

KAS INTERNATIONAL REPORTS

DECENTRALISATION AND REGIONAL POLICIES IN AFRICA



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*Lars Peter Schmidt /
Malte Gaier*



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EDITORIAL

Dear Readers,

On 25 May, citizens elected a new European Parliament. In 28 EU Member States people cast their votes in order to decide who would safeguard their interests in Strasbourg and Brussels and who would also represent local concerns at the European level. Local elections were taking place in ten German Federal States at the same time. There were two phenomena of our political reality apparent on election day: Europeanisation and decentralisation.

There is no doubt that the European level has gained in importance. This is in large part due to the directly elected European Parliament, soon to enter its 8th term. The fact that Europeanisation does not only have a positive impact on areas such as mobility, education and consumer protection is demonstrated by Gerrit F. Schломach in this issue by example of the Common Security and Defence Policy (CSDP). He ascribes the MEPs a strengthened role “within the framework of EU institutions” and in helping to shape the CSDP. However, the nation states continue to have more extensive powers in this area. This illustrates the key role the subsidiary principle has in linking Europeanisation and decentralisation.

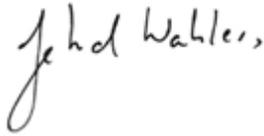
Akin to European structures, the distribution of responsibilities among federal government, federal states and local authorities forms part of the self-image of our democracy. Decentralisation serves to efficiently allocate resources and powers between the central and lower levels of the state. Unless the regions, cities and local communities are involved in the political decision-making process, an important instrument for the distribution and monitoring of powers would be missing, and citizens’ and civil society engagement would be made much more difficult.

The task of balancing the interests of the different governmental levels is of particular relevance for countries undergoing radical political change or suffering internal crises. Since the upheavals in the Arab World, some countries in the Middle East and in North Africa have experienced both. Tunisia is a good example. Decentralisation opens up opportunities to encourage regional growth as well as involve a wide range of actors from administration, private enterprise and civil society in the policy-making. As Maximilian Benner illustrates in his article, Tunisia's policy of regional decentralisation will ultimately be measured by "the extent to which it will improve the economic prospects of the population in peripheral, underdeveloped areas as well and create opportunities for people to access the job market. [...] If this could be achieved, it would bode well for underdeveloped areas in the entire region of the Middle East and North Africa".

In Nigeria too – the most populous country in Africa – the inequality in developmental standards in different parts of the country is creating tensions, which have escalated to the point of producing separatist movements. In addition, Islamist groups are challenging the central government, illustrated all too clearly by recent attacks at the hands of the terrorist organisation Boko Haram. In this issue, Mathias Kamp asks: "[...] when it comes to the country's constant problems of poverty, instability, violence and corruption, [...] how can the complex, fragile and contradictory entity that is the Nigerian nation continue to stay together?" He postulates that the answer lies in a reform of the political system along federal and decentralised lines.

A sustainable development process depends on a number of factors, most particularly on conditions that are favourable to economic growth and entrepreneurial initiative as well as opportunities for people to voice their interests and have a say in the political process. That is why the Konrad-Adenauer-Stiftung views decentralisation as an important instrument to furthering democracy, which we promote in numerous countries in collaboration with our partners. Because political participation begins at the local level. And this requires an institutional infrastructure to

ensure that responsibility for regional and local policies lies at the very levels where they are intended to have an impact.

A handwritten signature in black ink, reading "Gerhard Wahlers". The signature is written in a cursive style with a large, stylized initial 'G'.

Dr. Gerhard Wahlers
Deputy Secretary General

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THE GOVERNABILITY OF THE MULTINATIONAL STATE OF NIGERIA

IS DECENTRALISATION THE SOLUTION OR PART OF THE PROBLEM?

Mathias Kamp

Nigeria, the crisis-stricken “African giant”, is extremely difficult to govern. Like most African countries, its borders were drawn up by colonial powers. Its population of 175 million comprises 400 different ethnic groups, making it the most densely populated country in Africa. The north of the country is predominantly Muslim, while the center and south are mainly Christian. While this diversity may be enriching, it is also the source of ongoing conflict, largely revolving around the distribution of power and state resources.

Nigeria has been put to the test many times in the course of its history. Yet, although it has been badly governed for decades and has lurched from one crisis to the next, it has so far managed to avoid falling into an oft-predicted state of total collapse. Time and time again, it has demonstrated its ability to survive, despite its many weaknesses and the challenges it faces. However, when it comes to the country’s constant problems of poverty, instability, violence and corruption, the fundamental question remains: how can the complex, fragile and contradictory entity that is the Nigerian nation continue to stay together?

This question is in fact the subject of regular debate in Nigeria, including at wide-reaching official levels. President Goodluck Jonathan recently invited 500 representatives from across the country to come to Abuja for a major National Conference that is expected to last several months. The aim of the conference is to discuss how to safeguard Nigeria’s future unity and positive national development.



Mathias Kamp is a political scientist and Head of the Misereor Dialogue and Liaison Office in Abuja, Nigeria. He previously worked for the Konrad-Adenauer-Stiftung in Uganda.



Since mid-March nearly 500 representatives from across the country have been convening at a National Conference in Abuja. The aim is to discuss how to safeguard Nigeria's future unity and national development. | Source: Juliana Rotich, flickr ©¹.

One of the key issues of the debate are potential reforms to the federal and decentralised political system. Federalism – which is something of an exception on the African continent – is viewed as the answer to the challenges posed by Nigeria's size, complexity and heterogeneity. The same can be said for the system of decentralisation within the individual states, which delegates important political powers at local government level. On the other hand, many observers also see the asymmetries, manipulations and efficiency problems evident in the country's federal and decentralised structures as being the very cause of many of the weaknesses inherent in Nigerian democracy. It should be stressed, however, that the federal and decentralised approach to government is not the main problem. Rather, this lies in the flawed set-up and the subversion of the constitutional role of the different political levels in practice.

NIGERIA – “DANCING ON THE BRINK”

Nigeria has huge potential in a great many areas. With its abundance of natural resources, cultural diversity and large population, it is one of the African continent's key players. It is currently one of the world's largest oil exporters and – following an overhaul of obsolete data – since early April it has officially replaced South Africa as the continent's largest economy. But despite its growth,

it would be wrong to describe the country's economy as healthy and sustainable. There is too much dependence on the oil and gas business and too little value creation within the country itself. Positive growth figures are certainly not reflected in the living standards of most Nigerians – distribution of wealth is highly unequal. While large sections of the population live in extreme poverty, the country's elite continue to grow wealthy on income from oil and other resources. Its reliance on oil means that Nigeria's economy has failed to adequately diversify, resulting in a serious lack of job opportunities, especially for the country's many young people. This lack of prospects for young people has led to frustration, an increase in crime and a growing risk of social unrest. But social inequality is not the only major cause for concern.

