.5	-1.6	-0.2	-0.5	0.4	0.3	-0.9	-1.1	-0.3	
Regulatory Quality											
2000	-1.4	1.0	-2.9	0.3	0.2	0.5	0.1	0.0	0.5	-1.7	-0.3
1997	-0.7	0.6	-2.3	0.1	-0.2	0.3	0.2	0.2	0.3	-0.3	-0.2

The *Governance Matters* inquiry into regulatory quality, as distinct from the issue of corruption, re-opens an important question that has not been explored extensively in recent years either in the academy or by donors: apart from an absence of corruption, what are the key elements of bureaucratic regulatory quality in a democracy? An earlier literature, which USAID itself, was instrumental in helping to develop and test empirically centered on the concept of "bureaucratic learning." Among the central ideas incorporated in bureaucratic learning were:

- Without surrendering to clientelism, bureaucracies should be attentive to the experience and insights of those it seeks to regulate; and

- Bureaucratic policy making should be more collegial implied by formally hierarchical bureaucratic structures in the interest of drawing on the insights and experience of lower as well as high ranking officials. In short, bureaucracies need to evolve internal rules and policies to guide decision making that are best suited to producing effective policy implementation outcomes.

4.2.2.5 Inclusiveness. USAID's emphasis on inclusiveness as a key dimension of democratization improves upon academic formulations of democracy, many of which imply but do not make explicit its importance. Although numerical evidence is lacking, it has long been widely recognized that new African democracies suffer from the same imperfect inclusiveness with which mature democracies have also wrestled. Unequal ethnic inclusiveness has been a visible fact of life in new African democracies and, as in many mature as well as newer democracies, the poor are chronically underrepresented in practice. Gender is one area in which a few, but not sufficient, measures of inclusiveness have been effectively quantified.

Table 6
Estimates of Southern African Gender Inclusiveness

	Ang.	Bots.	Cong.	Mal.	Moz.	Nam.	Safr.	Tanz.	Zamb.	Zimb.	Region
% Women in Gov't	14	14	--	4	0	8	--	13	3	12	8.5
Education access	81	102	80	–	72	103	102	89	--	90	

(f/m)										
Literacy % (f/m)	--	94	68	64	48	98	99	80	84	91	81

Source: World Bank *World Development Indicators 2002.* Women in government figures are for women in ministerial or equivalent positions as of 1998. Education access and literacy percentages are the ratios of female to male achievement for 1998 and 2000 respectively.

On all three measures, Southern African countries as a group are above average for the continent of Africa as a whole. The comparable figures for mature democracies are a still disappointing 17 percent for women in government, 93 percent for educational access and nearly 100 percent for literacy.

Interest Articulation and Aggregation. Processes of interest articulation and aggregation have long been recognized as crucial components of any political system, democratic or otherwise.[14] Curiously, however, contemporary empirical theories of democracy have tacitly assumed their existence but declined to establish them as distinct and necessary components. Quantitative measures have been correspondingly lacking. Yet the experience of many new democracies has established that while political competition, electoral and otherwise, has been vigorous, it has also been largely unrestrained, i.e., it has not taken place in such a way that all views can be can be articulated and widely heard without fear of intimidation, reprisal or discrimination. Moreover, the complex processes of managing conflict over competing political priorities so that it remains peaceful and of aggregating highly disparate political preferences into policies expressing their common denominators have been lacking.

The team's hypothesis is that relative inattention to the development of consensus around internal governance rules to deal with these issues within parties and legislatures has been an important cause for these shortfalls in democratic consolidation. Further democratic consolidation hinges in no small measure on greater attention to meso-level, internal governance processes within key democratic institutions as well as continued attention to macro-level constitutional and legal architectures supportive of democracy.

Weak legislative initiative and visible executive dominance in policy formation largely to the exclusion of recognizable autonomous legislative input have been reflections of these shortcomings. The unseemly and destabilizing contestation between a current and former president of the same party in Zambia has already been cited as a pertinent example of the problem. The political meltdown in Zimbabwe reflects not only the presidential excesses of Robert Mugabe but the weak ability of other democratic institutions in that country to exert countervailing power. The clampdown on civil society actors, including de-registration of pro-democracy and pro-human rights NGOs and the erosion of judicial independence over the past three years serve to dramatize the point.

The relationship between organizational autonomy, coherence and strength established by well-established internal governance rules and the ability of these organizations to exert countervailing power is important even in the region's most established democracies. Botswana, South Africa and Namibia are all, for practical purposes, democracies dominated by a single party. The durability and stability of democracy in those countries correspondingly depends

[14] For example, David Easton, *A Systems Analysis of Political Life* (NY: John Wiley, 1965)

more on a high degree self-restraint by these dominant parties. Yet in Namibia, for example, a recent USAID assessment suggests that in a country with a very high degree of economic inequality (a Gini Index of .70), the ruling party "uses carrots and sticks to elicit loyalty; hence triggering fears of loss of means of livelihood.[15] It goes on to note the importance of a "residue of intolerance" left over from the apartheid era. Similarly, in Malawi the ruling UDF party dominates politics; the MCP and Aford are weak, and an attempted alliance between them has been riddled with problems and tensions.

