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# **Systems of representation and democratic practice in sub-Saharan Africa**

*Proceedings of a conference organised by the European Office of the Konrad-Adenauer-Stiftung*

Brussels, 21-22 September 2006

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*Systems of representation and democratic practice in sub-Saharan Africa*  
*Brussels 21-22 September 2006*

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## **The Konrad-Adenauer-Stiftung**

The Konrad-Adenauer-Stiftung (KAS), founded in 1964, is one of the political foundations of the Federal Republic of Germany. Through its international activities and projects, KAS makes a substantial contribution to international cooperation and understanding. It is named after the first Chancellor of the Federal Republic of Germany, Konrad Adenauer.

Through international partnerships with private organisations and movements, state institutions and think tanks, KAS intensifies global knowledge transfer and promotes civic education. The 65 KAS offices worldwide act as central service and information centres.

Through its projects and activities, KAS contributes to the worldwide promotion of democracy and to strengthening of the rule of law, as well as to peace and social harmony, the fight against poverty and social exclusion, the extension of the concepts of the social market economy, and European Union integration. KAS considers these developments as conditions for the improvement of the political, socio-economic and environmental foundations of life.



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## Abbreviations

ACP	African, Caribbean and Pacific Group of States
ANC	African National Congress
APRM	Africa Peer Review Mechanism
CCJP	Catholic Commission for Justice and Peace (Zimbabwe)
EU	European Union
EUR	Euro (currency)
GNP	Gross national product
IMF	International Monetary Fund
KAS	Konrad-Adenauer-Stiftung
LRF	Legal Resources Foundation (Zimbabwe)
MALAO	Mouvement contre les Armes Légères en Afrique de l'Ouest
MDC	Movement for Democratic Change (Zimbabwe)
MDGs	Millennium Development Goals (UN)
MP	Member of Parliament
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organisation
OAU	Organisation of African Unity
ORAP	Organisation for Rural Association for Progress (Zimbabwe)
RTL	Radio Télévision Libre des Mille Collines (Rwanda)
SWAPO	South West African People's Organisation
UN	United Nations
UNDP	United Nations Development Programme
ZANU-PF	Zimbabwe African National Union - Patriotic Front

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## Introduction

*Denis Schrey*

The Dialogue on Development Policy at the European office of Konrad-Adenauer-Stiftung in Brussels has focused attention on Europe's pressing need for authentic and reliable information on the political, economic and social development situation in African countries. Information flowing between Africa and Europe is too often excessively influenced by the Western perspective.

This conference aims to give speakers and participants from Africa the opportunity to share their experiences and thoughts on European development policies and European approaches towards African countries, from the political and grassroots perspectives.

This conference will look at the interconnections between the different players in a healthy democracy, including political parties, civil society, the civil service, the judiciary, the media and the population as a whole. These will be examined in the particular political context of sub-Saharan Africa, including the continuing influence of traditional authorities and the role of former liberation movements and their attitude towards political pluralism.

The three panel sessions will each focus on one of three different actors and their potential contribution to good governance and the strengthening of the institutional capacity of democratic institutions in sub-Saharan Africa:

1. The first panel will focus on the activities of civil society in sub-Saharan Africa. Civil society is closer than most government actors to the grassroots communities, and can be key to the success of development initiatives and a crucial agent for enforcing political accountability and improving the quality of governance.

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2. The second panel will examine how African countries can strengthen their systems of representation at local, regional, national and international levels. Good governance depends on the effectiveness of parliamentary systems when responding to the voices of different actors in the population. The different voices need to be well represented and heard through political parties or civil society organisations.
  3. The third panel will focus on the question of revitalizing institutions of political expression and representation in sub-Saharan Africa. Improving governance depends on the effectiveness of parliamentary and political party systems to act as checks and balances on the power of the executive, promoting transparency, democracy, participation and high ethical standards. Political parties are key institutional instruments in the functioning of parliament and democracy as a whole since they can hold governing parties to account and offer alternatives visions and discourses to the government of the day.

The panelists have come from a range of professional and geographical backgrounds, which gives great variety but also requires efforts to pull out common understandings and interconnection between ideas and experiences.



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**Session one:  
Coordinators of decision making (I) -  
Representation of interests through civil society  
organisations in sub-Saharan Africa**

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# **The struggle for peace and security in West Africa**

*Dr. Christiane Agboton*

## **Introduction**

West Africa has been the scene of armed conflicts and rebellions for over twenty years. They have had an incalculable socio-economic and humanitarian impact. The struggle for peace and security is a mammoth task, requiring the coordinated efforts of West African, and in particular Senegalese, civil society. But efforts are currently still too weak.

There are several parts to the struggle for peace and security, including the prevention, management and resolution of conflict, peacekeeping, clamping down on the proliferation and circulation of mines and firearms, the protection of human rights, and aid for refugees and displaced people. There are huge interests at stake involving many different sectors.

## **The impact of small arms**

The world is full of small arms, which attract people who see the possibility of taking power quickly with them. The small arms phenomenon transcends national and continental boundaries. Across the world, 639 million small arms take lives, disable, cause lasting psychological damage, destroy socio-economic systems and the environment, and destabilise democracies and good governance. A firearm is used to kill a person every minute, whether through conflict, a criminal act or suicide.

The impacts of armed conflict and violence are often not appreciated until after the event. In the Ivory Coast, the effects of violence are on-going and it is not at all apparent how the situation will be resolved. In Senegal, the effects of conflict dating back to the early 1980s are still being felt.

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There is widespread tolerance of the circulation of firearms by the authorities and public alike. Nevertheless, more than 75 percent of Senegalese people questioned by MALAO expressed the opinion that too many arms circulate in their country. For 89.2 percent of those questioned in urban areas and 89.8 percent in rural areas, the issue is of major concern.

### **Child Soldiers**

According to the African Charter, all children have the right to protection, which supposes that they should be protected in cases of armed conflict and should never have to participate in them. However, over the past ten years, nearly two million children have died in armed conflicts, more than four million have been injured, at least ten million have lived through war or have witnessed atrocities. Girls are often the victims of sex attacks.

The Coalition to Stop the Use of Child Soldiers (see <http://www.child-soldiers.org>) has published reports showing that at least 300,000 children, 120,000 of who are in sub-Saharan Africa, are actively fighting in over 30 countries. New arms are small, light and easy to use. They allow children to be armed more easily and with less training.

Children are sometimes forced to fight, but sometimes they ‘choose’ to. This choice typically arises from a situation of extreme poverty: children have to join the army to have food each day. Naivety can also play a role in them agreeing to join the army, as can the fear of being attacked.

Child soldiers have an obviously disturbed childhood and many who survive are left with severe physical or psychological damage, which remains with them throughout their lives. A 15-year-old Ugandan girl who escaped from the Lord’s Resistance Army said “Please do all you can to let the world know what is happening to us children, so that other children do not have to suffer all this violence.”

### **The Movement Against Small Arms in West Africa/ Senegal (MALAO)**

MALAO was created on 9 July 1999 following an initiative to look at how to apply in Senegal the moratorium on small arms signed by the Economic Community of Western African States in Abuja in October 1998. The initiators were driven by the clear evidence of the continuing circulation of small arms, the consequences of twenty years of armed rebellion in the Casamance area (Senegal) and the increasing levels of armed violence in Senegal.

The principal mission of MALAO is the fight against the illegal proliferation of small

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arms in West Africa and Senegal in particular. Its priorities are to:

- Communicate, inform and raise awareness of all levels of society about the circulation and proliferation of small arms;
- Educate and change attitudes towards human rights, peace and non-violence;
- Make an inventory of and disseminate texts governing arms/munitions in Senegal;
- Establish a map of affected areas.

MALAO's main activities have centred on communication, education and research:

- The collection and dissemination of information on the circulation of firearms and the Abuja Moratorium;
- Lobbying directed at political, religious, military and education authorities;
- Presentations at seminars and conferences;
- Awareness-raising activities, including marches, demonstrations, workshops and press releases in the context of the Global Week of Action Against Small Arms;
- Collaboration with similar organisations, including: HANDICAP Senegal, which works particular on anti-personnel mines; the Network of Journalists Against Small Arms, For Peace and Security; and the other member of the Senegalese Network of Action Against Small Arms;
- Surveys of the population on firearms.

### **The National Commission Against Small Arms**

MALAO contributed to the establishment of The National Commission to combat the illegal importation, use and circulation of small arms in Senegal. This Commission was created by a decree of 20 November 2000. It is charged with helping the competent national authorities with the conception, elaboration and implementation of a national policy to fight the proliferation and circulation of small arms.

The Commission is chaired by the Minister of the Armed Forces and includes representatives of the Presidency of the Republic and various ministries. It has a permanent secretariat, which presents an annual activity report to the Prime Minister. This national focal point is a partner for all the awareness-raising, training and research activities initiated by civil society.

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# NGOs in Zimbabwe

*David Coltart*

## **Introduction**

Under white minority rule, Rhodesia, as Zimbabwe was formerly known, had very few civil organisations and hardly any human rights organisations; the only human rights NGO of any significance was the Catholic Commission for Justice and Peace (CCJP). Since independence, Zimbabwe saw the development of some of the best developed and managed civil society organisations in sub-Saharan Africa. Organisations range from human rights organisations such as the Legal Resources Foundation (LRF) to developmental and humanitarian organisations such as the Organisation for Rural Association for Progress (ORAP).

For the first 20 years after independence, the government largely welcomed the establishment of civil organisations and recognised the complementary developmental role they played. However, since 2000, the ZANU-PF (Zimbabwe African National Union – Patriotic Front) regime has increasingly seen civil organisations as threats to its own hegemony. Their reliance on western aid and the fact that they have emerged since independence has led the government to accuse many of being imperialist tools.

## **NGO experiences in Zimbabwe**

The changing relationship between the government and civil society can be seen through the example of the Legal Resources Foundation. The LRF was established in 1984 to help educate the general public about human and legal rights. It created a network of legal advice centres throughout the country and trained hundreds of paralegals to run them.

It developed wide-ranging human and legal rights education programmes for all sectors of society, including the police and the intelligence service. A publications unit

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was established, producing legal texts ranging from detailed academic treatises to pamphlets designed to simplify the general law for the benefit of Zimbabweans.

The government largely welcomed the work of the LRF and even commissioned it to publish the Zimbabwean law reports; it provided a service to Zimbabweans that the government had neither the means nor capacity to provide. However, that cordial relationship soured in the mid-1990s when the LRF started working with the CCJP to promote the interests of the victims of the disturbances that took place in the Matabeleland region during the 1980s. The regime deployed an army brigade to quell an uprising here and some 20,000 people were massacred.

Based on the testimonies of victims, recounted in the legal advice centres set up in the rural areas concerned, the LRF and CCJP produced a human rights report in 1997 called "Breaking the silence-Building true peace". The report documented the extent of the human rights abuses, the psychological consequences of the abuses and made recommendations to the government. The report was deeply embarrassing to the ZANU-PF regime, and President Robert Mugabe went to the extent of accusing senior members of both organisations of being traitors and saboteurs. The regime has threatened the LRF's programmes ever since.

### **Zimbabwean NGOs and Western donors**

As well as being accused of being puppets of the west, the Zimbabwean NGOs' reliance on western donors has resulted in another vulnerability: it is harder to campaign against detention without trial, denial of access to lawyers and torture in Zimbabwe, when the same practices are being used by western countries in the war in Iraq and the 'war on terror'. The regime in Zimbabwe points to these actions to defend its own conduct.

In the face of government attacks and the collapse of the Zimbabwean economy, civil society is severely weakened and largely starved of funds. NGO workers have been at the receiving end of violence perpetrated by state agents or ZANU-PF operatives. At the same time, many international donor organisations have withdrawn resources from Zimbabwe.

Miraculously, most civil organisations have survived the onslaught of the last six years but many are now hanging by a fragile thread. Western governments and donor agencies have a responsibility to ensure that these civil organisations survive. They are essential for three main reasons:

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1. They provide a beacon of hope to Zimbabweans and Africans in general.
  2. To support the continued struggle for democracy in Zimbabwe.
  3. They will be needed to help build a new democratic Zimbabwean order in the future, including support for the rebuilding of government institutions and Zimbabwean society. They will be needed not only to deliver services, but also to help establish new standards of zero tolerance towards corruption and abuses of fundamental human rights.