Nigeria is also facing a major threat from the escalation of regional conflicts. These two issues are connected. In the north-east of the country, violent clashes with the Islamist terrorist militia Boko Haram have led to a state of emergency and warlike conditions, resulting in thousands of deaths. The threat posed by Boko Haram in recent years, their obvious increase in strength and the unsuccessful military response by the government are all in stark contrast to the oft-repeated mantra of President Goodluck Jonathan that Boko Haram is no more than a "temporary phenomenon". His assurances that the problem is being dealt with and that Boko Haram has been forced to retreat to a small area in the north-east of the country were also called into question in dramatic fashion with the latest series of bomb attacks near the capital Abuja.¹ On 14 April 2013, at least 75 people were killed when a car bomb exploded at a busy bus station on the outskirts of Abuja.² Despite increased security measures, a second attack was carried out on 1 May in almost exactly the same place,

In the north-east of the country, violent clashes with the Islamist terrorist militia Boko Haram have led to a state of emergency and warlike conditions, resulting in thousands of deaths.

1 | Cf. Mathias Kamp in an interview mit *Radio Vatikan*, "Nigeria nach der Entführung der Mädchen: Eskalation und Mitleid", 6 May 2014, http://de.radiovaticana.va/news/2014/05/06/nigeria_nach_der_entf%C3%BChrung_der_m%C3%A4dchen:_eskalation_und_mitleid/ted-796662 (accessed 19 May 2014).

2 | Cf. i.a. Eline Gordts, "The Deadly Rise of Nigeria's Boko Haram", *The Huffington Post*, 30 Apr 2014, http://huffingtonpost.com/2014/04/30/_5232957.html (accessed 19 May 2015).

resulting in another 19 deaths.³ The world's attention has also been focused on the country since the middle of April, when Boko Haram abducted more than 200 girls from a school in Chibok in north-eastern Nigeria. The kidnapping of the girls sparked a wave of protests at home and abroad. The international media has increasingly turned its attention to the escalation of Boko Haram's terror campaign, along with the Nigerian government's questionable crisis management and its obvious inability to protect its own people against the terrorist group.⁴



After the terror attack on a bus station in Abuja on 14 April delegates from the International Transport Worker's Federation visit the scene. | Source: ITF, flickr ©①③②.

There have also been a growing number of reports of violence breaking out between different sections of the population in the center of the country, especially in the states in the area known as the "Middle Belt". Here the main problem has been violent clashes between settled crop farmers and (semi-)nomadic cattle farmers. Various factors such as ethnicity, religion, lifestyle and land use rights have combined with political issues to create a complex conflict situation in the region.

3 | Cf. i.a. Will Ross, "Abuja blast: Car bomb attack rocks Nigerian Capital", *BBC News Africa*, 2 May 2014, <http://bbc.com/news/world-africa-27249097> (accessed 19 May 2014).

4 | Cf. i.a. Farouk Chothia, "Will Nigeria's abducted schoolgirls ever be found?", *BBC News Africa*, 12 May 2014, <http://bbc.com/news/world-africa-27293418> (accessed 19 May 2014); Alexander Göbel, "Machtlos gegen Boko Haram", 7 May 2014, <http://tagesschau.de/ausland/boko-haram106.html> (accessed 19 May 2014).

Nigeria's development indicators also make for sobering reading. Agriculture has been criminally neglected and the education and health systems are in a desperate state. Public infrastructure, especially the electricity supply system, is totally inadequate. The consequence of these ongoing difficulties is widespread disillusionment amongst the population. People feel they have been seriously let down by politicians. There is an overwhelming sense that the political elite cannot be trusted, not only because of their inability to handle Nigeria's enormous problems, but above all because of the many corruption scandals that regularly shake the country.

Pessimistic observers regularly predict the failure and collapse of the Nigerian state. There is no doubt that there are many indicators providing evidence of its weakness and fragility. Public safety is precarious at best in many parts of Nigeria, and the government appears unable to provide basic services country-wide. Meanwhile, corruption and organised crime are infiltrating government institutions and society as a whole. The consensus on the unity of the state and the political system is also being challenged from all sides. Nigeria is currently ranked 16th out of 178 countries in the latest *Failed States Index* and has been placed on the second highest level of warning.⁵ However, it would be wrong to write Nigeria off as a "failed state". It may well be that without its oil revenues Nigeria would have fallen apart a long time ago, but despite all the prophecies of doom, the fabric of the state is still holding together and public order is still basically in place, albeit with some limitations. In some areas, particularly the south-west, there have even been some successes that go beyond the window-dressed growth statistics.

The government appears unable to provide basic services country-wide. Corruption and organised crime are infiltrating the government institutions and society as a whole.

The fact that the Nigerian state has so far managed to survive as a unified entity has surprised many observers. But then Nigeria has been able to master the art of "dancing on the brink", as described by former American ambassador to Nigeria, John Campbell.⁶ More than anything, it is the

5 | Cf. The Fund for Peace (FFP), *The Failed States Index 2013*, <http://ffp.statesindex.org/rankings-2013-sortable> (accessed 19 May 2014).

6 | Cf. John Campbell, *Nigeria: Dancing on the Brink*, Council on Foreign Relations (CFR), Rowman & Littlefield, 2010.

apparent paradoxical solidarity of the political elite in the face of bitter infighting that seems to have kept the Nigerian system alive. While this fragile consensus amongst the elite may be a stabilising influence, it is also proving to be an obstacle to much-needed reforms. At the end of the day, this is the same elite that is reaping the benefits of the existing system, so they have no particular interest in changing the status quo. The networks of patronage that guarantee power, personal gain and influence appear very difficult to break. Perhaps the National Conference that has been called by the President will in the end offer some hope of change.

THE NATIONAL CONFERENCE: A STARTING POINT FOR MUCH-NEEDED REFORMS?

The National Conference began in mid-March and is scheduled to last three months. Its 500 delegates have come together in an attempt to find solutions to major challenges

It is clear to all observers of the National Conference that changes must be made to Nigeria's systems for the "unity in diversity" to become a reality.