Similarly, Angola is also a de facto one party-dominant state, although it has allowed UNITA and other parties to function freely. There is executive domination of, and interference in the legislative and judicial arms of government. Instead of moving in the direction of democratization, Angola could still move in the opposite direction; the peace in Angola remain fragile and this could be used by the ruling party to justify a resort to non-democratic governance.

4.3. Priority Obstacles to Furthering Democratic Governance

The foregoing reprise of Southern Africa's record to date of incomplete and uneven consolidation of democratic governance points to a series fundamental obstacles to further democratic progress whose alleviation needs be assigned high priority by governments and external agencies assisting them. It is important to appreciate that these obstacles have the potential to affect a strong undertow of popular dissatisfaction with democratization. We consider each of these priority obstacles in the rough order of what we suggest may be their probable susceptibility to amelioration through the strategy recommended in this report.

The priority obstacles are: (1) lack of consensus on rules stabilizing democratic internal governance within core democratic institutions, reflected in chaotic and fractious politics within and between parties and in ineffective legislative policy making; (2) lack of civil society capacity; (3) inadequate implementation of the rule of law, particularly with respect to limiting corruption; (4) slow progress in implementing gender equity; (5) insufficient implementation of constitutionally guaranteed human rights; (6) inadequate governmental policy implementation capacity, particularly with respect to agricultural and other dimensions of economic development; (7) emasculation of provincial and local governmental autonomy; and (8) insufficient care and nurturing of human resources through education, health care and measures to counter HIV/AIDS.

4.3.1 Lack of Consensus on Rules Stabilizing Internal Governance of Key Democratic Institutions. Beyond the formal implementation of the rule of law and free and fair elections lie chaotic, fractious, sometimes violent realms of political competition within and between political parties and of ill-organized, ineffective legislative policy making. These patterns are characteristic of Southern African countries as they are of African countries generally. Specification of appropriate constitutional norms and legal requirements is only part of the problem. Equally and perhaps more important is the weak development of informally specified rules and guidelines within key democratic institutions for effective governance, policy making and political competition legitimized by the acquiescence of those to whom they apply. It is

[15] Management Systems International, *Namibia Democracy and Governance Assessment*, (Washington, DC, March 2003), p. vi.

important that these internal governance rules in key institutions of the democratic process, such as parties and legislatures, broadly reflect and be consistent with the overall constitutional and legal architecture of a country's democracy.

These informally specified rules and guidelines are relatively well established if imperfectly honored in mature, stable democracies. Legislative bodies have detailed rules and customs for welding public policy out of many conflicting demands, thereby maintaining respectful, relatively amicable relations among the legislators. For example, in the U.S., these informal rules recently enabled the U.S. Senate to agree on new leadership and on the allocation of committee seats between the parties without destructive acrimony. The same is true for relations between and within political parties. Informal rules and guidelines, evolved by and for those to whom they apply, appear to be noteworthy for their absence in many new democracies including those of Southern African countries. They are needed to underpin the implementation of constitutional legal requirements of the rule of law to combat corruption, achieve gender equity in practice, honor civil and political liberties in practice and accomplish effective policy implementation.

With the exception of South Africa, all of the remaining Southern African countries show backsliding in this area, although to varying degrees. A problem pervading the enforcement of civil liberties in regard to political party organizing and operations is the accretion of power in the hands of elected presidents. Even in Southern African nations such as Namibia and Botswana with outstanding constitutional frameworks guaranteeing the freedom of operation of opposition political parties, a concentration of power in the hands of the executive has been used in ways that seriously curtail the ability of opposition parties to compete freely and fairly during as well as in between elections.[16] To a large extent, this reflects a patronage-oriented political culture that bestows inordinate respect and deference to "father figure' presidents."[17] Such indigenous understandings have enabled many Southern African presidents to overreach their authority and overly restrict the free flow of opposition party activity and freedom of operation.

4.3.2 Lack of Civil Society Capacity. Civil society organizations need to become more effective not only in advocating their respective policy interests to governmental officials, but also in engaging them in providing government with the expertise to implement their policy agendas. USAID has already invested substantially in grassroots programs of technical support to a broad range of civil society groups and organizations, to increase their ability to advocate their positions to national government institutions. The hypothesis advanced here is that as democracies mature, civil society organizations can better sustain their influence by themselves, becoming repositories of expertise for strengthening democratic governance within core institutions of the democratic process like legislatures and parties; i.e., they can amplify and perhaps ultimately supplant technical assistance provided to date by external donors.