### **Boundaries between NGOs and politics**

Western donors are reluctant to support overtly political organisations and incumbent political parties are hostile to foreign funding of opposition parties. It is an irony that it was only through foreign funding that most incumbent political parties were able to defeat oppressive colonial regimes and come to power themselves. They continued to use foreign funding to consolidate their control of power, but now they condemn any attempts to fund democratic political opposition.

However, whilst a distinction has traditionally been made between political and civil society organisations, the boundaries are increasingly blurred in non-democratic states such as Zimbabwe. Opposition political parties are so starved of funding that they have no chance of demonstrating themselves to be a viable alternative to government. The fight for democracy is such a basic and key issue for NGOs that many feel obliged to engage actively in quasi-political work; the only way to fight towards their long-term goals is to achieve a new democratic order and challenge the very root of government power first.

As civil society organisations have become increasingly involved in political movements such as the Movement for Democratic Change (MDC) to try to present a democratic alternative to the incumbent party, the government has increased its attacks. Although it has never been signed into law, the 2004 NGO Bill was designed to crush those civil organisations the government felt were too close to the political opposition.

If western governments are determined to ensure the growth and consolidation of civil organisations they cannot avoid the challenge of reviewing their current policies regarding the support of opposition political parties and political movements committed to democracy and non-violence. Such support should be based on objective criteria, including not supporting ethnically based parties and requiring parties to have well-defined democratic ideologies, policies and principles.

It is important that a new contract or understanding be reached between the European

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Union and the African Union so that any support for political formations be given in a transparent and fair manner throughout Africa. Support could also be given to incumbent parties where these are committed to the same principles and standards. Unless this happens there will always be the danger that western support for political parties will be seen as some form of neocolonialism.

### **Conclusions**

In order to develop sustained economic development in Africa, democracy needs to be rooted throughout the continent. This, in turn, will only happen if all civil organisations representing the interests of Africans, including political parties, are assisted in their establishment and development.



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# Cooperation with civil society organisations: EU policy

*Alexander Baum*

## **Introduction**

At global policy level, the EU set a policy framework in favour of cooperation with civil society organisations a long time ago. This has been regularly updated. The most recent policy document specific to the topic of 'non-state actors' was adopted in 2002.

## **Recognition of the role of civil society in the political framework**

In December 2005, the European Commission, the then 25 member states meeting in the Council, and the European Parliament agreed the European Consensus on Development. This formulates a common vision for development with a focus on poverty eradication acknowledging its multi-dimensional aspects. One of the key principles is civil society participation; linked to this principle is the enabling of capacity building to strengthen civil society's voice. Civil society in developing countries plays a vital role promoting democracy, social justice and human rights. European civil society has a specific supporting role to play, which is also acknowledged in the Consensus.

EU-level recognition of the role of civil society in development cooperation with sub-Saharan Africa is also revealed in its international agreements. The main framework in this context is the Cotonou Agreement signed now by 79 countries of Africa, the Caribbean and the Pacific and the EU member states. Civil society involvement is one of the fundamental principles of cooperation. This involvement is included through the concept of participatory democracy, which opens partnership to different kinds of actors to encourage the integration of all sections of society.

Article 4 of the Cotonou Agreement says: "the complementary role and potential for contribution to the development process by non-state actors is recognised by the

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partners"; non-state actors are here defined as private sector organisations, economic and social partners and civil society in all its forms, including NGOs, all of which must be organised and managed democratically and transparently. Another specific element, under Article 8, is that civil society shall be associated to "political dialogue". This implies that the EU may enter into dialogue directly or indirectly with all political actors in a pluralistic society.

In December 2005, the European Commission and the then 25 member states also adopted a policy document: "Towards a strategic partnership with Africa", which is to be developed into a Joint Strategy with Africa. Again, support for civil society organisations is included under the overall heading of governance and human rights.

### **The involvement of civil society in practice**

Cooperation with ACP countries is based on a political model of society that is open, participatory, consultative, and pluralistic. To support this vision, the EU supports civil society in various forms. It provides financial resources and other capacity building support and involves civil society both in consultation on cooperation policies and strategies and also the implementation of projects and programmes.

Different financial instruments (indirect and direct, etc.) are available to the Commission at various levels (national, regional, continental, etc.). The total funding available to non-state actors is quite significant and amounts to at least EUR 800 to 900 million per year. This money is largely channelled through European or international non-governmental organisations. Cooperation between European and southern NGOs is historically important, but direct funding of southern non-state actors is now increasing.

The most systematic form of consultation is in the strategy formulation process, during which the financial resources for a five-to-six-year cooperation framework are programmed. Experiences still differ from country to country however. Civil society consultation in political dialogue is still rather sporadic in many countries and there is ample room for improvements in this area.

### **A key issue for the future**

An important problem is the suppression of harassment of civil society in developing countries. This is one of many key issues related to "governance" in the partner countries. For this reason, the European Commission has put "governance" at the top of its agenda for cooperation with ACP countries in the coming years and has set aside EUR 2.7 billion from the Tenth European Development Fund (2008-2013) as an incentive for improving governance.

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# Media, conflict and the peace process in Central Africa

*Marie Soleil Frère*

## **Introduction**

Since the early 1990s, combined with the emergence of multi-partyism and the holding of democratic elections, there has been significant liberalisation of the media in African countries which had previously only known state monopolies. Starting with the written press, expanding to the radio and now into television, new private media has played an important role in the new democracies by:

- Providing a space for political debate.
- Allowing for the authorities to be challenged.
- Reinforcing civil society by disseminating their messages.

However, it has also brought some negative effects. Rather than providing impartial information, some media have allowed themselves to be used by individuals or parties for the dissemination of propaganda. Similarly, the conduct of some journalists in making personal attacks, circulating lies and fabricating versions of stories, has damaged the credibility of the press and undermined the development of democratic debate.

The democratisation process has been more difficult than might have been hoped. In several countries, coups have destabilised or blocked the process, whilst in others, known as ‘illiberal democracies,’ the apparently democratic systems hide effectively authoritarian regimes. The media contributes to the façade of democracy both by representing apparent freedom of expression and by failing to fulfil its true public information role. Finally, armed conflicts have started up in several countries, notably in six Central African states.

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The media has also played a role in the conflicts that have ravaged the region. In Rwanda, the RTLM (Radio Télévision Libre des Mille Collines) spread the ideas behind the genocide of the Tutsis and then supported its execution. Hate media has emerged, poisoning situations and causing real damage to civilian populations.

Elsewhere, the media has contributed to the restoration of peace by promoting positive dynamics within the population in the process towards peace. In Burundi, a virulent hate press operated between 1993 and 1996, but private radio stations played a remarkable role in airing the views of the stakeholders and making dialogue between the opposing factions possible. They recounted the daily difficulties of ordinary people and sought to address the “antagonistic” communities by raising awareness of their common interests, rather than their divisions.

### **Factors in the reliability of the media**

It is sometimes claimed that the lack of journalistic training in some countries has encouraged the press to depart from considered professional practice and stir up conflicts. However, experience has shown that it is sometimes the most experienced professionals that have been the most involved in ‘war propaganda’, using their skills in communication to spread their message more effectively. The case of the RTLM in Rwanda is an example.

Another argument is that the connection of certain private media with political groups has led to their failure as independent providers of information and has contributed to the escalation of conflicts. This is based on the emergence of the written press at the same time as the political parties when the political space was opened in the early 1990s. During the two wars that shook Congo Brazzaville, the newspapers were for the most part deeply partisan, engaged on one side or the other of the conflict and at the service of their leaders.

Newspapers can struggle to provide verified and balanced information through lack of financial resources. Unfortunately, this is particularly the case in times of conflict due to the double effect of increased poverty amongst the public and reduced advertising revenues. The costs of finding both sides of a story, sending journalists into the field of combat or even to the other side of the front line, can be too much for a media that struggles financially at the best of times. In the Central African Republic, for example, the local media lacked the travel and communication budgets that would have allowed them to monitor the progress of Bozizé’s rebel troops until they reached the capital.

The relationship between the media and the different powers operating in a country is

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significant, since times of conflict are also times of great danger for journalists. In the Democratic Republic of Congo, journalists were attacked with impunity by the different sides during the years of war. It is essential that an independent judiciary is able to protect the freedom of the press and act against any attack on journalists to prevent the repetition or aggravation of attacks. Where such protection is not provided, journalists will tend to censor their own work in order to avoid reprisals. During conflicts, ruling authorities tend to take any criticism of their actions or defence of that of their opponents as a lack of patriotism, betrayal and even a 'pact' with the enemy. In Burundi, the authorities regularly harassed the private radio stations because they opened their microphones to spokesmen from the different rebel movements in order to let them present their points of view.

The amount of professional solidarity amongst journalists has an impact on the ability of the profession to fulfil its role and resist pressures from the authorities or the army. In Chad, for example, regardless of differing political opinions, newspaper journalists have always showed great solidarity as a profession each time one of their number had problems with the authorities, typically for having diffused unfavourable information. In Burundi, each time a station was ordered to close, other stations organised collective strikes or agreed not to cover government activities until the government changed its policy.

### **Supporting African media**

Foreign media can play a hugely significant role during conflict. Firstly, in certain situations it can be easier for people on the ground to receive the short-wave broadcasts of international radio stations than their own local stations. The views and analysis heard can sometimes affect the way a population or even the fighters see their own situation. Secondly, the attitude taken by the international media can have a significant impact on the reaction to a particular conflict by the international community. Indifference on the part of large sections of the international media to the genocide of the Tutsis in the small country of Rwanda undoubtedly contributed to the lack of urgency in the international effort to find a solution or address the situation seriously.

The ability of development partners to continue supporting local media in periods of conflict is a crucial issue. In the Democratic Republic of Congo, the presence of Radio Okapi, financed by the United Nations and operated by the Hironnelle Foundation had an undeniable impact on the development of a national sentiment of solidarity between Congolese at a time when the national radio was no longer on air and local populations had no other way to find out what was happening elsewhere in their region. The support given by development partners to community radio can help

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stations survive when the devastated local economy would not be able to do so during difficult situations; the stations are able to broadcast and open their microphones to populations otherwise left without a voice during the conflict.

The big question for an NGO like the Institut Panos Paris, given the political developments in the countries in which it is involved in media support, is how best to react in such conflict situations. How can positive dynamics and media professionalism be encouraged without pushing local journalists into putting themselves in undue danger? What is the best way to meet local needs given the particular repercussions of conflict on the media?

It seems apparent that the methods used by Panos to encourage the new media emerging in the early 1990s from the democratisation process in West Africa cannot be used to support the media in countries affected by conflict. New types of action and methods of intervention needed to be developed. Panos has always chosen to follow three key principles:

1. Projects should be holistic, looking simultaneously at several of the issues set out above, rather than focussing on one aspect such as training alone.
2. Rather than setting up new structure, local media partners should be supported.
3. Support should be given to those managing the media, such as the regulators, providing that these are genuinely public bodies, independent of any side in the conflict.

## **Conclusions**

After a phase when the key issue was supporting the liberalisation of the media in francophone Africa, the next essential stage is to strengthen professional responsibility in the media. The fragility of peace or stabilisation processes in countries that have been affected by conflict poses a huge challenge; civil society, including the media, can be put in such difficult situations that their actions can end up being paralysed or corrupted. The determination of certain strong and committed individuals in different parts of the media to continue their activities with courage, rather than choosing easier and safer paths, is a source of great inspiration to large sections of the population, who hope that they will see an improvement in their situation in the years to come.

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# **Coordinators of decision making (I) - Representation of interests through civil society organisations in sub-Saharan Africa: Panel discussion**

*Chair: Peter Sluiter*

## **Contribution from Alexander Baum**

The role and impact of the international community in Africa is crucial, both in terms of development cooperation and through policies in fields such as trade. There is a strong and proven negative correlation between the availability of resources and the economic growth and good governance in a country; the more resources there are the less development there is. This situation is highly worrying and the increasing presence of countries like China and Russia in Africa may well contribute very negatively to these existing trends.

Africa is in a fragile, vulnerable situation and European efforts to develop pluralistic societies on the continent have not been very successful so far. Great thought and attention is needed to ensure that European intervention across the range of policy issues supports development in these countries rather than hinders it.