Nigeria is currently facing. These include the long-term management of this diverse and complex country, the quality and stability of its democratic systems, and, ultimately, the very survival of the state in its territorial integrity. It is clear to all delegates and observers that changes must be made to Nigeria's systems in order to guarantee stability and cohesion in the face of the country's many challenges, especially if the oft-touted "unity in diversity" is to become a reality.

The initiative taken by the government in calling a National Conference was preceded by a long and often controversial public debate. So far, there has been little real consensus on how the fundamental issues affecting the country's future should be addressed and whether, for example, the current National Conference is even the right forum for such discussions. Experiences with similar conferences in the past have generally been sobering: either the discussions came to nothing or the recommendations were never put into practice.⁷

7 | Cf. Zainab Usman, "Does Nigeria really need a Sovereign Conference?", *African Arguments*, 29 Jan 2014, <http://africanarguments.org/2014/01/29/does-nigeria-really-need-a-sovereign-national-conference-by-zainab-usman> (accessed 19 May 2014).



President Goodluck Jonathan at the World Economic Forum 2014 in Davos: With its abundance of natural resources, cultural diversity and large population, as of April, Nigeria is officially Africa's biggest economy. | Source: Jolanda Flubacher, Swiss-Image, WEF, flickr @@@@.

Closely linked to these discussions is the debate on constitutional reforms aimed at restricting the centralist tendencies within the political system and better balancing the distribution of power and resources at regional level. For years, there has been a general consensus on the need for constitutional reform, but to date all attempts have been unsuccessful. The last attempt to introduce reforms was in 2006 (under President Obasanjo), but the proposals were rejected by both houses in parliament. The decisive issue in the vote was probably the fact that the proposed reforms included an attempt to introduce a third term for the state president. The briefcases of the delegates of the ongoing conference have also been weighed down by this sad history of reform attempts, as every delegate was given and asked to read 13 detailed reports on earlier conferences and reform proposals. The idea was to take into consideration the results of earlier discussions, rather than once again starting from scratch.

The Presidential Committee on the Review of Outstanding Constitutional Issues set up by President Jonathan produced a report in 2011 aimed at providing the basis for the debate on constitutional reform. Another committee, the Presidential Advisory Committee on National Dialogue, was also set up in October 2013. Its job was to propose an overall agenda for the National Conference based on the results of a nationwide survey and to identify the issues

that should be discussed. However, government officials made it abundantly clear that the unity and integrity of the country was not up for discussion.⁸

The terrorist activities of Boko Haram and the instability in the north have given plenty of ammunition to those who want to divide the country into Christian and Muslim regions.

The fact that this issue was considered taboo comes as no real surprise, as Nigeria has been and remains subject to many centrifugal pressures and calls for regional emancipation. The terrorist activities of Boko Haram and the instability in the north have given plenty of ammunition to those who favour a north-south split that would effectively divide the country into Christian and Muslim regions. Memories still linger of the Igbo people's attempted secession, which escalated into the Biafran War between 1967 and 1970. The conflict in the oil-producing regions in the south and the activities of the Movement for the Emancipation of the Niger Delta (MEND) may have been largely contained, but the basic problems remain unresolved.

A COMPREHENSIVE CONFERENCE AGENDA

The delegate groups from the various regions also had their own suggestions for items to be included on the conference agenda. These suggestions reflect the wide and varied interests of the different regions and ethnic groups, which partly differ in terms of their detailed proposals. At the end of the day, however, the main issues for debate are clear:⁹

8 | Cf. Soni Daniel, "National Confab: NG insists on no-go areas", *Vanguard*, 17 Mar 2014, <http://vanguardngr.com/2014/03/national-confab-fg-insists-go-areas> (accessed 19 May 2014).

9 | Cf. i.a. Fidelis Mac-Leva et al., "Controversial Demands Before National CONFAB", *Sunday Trust*, 27 Oct 2013, <http://sundaytrust.com.ng/index.php/top-stories/14822> (accessed 19 May 2014); Olisa Agbakoba, "Core Issues at National Conference is a Remodeled Federation", 11 Apr 2014, <http://olisaagbakoba.wordpress.com/2014/04/11/core-issues> (accessed 19 May 2014); Ben Ikari, "Nigeria Conference: Core Issues to Resolve or it Fails", *The Nigerian Voice*, 7 Apr 2014, <http://thenigerianvoice.com/nvnews/142641/1/nigeria-conference-core-issues-to-resolve-or-it-fa.html> (accessed 19 May 2014); Zayyad I. Muhammad, "Agenda for Delegates to National Conference", Nigeria Village Square, 8 Mar 2014, <http://nigeriavillagesquare.com/articles/agenda-for-delegates-to-national-conference.html> (accessed 19 May 2014).

- **Restructuring of the federal system:** the existing federal system is seen as unbalanced and weakened by strong centralist tendencies. The debate will focus on the reorganisation (restructuring or even redesigning) of the federal state system as well as the level of independence enjoyed by each state. There is also the question of the role of the country's six geopolitical zones (North-East, North-West, North-Central, South-West, South-East, and South-South). No clear function has been officially conferred on them by the constitution, but in reality they play a very important role in the system of regional proportional representation.

- **Participation of ethnic groups:** closely linked to the issue of federalism is the question of the participation of the many different ethnic groups in the exercise of political power, something that has repeatedly led to conflicts in the past. Here the main issue is not just about how to deal with the basic division of the country into three parts, each with its own dominant ethnic group (Hausa-Fulani in the north, Yoruba in the south-west, Igbo in the south-east), but also about taking into consideration Nigeria's many other ethnic groups and minorities. How can the architecture of the system and the formulation of policy be used to balance out this heterogeneity and limit the tendency to exclusion and marginalisation?

- **Reform of the democratic system:** many participants and observers are in favour of fundamental reform of the political system, up to and including the abolition of the presidential system and the (re)introduction of parliamentarism. The state apparatus needs to be more efficient, while strong democratic institutions are needed to guarantee the rule of law and combat endemic corruption. There have also been calls for reforms to electoral law and the removal of the immunity clause for elected representatives in its current form.

- **Allocation of rights and duties within the federal and decentralised system:** the shift in power towards the federal government in the wake of numerous military dictatorships and half-hearted attempts at democratic reform needs to be corrected. The federal states need to be strengthened relative to the national government

and made more independent. The same is true of local governments, whose representatives have been calling for greater autonomy. The key issue here, in addition to finances, is the need for an overhaul of the national, state, local and competing legislative powers.