Support for civil society advocacy has nurtured growing levels of social and organizational pluralism in Southern Africa and a culture of democracy at the grassroots level. This, in turn, increases the potential for civil society to serve as an increasingly effective counterweight to

[16] Kenneth Good, Realizing Democracy in Botswana, Namibia and South Africa (Pretoria: Africa Institute of South Africa, 1997), p. 5.
[17] Michael Schatzberg, *Political Legitimacy in Africa: Father, Family, and Food* (Bloomington, IN: Indiana University Press, 2001)

non-democratic forces in government. Moreover, a strengthening of civil society increases the likelihood that civil society will play a crucial and even a determining direction in the process of democratization once national governments in Southern Africa fully embrace not only the formal prerequisites but also the informal norms of democratic systems of governance. A payoff for civil society organizations in assuming technical assistance roles is that improved internal democratic governance in legislatures and parties would likely include strengthened accountability of those organizations to civil society itself. A democratically appropriate interdependence of civil society and legislative and party organizations might thereby evolve: civil society requiring legislatures and parties in order to enact its agendas while parties and legislatures would become increasingly reliant on civil society expertise in matters of strengthening internal governance.

4.3.3 Inadequate Rule of Law Implementation. It is unnecessary to describe what is widely recognized as pervasive corruption throughout the public sector in Southern African countries. Corruption takes the form of clientelism, neo-patrimonialism[18], bribery, graft and outright theft of public resources. These practices continue and become increasingly widespread notwithstanding laws against such behavior that are on the books in many countries and norms formulated at the regional level by SADC. The problem has long been highlighted in academic literatures and widely recognized in African countries, although initiatives to curb it have crescendoed primarily with the coming to Africa of democracy's Third Wave in the post-Cold War era. Southern African countries have recently taken a collective step to address the problem. All SADC countries have become signatories to a recently formulated SADC anti-corruption protocol although only three countries have ratified it.

4.3.4 Slow Implementation of Gender Equity. Progress toward gender equity can be measured in four concrete ways: gender-sensitive legislation; percentages of women in professional and skilled labor sectors; a growing cultural commitment to the independent advancement of women; and the proliferation of activist women's rights groups and gender-sensitive NGOs. Due at least in part to USAID-funded initiatives, progress at the level of women's rights groups' proliferation and gender-sensitive legislation has been impressive. Proliferation of women's rights groups and gender-sensitive legislation has been especially noteworthy in South Africa, Namibia, Botswana, Mozambique and, to a lesser extent, in Zambia and Zimbabwe.

However, minimal albeit notable progress has been made in most Southern African countries with regard to the professional and skilled labor advancement of women. Even more significantly, little, if any, progress has yet been made with regard to stimulating a broad cultural commitment to the independent advancement of women. Such a cultural commitment must be achieved if further progress is to be made in all dimensions of gender equity. If political inclusiveness is a key element of a consolidated democracy, sharply limited participation of women in positions of political and governmental leadership is a visible, salient reminder of incomplete democratization consolidation.

4.3.5 Insufficient Implementation of Human Rights Guarantees. Mixed progress has been made in the implementation of legally recognized human rights guarantees. Freedom House

[18] The practice of clientelist governmental practices within structures that formally adhere to Weberian models or hierarchy, neutrality, autonomy, and division of labor

reports that apart from Botswana, South Africa and Namibia other countries in the region are only partly free or worse.[19] The promulgation of formal constitutional codicils protecting ethnic minorities and enshrining personal and civil liberties has taken place in most of Southern Africa with the exceptions of Zimbabwe, Swaziland and the Congo. Moreover, the Windhoek Declaration of 2001 proclaimed a region-wide commitment to the protection of human rights and civil liberties. However, the enforcement of these codicils and declarations has been uneven, and significant de facto backtracking has occurred. Department of State human rights reports and Human Rights and Amnesty International reports review in chilling and comprehensive detail the dimensions of the problem. Trade unions, student groups, opposition politicians and the independent media complain vigorously about abuses committed by centralized governments (jailings, harassments, beatings and disappearances) in most of Southern Africa.

4.3.6 Governmental Policy Implementation Capacity. For decades, norms, laws and models of neutral, professional, honest, administratively effective, technically trained civil service units have been legislated domestically and demanded externally by bilateral and multilateral donors. Improving governmental capacity increases the ability of national governments to establish the instrumental value of democratic governments. Governmental effectiveness strengthens governmental legitimacy, as Lipset observe decades ago.[20] But ineffective public bureaucracies have been a chronic problem through sub-Saharan Africa since independence, a particular target of World Bank initiatives since the structural adjustment guidelines.

For a time, in the 1970s, USAID led bilateral donor agencies in urging adoption of new models of less hierarchical, more participatory, client-centered development management that have remained at the heart of state of the art management technologies. It is time to re-emphasize these objectives in the interests of improving policy implementation.

On the one hand, some Southern African countries appeared to be at least partial exceptions to the pervasive, widely acknowledged weak policy implementation capacity of sub-Saharan African governments, particularly noticeable in urban communications, road systems, urban water and electric power systems, and delivery of social security benefits to aged workers.