## **Contribution from Marie Soleil Frère**

It is crucial to ensure that important actions are not totally reliant on highly motivated individuals for their success; individuals are too easily crushed by renewed conflict. The work of committed volunteers and professionals should lead to the establishment of permanent NGOs, associations and media that can continue without the people who set them up. There are great difficulties in establishing permanent structures that will outlive an individual's efforts, and support is needed to generate such permanent organisations.

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### **Contribution from Dr. Christine Agboton**

Training and information are essential to teach that democracy is achieved through the vote and a better distribution of wealth, and not through weapons. Responsibility is a key issue and armed conflict must be considered in all its aspects. People can often be so attracted by the immediate power benefits that come from being armed that they do not see what comes afterwards. Once conflict has escalated it is not easy to resolve for those involved, as can be seen in disastrous examples like the Ivory Coast.

All programmes in the area must understand the links between development, democracy and security. This understanding must be used to inform all the programmes and activities of all the stakeholders for the peaceful and democratic development of Africa. Over the next two years Africa will experience several electoral processes and it is to be hoped that these processes take place 'normally', without recourse to violence.

### **Contribution from David Coltart**

The international community needs to understand that the way it supports impunity perpetuates violence in Africa. The international community has granted impunity to numerous African governments over gross acts of violence in the past 50 years in a way it would not have tolerated elsewhere. Such approaches exacerbate long-term problems as can explicitly be seen in the Zimbabwean context, but also in many other African countries.

The EU and the wider international community needs to accept that, by neglecting issues of good governance, it has thrown good money after bad in many African countries over the past four decades. In the 26 years since Zimbabwean independence, billions of euros have been spent on development projects and yet it is now the fastest declining economy in the world with female life expectancy as low as 34. Development aid must be linked to good governance and the thinking of people like Amartya Sen in his book 'Development as Freedom' should be put into action.

Finally, more funds should be allocated to the full range of groups engaged in promoting good governance in Africa, including political groups and parties. The idea that it is somehow unacceptable to support political organisations needs to be rejected. The current situation in many countries means that, so long as they comply with certain standards, such as commitment to democracy, non-violence and good governance, support for different political parties is a necessary condition for democratisation.



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**Session two:  
Institutional concepts and functioning of political  
pluralism in sub-Saharan Africa**

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## **Institutional concepts and functioning of political pluralism in sub-Saharan Africa: introduction**

*Dr. Klaus Pähler*

The main topic of this session is pluralism, but it is a concept that requires some clarification. First of all there is the question, pluralism of what? From a German political viewpoint it can be straightforward, but it is not so obvious in many countries. There can be pluralism of cultures, ideologies, programmes, interests, ethnicity, religions, opinions, languages and politics. In Nigeria there are several big and many small ethnic groups, several languages and religions; 40 political parties will be contending the 2007 elections.

A second question is: how much pluralism? Where there is no pluralism, it can mean monism, dogmatism, singularism or fundamentalism, which most of us do not want, for good reasons. However, too much pluralism may also bring unwanted results. It seems that in Nigeria that there are still cults killing young people trying for the 'power' from their bodies. This shows that 'anything goes' kinds of liberalism cannot be defended. A way must be found in between these extremes, with optimum rather than maximum pluralism; this applies to issues such as peace building, nation building and conflict prevention.

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# Governance in sub-Saharan Africa

*Dr. Kofi Apraku*

## **Introduction**

Africans came out of colonialism in the 1950s and 1960s with very high expectations. Kwame Nkrumah, the first President of modern Ghana spoke for everyone when he said, “Seek ye first the political kingdom and all else shall be added onto you.” In the heyday of that political struggle, the belief was that if you obtained political independence you would obtain economic independence and be free to make decisions. He also said that it is better to make decisions and pay for the consequences than have others make mistakes that you must pay for.

Africans worked very hard on the process of independence, but unfortunately a new crop of leaders with different agendas emerged. As a result, Africa has witnessed: insecurities; military coups d’état and civil wars; mismanagement, corruption and the abuse of office; the privation of human rights. This catalogue of badness has meant that Africa cannot develop, and all the economic indicators show that Africa is doing worse when others are doing better.

Now there is a new push for democratic change in Africa based on the realisation that there has to be a better alternative to the current reality. That alternative must have the concept of good governance as a major ingredient. This is the point of departure from the past.

## **Good governance**

There is a positive correlation between good governance and economic development; accountable governments tend to promote greater economic development. This has changed the political and economic paradigm. The New Partnership for Africa’s Development (NEPAD) provides a new framework for development, with greater

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emphasis on good governance with four aspects:

1. Political democratic governance: greater emphasis on the rule of law and the protection of civil and human rights and the basic freedoms of religion, association and media.
2. Economic governance: economic policies must be assessed to ascertain the extent to which they promote greater development for all, reduce poverty and take care of the totality of human needs.
3. Social economic governance: given the great sensitivities that exist in Africa around ethnicity and tribalism, care has to be taken with the distribution of the national 'cake'. Social programmes and social activities must ensure that the few who are rich do not get richer at the expense of the poor.
4. Corporate governance: in the context of globalisation, the rules that govern business activities, including adjudication and arbitration, must be clearly defined to provide greater predictability and encourage the flow of investments. Corporations must also be sensitive to the needs and well being of employees, workers and communities.

Ghana was the first African country to complete a review under the African Peer Review Mechanism. Whilst Ghana has laid down the foundations for good governance and sustained political pluralism there is much work to be done. The review discovered that there is an increasing recognition and understanding that political pluralism can be sustainable through the effective building and maintenance of democratic institutions such as an independent judiciary, an effective legislature, strong political parties, an independent electoral authority, strong civil society organisations and, especially, a strong and independent media. To ensure that these institutions function effectively, there needs to be a move from personality government to constitutional government, with periodic political competition in the form of free elections. This system needs to be guaranteed by:

- The rule of law;
- The supremacy of the constitution;
- Free competition of ideas on an even playing field through:
  - Freedom to form political parties;
  - Equal access to campaigning space;
  - Equal access to the media;
  - Freedom of association;
  - An independent and unbiased electoral authority;
  - Freedom of information.

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Political pluralism relies on the rule of law and the supremacy of the Constitution, particularly in countries emerging from dictatorships and wars, without long traditions of democratic governance. In most of sub-Saharan Africa, justice is available to those who can pay for it and is therefore at the expense of the poor. The judiciary is so badly paid and the services so bad that they are very vulnerable to corruption or corrupt practices. To ensure the effective functioning of pluralism, poor and deprived countries need to build strong and independent institutions working for society and for individuals.

### **Separation of powers**

In Africa, control of the institutions is focused too heavily on personalities; all too often the president controls the parliament, the legislature and the judiciary, and so all the institutions designed to guarantee democracy are under his control. The result of this is that democracy depends on the head of state; when the man falls the institutions fall with him, and the country must start from scratch.

Where there is clear separation of powers and institutions are strengthened to know what their powers are and how they can enforce them, political pluralism can survive and function effectively. When parliament is denied the resources necessary to analyse government policies critically and to be a check on the executive branch of government, there is a problem. Parliamentarians need to be educated enough to understand and analyse government policies. Parliamentary committees are often technical, such as the Public Account Committee, which examines government expenditures. When the people on it lack the skills, experience and education to do the job they ought to do in diagnosing and informing about corruption, the corruption is able to continue.

In the Ghanaian system, the Constitution requires the President to appoint most ministers from parliament. However, under this system, ministers' loyalties seem to lie with the executive branch and not with the people, since they depend on the President for their position. Members of the parliament should be able to stand up to the government without fear of losing their job as a minister.

### **Political competition**

In Africa, it is very difficult to defeat an incumbent government because the field is so uneven. It is not easy for emerging political oppositions to win power when corruption, mismanagement, abuse, intimidation and fear control a large proportion of state resources. In Ghana, the current party of government was in opposition for a long time; one person was in government for 20 years. It took a lot of effort and determination to believe that the problem was not a lack of popularity but that the

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institutions were not allowing a fair opportunity. The priority is therefore to reform the institutions; resources need to be provided to support credible opposition to ensure political pluralism.

Information and public education are crucial to political pluralism; the first step in accessing rights is to know what they are. Choices between political parties must be clear enough for people to see clear alternatives. In Ghana, the National Commission for Civic Education educates citizens to understand their rights and responsibilities under the Constitution, and to analyse policy options as a basis for making informed decisions.

### **Conclusion**

Thankfully, there is now awareness in sub-Saharan Africa that good governance with strong and independent institutions is not a luxury, but a necessity that needs to be embraced to move forward. This recognition gives hope for the future.

### **Comment from Dr. Klaus Pähler**

The separation of powers is crucial and the lack of the rule of law is perhaps the major problem in cases of bad governance. However, the issue of an independent judiciary should perhaps be the subject of a separate conference with legal experts because the problems are so great and the issues so technical.

The ideology of democracy has it that the parliament controls the government, but it is not realistic to think that this is the situation in Africa or even in established democracies such as the United Kingdom or Germany. What can Africa learn from the balance of power between the Parliament and the Commission in the EU? Even if the Parliament once dismissed the European Commission, it does not really control the Commission and has always come second.

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## **Parliaments in sub-Saharan Africa**

*Michael Gahler, MEP*

### **Introduction**

There is one thing the European Parliament has in common with the pan-African Parliament: both started only with the competence to discuss issues and without legislative competence or oversight over what governments were doing. Step by step the European Parliament has gained strength and control over legislation through the necessity to have some democratic control over the European institutions.

Since the big steps forward in 1999, one can now compare the European Parliament with national parliaments. Although the powers of the European Parliament are still limited and do not cover all policy areas, there are many areas where the Parliament is now on an equal footing with the European Council.

### **Good governance**

In Africa, the Ghanaian example shows the national process of reflection on what went wrong after independence, arriving at the concept of good governance, including economic governance. There has now been a big step forward at the continental level in the setting up of the pan-African parliament. Although this only has the power to discuss issues, it is able to address all the issues publicly, which is highly significant given the lack of transparency in the meetings of the Heads of State of the African Union.

Initiatives like NEPAD, in which Africans set their own standards against which they measure themselves, are important in principle as they are by Africans for Africans. The point of departure is good, but just like in Europe, the problem is in the implementation.

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The EU's Development Cooperation Instrument has just been finalised and the European Parliament wants to have more input into its implementation. It also wants to extend the remit of the EU Democracy and Human Rights Instrument beyond civil society alone. Civil society is essential for a democratic framework, but political forces such as strong parliaments and political groups are needed to implement changes. Democratic political forces should be included as cooperation partners and possible recipients of Community support. This instrument, equipped with more than EUR 100 million a year, is the only budget line that can be spent without the consent of the host government. This can be crucial in those countries where the government is part of the problem.

There is a problem with the infrastructure of parliaments. They are often nice buildings with an impressive plenary hall and one other room to meet, but no adequate offices for the members, or rooms for the political groups or committee meetings; there is a lack of telephones, faxes and computers to work with. The agenda of the parliament in many countries is very loose; they do not meet frequently and the committees do not work properly. There are cases of finance ministers refusing to appear before their budgetary committee to explain the budget. Often the members are powerless to do anything about it since they lack the support and equipment.

### **Key issues for democracy**

1. Civic education is crucial – this should start in schools to accustom youngsters to democracy and its institutions.
2. The traditional leaders have a very important role – whilst they are not always open and democratic, they can be crucial in maintaining village structures. Where they are working well, they should be engaged to help the country's progress.
3. Many countries have only one party or one big dominant governing party – although these big parties can contain pluralism within them (the ANC in South Africa brings together diverse thinkers), it is not enough to have pluralism within one big governing party that dominates all spheres of society.

### **Conclusions**

The ongoing processes in Africa should lead to positive results. The progress made in Ghana can also happen elsewhere. Where it is asked to do so, the EU will actively contribute whatever it can.



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## Obstacles to pluralism

*Philippe Darmuzey*

### **Introduction**

Whilst the significant obstacles to pluralism and institutional progress in Africa cannot be overcome straight away, there are also some solutions to the challenges. In the past 15 years, there have been examples of worsening situations and even crises, but also of progress.

Recent years and even recent months offer some hope and suggest possible solutions: the creation of the African Union; the launch of the highly important NEPAD initiative; the African Peer Review Mechanism, which is a highly significant model.