- Resource allocation: how the country should allocate state revenues – especially those generated by the oil business – is without doubt one of the most difficult questions. The main concern is to ensure a fairer division between central government and the federal states. However, this is one area where there is a clear clash of interests between the oil-producing, resource-rich states and the poorer “beneficiary states”. The formula for the distribution of revenues is to be altered in favour of the federal states, as central government currently receives the lion’s share. There is controversy over the extent to which the oil-producing states should have greater freedom in the way they administer oil revenues.
- Ethnic origin and citizenship: Nigeria’s current differentiation between “indigenous people” and “settlers” is problematic and has triggered many violent conflicts in the past. The importance given to “origin” – a principle which is reflected in the 1999 constitution – contradicts the principle of equality enshrined in “citizenship” and has in part been responsible for discrimination and exclusion at local and state level. Discussions will now take place on how to get round such categorisation so that all Nigerians can enjoy the same rights, irrespective of their origin or place of residence.
- Developmental challenges and state services: policy areas such as economic development, combating poverty and improving government services are also due to be discussed at the National Conference. Issues on the agenda include economic diversification, strengthening the agricultural sector, combating unemployment, improving power supplies and infrastructure in general and investing in the two problem areas of education and health.

- **Security:** because of the many causes of conflict in the country, especially the threat posed by Boko Haram, security is likely to be a key topic for discussion at the National Conference. Any comprehensive security strategy that goes beyond a purely police or military-based approach will require due consideration to be given to all the issues mentioned so far. The country will only enjoy stability in the long term if there are appropriate political reforms, a fairer distribution of wealth and more effort is put into development to ensure that poorer members of society can enjoy better prospects.

The country will only enjoy stability in the long term if there are appropriate political reforms, a fairer distribution of wealth and more effort is put into development.

A DIRECTION FOR THE COUNTRY OR A GOVERNMENT CAMPAIGN?

The public perception of the National Conference vacillates between scepticism and optimism. For some observers, the mere fact that the Conference is providing an opportunity for representatives from all over the country to discuss Nigeria's problems openly is cause for optimism. However, most experts – and civil society representatives who have long been demanding reform – fear that the conference is unlikely to meet its objectives. Many of the items on the comprehensive agenda are not new and past conferences and commissions have put forward numerous proposals for reform that have subsequently not been implemented.

There is particular ambiguity over whether the government is serious about supporting reforms. The main accusation is that the government is not particularly interested in finding real solutions to the country's problems as it is far too concerned with looking after its own interests and holding on to power. So the Conference could simply be a way of strengthening unity within the government camp and act as a campaign tool for the presidential elections to be held in early 2015.

The organisation of the Conference has also sparked criticism. While some commentators consider the three-month-long marathon to be a waste of time and money, others are calling for a longer or possibly even open-ended timeframe in order to ensure that practical solutions can be

found. The fact that delegates can make decisions based on a two-thirds majority if there is no overall consensus has also attracted criticism, as has the fact that the decisions that are made will not lead to the drafting of a new constitution. The decisions will in fact be incorporated into the existing constitution – but only once they have cleared the additional hurdle of a vote by the National Assembly. This has led to fears that the decisions may end up being significantly watered down, as many elected representatives have a personal interest in maintaining the status quo. The delegates represent many varied and different groups. They include representatives of the government, the opposition, key state institutions, civil society, the media, the unions and religious communities, along with delegates from the federal states, local governments and the numerous ethnic groups from the different regions. However, critics believe that what is really being represented are the interests of Nigeria's political and economic elites, who have been around for decades.

The importance of the National Conference should not be over-estimated. There is always the danger that it will end up being as disappointing as earlier attempts to introduce reforms. It is unrealistic to expect that it will turn out to be a triumph that provides concrete solutions to all the major problems. But it is still important that these issues are being openly discussed. The open debate that this kind of conference stimulates is a plus in itself, especially as the media and civil society are in a position to act as critical observers. And if nothing else, the National Conference provides an opportunity to find a sensible way of reshaping the country's decentralised government and administration structures. This is urgently needed if local governments are to carry out their tasks and functions in an effective way.

The open debate the conference stimulates is a plus in itself, especially as the media and civil society are in a position to act as critical observers.

BACKGROUND: FEDERALISM AND DECENTRALISATION IN NIGERIA

According to its 1999 constitution, Nigeria is a sovereign federal state. However, federalism in Nigeria also has its roots in history. At the beginning of the 20th century the British colonial powers divided what is now Nigeria into

initially two, then later three regions (North, East and West), each made up of several provinces. Over time, this simple structure was expanded into a federal system, within which the regions enjoyed a relatively high degree of autonomy. In the wake of independence from Great Britain in 1960, Nigeria essentially adopted the federal system that it had inherited. Since that time, there have been many changes to the system as a result of changes of government, political reforms and repeated periods of military rule. Today, the country is divided into 36 states, 774 local government areas and the separate Federal Capital Territory of Abuja in the center of the country. There have been two recognisable trends in the way the federal system has developed: firstly the creation of ever more states, and secondly, a growing tendency towards centralisation, the concentration of power at national level, something which the current constitution has done nothing to reverse. The overwhelming dependence of the country on oil revenues, which are administered at the national level, has been a major contributing factor in the development of “centralised federalism”.

In the wake of independence from Great Britain in 1960, Nigeria essentially adopted the federal system that it had inherited.

The choice of a federal structure for Nigeria has its roots in the country's size and heterogeneity. Beyond this, however, lies the recognition that the unity and stability of the country can only really be maintained, if its administration is decentralised and the regions (and the ethnic groups within them) are accorded a high degree of autonomy and self-determination in order to safeguard their own interests. However, the way the system has actually developed in reality (and particularly with regard to the trends described above) has attracted a mass of criticism. Heinrich Bergstresser describes the system as “regionalism along ethnic lines”,¹⁰ while Rotimi Suberu concludes in his own analysis that Nigeria has an “intensely dysfunctional system of centralized ‘ethno-distributive’ federalism”.¹¹ Instead of focusing on autonomy and self-determination for the federal states, the centralised legacy of the military governments and the country's high dependence on

10 | Heinrich Bergstresser, *Nigeria: Macht und Ohnmacht am Golf von Guinea*, Brandes & Apsel, 2010, 183.

11 | Rotimi Suberu, *Federalism and Ethnic Conflict in Nigeria*, Washington D.C., United States Institute of Peace Press, 2010, xxvi and 247 et sqq.

oil revenues has resulted in the allocation of resources at national level becoming the key issue. Access to these resources is the key factor in all aspects of political endeavour and this serves to undermine the autonomy of the states and local governments.