However, on the other hand, even the more capable governments under-perform in relationship to some of the most serious policy challenges confronting them, notably in the area of agricultural land management. A very recent conference of agricultural specialists concluded that several Southern African countries:

> *Face chronic land problems that have roots in the dispossession of Africans under colonialism and apartheid, or an unbalanced approach to land allocation in post-independence policies. In all cases there is a general failure by governments to integrate land policy into either a rural development strategy or a wider social and economic development vision. Governments have failed to allocate the financial and human resources needed to address the problem. Donors [have been reluctant to help] due to the lack of viable policies and programmes.*[21]

[19] See Appendix 3
[20] S.M. Lipset, *Political Man; The Social Bases of Politics* (Garden City, NY: Doubleday, 1963)
[21] United Nations Food and Agricultural. Organization conference report. Johannesberg, May 2003.

Zimbabwe's experience with land reform demonstrates the linkage between the effective resolution of conflicts over land tenure and democratization. The lessons of Zimbabwe are germane most obviously for South Africa and Namibia, where masses of landless peasants demand access to land that is currently owned by commercial farmers, producing a potential for political instability and generalized violence that could overwhelm democratic institutions and democratic frameworks of government. This land issue is reaching near-crisis proportions elsewhere in Southern Africa as well due to persistent drought and population increases, most notably in Angola, Zambia, Malawi and Tanzania.

Throughout Southern Africa, land tenure insecurity threatens both agricultural productivity and political stability at the grassroots. Working with local organizations to clarify and strengthen informal rules and guidelines, as well as with national governments to improve ministerial organizational capacity is essential.

4.3.7 Emasculation of Regional and Local Government Autonomy. The constitutions of all nine Southern African nations provide substantial legal autonomy to provincial and local levels of government. Despite these decentralization initiatives, national bureaucracies have continued to override them by centralized control over matters formally entrusted to provincial and local governments. To the extent that these sub-national governments are directly elected, unrestrained centralization undermines democracy at local levels where the impact on citizens' appraisal of its efficacy may be the greatest. The fact that national governments in most countries are doing to little to help those subnational governments acquire sufficient policy making and implementation capacity represents a threat to democratic consolidation throughout the region.

South Africa, Namibia, Botswana, Tanzania, Mozambique and Angola all have instituted decentralization programs but these have not been accompanied by progressive increases in provincial and local authority. Despite the fact that provincial governments now form part of the constitutional structure of most Southern African nations and that local and provincial governments now have been elected in most of the Southern African region, they have been granted few autonomous political powers and are unable to generate their own budgets. National governments tend to exert direct regulatory oversight and strict budgetary control over these local and provincial governments. They have not granted these governments the capacity and authority they need to serve as important, independent political decision-makers that widen the scope and strengthen the grassroots substance of democratization. The threat to democracy in this pattern of continued centralization lies in part in the substantial extent to which, for Southern Africans, local and provincial governments are the focus of their expectations and complaints regarding public service delivery. Additionally, local and provincial governments are far more accessible to the public for the making of specific public policy demands than are national parliaments or national ministries. Sub-national governments experience a substantial gap between their democratic governance responsibilities and the powers they possess to discharge them.

There is, furthermore, cause for special concern regarding the autonomy and capacity of provincial and local governments in Southern Africa. Throughout the region, democratization –

with particular regard to founding multiparty elections, constitution-creation and implementation of the rule of law – has coincided with increasingly strident demands from the provinces and from municipalities for greater legal autonomy and for stronger political and administrative powers. This has been the case notably in South Africa, Namibia, Tanzania, Mozambique, Angola and the DRC.[22] In all these cases, especially for the many people located in large peripheral provinces, the legitimization of nation-wide democratization is, at least in part, dependent on the ability of elected provincial governments to provide service delivery and to provide mechanisms of political communication (discussion and feedback) with their respective local citizenries.

In Namibia, Zimbabwe, South Africa, Mozambique, Angola, Zimbabwe and the DRC, the absence of democratic governance during the 1960s-1980s left people in heavily populated peripheral provinces extremely disenchanted with autocratic forms of government, which discriminated heavily against those regions. This is the case for most of the former homelands of South Africa; for the far north and far western regions of Namibia (including Caprivi, Kavango, Otjozondjupa, and the Ovambo-speaking regions); for the northern highlands of Angola; for the northern and central provinces of Mozambique; for the Shona-speaking provinces of Zimbabwe; and for the eastern and southern provinces of the DRC. It is crucial to strengthen the autonomous powers of provincial and local governments where apartheid (South Africa and Namibia) acute racial discrimination (Zimbabwe) or ethnically and regionally discriminatory policies (Zambia, Angola, Mozambique, the DRC) prevailed for decades.

The future of democratic systems in Southern Africa may well rest on the ability of national governments to convince marginalized regions and localities that they have a stake in the system of democracy.

4.3.8 Insufficient Care and Nurturing of Human Resources. Although HIV/AIDS is most certainly a crosscutting governance and development issue in its own right, it is also a dramatic extension of a much deeper problem: inadequate care and nurturing of the continent's most precious resource: its people. Were educational levels higher, health care more generously provided, and educational and health facilities better supported, the present HIV/AIDS crisis might have been at least mitigated. These necessities for the cultivation of human resources are, in any event, indispensable to managing and overcoming the crisis. New cultural norms embodying basic knowledge and guidelines for healthy living are indispensable in overcoming the pandemic.