These give everyone hope that the stakeholders in Africa can come together to reflect on their own difficulties and make recommendations to overcome them. Solutions cannot come from outside but must come from Africa itself.

The pan-African Parliament and, especially, the emergence of civil society and the concepts of governance and democracy on the political agenda are crucial from the Brussels perspective; even if there is more discussion than implementation, these are significant steps. There are movements towards a pluralized and liberal political system based on the rule of law, but these are hindered by a lack of resources, particularly on the part of political parties, and a lack of constitutional clarity.

Perhaps the Commission does favour civil society rather than political parties, but this is because there has been a traditional view that the Commission should not become directly involved in political debates. Cotonou might change that and other initiatives are politicising cooperation and relations between Africa and Europe that might allow these political difficulties and needs to be taken more into account.

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## **The contribution of the EU**

The EU can provide four solutions, on the condition that they are in partnership with and shared by the African partners:

1. The 2005 EU strategy for Africa – this is intended to be a joint strategy between the African Union and the European Union putting political aspects and the essential points of Cotonou at the heart of the strategy. There is a strong focus on governance, notably through the promotion of democratic governance processes at local, regional, national and continental levels. Support is foreseen for national and regional African partners to engage in governance reforms in the context of programmes they have identified to tackle problems they have identified.
2. The Cotonou Agreement – the core elements are around democracy, good governance and the rule of law, including the protection of human rights. Strengthened political dialogue can lead to a common approach at regional, national and continental levels, and an identification of those areas where the African partners would welcome European assistance.
3. Incentives can now be paid out according to the successful implementation of governance measures and reforms by African governments. This is a new feature of the cooperation strategy programming between the EU and ACP countries, particularly in Africa.
4. The African Peer Review Mechanism is an important and innovative initiative, which should lead to recommendations and reforms as identified by the African countries themselves. The EU wants to help, without interfering, by supporting capacity for the mechanism to function and by eventually including help linked to the measures identified by the African partners within cooperation programming.

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# Moving away from traditional ways of managing development partnership

*Jean Christophe Charlier*

## **Introduction**

Governance matters and this is no longer disputed. There is a need to move away from traditional ways of managing development partnership. Donors have focussed on administrative and technical governance issues, such as public finance management and combating corruption, to try to ensure money goes into good systems. There is now a gradual evolution of governance towards political or democratic governance with the desire to support democratically elected structures and representatives. Although this is more politically sensitive, the idea is to go beyond formal structures, to the real power mechanisms.

In representative democracies, parliament is the representative of the people and a strong element in the political system. MPs represent their constituency and take their legitimacy from strong dialogue with that constituency. However, experiences show this to be difficult. Parliament has other roles, principally overseeing the executive and legislating; direct dialogue with the constituency tends to lead to more social than legislative work and it is important to keep a balance between these roles.

We have experience in Burundi, which is a very fragile state emerging from a long period of war. State reconstruction is one of the crucial challenges facing the country; there is a need to support the government, but Burundi is one of the countries in Africa where the parliament is very weak compared to other institutions.

## **Support for parliaments**

It is important in post-conflict situations to provide a space for dialogue in which the

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political opposition to the current government is able to express its opinions. Parliament can provide this space and needs to be supported, along with the judiciary, to provide a balance of power.

Although there is still not a great deal of experience in the field of supporting parliaments, a UNDP evaluation on technical assistance to parliaments found that much of the support provided was typically focused on equipment and buildings, which had been identified as critically needed. This was preferred because providing equipment or a building is not very political and yet still amounts to technical assistance. There is now a need to go beyond this approach to technical assistance and be more innovative.

As well as making sure the parliament can carry out its legislative work (not a single law has been proposed yet in the first year of parliament in Burundi), one of the main challenges is to rebuild dialogue and a relationship of trust between MPs and their constituents. Development partners might be able to contribute to this. One idea proposed by MPs themselves in Burundi has been to set up provincial offices where they can discuss with local people.

Finally, most African countries have undergone substantial administrative and political reforms, including the transfer of powers to locally elected structures. Bilateral donors and the EU have tended to bypass the local authorities, but are starting to take them more seriously as partners and there is much to be done to improve the way they are supported.

### **Comment from Dr. Klaus Pähler**

It is difficult to support parliaments. KAS tried to do this at state level in Nigeria and, over several years, invited MPs over for training and sent the Speaker to an international conference on transparency and non-corrupt practices. However, the Speaker and some colleagues were later arrested because the Nigerian Anti-Corruption Commission found them to be misappropriating funds.

In another example, the parliament was financed by the governor. This meant that although the institution should have been controlling the governor, its members relied on him to be paid. There is a long way to go to get genuine parliaments, and problems must be faced without looking to apportion blame.

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# Democracy in South Africa

*Elizabeth Sidiropoulos*

## **Introduction**

Many described South Africa's transfer to democracy in 1994 as a miracle; in fact it was a lot of hard work with tremendous political leadership and not just from the ANC and Nelson Mandela. The then President de Klerk was an important figure, and the decisions of Buthelezi and of the Afrikaner right wing to stand for elections in 1994 were crucial to strengthening the process. Without those players and that approach, such progress could not have been made so quickly.

The most important element of South Africa's democracy was the passing of the ambitious and liberal constitution of 1996 that enshrines: separation of powers; freedoms of association and speech; multi-partyism; non-discrimination; independence of statutory bodies like the public prosecutor, auditor general, and the electoral, gender, and human rights commissions. An electoral system of proportional representation is used to ensure that all interest, ethnic and racial groups have some representation in parliament. In the last elections in 2004, over 20 parties contested at provincial or national level, which reflects political pluralism without necessarily meaning that the outcome is always the expected one.

## **South Africa's political legacy**

South Africa has fared well on several tests of the constitution, the judiciary and of the autonomy of the auditor general. On other aspects it has fared less well and still faces a number of challenges as a result of its legacies that will affect how political pluralism will be 'institutionalised' in the long-term; the democracy is not yet consolidated.

The political legacy can be seen in three problematic aspects of modern-day South Africa:

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1. A skewed economic system that is still racially defined: although a new black elite has emerged and black economic empowerment has started to shift the ownership of the economy, it is still largely white owned.
  2. Social disparities in terms of education, health and poverty: there is high unemployment, which affects the manner in which people identify their interests and how to promote them.
  3. The extremely dominant position of one political party, the African National Congress (ANC): this is largely due to the substantial political legitimacy linked with the party as the pre-eminent movement of the anti-apartheid struggle and the national liberation movement.

### **The ANC**

The ANC remains more of a national liberation movement than a political party. The anti-apartheid movement brought together a wide variety of groups from Marxists to church leaders and liberals. Membership of the ANC is still based more on its historical role than on any shared belief in a particular social or economic policy approach. Over the past 10 years, the ANC has adopted a home-grown version of ‘Washington consensus-based’ economic policy, and this is highly problematic to many within the party, particularly the trade unionists and the South African communist party.

The legacy of the ANC in exile is that the internal debate is more closed; the moral high ground of the ANC leadership and the sacrifices of its leadership over a period of 30-40 years lead some to believe they are above approach and to accuse critics of betraying the national liberation concept. This is problematic for public debate and democratic political space in a party that is so dominant in the South African political system. The ANC won 70 percent of the vote in the 2004 elections and holds even more seats in parliament.

### **Political parties and parliament**

South Africa has a liberal and democratic constitution and a government that favours good governance and which has pushed this objective across the continent. In the debate, there is a movement away from the idea that sovereignty and non-interference in internal affairs is the key issue, towards the idea that good governance is essential. There is, however, still a substantial gap between the theory of the constitution and legislation and what is actually happening in practice.

Political parties are important tools for pluralism, but do not function as effectively in Africa as they do elsewhere in the world. They are not always interest-driven and even where they are, they are not able to mobilise society. In the local and national elections

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in South Africa in 2004 and 2006, many people were hesitant not to vote for the ANC, despite widespread dissatisfaction with social delivery in many areas in a context of high unemployment and low access to health and education. Despite being disaffected with the ANC many decided not to vote in the local government elections rather than align themselves with another political party.

Politics in South Africa is still very fragmented, but it takes time, maybe even a couple of generations, to create a nation that crosses racial, ethnic or regional differences. There are still big racial divides in voting patterns, and a sense of solidarity remains between national liberation movements, which explains the relationship between Zimbabwe and South Africa at a political level and the continued status of Robert Mugabe as a national liberation hero for many. The failure over the last 12 years to form effective political parties with developed agendas to oppose the ANC on issues of substance, whether as break away parties from the ANC or not, is a major weakness of the system.

In parliament, the ANC has about 70 percent of the seats, whilst the rest of the parliament is made up of the Democratic Alliance, which is the official opposition, the Inkatha Freedom Party and about nine others. Unfortunately, the Parliament has not really passed the test of offering effective oversight of the executive. It has failed in key issues related to the Public Accounts committee; corruption was uncovered in an arms scandal and many parliamentarians were found to have abused their travel vouchers for travel between the Parliament in Cape Town and the executive in Pretoria. There has been an unwillingness to bring culprits to book.

Social movements on the street, such as the trade union movement or the HIV-AIDS ‘treatment action’ campaign, have been a more common area of political contestation than the parliament. Social street movements lack the ability to transfer their power into real political engagement and this highlights the failings of political parties.

### **African Peer Review Mechanism**

One of the most innovative things to come out of Africa related to good governance is the PRM. There is a risk, however, of seeing the report that emerges from a review process as being the end of that process. The real added value of the mechanism will be in using it as an opportunity to create consensus within each political system on what needs to be done to address the self-identified deficits in a tangible way that can be monitored. Civil society needs to be strengthened and better organised to create networks within countries to take the process forward. All this links clearly with the EU’s governance objectives.

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In South Africa, there is now a report that sets out what is good and what is not together with a plan of action on how to address the deficiencies and how much it will cost. Ghana has also written up and costed a very good plan of action. But the innovative mechanism should not lead to reports that just go on the library shelf, with poverty reduction strategies and EU initiatives continuing independently of each other and this process.

One of the challenges in South Africa, as one of the key countries taking this process forward, is not to undermine the value of the process by treating it as just something that needs to be ticked off some list before moving on to the next thing. Civil society in South Africa sees a risk that the process will not be central to the main political agenda. There must be constant interaction between government, civil society and donors to streamline actions and interventions to have the optimum outcome.



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# **Democracy in sub-Saharan Africa: theory and practice**

*Livingstone Sewanyana*

## **Introduction**

Many of the most important issues have been raised already, but still new dimensions can be brought to the discussion to understand and realise pluralism. The first important aspect to recognise is that in sub-Saharan Africa in general, with the exception of a few countries like South Africa, Benin, Senegal and Ghana, there is a crisis.

## **The crisis of theory versus practice**

In sub-Saharan Africa, many of the democratic institutions exist, many human rights treaties have been signed, including the African Charter of Human and People's Rights, and Africa compares relatively well to other parts of the world on the signing of international agreements. However, the quality of the practice diverges greatly from the quality of the documents. There is an on-going debate between universalism and cultural relativism; people sign the treaties, but it is not at all clear that they have appreciated and internalised the values and the standards that they contain.

A key problem is that there is too much focus by donors on the institutions and structures. In many cases, the structures and the instruments are there, but they are not understood, internalised, respected or cherished. It can often be questioned whether people, and especially the leaders, appreciate that people's dignity and rights must be protected and that leaders must be accountable and actually deliver services.

## **The crisis of leadership**

With a few exceptions, Africa demonstrates the 'strong man syndrome', based on the tradition of kings. The general rule is that everything belongs to the person at the top:

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the people; the parliament; the judiciary. For many Africans, pluralism is something being pushed for from outside. It represents western ideas and does not bring anything. There is a crucial challenge in Africa to make the leaders believe that competition can make their country stronger and to make the people appreciate that alternative ideas are useful.

Another problem is the way leaders manipulate the ideas coming from the developed world. The leadership finds out what the development partners want to see and hear and then set about saying the right things and satisfying the minimum standards on a superficial basis. They agree to have elected leaders and periodic elections, but then go out and manipulate the process and the atmosphere surrounding it. People come from Brussels, see that the minimum standards have been met and declare the elections free and fair.