In 1976, reforms to local political structures created a third level in addition to the national and state levels. These are known as Local Government Areas. Since 1996, there have been 774 such districts. This has resulted in an ongoing process of decentralisation over and above the existing federalism. The status and functions of these local governments have been firmly enshrined in the constitutions that followed. So the mandates and legitimisation for all three levels of the political structure are derived from the same document – the national constitution. This defines the power, authority, function and financing for each of the levels and determines how they interact.



The dark side of oil: in addition to environmental disasters like this one in Goi Creek in 2010 the distribution of revenues is highly disputed. | Source: Friends of the Earth Netherlands, flickr ©①③③.

The constitution distinguishes between the exclusive powers vested in central government (including foreign and security policy, monetary policy, customs, immigration, police, mining, etc.) and those parallel or competing powers vested in central and state governments (including health, education, road building, communications, etc). Other powers and responsibilities not covered by these two categories fall to the states and/or local governments,

especially in the case of local administrative tasks and the supply of public services at local level.

One of the key issues here is financing. The way state revenues are allocated across the three political levels within the framework of fiscal federalism is highly controversial and is one of the key issues to be discussed at the National Conference. In an ideal world, the federal system would give the states a significant amount of control over their own resources. But this is not the case in Nigeria, as the central government controls raw material revenues, 80 per cent of which come from oil. Initially, the money flows directly to central government, into the "Federation Account". From there, the money is distributed on the basis of an allocation formula. The end result is that more than half of the revenues are retained at national level, while approximately 27 per cent is allocated to the states and the remaining 20 per cent to local governments. However, prior to this allocation, 13 per cent of revenues from natural resources are currently returned to the states from which they were originally generated in accordance with the "origin principle".¹²

There have been calls from various quarters for this practice to be fundamentally reformed in favour of the states and local governments. The hope is that this will result in a fairer allocation of resources, so that each level of the political structure will have the necessary funding to carry out its responsibilities and duties. The share of revenues allocated to the revenue-generating states should also be increased in accordance with the principle of allowing them control over their own resources. In order to further reduce the dependence of the states and local governments on the allocation of funds from central government, the amount of income over which they themselves have control (taxes, fees, business revenues, etc.) also needs to be significantly increased. The current system offers little in the way of opportunities to achieve this, especially as it is central government that levies the most significant duties and taxes (e.g. value added tax and fuel tax). In total, 90 per cent of all state revenues are raised by federal government.

12 | Cf. Ito Diejomaoh and Eric Oboh, "Local Governments in Nigeria: Relevance and Effectiveness in Poverty Reduction and Economic Development", *Journal of Economics and Sustainable Development*, Vol. 1, No. 1, 2010.

POLITICAL STRUCTURES AT LOCAL LEVEL

The 1999 constitution provided for democratically elected representation at local level in the form of Local Government Councils. Each federal state is responsible for using its own legislative powers to define the structure, make-up, function and financing of its own Councils and the appropriate laws are in place in all 36 states.

While the constitution defines the basic core function of local government, the federal states can use their own legislative powers to define any additional tasks, duties or powers.

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The Local Government Councils generally consist of ten to 15 members. Districts with local governments are divided up into sub-districts, each of which provides a directly elected representative to the Local Government Council. Committees are set up to oversee the various administrative and legislative tasks and duties. The Council and Executive Committee are headed up by a directly elected Local Government Chairperson.

The primary function of local governments, as defined by the constitution, is the provision of public services such as basic healthcare, pre-school, primary and adult education, public transport, waste disposal and the maintenance of roads and public spaces. They are also responsible for regulatory reporting, town planning, environmental protection, sport and leisure, religious institutions, libraries and the regulation of local markets and other commercial activities.

LOCAL GOVERNMENTS: BAD REPUTATIONS, DIFFICULT SITUATIONS

Decentralisation and more local autonomy could help to make a significant contribution to improving the quality of democratic government in a large, multi-ethnic state such as Nigeria. Decentralised structures should help to make local administration more effective and make it easier to ensure that local people are provided with the public services they need. They provide more opportunities for direct and indirect participation, give local voters more control

and result in better transparency, while making politicians more accountable to the people. The job of local government is to focus on the interests and needs of local people and to contribute towards local development

Self-determination and democratic participation at the local level should help to improve identification with the political system and strengthen national integrity.

in a way that central government is not able to. Self-determination and democratic participation at the local level should help to improve identification with the political system, promote a culture of democracy, strengthen national integrity and reduce centrifugal pressures.

This is the theory. But past experiences in Nigeria cast some doubt on these claims. Local governments have come in for a great deal of criticism and many people are now questioning their very *raison d'être*. It is clear that they are not living up to expectations in terms of democracy and development and, according to critics, have become a symbol of the corruption, irresponsibility and incompetence of the state.¹³ In the eyes of many Nigerians, they stand for little more than slow and inefficient bureaucracy, incompetence and ignorance of the pressing problems of the people.

Opinions are divided as to why local governments are so weak and why they have gained such a poor reputation. While some believe it is due to the poor managerial skills of local politicians and the problem of corruption at local level, others think the problem lies in the distortion of federal and decentralised structures and the undue influence exerted by the higher political levels. There is no doubt that one of the reasons for the gap between expectation and reality when it comes to local governments is the general erosion of democracy in Nigeria. The principles of democracy and the rule of law are often simply a façade that conceals authoritarian, corrupt and clientelistic practices. The organisation of the decentralised political system may also be partly to blame, as in many respects existing practices tend to weaken and undermine the constitutional role of the decentralised structures.

13 | Cf. Hassan Achimugu, Stephen Makoji Roberts and Uyo Joy Agboni, "Local Government Service Delivery in Nigeria: An Empirical Comparison of Government Efforts and the People's Expectations", *Mediterranean Journal of Social Sciences*, Vol. 4, No. 6, 2013, 335.

COMPETING AUTONOMIES AS CHALLENGES TO EFFECTIVE LOCAL GOVERNMENT

Supporters of decentralisation believe that the weak autonomy of local governments is the main reason behind their poor performance.