The region of Southern Africa has been hard-hit by the HIV/AIDS epidemic; between 20 percent and 38 percent of adults are infected with this fatal disease in the region. The debilitation of more than 15 percent of the Southern African workforce has already had horrific consequences for economic productivity. It also has diminished the ability of civil society to participate fully in democracy because the virus has debilitated so many communities. It has undermined the ability of governments to govern.

[22] "The State of Democracy and Governance in Mozambique," MSI, Produced for USAID Democracy Center and USAID/Mozambique, December 2002, p. 7.

V. Regional Approaches to Addressing Salient Democratization Obstacles

RCSA's mandate includes the obligation to choose among a variety of region-based approaches to strengthening democratic governance: technical backstopping for USAID bilateral missions, working directly with regional organizations of civil society, political and governmental officials and groups, assisting governments in the management of international difficulties posed by developments such as cross-border migration, and working with SADC and other regional institutions. The question is which venue(s) would enable RCSA to make the most effective contribution at a regional level to the strengthening of internal governance processes within key democratic institutions, specifically those of political parties, which the team recommends as RCSA's initial focus.

5.1 Objectives, Achievements and Limitations of Alternative Platforms

The Southern Africa region features a multiplicity of regional integration initiatives and institutions for strengthening democratic governance. On the one hand, in general, Southern African states are better connected with each other at the regional level than are civil society organizations, but to date have exhibited little capacity, collectively as a regional entity, to actually implement improved democratic governance. On the other hand, civil society organizations, although less well organized for cross-border collaboration, have appeared to exhibit greater commitment to promoting democratization. This observation forms the basis for the team's recommendation that RCSA would be well advised at this time to focus on assisting regional civil society-based civil society organizations in furthering democratic governance.

The team believes that something is to be gained by regional civil society organizations prodding inter-state platforms to be more effective, in turn, in pressuring individual states to advance democratization. However, the team views this approach as more indirect and therefore less effective than strengthening regional organizations of civil society groups already committed to the same end. The team hypothesizes that this would be the more cost effective approach given RCSA's likely continued very limited resources for the purpose.

While the team recognizes that this approach is more complementary than distinctive with respect with respect to bilateral civil society programs, it also recognizes that regional venues have been able to accomplish certain objectives that national level-bilateral programs have not. Specifically, experience in legislature and party-strengthening programs has shown that rivalries and antagonisms inhibiting political actors' cooperation at national levels tend to recede when the same actors are called to work together at international levels. At the same time, the strengthening of civil society advocacy and engagement that can result from shared experiences and insights as well as peer pressure at regional levels commends it to RCSA as a strategic focus.

5.1.1 Inter-State Platforms.

5.1.1.1 Continent-Wide Venues. The African Union is one alternative interstate venue for democratization, but the AU inherits a very weak, chronically debt burdened organizational apparatus. Moreover, familiar governmental jealousies regarding their sovereignty appears likely to translate into their wish to see a strong AU. Thus, the AU carries the risk of becoming

thicket of constitutional and legal provisions, declarations and protocols lacking tangible implementation capacity. The Southern African requirements will, in any event, be in competition with those of the other nations of the continent

The NEPAD initiative is a second candidate as venue for democratization assistance to the region. Indeed, the objectives of NEPAD are to reform the delivery system for overseas development assistance and to ensure that such assistance is more effectively utilized by recipient African countries. NEPAD's proponents also view the initiative as an external partnership between African leaders and international donor governments on the basis of common commitment to upholding global standards of democracy and good governance. Moreover, the interests and requirements of Southern African states will necessarily compete with those of other countries and regions in the continent. At this time, however, the requirements and costs of making the NEPAD initiative effective have yet to be fully clarified, making it an improbable venue for RCSA assistance to democratization.

5.1.1.2 SADC. SADC is an obvious candidate for channeling democratization assistance to the Southern Africa region. However, there is universal recognition among all the stakeholders that SADC's complex systems of management and coordination have produced little. The SADC's Sector Coordinating Units, most of which are run by national administrations, operate on insufficient resources, although the SADC secretariat is currently undergoing a major restructuring process to enable it to meet challenges.

The formation of SADC-related institutions has spoken to shared recognition within Southern Africa of the need for regional reinforcement of national democratization processes. To arrive at the agreed upon objectives, norms and values, the SADC Treaty has provided for member states to conclude a series of protocols to spell out policies, areas of cooperation and harmonization, as well as the obligations of member states for effective implementation of agreed decisions. The protocols have been developed by member states and all stakeholders and, after approval and signature by the Summit and ratification by member states, become an integral part of the Treaty.