In countries like Uganda, there have been elections, but people were beaten and tortured, the opposition was not allowed to speak, money was not given and media access was restricted. Yet observers see that an election was held and that many parties stood and they declare: "Oh yes! Now Uganda has a democratic state!" In reality, there were no parties worth talking about: pluralism is about genuine competition between parties that meet certain standards. The same is true of civil society; how this engagement is working underneath the surface needs to be examined.

### **The national security doctrine**

To a great extent, the issues of democracy and pluralism have been defeated by the national security doctrine vis-à-vis national unity. Whilst, the concept of media freedom is spelled out in various documents, in practice leaders say that opposition voices threaten the stability of the nation. The constitutions are modelled on western lines, but in reality their principles are not respected. If a journalist asks about a plane crash in Nigeria, they are told: "Don't tamper with that; that threatens the security of the nation." But what is the security of the nation and whose security are we talking about? Is it parliamentarians, academics, the public or the government that should determine what is in the public interest?

The military is still one of the biggest threats to the realisation of the notions of democracy and pluralism in Africa. It has been misused as an institution and is everywhere in politics, economics and daily life. One day you say something, the next you are under threat of being either arrested or tortured. The military is not under civilian control; military officers cannot be brought to account. They embezzle, torture and limit access to political authority with impunity. Western partners look on and

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then talk about accountable governments and independent judiciaries. These concepts will mean nothing in the context of Africa until the military has been tamed.

### **Dominant political parties**

Many of the ruling parties in Africa are the same as they have been in for a long time and the issue of political dominance is very real. Once someone obtains power, he creates a system that will maintain his control and limits the opportunities of others to challenge his position. Although elections may be held, there is a predominant political belief that once you organise elections you must be the winner. Pascal Lissouba, the former President of the Republic of the Congo, revealingly asked: “Can you organise elections which you are going to lose?”

In countries where there is a semblance of democracy, what is actually happening is that the opposition is continually co-opted into the ruling party. Because they control the resources, the dominant party is able to make it impossible for the opposition to access money. Leading opposition politicians are often forced to cross to the ruling party to have any political influence. In cases where opposition parties enter into coalition with the dominant party to offset the disadvantages of being in opposition, they are still not allowed any space. This is not democracy.

### **Conclusions**

To develop political pluralism in Africa, there is a need for political will and for leaders who understand the needs of the people and speak to them, rather than rulers who govern in their own interests. The pre-independence rulers were innovative and thought through their policies, but leadership in Africa is currently all about entrenchment and enrichment and speaking the language of the west. There is a need for adequate and fair political competition and the acceptance and implementation of fundamental values, particularly the pre-eminence of the will of the people. Politics needs to be demilitarised; many leaders believe in the power of the military and are happy to use it to control politics. Even where the judiciary attempts to protect human rights, a leader who has the military under his control is able to dictate what will happen next.

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## **Institutional concepts and functioning of political pluralism in sub-Saharan Africa**

*Open Forum*

### **Contribution from Professor Victor Topanou, Faculté des Droit et de sciences Politiques, Cotonou, Benin**

It is very difficult to arrive at proper conclusions about the totality of the 51 African countries. It is good to remember that certain countries are making good progress.

A key question that needs to be addressed is whether it is possible to construct a democracy, in the twenty-first century sense, in a situation of poverty marked by the rarity of resources and high illiteracy? It does not seem that democratisation processes in the west took place in equivalent conditions of under-development to that found in Africa. At the moment, the lack of resources undermines the entire process; the parliamentarians cannot work, the opposition cannot function and everyone prefers to go to the side of the power, which controls what resources there are.

There is also a real problem of legitimate political representation. The first legislature in Benin was about 90 percent intellectuals, but how did this represent a population that is 80 percent illiterate? When non-intellectuals were elected, particularly in the second legislature, they lacked the basic education and political experience necessary to fulfil their responsibilities effectively. It was not possible to educate people who had never been to school and who entered politics in their forties in parliamentary procedures and human rights law in the four years of their mandate.

The fundamental issue in Benin is how to give economic content to the political democracy being created. If the process does not manage to give a minimum of economic comfort to the population, they will turn away from the process itself

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towards other systems that seem to be more to their advantage. This has to be considered on the same level as the crisis of values that has been expressed.

### **Response from Philippe Darmuzey**

It is true that democracy is not possible in an environment of absolute poverty, but might the lack of democracy not also contribute to the growth of poverty and social exclusion? This is a dilemma for all of us. Fighting poverty in a system that is not open, or trying to reduce poverty by strengthening institutions will not work; an integrated approach is needed. The best approach seems to be combating poverty by supporting equitable economic development, whilst developing the participation of all actors, but this is not easy to do in practice.

### **Question from representative of the Japanese Overseas Development Agency**

Although it is very early, the African Peer Review Mechanism seems to work well. To what extent has it been implemented?

### **Response from Dr. Kofi Apraku**

Ghana has completed one review and included an estimated cost of implementing the recommendations of the review. It is now the first year in which parts of the review recommendations have been included in the national budget. EU support has been received for implementation.

### **Response from Elizabeth Sidiropoulos**

About 25 countries – about half of all African countries – have voluntarily acceded to the process. Ghana is the first to complete the process from start to finish, whilst Rwanda is not far behind. Mauritius, Kenya and South Africa have also made substantial progress, with other countries in the pipeline. The idea is that every three years or so there is a reassessment with the country of how far it has progressed with the implementation of its priority list.

A key challenge for the APRM is how quickly it can move forward. If, after two years, we have only had one complete report, will it take a long time to get 25? A big issue here is capacity. Civil society has been trying to raise awareness of what the role of civil society should be in the process. However, at political level there are simply not enough people to manage the process, which is taking much longer than predicted. South Africa launched the process in September 2005 saying it would be finished in December of that year; it has taken just over a year to finalise it.

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### **Response from Livingstone Sewanyana**

The APRM does not give so much cause for enthusiasm as some would like to believe. It is a very state-centred process and basically amounts to a competition between governments that does not add real value for the population.

### **Question from the floor**

There is a lot of discussion in the field of development cooperation that the principle of non-interference is out of date. How do the panellists see this question?

### **Response from Elizabeth Sidiropoulos**

This issue comes down to the challenge between theory and practice. The Organisation for African Unity (OAU) approach was traditionally based on the principles of sovereignty and non-interference. The 1999 OAU decision that countries that had had a coup d'état would be 'yellow-carded' until they returned to the democratic path was a significant step in the direction of saying there cannot be unconstitutional changes of government; Togo and the Ivory Coast were suspended from the OAU on these grounds. In the constitutive act of the African Union there was an even more substantial movement. There is now a provision for intervention in cases of crimes against humanity and genocide.

On paper there has been substantial progress in accepting intervention. In reality, there is an implementation gap. There has been some implementation on unconstitutional changes of government, but there is more hesitation over intervening on other matters. This is particularly the case when, despite clearly undemocratic processes such as fraudulent elections, a façade of democracy is maintained. Observers do not dare to say clearly that an election was not free or fair and often fudge their words by saying things like the election was a "legitimate expression of the will of the people," the meaning of which is unclear.

### **Response from Livingstone Sewanyana**

Good documents and promises count for little in Africa. The African Union adopted a resolution that countries that have coups will not be supported. However, in Uganda, President Museveni has manipulated the constitution in order to fix his control of power by removing the limit of time a president may serve. He can serve forever, but he still qualifies for support under the AU definition.

### **Question from Dr. Klaus Pähler**

Although it is difficult to do, it can be possible to identify what one thinks are the key issues in a complex situation where many important factors are seen to be at work.

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Not to detract from the understanding that the situation in Africa is complex, what would panellists say was the biggest mistake western donor agencies and development organisations have made in their attempts to support Africa and what is the biggest priority for future work?

**Response from Dr. Kofi Apraku**

From Ghana's point of view a lot of the more prescriptive development programmes of the 1970s, with their conditionality and structural adjustment programmes, did not really deliver. There is more flexibility now, which allows countries to set their own priorities in negotiation with donors, whilst remaining within the bounds of good economic management of financial resources, which is better.

The priority issue is to promote education and good governance. Real education is needed to allow people to become good citizens. The focus should be on the development of Africa's human resources rather than its raw material resources.

**Response from Elizabeth Sidiropoulos**

The single biggest mistake has probably been to think that problems can be solved by throwing money at them. Approaches looking to double aid and give one big push to helping development, as advocated during the Make Poverty History campaign are not the right solution. The problem is not a lack of money; official figures reveal that development budgets are often rolled over from one year to the next since they are not spent. The problem is the capacity to use that money effectively and to deliver. There are problems with deciding who gets the money, and recipients have problems with actually spending it. South Africa, for example, has one of highest budgetary allocations for education and yet the education system is shocking; the issue is more about the skills of teachers than the funding.

**Response from Philippe Darmuzey**

A big general mistake has been to consider development aid as a model to resolve all the problems rather than as an instrument that can contribute to a broader strategy of reform. The use of a donor-recipient model has been a mistake as it can only deliver limited solutions. Instead, a partnership model is needed, in which Africa itself guides the reforms.

Education and participation in political dialogue should be basic principles of this model. The money is there and there is a certain amount of progress on spending it more effectively than before, because the discussions around spending planning are better than before.

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### **Response from Livingstone Sewanyana**

The key issue is to whom money is given, and for what purpose. The biggest mistake is that money has too often been given to the wrong people for the wrong reasons. There has been a lot of inconsistency in dealings with Africa. Standards are agreed and then not adhered to. The international community has also made the mistake of putting itself between the leaders and the population. Rather than engaging with the domestic population it is more important for African leader to engage with the international community and their equivalents in London, Brussels and Washington. They speak a different language in this context than they do at home, where it is too easy for them to manipulate the population and ignore civil society.

There is also too much belief in systems and structures. Too many people believe that as long as you have a judiciary, a parliament, an African parliament, and the Peer Reviews, then everything will be fine. Unfortunately, all of these are systems and structures that powerful people can manipulate. Politicians have often been schooled in the west and understand the political game and are able to say exactly what the west wants to hear. Believing them is one of the biggest mistakes that have been made.

Too much development has been state driven. At the moment, in Uganda, the state decides who is allowed to operate; therefore the state controls everything and suppresses anything that challenges them.

The biggest priority is to bring the ordinary people into this picture. There is nothing inherently wrong with Africa; the African people are intelligent and educated. The development paradigm needs to be re-examined and cooperation needs to take place with the right people for the right purpose. Then the results will come.

### **Contribution from Dr. Klaus Pähler**

Education is clearly crucial. The World Bank has just published a world development report on investing in youth. Africa has much youth, as opposed to countries like Japan and Germany. However, Nigeria, for example has 23 million children of primary school age and yet only about 11 million attend school. Nigerian companies do not accept the validity of Masters degrees from Nigerian universities. There are issues of quality and quantity of education in Africa, which need to be tackled urgently to develop human capital.



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**Session three:  
Revitalising the institutions of political  
representation and expression in  
sub-Saharan Africa**

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## **Revitalising the institutions of political representation and expression in sub-Saharan Africa: the case of Namibia**

*Dr. Justine Hunter*

### **HIV-AIDS in Namibia**

The issue of HIV-AIDS challenges all the development achievements Namibia has made since independence. Since the mid-1990s, AIDS has been the leading cause of death in the country and, in 2004, the prevalence rate amongst pregnant women was estimated at 19.7 percent. The role of Parliament and parliamentarians in raising awareness has been largely overlooked in official policy; only the medium term 'Plan 3 on HIV-AIDS' in 2004 contained obligations for the legislative branch.

Many debates have taken place on testing, notification, discrimination and the crucial issue of the availability of anti-retroviral drugs, although these discussions are often poorly informed. In 2003, the government made the drugs more widely available following intense pressure from opposition parties, from within the ruling party and from NGOs. Such NGO impact was remarkable and has been the exception rather than the rule. There has been a lack of good information due to a lack of resources, notably on the part of opposition parties, to obtain information and fund research.

Parliamentarians could make a huge contribution to changing public attitudes towards people with AIDS by showing how being infected does not compromise their ability to perform their functions. However, only one MP has declared his HIV status, whilst only two have admitted that HIV-AIDS has affected their families.

Campaigning groups for the rights of people with AIDS bypass the one-party-dominated parliament and lobby the Ministry of Health and Social Services directly.