One of the main challenges facing local governments as they try to carry out their tasks and duties effectively is the controversial issue of local autonomy. Supporters of decentralisation believe the weak autonomy of local governments is the main reason behind their poor performance. Although these local governments form an independent third level in the country's political structure, as defined in the constitution, they are in reality often little more than "appendages" to the state government and used by state governors as instruments for exercising power.¹⁴

The main tasks and functions of local governments are set out in the constitution, but these tasks and functions are not clearly distinguished from the responsibilities of the state governments. The fact that the roles and interactions between central, state and local governments are not adequately defined provides scope for the two higher political levels to interfere in the affairs of local government and to assert an inordinate degree of influence.¹⁵ The constitution empowers state governments to use their own legislative powers to regulate the organisation, composition, structure, financing and functions of local governments. This gives states, and especially governors, a huge amount of power and control over local politics. This explains why there are such big differences in the level of autonomy enjoyed by local governments in the various different states.

The issue of autonomy is also on the agenda of the National Conference. The Nigerian Union of National Government Employees (NULGE) has been particularly vociferous in its calls for more self-determination.¹⁶ It has been highly crit-

14 | Cf. Diejomaoh/Oboh 2010; Allwell Okpi, "Local governments' battle for autonomy", *The Punch*, 10 Jun 2012, <http://punchng.com/politics/local-governments-battle-for-autonomy> (accessed 19 May 2014).

15 | Cf. *ibid.*; Ejikeme Nonso Alo, "Fiscal Federalism and Local Government Finance in Nigeria", *World Journal of Education*, Vol. 2, No. 5, 2012.

16 | Cf. "NULGE Canvasses Local Government Autonomy in National Conference", *Nigeria News Digest*, 8 Apr 2014, <http://nigerianewsdigest.com/%EF%BB%BFnulge-canvasses> (accessed 19 May 2014).

ical of the way local democracy has been undermined by the establishment of non-elected committees in the place of the Local Government Councils.¹⁷

CARETAKER COMMITTEES AND DUBIOUS ELECTIONS

Elections to Local Government Councils should in theory take place every three years. In reality, however, there have been repeated delays since the first elections in 1999 and in many states there have been no elections at all for a long time. Here, the elected councils have been suspended by the state parliament or state governor and replaced by a "caretaker committee". In many cases, a committee chair has then been appointed who acts as the governor's direct representative. Although this goes against the country's principles of democracy and the rule of law and has attracted its fair share of criticism, it is still common practice in many states.¹⁸ According to a study published in May 2013, the governors of 25 of the 36 states had set up caretaker committees. Of the 774 local governments in the country, only 157 had elected Local Government Councils.¹⁹

There have been repeated delays since the first elections in 1999 and in many states there have been no elections at all for a long time.

In the states where there have been elections, these have mostly been held on an irregular basis and often given rise to questions about their credibility. It is the responsibility of the state electoral commission to run elections. Its members and chairs are appointed by the governor, so they cannot really be considered as independent. When local elections do take place, they are usually overshadowed by accusations of manipulation. Indeed, electoral

17 | Cf. "National Conference: Delegates canvass for council's autonomy", *Vanguard*, 7 Apr 2014, <http://vanguardngr.com/2014/04/national-conference-delegate-canvass-councils-autonomy> (accessed 19 May 2014).

18 | Cf. i.a. Okechukwu I. Eme and Edwin Izueke, "Local Government and Fiscal Autonomy for Local Government In Nigeria", <http://omicsonline.com/open-access/2315-7844/2315-7844-1-125.pdf> (accessed 19 May 2014); K. Asaju, "Local Government Autonomy in Nigeria: Politics and Challenges of the 1999 Constitution", *International Journal of Advanced Legal Studies and Governance*, Vol. 1, No. 1, 2010.

19 | Cf. Jude C. Okafor and Ikechuckwu H. Orjinta, "Constitutional Democracy and Caretaker Committee in Nigeria Local Government System: An Assessment", *Commonwealth Journal of Local Governance*, No. 12, 2013.

statistics show that in the overwhelming majority of cases the successful candidates belong to the ruling party of the state in which the elections are held. As a result of these problems, there have been calls for local elections to be governed by the Independent National Electoral Commission.²⁰

FINANCIAL DEPENDENCIES

One of the key issues that affects local governments' autonomy and ability to act is funding. The main problem is that they lack any real independence. Local governments are to a large extent dependent on the allocation of funds from central government via the Federation Account (generally 60 to 80 per cent of their budgets), which in turn is predominantly funded by oil revenues. The allocation formula that is used allows for only 20 per cent of the money to go to local government, while the rest is divided up between

Because the more lucrative taxes and duties are levied by the central government, local governments have few meaningful sources of revenue left.

central government and the states. The money made available to local governments is not sufficient to allow them to effectively carry out the tasks and duties assigned to them, and any additional revenues that are generated locally are not enough to make up the shortfall. This is largely due to the fact that the more lucrative taxes and duties are levied by the central government, leaving local governments with few meaningful sources of revenue. Added to this is the fact that a large proportion of the money that the local governments should receive from the central government allocation fails to even reach them.

They do not actually receive the money direct from the Federation Account. Under the terms of the constitution, the money is allocated via the state governments. For this reason, each state has a State Joint Local Government Account, a common pot of money held at state level into which the local government funds are paid. This mechanism is highly controversial, as it hands the state governments control over the flow of funds and creates yet another level of dependency for the local governments. Although the

20 | Cf. Amina Mohammed, "New study offers ways to improve local government elections in Nigeria", *Premium Times*, 20 Nov 2013, <http://premiumtimesng.com/news/150042-new-study> (accessed 19 May 2014).

states are only meant to be the administrators of these funds, critics claim they regularly help themselves to the money, with the result that local governments only receive part of the money due to them.²¹ There is also a danger that this mechanism and the dependencies it creates could be misused for purely political purposes. It is often the case, for example, that funds are allocated to a local government not on the basis of the needs of the local community, but as a reward to local politicians for their loyalty to the governor.²²

WIDESPREAD CORRUPTION AND A LACK OF CITIZEN PARTICIPATION

These dependencies and opaque political procedures work in favour of the corruption that is widespread at all levels of Nigeria's political system. It ensures that, even at a local level, self interest and personal gain are the main motivating factors, rather than a desire to make progress and meet the needs of local people.

It is not only the governors and state governments who are siphoning off money. Even though the money the local governments receive is not enough to cover all their administrative and personnel costs, council members and chairs still find opportunities for personal gain. Farida Waziri, the former Chair of the Economic and Financial Crimes Commission (EFCC), Nigeria's highest anti-corruption authority, complained that the executive members of local governments were no longer interested in addressing the needs of local people and were for the most part conspicuous by their absence: "They drive to the council headquarters in their jeeps from the state capitals

Even though the money the local governments receive is not enough for their administrative and personnel costs, council members and chairs still find opportunities for personal gain.