The season of protocol drafting appears to have come to an end, and the emphasis now has turned to protocol implementation. But on protocol after protocol implementation, initiatives to date have exposed fundamental problems of poorly specified strategies and methodologies, inadequate tools and resources, and weak organization capacities. On numerous fundamental democratic governance objectives, regional cooperation has yet to grow beyond the formulation of protocols proclaiming norms sufficiently to incorporate clear implementation strategies and initiatives.

On transparency and accountability, the SADC Parliamentary Forum and the SADC Electoral Commissions Forum have been instrumental in adopting and refining norms and values for regional parliamentary democracy and electoral norms and standards. These platforms have also envisaged the development of regional competencies well beyond the specific confines of parliamentary democracy and election, e.g. combating corruption. But it remains to be clarified how implementation will work and fit within the SADC architecture.

At the inter-state level, there has been a felt need for better conflict resolution mechanisms. To address this problem, the SADC Organ on Politics, Defense and Security Cooperation has recently created the Inter-state Politics and Diplomacy Committee to engage in preventive diplomacy, mediation and conflict resolution. But as it stands, the committee continues to lack the requisite structures and human as well as financial resources to make effective contributions to this end.

Judiciaries throughout the region need to be strengthened within countries and encouraged to promote justice and human rights throughout the region. Regional Human Rights standards and mechanisms need to be encouraged and promoted. There already exists a SADC Tribunal whose mandate it is to ensure adherence to, and proper interpretations of the provision of the treaty. The Tribunal has a key role to play in advancing the democratic governance norms and values, settlement of disputes, mediation, appeal and conflict resolution. A SADC Bar Association has also come into existence. But strategic approaches and implementation capacities for bringing these institutions to bear on weak judiciaries in the region remain to be clarified.

5.1.2 Civil Society Platforms. At the non-governmental level, numerous regional institutions reflect common interests and commitments to cross-border support for democratic governance. These organizations include the SADC NGO Coalition and SADC Council for NGOs, the SADC Parliamentary Forum, the SADC Electoral Commission's Forum, the Southern African Human Rights NGO Network, the Southern African Network, the Southern African Forum Against Corruption, the Southern African Media Network Against Corruption, the Media Institute of Southern Africa, a SADC Chief Justice Forum and the SADC Bar Association.

Through its restructuring process, SADC has undertaken to strengthen its relations with 'stakeholders,' defined as 'the private sector, civil society, non-governmental organizations and workers and employer organizations.' SADC encourages non-state actors and stakeholders to form associations with which it will sign Memoranda of Understanding. In 2002, NGOs in the region formed the SADC-NGO Coalition, modeled on the South African NGO Coalition (SANGOGO) to engage across borders on issues of development, poverty alleviation and democracy. SADC in turn launched a SADC Council for NGOs, seeking to enable NGOs to exert regional oversight on the implementation of democratization measures. In addition, SADC signed a Memorandum of Understanding with the Association of SADC Chambers of Commerce and Industry (ASCCI).

Elsewhere, on transparency and accountability, the SADC Parliamentary Forum and the SADC Electoral Commissions Forum have been instrumental in adopting and refining norms and values for regional parliamentary democracy and electoral norms and standards. But SADC's relationship to both requires clarification if they are effectively to broaden the scope of their monitoring activities, let alone initiate proactive measures to improve performance. On human rights, the Media Institute of Southern Africa and the Southern African Human Rights Trust have been active, but the vital roles that the SADC Bar Association the SADC Tribunal could play have remained unrealized to date. The same is true for regional NGO monitoring of compliance with the New Partnership for African Development, the African Union and the African Peer Review mechanism

At this stage, these regional platforms remain embryonic. Their formation reflects shared aspirations for more effective regional cooperation in upholding and strengthening democratic government. However they have yet to grow beyond the stage of fashioning protocols proclaiming norms to the next stage of agreement on strategies for their implementation and for the marshalling of resources for that purpose. Whether and for what purposes adequate political will exists with the region to bring the implementation stage into being remains an open question. Moreover, analysis of what kinds of mechanisms and resources might be required to achieve effective implementation of specific strategic objectives has yet to be undertaken to anything like the degree required. As a result the price tags, in human and financial resources, for competent, energetic implementation of specific initiatives have yet to be fully developed.

VI. Recommendations for an RCSA Strategy for Implementing Democratic Governance at Meso-Levels within Key Institutions of the Democratic Process.

6.1 The Central Problem

The central hypothesis of this report is that the furtherance of democratization in Southern Africa requires a broadening of strategic emphasis. Much of the emphasis of democracy assistance programming to date has centered on macro-level fundamentals: democratic constitutions, protections of basic human rights, free and fair multiparty elections, independent judiciaries and the rule of law. For a majority of nations in the Southern African region, those objectives have been formally realized.

Democratic deficits in these countries have resulted not from the absence of such formal institutions and protections. Rather they have been manifested in failure to implement the requirements of these constitutional provisions. These failures have been particularly evident *within* key institutions of the democratic process: political parties, legislatures, and government ministries.