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Parliament has no Standing Committee dealing with the issue, although there is a short-term plan to set up a sub-committee and a long-term plan to set up a Joint Parliamentary Committee, with members from both houses. In summary, parliamentarians have not used their status to set positive examples to create an environment for fighting discrimination and stigmatisation.

### **The Namibia Institute for Democracy**

Founded in 1992, the institute is mostly engaged in civic education and has programmes targeting parliament to bridge the gap between the electorate and their representatives. It is a non-partisan institute that promotes the principles of multiple-party democracy through civic and political education, helping to build lobbying and advocacy capacity. The institute has four main divisions:

1. Civic education programme – has produced a handbook guide to parliament and posters of members of Parliament so that people build a connection with their representatives. It distributes three parliamentary journals per year across the country.
2. Public Dialogue Centre – has published a guide to Namibian politics with an overview of the political system and an A to Z of political figures. By providing biographies of politicians, it helps people see that their representatives do not come from heaven but were born somewhere, grew up somewhere and are normal people. They can also see the interests politicians have for particular issues or regions and can lobby accordingly. Another publication was ‘Spot the Difference – Namibian political parties compared’, based on the election manifestos and face-to-face interviews with politicians.
3. Civil Society Support programme – supports civil society throughout the country with technical assistance and training in advocacy skills so that they can lobby parliament.
4. AIDS and governance – analyses the impact of HIV-AIDS on the parliamentary configuration and the political parties.

The Namibian Institute for Democracy has also been instrumental in the creation of the Namibian Democracy Support Centre, which is based in parliament and aims to train parliamentarians in outreach skills so that they can better engage with their constituencies.

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## **Coordinators of decision-making (2) – the representative function of parliaments and political parties in sub-Saharan Africa: the case of Uganda**

*Vincent Kiwanuka Kalimire*

### **Introduction**

Africa clearly faces many challenges in terms of establishing and strengthening democracy, particularly in relation to its parliaments and political parties. Political parties in many countries in sub-Saharan Africa are not viewed as institutions that should exist as parts of society, but as institutions imposed from abroad. Political parties are not established or allowed to emerge in order to play an active political role, but rather to satisfy the conditions for borrowing money set by the World Bank or IMF.

Two years ago, when the president of Uganda was urging his party to open up the political space, he said there had been a lot of local and international pressure and so groups within the ruling party must be allowed to form their own parties. This meant not so much that the political space was being opened to allow for meaningful political competition, but that relatively friendly political parties would be tolerated as a solution to tap international resources and remain popular locally.

### **Representation in parliament**

The Ugandan constitutional framework provides for the representation of different interested social groups in the Parliament. There are 330 members of Parliament, which must include the following representatives:

1. Five representatives of people with disabilities – one is elected from each of the four regions and one is considered a national representative.

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2. Five youth representatives – one from each of the four regions and one national representative. They are elected by electoral colleges formed of youth council representatives.
  3. There are as many female representatives as there are districts in Uganda. This rather ambiguous definition currently means there are about 63 female representatives, but it is probable that the number of districts will soon be increased to about 80. As well as voting for their other constituency representatives, all men and women of voting age elect a female member of parliament for their district.
  4. Ten army representatives – this may seem very strange, but the argument is that, because the army has been at the centre of conflict in Uganda for the last 40 years, it would be dangerous to distance it from parliament. It is debatable whether the army representatives contribute anything, but it does seem important to have them there for consultation.
  5. Five workers' representatives – one elected from each of the four regions and one as a national representative. They are elected by electoral colleges formed of workers' representatives in workers' councils.

Within Parliament, the president is free to appoint the Ministers of State. There was previously a limit of 21 Ministers, however amendments 18 months ago both removed the presidential time limit and also allowed the president to appoint as many ministers as he wishes. There are currently about 67 ministers, each entitled to ministerial advantages such as vehicles, fuel and police conveyances, costing a substantial amount of money.

Previously, parliamentary candidates presented themselves as independents, not affiliated to any political party, because everyone, by law, belonged to the same political movement. This followed from the fact that when the National Resistance Movement came to power in 1986 it said Uganda would be governed by a no-party democracy. (At the time, the West hailed this as a new model, moving away from the predominant single party model of the region). This system posed challenges in terms of representation, since MPs were not bound by any party lines, but represented themselves.

### **Political parties and elections**

The legal framework now provides for the formation and operation of political parties and the elections of February 2006 saw the presentation of candidates according to political party. 36 political parties registered to compete in the elections, four of which put forward presidential candidates. Out of the 330 MPs, the main opposition party only has about 36 representatives, the next biggest has nine and the total number of

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opposition political party members amounts to only about 55. The structures are designed not so much to strengthen representation in parliament but to strengthen the ruling political organisation.

Nor could the elections be described as free and fair; opposition party candidates were largely denied access to campaigning tools. When the ruling political organisation identified a member of another political party that might win, it tried to either make it impossible for the person to stand, or spread stories to destroy their reputation. This is the reality behind the superficial appearance of meaningful representation of different interests and groups.

An additional problem was that the time provided for the formation of political parties before the election was so short that there were hardly any meaningful pre-election processes for the democratic selection of candidates by the different parties. The principle of individual merit seems largely to have been continued and so the parliament still falls short of the principles of representation.

### **Education levels**

The Ugandan Parliament suffers from the lack of education of many of its members. There is a condition that MPs must have achieved grade six level education, or its equivalent, supposing that someone at this level has the capacity to meaningfully discuss issues. The equivalence clause effectively means that even where Uganda has clear academic standards, it cannot put conditions that are definite. It is questionable what input and quality of debate can be expected from people who only have an equivalent of senior six education.

### **Conclusions**

It is possible that, with the right international and local intervention, significant progress can be achieved in Uganda. However, the current approach to supporting institutions is mistaken. Since the elections, many development partners have rushed to propose interventions to support parliament. However, it is always problematic that interventions geared to building multi-party democracy start from the top. When the right structures are not in place on the ground for parliamentary elections, then supporting the resulting institution will not solve the fundamental problems. Much longer-term solutions than this are needed.

Political parties need to be supported so that they can permanently exist as viable institutions and not just emerge around elections for the sake of making those elections appear legitimate. Rather than investing in the training of parliamentarians who will

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leave the institution, investment is needed lower down to ensure that future leaders emerge who will be able to make parliament a meaningful democratic institution and not just a symbol that exists as a requirement of democratic practice.

**Comment from Dr. Klaus Pähler**

Sometimes giving training to members of parliament is the safest strategy to ensure they are kicked out of the next parliament, since they become more problematic to the ruling organisation, which then ensures they are not put forward for election again.

Maybe one of the biggest mistakes made was to assume that setting up democratic institutions on paper would change reality. There has been a failure to understand and support processes of transition, which can be cumbersome and difficult. One can see this in a whole range of examples from Iraq to Eastern Europe. When Soviet communism collapsed, many thought that as soon as a capitalist system with private property and contract law was in place, everything would be fine, but of course it was not and many abuses of power took place. We have static models that compare A to B, but do not tell us how to get from A to B.

It is interesting to note how representation works in different ways in different countries. For example, in Germany debates on gender quotas in parliament are possible, but people would not find it reasonable to talk about ethnic representation; in Malaysia ethnic representation works.

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## **Coordinators of decision-making (2) – the representative function of parliaments and political parties in sub-Saharan Africa: the case of South Africa**

*Reverend Musa Zondi*

Whilst trying to avoid many of the crucial points that have already been raised by other speakers, the following six points are worth adding to the debate:

1. Since the birth of democracy and the adoption of the current constitution in South Africa, parliament has been established as a central institution for the representation of political interests. This is true of the national parliament and also the nine 'regional parliaments'. When the constitution was written, a conscious commitment was made to establishing a multi-party system of democratic government. However, the ANC has emerged as a single dominant political force with more than 70 percent of the vote at national level; they also govern all nine provinces. The ANC can do what it pleases with the power it wields, including amending the constitution and undoing the negotiated settlement. There are rumours that it wants to use this power to abolish provincial legislatures and centralise political decision-making.
2. The ANC introduced legislation to allow MPs to cross the floor to join another political party without losing their seats. This allows representatives to abandon the wishes of the electorate in the pursuit of their expedient, private and personal ambitions. The South African constitution has no provision for direct constituent representation as it provides for proportional representation; this means that the crossing-of-the-floor legislation distorts the election result. It has primarily benefited the ANC and research has found that more than 60 percent of the electorate are very much against this legislation.



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3. The dominance of the ANC has rendered the parliament a relatively weak platform and instrument for exercising effective oversight of the executive branch of government. Opposition parties make a lot of noise, but they cannot do anything else. The majority party will not hold itself accountable. ANC representatives in parliament are not likely to rise up against their party colleagues in the executive, particularly when their own careers and promotion prospects rely on those very people.
  4. The main function of political parties is to represent established political interests within society. However the dominance of the ANC makes this a futile exercise, since opposition parties are rendered a fairly pathetic and ineffective minority. Given the ANC's prestige as the foremost national liberation movement, there is fear of huge political reprisals for switching political allegiance since this would be tantamount to abandoning the national democratic revolution. People would rather not vote than vote against the ANC and divisions within the ANC express themselves not as splits away from the party, but as internal battles for control of the party's soul. This means that despite very positive evaluations of the party political system by external observers, its legitimacy in practice must be questioned.
  5. Opposition political parties have a hard struggle to attract financial resources, without which they can do very little. Prospective donors in the business community dare not support opposition parties for fear of losing government tenders and contracts. In effect, the ANC uses patronage to attract donors. What is more, the strategy of black economic empowerment effectively benefits prominent members of the ruling party and people connected with it. Even political visitors from Europe prize photo opportunities with iconic ANC leaders like Nelson Mandela more than meetings with their logical political allies amongst the opposition parties. This continues to enhance the perceived legitimacy and therefore the political dominance of the ANC regardless of its current policies.
  6. Opposition parties face significant problems in defining their political territory as an alternative to the governing party. Before the founding elections of 1994, the ANC was regarded as a party of the left and opposition parties were positioned in the centre or centre-right. Since the ANC came to power, they have shifted dramatically to the centre of the political spectrum and encompass a broad variety of political views. In some respects they appear to be left of centre and in others right of centre. This has eroded the traditional position of opposition parties and their ability to differentiate themselves from the ANC's position; this ultimately leaves the electorate confused about what the alternatives are to the governing party.

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## **Coordinators of decision-making (2) – the representative function of parliaments and political parties in sub-Saharan Africa: the path to reform**

*Philippe Hugon*

### **Introduction**

Parliaments and parties play fundamental roles in democracy, which must be understood not simply in terms of elections, but throughout the process of democratisation. The international community and other stakeholders must therefore ask what type of support they can give to ensure that parliaments and parties are able to function, access resources, have a voice and play their true role as checks on power in between elections.

There is not a single, unique model for democracy and democratisation. However some universal principles can be defined. Some principles seem to be more fundamental than others, including public debate and the separation of powers, from which arise the importance of strong legislative power.

### **The African historical context**

Whilst it is clear that parliament and parties play an important role in democracy, the particular history and context of Africa needs to be taken into account to understand the role of the two institutions. There is much debate about whether Africa enjoyed democratic systems in the pre-colonial era. There was a great diversity of political regimes, from practically apolitical societies to kingdoms and empires with authoritarian regimes. In most societies, however, there were clear balances of power and ways of arriving at forms of consensus.

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Following the Second World War, and with the exception of the apartheid countries, most African countries saw the creation of parliaments and multi-partyism. The concept of citizenship and universal suffrage was introduced in nearly all the French colonies. This meant that although the colonial period is characterised by an absence of democracy and authoritarian rule, paradoxically, at the moment of independence, democracy and multi-partyism existed in almost all countries.

The next period of independence saw a diminishing in the role of parliaments and multi-partyism up to around 1990 and the end of the Cold War, which corresponded with the end of apartheid and the introduction of economic political conditions by moneylenders.

Today, with certain exceptions such as the absolute monarchy in Swaziland or Somalia, most countries have parliaments and multiple parties. However, the political systems are very different and go from genuine democracies along established lines in countries like Mali, Senegal or Gambia, to totalitarian regimes or absolute monarchies. Recently, democratisation processes have led to changes of power in many countries, although well-known counter-examples exist of presidents for life or political parties that remain basically unopposed.