21 | Cf. Jude Okafor, "Local government financial autonomy in Nigeria: The State Joint Local Government Account", *Commonwealth Journal of Local Governance*, No. 6, 2010.

22 | Cf. Felix Akpan and Okonette Ekanem, "The Politics of Local Government Autonomy in Nigeria Reloaded", *European Scientific Journal*, Dec 2013, Vol. 9, No. 35, <http://eujournal.org/index.php/esj/article/view/2193/2078> (accessed 19 May 2014).

or the Federal Capital territory, pay salaries and share other monies and disappear until it is time to share the next subvention."²³

Under these circumstances, it is local government's ability to govern that is suffering and, ultimately, the people themselves. Many of the services the state is meant to provide are either lacking or simply not adequate. Many critics believe corruption is the main problem and is the reason for the "comatose state" and poor reputation of local governments.²⁴ Some observers, therefore, do not accept the argument that local governments are not in a position to carry out their responsibilities because they do not have enough funding. Increasing the funding allocated by central government would only serve to create more corruption.²⁵

Corruption at local level and the dependence of local governments on state governors are symptomatic of the prevailing political culture and logic in Nigeria, where patronage networks dominate events and state resources are used for personal gain and for securing political loyalty. And it is precisely this logic that stands in the way of reforms to the political system. The main beneficiaries have a vested interest in maintaining the system as it is, and they are the very same people who have the political responsibility for introducing the necessary reforms. It is doubtful, therefore, that the National Conference currently in session will find a way out of this dilemma.

What is lacking is a strong and committed civil society. Poor education standards and daily struggles for survival are major obstacles to people taking a greater interest in politics.

There is currently no counterbalance to the political establishment, especially at local level. What is lacking is a strong and committed civil society, along with a high level of

citizen participation, especially in the poorer rural regions. Poor education standards and daily struggles for survival are major obstacles to people taking a greater interest in

23 | Jacob Olufemi Fatile and Raheem Akanni Okewale, "Corruption and Democracy in Nigerian Local Government", 149, <http://omicsonline.com/open-access/2315-7844/2315-7844-1-128.pdf> (accessed 19 May 2014).

24 | O. O. Adeyemi et al., "Institutionalizing the culture of accountability in local government administration in Nigeria", *African Journal of Political Science and International Relations*, Vol. 6, 2012.

25 | Cf. *ibid.*

politics. There is also a lack of awareness of political rights and opportunities for participation. People have little trust in the political system and formal opportunities for participation. The manipulation of the election process leaves many of them feeling resigned and powerless. Elected political representatives are rarely called to account, in part because there are no instruments in place to monitor and control public funds and services.

It is these shortcomings that serve to sustain the prevailing political system, while impeding development and the effective combating of poverty. As a result, the gap between rich and poor is likely to continue to grow. Superficial reforms to the political system will not be enough to stop this trend. Every effort must be made to improve people's participation in the political process, in the interest of making politics more development-oriented, more accountable and more subject to public scrutiny. This is where an organised civil society has a major role to play.

CONCLUSION

Decentralisation as currently practiced in Nigeria may be considered a major contributor to the crisis affecting its political system. However, it also has the potential to provide a solution to many of its problems. Necessary reforms include strengthening local autonomy, while at the same time promoting greater transparency and creating better ways of monitoring public services and expenditure. Constitutional reform would provide the means to correct some of the faults in the structure of the federal and decentralised political system. Ultimately, such reforms actually have to be put into practice and effective action taken to tackle any tendency to breach the principles of democracy and law and order. In this respect, it would be important to ensure that democratic elections continued to be held at a local level while doing away with caretaker committees once and for all.

Constitutional reform would provide the means to correct some of the faults in the structure of the federal and decentralised political system.

The role of the three political levels – central, state and local government – and the interactions between them needs to be more clearly defined and changes made to the system for allocating funding. In addition to simply

strengthening the financial clout of local governments, it is important to reduce unnecessary dependencies by abolishing the State Joint Local Government Account, for example, and by allowing local governments to generate more financial resources locally. It is also essential to have a more effective process for dealing with corruption in order to prevent the misuse of public funds.

These types of recommendations have been made before and are also on the agenda of the National Conference, but whether they are likely to be taken up and implemented is highly debatable. The political elite's lack of interest in genuine reform and the dominance of the federal government and state governors are likely to present serious obstacles to progress. So it remains to be seen whether the National Conference turns out to be a step in the right direction. Unfortunately, past experiences and the latest signs coming out of the country suggest that this is unlikely. This is why the critical and ongoing involvement of Nigerian civil society is so important. Irrespective of whether the National Conference produces some of the necessary reforms, it is important that civil society takes advantage of opportunities for participation and encourages citizens to become more involved through education and increased political awareness. Perhaps this is the way to produce a faint, but nonetheless vital, glimmer of hope.

The views expressed here are those of the author alone.

DECENTRALISED REGIONAL DEVELOPMENT POLICY IN TUNISIA

A NEW BEGINNING FOLLOWING THE “ARAB SPRING”?