6.2 A New Sub-Goal

The central recommendation of this report is that USAID democracy programming should expand its focus to include internal rules for the governance of key democratic institutions that are appropriate to, and consistent with formal constitutional and legal requirements. This democratization sub-goal is broad enough to encompass a number of more specific strategic democratization objectives. These include strengthened democratic internal governance within legislatures and within political parties, establishing inter-party agreements defining and sanctioning enforcement of rules for fair electoral competition, and a return to emphasis on state of the art management practices within government ministries.

6.3 Recommended RCSA Strategic Objective

Following a key conclusion of RCSA's April, 2003 Reference Group Workshop, the team recommends that RCSA adopt as its key higher level objective, within the foregoing sub-goal, strengthening internal political party governance. This strategic objective embraces in one way or another all the central empirical requirements of democracy but especially the objectives of effective political competition and interest articulation and aggregation. Vigorous political

competition during and between elections is necessary to democracy but not sufficient in and of itself, as often chaotic and undisciplined, sometimes intimidating and violent Southern African politics attest. Equally important are agreed-upon rules that allow the expression and advocacy of political ideas and agendas free of intimidation and suppression by those others, as no less a tribune of liberal democracy than John Stuart Mill recognized more than a century and a half ago.

Ultimately, true freedom of political expression and advocacy requires inter-party commitment to common rules to this end. But the first step is for individual parties to take the step of establishing by consent rules protecting *inter alia*:

- internal political expression and advocacy,
- establishing regular free and fair procedures for leadership selection,
- effecting the organizational separation of ruling parties from government,
- establishing programmatic and strategic foci, and
- instituting conflict mediation mechanisms with appropriate sanctions
- improving political accountability to civil society

The team hypothesizes that progress in strengthening internal democratic party governance will engender constructive spillover effects in such areas as the strengthening of chronically weak opposition parties, buttressed foundations for inter-party accords on rules for fair political competition, and more rule-based governance in thereby strengthened legislatures.

6.4 A Broadened Civil Society Mandate

An underlying implication of this recommended RCSA strategy is that as both a cause and a consequence of maturing new democracies, the continued importance of civil society appropriate broadens hinges on a broadened focus. Civil society needs to evolve from simply deployment of *advocacy* skills in urging democratic reform to acquisition of expertise for the *engagement* of political and government organizations in strengthening internal governance procedures in ways appropriate to democracy. The team hypothesizes that a combination of advocacy and engagement skills will help civil society organizations bridge the transition between watchdogging and working for new democratic governments that their advocacy as helped to bring about. They can assist government by imparting expertise while still remaining independent and, thus, able to advocate reform agendas.

The feasibility of this strategy hinges on civil society's interest in broadening its focus to include such meso-level targets as democratic, accountable internal governance within key institutions of the democratic process. It is reasonable to anticipate that successful strengthening of political parties' internal democratic governance will carry as one corollary improved political party accountability to citizen and civil society agendas and, thus, be in effect in the organizational self-interest of civil society organizations to help effect.

[23] DG Assessment Group discussion with Luckson Alfred Chipare, MISA director, April 23, 2003; Special Issue "Access to Information" of Free Press, Media Institute of Southern Africa April 2003.

[24] Assessment Group discussion with Yvonne Dausab, SAHRINGTON staff member, April 23, 2003: also, "The Regional Programme: A New Approach in the Second Phase," The Human Rights Observer, publication of SAHRINGTON, vol. 7 March 2002, p. 25.

A further assumption of this strategy is that, if adequately supported, civil society will be able to make useful inroads on strengthening democratic governance within institutions central to the democratic process such as political parties. It is the team's sense that even within strong ruling parties there are rank and file actors interested in more democratic governance processes and alternative leadership cadres prepared to change any recalcitrant existing leaders on these grounds if they perceive that at least some external resources are available for this purpose. Moreover, weak opposition parties will see in strengthened internal democratic governance procedures a means of enhancing their institutional and, therefore, their competitive strength.

6.5 RCSA as a Clearing House for Democratic Governance Expertise

The foregoing recommended strategies envisages RCSA as a clearinghouse for the funneling expertise on internal party governance to one or more regional civil society networks having as a central objective strengthening internal party democratic governance. It would appear to be well within the anticipated fairly restricted resources of RCSA for democratic governance promotion:

- to make available appropriate technical assistance to the civil society network(s) with which RCSA chooses to work,
- to help finance regional civil network meetings called for consideration of the and the recommendations of technical specialists and,
- to staff itself appropriately for pursuing this objective

VII. Conclusion

It is the team's best estimate, for the foregoing reasons, that an RCSA democratization and governance strategy addressing the objective of improving internal political party democratic governance will contribute in important ways to the larger objective of improved democratically appropriate governance within key institutions of the democratic process. In turn, the team projects that improved internal governance within key democratic institutions is a key to restoring momentum to democratization processes in Southern Africa, not least by strengthen public confidence in their efficacy and trustworthiness.