Violent conflict is still a major problem in Africa, even if the amount of conflict has reduced since about 2004. There are countries that are emerging from conflict but which have to be classified as failed, collapsed or fragile states, and in which the institutions do not function and almost everything needs to be reconstructed. One example is Liberia. There are also states with normally functioning institutions, such as South Africa since the end of apartheid. Botswana is the only African country that has so far managed to combine ethnic diversity, natural resources and a democratic political system.

### **African parliamentary systems**

There is a great diversity of parliamentary systems in Africa, including both mono- and bi-cameral systems. In terms of gender parity there are examples of inadequacy, but on average the representation of women in African parliaments is the same as the average in Europe. In some countries, like Rwanda, the representation of women is close to 50 percent, whilst in others, like Mozambique and South Africa, it is more than 30 percent. In general, southern and East Africa are more advanced than West Africa in this regard and many political parties have set quotas.

Parliaments have very limited resources to support their operations, such as access to

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information or secretariats; the funding of political life is a problem everywhere. When one compares funding for different activities, it is clear that a huge proportion of the money given by donors is for the elections themselves, to cover aspects like transparency, international monitoring and deployment of voters. Whilst elections are important they do not represent the reality of everyday political life.

Multi-partyism has become the rule, but remains far from perfect in its practical implementation. Although there has been a rapid increase in the number of parties, this often has more to do with the need for international legitimacy and the fulfilling of conditions for accessing international funding, than with genuine pluralism. There is a problem with the parties that don't reflect internal legitimacy or different interests, such as peasants, informal workers, or unemployed graduates. There is a fundamental problem in the link between political parties and the grassroots.

In the extreme case of the Democratic Republic of Congo there are 170 parties; in most countries there are around 50 parties. In such situations, party politics cannot be based on programmatic or ideological debates, but becomes based on personality or ethnic grounds, which cannot be the subject of public or democratic debate. Next to this plethora of parties, there is often one hugely dominant party, which does have a strong political tradition, such as the ANC in South Africa, based on its fight against apartheid. This risks allowing the re-election of an authoritarian leader. This can be seen in the case of Robert Mugabe, who was re-elected president of Zimbabwe despite the problems of famine in that country.

### **Political legitimacy**

There are often two conflicting sources of political legitimacy in Africa. Firstly, there is external legitimacy, which requires a democratic façade and certain institutional conditions as specified by international donors. These conditions are typically respected in order to achieve this international legitimacy.

Secondly, there is internal legitimacy, which must come from the political and power realities of African society. Religious movements have a tremendous influence, including Christian evangelists across the continent and Islam in countries like Nigeria, Ivory Coast and Sudan. Everyday political life is also marked by the influence of more hidden movements, such as the Rose-Croix in Cameroon, witchcraft in countries like Mali and voodoo in countries such as Benin. The formal processes do not necessarily reflect these political realities and real political power is still often wielded outside of the official, formal political systems.

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## **Economic growth and democracy**

There is no clear link between economic development and democracy in Africa. The same is true in other parts of the world, such as China, which currently has particularly high rates of growth and yet is not democratic. In Africa, it is generally natural resources that are the bases for economic growth. At the same time, the existence of natural resources, notably oil, has tended to restrict democracy.

Of course, as well as economic growth, there are other reasons to want democracy, such as: guaranteeing personal freedom, preventing abuses of power, and avoiding famines. There are clear links between democratic processes and the good management of natural resources, conflict avoidance and respect for international relations. Corruption indicators are very contentious, but indicators on perception of corruption show that African countries are perceived to be the most corrupt. Chad, thanks to its oil, is worse than countries like Nigeria and Cameroon. There is a link between the non-respect of international relations and the existence of mining or oil resources. Furthermore, most countries with oil have known, know and will know conflict.

## **Reforms for the future**

One key issue or objective is to reform political parties so that they have more ideological and programmatic bases, defending interests linked to and represented by their party. These parties should operate in a more normalised parliamentary system. How to arrive at this is a matter of great debate. Some questions and ideas for the future need to be followed up.

Africa finds itself in a context of globalisation, which it cannot avoid. It is imperative, notably in relations between donors and recipient countries, that this aspect be taken into account and more autonomy is given to the legitimate domestic political actors. This includes giving parliament its legitimate control over budgets as one of its key powers. There is a big problem when the international dimension misses out parliament altogether:

- International governments and donor organisations largely discuss national finances and agree loan agreements in negotiation with the government ministries alone, despite parliament normally having budgetary powers.
- The EU negotiates Economic Partnership Agreements with the African countries, but the parliaments are not included and are often not even kept informed, despite the fact that the issues covered are crucial for policy areas such as trade policy, fiscal transition and economic reforms.

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The parliaments need to be both informed about and included in these key budgetary questions.

Greater links are needed between the national and regional levels of government in Africa. There is often a lot of power at the regional level and many countries are experiencing decentralisation of power. Continent-wide mechanisms such as the parliament of the African Union and the African Peer Review Process need to help forge links between national and regional parliaments. Decentralised cooperation should be developed and increased.

It is highly important to reposition political conditionality away from the satisfaction of formal rules on issues such as electoral processes and multi-partyism, and towards the promotion of a true democratisation process with elements such as balanced powers, transparent information, and an educated and free press. Condition setting needs to take into account the results of the systems and not their structures. A key aspect is the need for the management of the main natural resources, including diamonds and oil, to be more transparent. Parties and parliaments need to be at the heart of these key debates, as they do on the issues of HIV-AIDS and the environment.

### **Conclusion**

Reforms in Africa need to look at the links between the economy, the manner of managing resources, avoiding conflict and the balancing of powers in a democratic system. The crucial issue is not economic growth as such, but sustainable development.

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## **Revitalising the institutions of political representation and expression in sub-Saharan Africa**

*Open Forum*

### **Contribution from David Coltart**

Professor Hugon seemed to suggest that there is no evidence that democracy leads to economic growth, using the example of China to support that. If we use the GDP indicator of economic growth there is support for that theory: the GDP of countries like Equatorial Guinea and Angola have increased significantly, largely due to oil revenues, but they are very undemocratic. However, a correlation between democracy and economic development does exist.

The World Bank and IMF have not had good governance and the protection of human rights at the heart of their belief systems. Because there were no conditions on limiting defence spending or opening up society, loans to Zimbabwe in the early 1990s only served to reinforce a totalitarian regime in the short term, increase national debt and contribute to catastrophic consequences. Although this seems to be changing, there is still a need for international organisations to focus more attention and resources on promoting good governance.

In the three countries presented, Namibia, Uganda and South Africa, as well as in Zimbabwe, the ruling parties are extremely dominant and they have grown historically through massive foreign funding. Now, these incumbent, dominant parties discourage the international community from allocating more resources to supporting good governance initiatives and emerging political formations. This is further compounded when incumbent regimes use state resources to consolidate their political power.

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The international community needs to consider how it can support democratic, non-violent, non-ethnically based political formations to challenge the notion that such funding was only acceptable in the past. This would need to be based on objective criteria and transparency, with engagement by both the European and African Unions. Ultimately, core support is needed for: fledgling political formations; voter and member registration; the development of policies; political education of the electorate; and basic equipment like computers and vehicles. Vigorous and vibrant political debate can only come from political parties enjoying equal access to resources.

### **Response from Vincent Kiwanuka Kalimire**

For many years in Uganda, it was not possible to fund political activities since, legally and constitutionally, political parties were not allowed to operate. The international community rushed to give money on the issue of HIV-AIDS, forgetting the core principle that if the leadership is not based on principles of good governance, the money will be wasted; this happened in Uganda. The president admitted that he agreed to the structural adjustment programme with the World Bank and IMF, despite knowing he was not going to manage its implementation.

Where countries have accepted in principle the formation of political parties and institutions, there must be a deliberate initiative to support them. However, immediately after the political space was opened in Uganda, the President said that he would no longer accept the West giving money tagged on good governance. Donors recognise that political parties are key to the functioning of democracy, but they do not want to even talk about funding them.

### **Response from Dr. Justine Hunter**

In Namibia, human and financial resources are lacking; opposition parties need financial and technical support on how to run election campaigns and develop policies and strategies. Namibia also needs a system of proportional representation that would encourage many of the smaller parties to merge and think about their policy platforms, rather than relying on an often small and localised ethnic support bases and pursuing personal ambitions. If you put together the opposition parties they could challenge the ruling party.

### **Contribution from the floor**

It is important to note that many African countries tend to believe, with reference to the Asian tiger economies, that you do not need democracy to develop, and more importantly that economic growth cannot be sustained.



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Parties have a role to play and they need support, but a key problem is the lack of ideological differences and identification. It is not clear what many African politicians stand for relative to the incumbent. Perhaps efforts are needed to develop understanding of ideological differences so that clear choices can be offered to and understood by the people.

### **Response from Philippe Hugon**

Problems around the links between economic growth and democracy must be understood as different to problems around the links between the political framework and development. There is a whole set of published work by different institutions, such as the World Bank, UN and research bodies, linking GDP with democratic indicators that show that there is no statistical link between the two. The logic behind this result is that what some authoritarian regimes have done, notably in Asia, is to develop long-term visions and strategies to generate economic growth, freed, as they are, by the requirements of a short electoral cycle.

However, this result is not perhaps as significant as it may seem. Most African economies are based on natural resources and the important indicators are not those related to GDP, which is predominantly linked to price fluctuations on the international markets. Rather, the crucial question is the sustainability and management of those resources. Economic development is not the same as economic growth. There is a good correlation between democracy and development. The democratisation process, balances of power and the fight against corruption through transparency are factors of sustainable development.

On conditionality and governance, conditions and sanctions have been used in the case of Zimbabwe, including exclusion from the Commonwealth, but this did not bring results. First of all, conditionality should be about results and not the formal rules. Secondly and crucially however, it must be recognised that many African countries have less and less need for financial support linked to conditionality; oil reserves mean other countries need them, and governments can use this to manoeuvre. There have been a dozen recent cases of avoiding political conditionality rules in this way, including Sudan, Chad and Zimbabwe.

### **Contribution from Dr. Klaus Pähler**

Indonesia has democratised, including a high level of press freedom, much more than Malaysia and Singapore. Singapore is not democratic in the sense that freedom of expression is restricted; if the government is criticised, it will sue individuals for defamation. However Singapore has been one of the biggest economic successes of

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recent times and Indonesia has not been able to progress economically. Some point to this as evidence that the benevolent dictator model is the best.

Democratic developments in Taiwan and South Korea suggest that economic development can lead to democratisation. Change cannot happen overnight, and although it is too early to judge, China's approach of economic reform whilst maintaining an authoritarian regime seems to be making progress. However, general rules or deductions are not possible from these examples; it is not clear whether there is a causal link between democracy and economic development.

Democracy is not the same as the rule of law and maybe the rule of law is the most important thing. It is perhaps less important that people are able to go to a ballot box and vote, than that they can have a contract enforced in the courts in a decent time. In Singapore, if someone applies to open a company, they do not have to bribe anybody; they will get permission provided the company is legal. In Nigeria you cannot do this. In a sense, this lack of commercial rights is an infringement of someone's human right to protect their own possessions and plan their own future and prevents economic development; without predictability, there will be no investment or entrepreneurship. The crucial question might be how to support the rule of law, enforcement of contracts and improve the courts.

### **Contribution from David Coltart**

The comment on the rule of law is very interesting. Without knowing the statistics on growth and poverty, it is certain that there is a correlation between the poorest countries and the most oppressed countries in the world. There is similarly a correlation between the countries with the longest democracies and the most stable democratic environments.

### **Contribution from Elizabeth Sidiropoulos**

What seems to have been missing in African states, many of which are resource rich, is the lack of a social contract between the governed and the governors. In south east Asia and even in China, although it is very closed still, there is a realisation by the state that their legitimacy and continued control of power relates to the continuation of economic development and their ability to draw people out of poverty into the mainstream economy. This is a modification of what we mean by democracy, but it is the realisation that to be legitimate in the eyes of the people, a government needs to improve the lot of the people. Without being an apologist for the Chinese state, we can only hope that Africa could do this.

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### **Contribution from Dr. Klaus Pähler**

The legitimacy issue is very important. Intelligent, knowledgeable people in Asia are making a trade-off between their values. They sacrifice some rights to voice their opinions because they are happy that in return they can do good business, their family is safe and their society is well behaved and morally in line.