Appendix 1 – Assessment Team Scope of Work
(Extract)

This scope of work calls for the development of recommendations for an RCSA strategy to address major barriers to the transition to and consolidation of democratization in the region of southern Africa, including Angola, Botswana, the Democratic Republic of Congo, Malawi, Mozambique, Namibia, South Africa, Tanzania, Zambia, and Zimbabwe. The strategy will be articulated as prioritized outcomes relevant to sectors in which the RCSA proposes to work with notional ideas of how to obtain those outcomes.

Assessment Methodology

The team will apply a three step analytic process.

Step 1 will entail identification of priority obstacles, or challenges, to further democratization in southern Africa, e.g. priority DG problems. To the extent possible, the team will prioritize these issues, based on criteria such as pervasiveness of the issue in the region and its centrality to preventing further democratization where it is found.

Step 2 will entail assessing in which of these areas important democratic gains could be made from a cross-national, or regional, platform. This will entail examining the opportunities to address the issues through regional institutions and networks as well as the particular value-added of a regional, as opposed to a national, approach.

Step 3 will be developing recommendations for a RCSA democratic governance strategy, in the context of the concept paper. Consideration should be given to potential synergies with other RCSA program initiatives. The team is not expected to produce a full-blown strategy or USAID results framework detailing a series of inter-locking cause-and-effect relationships or formal strategic objectives or intermediate results. The team is expected to recommend higher-level outcomes or desired changes, as well as priorities amongst those recommendations along with tentative notions of how those outcomes might be achieved.

Appendix 2 – Information Sources

Individuals Contacted
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Documents Consulted
Africa Confidential
Africa Research Bulletin
Afrobarometer website
Amnesty International website
Freedom House website
Human Rights watch website
Christiaan Keulder, Regional Democracy and Governance Trends
MSI, Mozambique Democracy and Governance Assessment
MSI, Namibia Democracy and Governance Assessment
MSI, Zambia Democracy and Governance Assessment
MSI, Southern Africa Conflict Vulnerability Assessment
SADC Baromer, Issue 1, March 2003
Southern Africa Regional Paper on the 10th Anniversary of the Windhoek Declaration
Transparency International website
USAID/Africa Bureau, Anti-Corruption Strategy
USAID/Center for Democracy and Governance, Conducting A Democracy & Governance Assessment:
A Framework for Strategy Development
USAID/RCSA, Amplified Program Description of Anti-Corruption Activity
USAID/RCSA Concept Paper for the 2004-2010 Strategic Plan

USAID/RCSA, Conflict Vulnerability in SADC
USAID/RCSA Democracy and Governance Officers Workshop Report, November, 2002
USAID/RCSA Report on Democracy and Governance Workshop Strategic Object 1 Strategy Review and
Results Monitoring, July 2002
United States Department of State Human Rights Reports
University of Maryland Polity IV
World Bank, Governance Matters
www.Sadcpf.org
www.Sardc.net
www.Idg.org.za
www.eits.ac.za/saiia
www.eisa.za

Books

Bradshaw, York and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000).

Bekker, Simon. "Territoriality & Institutional Change in the New South Africa," in Daniel C. Bach, ed., Regionalisation in Africa. Integration & Disintegration (Oxford England: James Currey, 1999): 103-118.

Chabal, Patrick, et. al. A History of Postcolonial Lusophone Africa (London: Hurst, 2002).

Davison, Jean. "Gendered Terrains. Negotiating Land and Development," in York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 231-274.

Dahl, Robert, Polyarchy: Participation and Opposition (New Haven, Ct; Yale University Press, 1971

Forrest, Joshua B. Namibia's Post-Apartheid Regional Institutions (Rochester, N.Y.: University of Rochester Press, 1998).

Good, Kenneth. Realizing Democracy in Botswana, Namibia and South \Africa (Pretoria: Africa Institute of South Africa, 1997).

Harbeson, John W., Donald Rothchild and Naomi Chazan (eds.), Civil Society and the State in Africa (Boulder, Co.: Lynne Rienner Publishers, 1994)

Himonga, Chuma. "Law and Gender in Southern Africa. Human Rights and Family Law," York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 275-300.

Holm, John D. and Staffan Darnolf, "Democratizing the Administrative State in Botswana," York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 115-150.

Kalipeni, Ezekiel. "Health and Society in Southern Africa in Times of Economic Turbulence," York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 327-362.

Kell, Sue and Troy Dyer, "Economic Integration in Southern Africa," York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 363-393.

Pitcher, M. Anne. "Celebration and Confrontation, Resolution and Restructuring: Mozambique from Independence to the Millenium," in York Bradshaw and Stephen N. Ndegwa, eds., The Uncertain Promise of Southern Africa (Bloomington: Indiana University Press, 2000): 188-212.

South Africa Survey 2000/2001 published by the South African Institute of Race Relations, 2001).

Takirambudde, Peter. "The Rival Strategies of SADC & PTA/COMESA in Southern Africa," in Daniel C. Bach, ed., Regionalisation in Africa. Integration & Disintegration (Oxford England: James Currey, 1999): 151-158.