In Nigeria you can say what you like about the president and go unpunished. The people have complete freedom of expression, but they do not have electricity, water or education. It is worth asking whether the right of a few journalists to call the president names really outweighs the poverty of the people.

Of course, there is no necessary trade-off between the different types of freedom because they can be combined, but it is interesting to ask whether the situation in Nigeria is better than that in Singapore? If the answer is no, it does not follow that we should call for African states to be more authoritarian, but it might change priorities.

### **Question from Madelaine Kihlberg, Desk Officer for Botswana and Namibia, DG Development, European Commission**

When considering the links between democratisation and economic growth, it is worth going one step further and looking at the links between democratisation and poverty reduction. Income disparities in Namibia are very high, though it is a middle-income country. The EU is trying to support it, but what is the best way to do this and how does the one-dominant-party structure in Namibia influence the potential for poverty reduction? What, for example, do democratisation and good governance mean in this context?

### **Response from Dr. Justine Hunter**

It is important to understand that the mindset that led to the one-dominant-party state was created by the international community holding up SWAPO in the 1970s as the authentic representation of the Namibian people. It is hard to change that status of the party, established during the liberation struggle. However, the new generation did not experience the liberation struggle; they have other problems such as unemployment, poverty and AIDS. The government is aware that new generations do not remember the liberation struggle, so it has established areas of homage to the national liberation leaders to try to instil those ideas in the minds of the new generation.

SWAPO has moved to the political centre as it holds together so many voices. It might not be for another ten years or more, but this might lead to the emergence of political groups, particularly to the ideological left. International assistance is needed to

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strengthen opposition parties (if not through financial assistance, then through technical assistance).

Poverty is a threat to any democratic state, since people living in poverty will lose faith in a system that does not deliver, and will follow a leader who promises to change their situation whether or not he is democratic. Equally, high inequalities and corruption will also erode democracy, as has been seen in Thailand. In Namibia, the inequalities led to demands for land expropriation and redistribution. This has the potential to develop into unrest and political instrumentalisation of the issue, as happened in Zimbabwe. Fighting poverty means educating people and empowering civil society, including giving them the opportunity to lobby parliament. Parliament also needs to be encouraged to reach out to the people.

### **Question from the floor**

Are the lack of a threshold in Namibia to obtain seats in parliament and the fragmentation of opposition parties ploys of the government, or are the processes just badly designed?

Also, since SWAPO is so dominant and even has a majority in parliament that allows it to amend the constitution, how can the voters shape the government's agenda? Are the people able to make their voices heard by the government, even through strikes or demonstrations, and is the government responsive?

### **Response from Dr. Justine Hunter**

The system is badly designed. In new democracies, some laws have to be experienced to see they do not work. Namibia has only two million people, but 11 ethnic groups. The legacy of apartheid brought the view that all groups in society should be represented and the result was many small parties along ethnic lines. The electoral law was passed in about 1992 with the founding elections and the government is in the process of rewriting it. Hopefully, civil society organisations can give an input, for example on the introduction of the threshold system.

The voters and civil society do not lobby parliament; if anything they lobby ministries directly. Sometimes the private sector, in particular German-speaking Namibians, influence labour laws. There are groups that demonstrate in front of parliament for, for example, women's rights and stricter sentences for perpetrators of domestic violence. Legislation was passed on gender issues, which are the only ones passed that were initiated by civil society. War veterans also demonstration in front of parliament, but they are not targeting the parliament, but SWAPO and typically only want to speak to

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SWAPO's former president.

### **Contribution from Elizabeth Sidiropoulos**

Although many of us are from civil society and so call for more support for civil society and community organisations, other groups are also important. Where the private sector exists, support needs to include development of business organisations, such as chambers of commerce, to lobby parliament.

In many countries, the effects of the past are still having an impact today. The 1980s campaign to make South Africa ungovernable during the fight against apartheid led to a long-term lack of respect for the institutions of the state, such as the police and the courts. It is difficult to change this within 5 or 10 years.

When the impasse in Zimbabwe is hopefully broken, they will find that the young people will have a particular view of authority and what is acceptable or not, based on their education. This will likely undermine attempts to entrench democratic practice and establish discipline in terms of respect for the constitutional order.

### **Question from the floor**

To what extent does the composition of the electoral commission, and the almost unilateral ability of incumbent parties to constitute the commission, play a role in the dominance of parties?

### **Response from Dr. Justine Hunter**

The members of the electoral commission are not SWAPO politicians, but when you look up their histories they all grew up educated by SWAPO in exile. Most of the people who wanted to make a career went into exile and most of them went through SWAPO because of their status at that time. Whilst it is clear that there can be suspicions of bias, there is no current proof of bias in their functions.

### **Final summarising comments:**

#### **Reverend Musa Zondi**

Opposition political parties need to be able to distinguish their ideological content from the dominant governing parties. This poses difficulties because, for example in South Africa, it is not easy to say what the ideology of the ANC is. Before the ANC was banned, it wasn't a socialist organisation, but it developed a more socialist programme in exile, partly under the influence of the communist party. Today, the party's economic policies have moved to the centre and even the centre-right under

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Mbeki and the trade unions, and communists feel betrayed. It is difficult to contrast one's party with the ANC when it lacks its own clear political beliefs.

Political parties have tried to merge across personal or ethnic divisions to challenge the ANC in South Africa. The mainly black Inkatha Freedom Party went to the 2004 elections in coalition with the mainly white Democratic Alliance. However the coalition did not really work. The Democratic Alliance is a classical liberal party based on the individual, while Inkatha was an offshoot of the ANC, seeing the individual within a community context. It was difficult to blend these differences and, after the election, it was assessed that the move cost both groups votes.

There is an elaborate process for the selection of commissioners for the independent electoral commission in South Africa, but still individuals are selected who overtly support the ANC. There is no empirical evidence that they are corrupt in favour of the ANC, but it causes unease, as the process does not seem to be entirely fair.

An emerging theme from the discussions has been that liberation movements returning from their existence as 'governments in exile' have ensconced themselves in power in such a way that it is very difficult to remove them. In South Africa, even though there were other liberation movements, the ANC has jealously guarded the status given to it by the international community in the 1970s as the sole authentic voice.

Looking at the example of India, it took 40 years to replace the Congress Party, which liberated India from colonial rule. Hopefully, it will not take as long for South Africa, Zimbabwe or Namibia to see a change of government. Europe wants to see political pluralism and yet is loath to support its political allies in their fight against such unfair advantage. This position needs to be reviewed.

### **Philippe Hugon**

The comparison of indicators, be they economic or political-democratic, is very difficult, and the correlations found are not necessarily causalities. It is important to look at historical trajectories but not compare what cannot be compared.

The democratisation process responds to some universal principles, of which three key ones are:

1. The rule of law – independent tribunals to apply and ensure respect for the law.
2. The balancing of powers – including powers at different political levels and involving civil society and community groups.

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### 3. Open public debates on complex issues and transparency.

It is quite easy to limit corruption in certain sectors such as the management of natural resources, especially oil. There needs to be more public debate and increased transparency through measures such as BTP (Bâtiment et des travaux publiques) contracts or water privatisation contracts. The international community has a clear potential to act here. However, successful policies are not likely to be achieved in all areas; for example, Botswana is successfully managing its diamond reserves, but it has not been able to tackle other issues, such as AIDS.

Democracy supposes that citizens should be at the heart of identifying their country's priorities and that their choices should be as informed as possible. Even if there are universal principles, the process of democratisation is made at home. The history of African countries is very different to that of Asian or European ones and so it is not possible to simply transfer models from region to another.

#### **Vincent Kiwanuka Kalimire**

International development partners must see political parties, not just as institutions that need to be present at the time of elections to legitimise a political process, but as institutions that need to be part of the everyday political process and therefore nurtured in between elections.

The principle of most competitive sports is that you must have an impartial arbiter and this must also be followed when holding competitive elections; the objectivity of the electoral commissions must be increased. This cannot happen when they are composed of members of only one party; they must be made truly and clearly independent with representatives from different political sides.

#### **Dr. Justine Hunter**

The international donor community needs to coordinate better and be more flexible in its approach. It is unavoidable that donor communities have to streamline priorities and efforts, but there are ways of spending the money better. In Namibia, a lot of money has been concentrated on the prevention of HIV-AIDS, however institutions that were established to counsel people infected or affected by HIV do not receive any assistance.

The desire to strengthen different sections of civil society in Africa must lead to international donors themselves consulting civil society organisations in the country. Grassroots organisations would ideally be involved, possibly through focus group

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discussions, to assess the needs of the country. The donors would then have to be flexible enough to take on board the messages they hear.



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## Conclusions

*Dr. Klaus Pähler*

Although the focus of this conference was not explicitly good governance, the issue has clearly been central to the discussions. Issues around systems of representation and democratic practice can be seen as part of the wider debate on good governance. Of course, it is very difficult to define good governance, but it is much easier to recognise bad governance when it presents itself. Germany demonstrates that a country can have extremely bad governance and be the pariah of nations, as was the case under Nazism, and still bounce back. This gives hope to countries in very difficult circumstances today.

One of the activities undertaken to overcome the problems of the past in Germany was institution building. Although it is correct that institutions are not enough, they are still very important. Much of the German constitution was written to avoid a repeat of a dictatorship like Hitler's, even to the extent of making reform very difficult, which in part explains the lack of reform over the last 20 years. Civic education was also a crucial measure in Germany to try to avoid falling back into dictatorship.

KAS, like other foundations linked to political parties, emerged from the desire to educate people to better understand the workings of democracy and its institutions, and to be better able to defend them. Institutions are not neutral, but influence behaviour and establish different laws in different countries; it is important to understand this dynamic. Once Germany became more prosperous, its political foundations started to share their experience with other countries. KAS covers most of Africa, not to force solutions, but to share experience and communicate ideas.

One element of good governance is limited governance and one of these limitations is time. In the US, the president is limited to two terms; whilst in the UK and German

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parliamentary systems the government is limited according to the popular will of the people. There should be regular opportunities for a people to remove their leaders.

Another limitation is that of scope, requiring a division of powers. Of the three main branches of government, the focus in this discussion has primarily been on parliaments, which are the weaker institution in many African countries. One-party systems are not healthy and multi-partyism is essential for making parliaments work effectively. There needs to be pluralism, representing the range of ethnic, religious and linguistic diversity and defending the interests of minority groups. There is no single best way to represent minorities in parliament or government, and each society must find its own answers.

Good leadership is desirable for good governance, but is hard to guarantee. In Africa, the problem is not so much the lack of good leadership, but the abundance of bad leadership, of which there have been numerous examples over the past 50 years. Rather than hoping to find one great leader who will guide a country into a golden age, the approach should be to concentrate on avoiding really bad leadership. One of the ways to do this is to ensure limited governance and balance of powers.

Europe is waking up to globalisation and has been shocked by the potential consequences. Africa too must wake up and face this shock, if it has not done so already. Globalisation is seen first and foremost as economic competition. Electronic and electric goods, but also traditional African items are made in China and sold in African markets. In Nigerian markets one can find a whole range of traditional African clothes and cloth, but much of it is made in China. Africa needs to think about how it will address this new reality.

Crucially, however, global trade is much more than just having goods from abroad. Buying an object from a country also means buying a part of the socio-economic order of that country. German products are expensive, in part, because the cost of the social protection system in that country, guaranteeing people's rights and health, is included in the price. Chinese products do not include this cost and so are cheaper. This means that globalisation is not just about competition between goods, but competition between political systems and socio-economic orders.

The previous international competition between the western market economy and Soviet economic dictatorship resulted in a clear win for the west. It is not so clear how the competition between Asian Confucian capitalism, which is more authoritarian, and the freer western style of political and economic system will end up.

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Democracy, freedom, rule of law and money are all to be valued, and it is worth working for all of them. The aim should be to have and combine democracy and prosperity, freedom and efficiency, freedom and welfare and so on, but there might have to be trade-offs between these in some places at some times.

When looking at the future, it is best to start where the deficits are greatest. In Singapore, this means working on freedom of the media; in Nigeria, it means fighting poverty. Tailor-made approaches are needed in each country to provide the best solutions to the problems that have been identified.