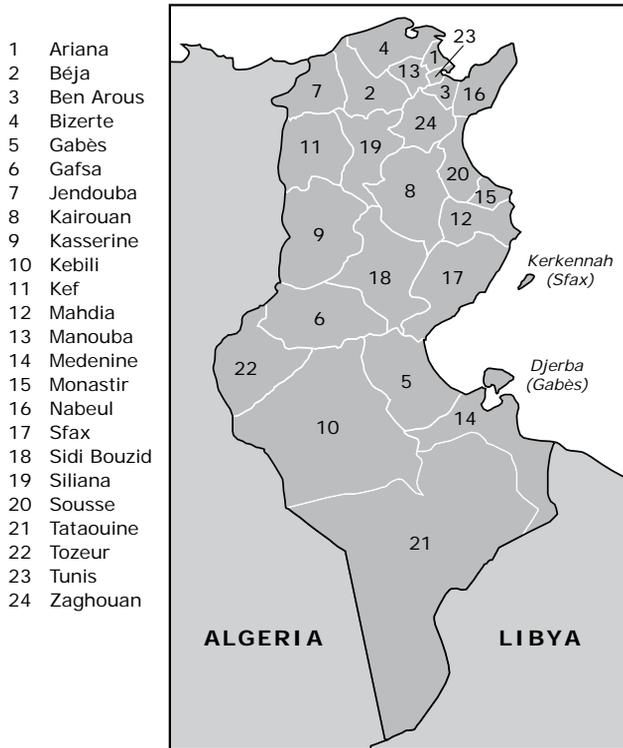
Maximilian Benner

In countries in North Africa, large regional economic differences tend to be the rule rather than the exception, and these played a part in sparking the protests that culminated in the “Arab Spring”. However, it was probably not just the lack of economic prospects that led to the eruption of the Tunisian revolution in the economically lagging town of Sidi Bouzid, but also the inequality of opportunities between different parts of the country. A regional development policy aimed at reducing such regional disparities is therefore among the essential tasks of present and future governments in North African countries. Also, there has been a strong tendency in that region to conduct economic and regional development policies in a top-down approach, with the central government performing all the planning and controlling, drafting and implementing. However, a regional development policy that is – at least in part – supported by local initiative and shaped by local actors (in a bottom-up approach) would be more likely to produce a successful outcome. Tunisia illustrates how local authorities and other territorial authorities below the national level can play a role in shaping and implementing regional development policy. With the new Tunisian constitution in mind, another pertinent question is what form the relationship between the territorial authorities and the central government will take and which scope local authorities will have to help shape the political agenda for a decentralised regional development policy.



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Fig. 1

Governorates of the Tunisian Republic

Tunisia's 24 governorates are subdivided into 264 delegations and numerous municipalities. | Source: Reworked presentation. Wikimedia Commons ©(f)©.

REGIONAL DISPARITIES AND THEIR POLITICAL SIGNIFICANCE

For most countries with large territories, significant economic disparities between more or less developed areas are a challenge that requires a political answer. This issue is also relevant in Germany where Article 72 of the Basic Law calls upon the legislator to provide for "the establishment of equivalent living conditions throughout the federal territory". There are two central objectives geared towards this goal. The balancing objective is aimed at reducing the gap in the level of development (e.g. measured by the per capita GDP) between economically strong and weak areas and prioritising support for less developed areas to this end. The growth objective, which has become more

significant in terms of regional development policy over the last few decades in industrialised as well as developing countries and emerging economies, on the other hand focuses more strongly on the economic growth potential of an area, even if regional discrepancies in developmental standards are maintained or even increased as a result.

In developing and newly industrialised countries, policies aimed at opening up economic prospects to large parts of the population are unthinkable without addressing the issue of regional economic differences. Economic disparities between different regions are frequently far stronger in such countries than in industrialised

countries. Furthermore, lagging areas there do not have the basic infrastructure that is usually guaranteed by the state even in less developed areas in industrialised countries.

Regional differences in developmental standards greatly limit people's opportunities for economic and political participation and therefore jeopardise social stability.

Consequently, regional differences in developmental standards in developing and newly industrialised countries greatly limit people's opportunities for economic and political participation and therefore jeopardise social stability.

This phenomenon is particularly prevalent in countries of the Middle East and North Africa (MENA). In some cases, the reasons for the political upheavals there, generally referred to as the "Arab Spring", have a specific territorial component. It may not have been by chance that the revolution in Tunisia began in Sidi Bouzid – a town in one of the most poorly developed areas of Tunisia in the western interior, where unemployment is significantly higher than in the prospering coastal areas.¹ In the Middle East and in North Africa, young people constitute the majority of the population. In the Arab World, almost two thirds of the population are under 30.² This generation is confronted with massive youth unemployment and therefore a lack of prospects for the young people of making a life for themselves (e.g. setting up a household, getting married or

1 | In Sidi Bouzid, the young street vendor Mohamed Bouazizi had set himself on fire in December 2010 in protest against state repression and died from his burns. This triggered a wave of solidarity and mass demonstrations throughout the country, resulting in the fall of President Ben Ali on 14 January 2011.

2 | Cf. Magdi Amin et al., *After the Spring: Economic Transitions in the Arab World*, New York, Oxford University Press, 2012, 6.

planning a family). Their precarious situation is particularly pronounced in the less developed areas.³

Obviously, the process of political transition towards democracy, which Tunisia has been undergoing since 2011 and whose course could provide lessons for the rest of the MENA region, depends in part on whether democratically legitimised governments and parliaments develop an effective regional development policy. The new Tunisian constitution adopted in January 2014 and the impending parliamentary elections offer an opportunity to do so. At

Considering that there is a similar need for action throughout the MENA region, there is also a need for new approaches to regional development to be devised as well as implemented.

the same time, future governments can take lessons from preceding regional development initiatives, which have been realised for some time with foreign assistance. Tunisia can thereby become a laboratory for regional development policy in the Middle East and North Africa. Considering that there is a similar need for action in this area throughout the MENA region, there is also a need for new approaches to regional development to be devised as well as implemented. Only when these are tested on the ground can they provide lessons that will be important to help shape corresponding policies in other countries of the Arab region.

REGIONAL DISPARITIES IN THE MIDDLE EAST AND NORTH AFRICA

The extent and political relevance of regional disparities in the MENA countries are described in the World Bank study entitled *Poor Places, Thriving People*. This study indicates that there are a number of general patterns present in this region, which include the following tendencies:⁴

3 | With respect to Tunisia, for instance: The World Bank, *MENA Quarterly Economic Brief: Growth slowdown heightens the need for reforms*, Washington D.C., The International Bank for Reconstruction and Development, No. 2, Jan 2014, 6, <http://worldbank.org/content/dam/Worldbank/document/MNA/QEBissue2January2014FINAL.pdf> (accessed 20 May 2014).

4 | Cf. The World Bank, *Poor Places, Thriving People: How the Middle East and North Africa Can Rise Above Spatial Disparities*, Washington, D.C., The International Bank for Reconstruction and Development, 2011, 36, <https://openknowledge.worldbank.org/bitstream/handle/10986/2255/589970PUB01D181UBLIC109780821383216.pdf> (accessed 20 May 2014).

- Urban areas and areas close to urban centers are more prosperous than rural areas.
- Even within individual regions, there are disparities between hubs of economic activity and peripheral districts.
- Spatial disparities between stronger and weaker areas are not only reflected in economic indicators (e.g. per capita consumption or the poverty rate) but also in other development indicators (e.g. educational indicators or child mortality).

In 2000, the poverty rate in Tunisia (according to the national definition) was 1.6 per cent in urban areas but 8.3 per cent in rural areas, for instance. Per capita consumption in urban areas is 86 per cent higher than in rural ones. The discrepancies are similarly drastic for child mortality, with the death rate per 1,000 live births standing at 16 and 30 respectively in the two types of environment.⁵

The World Bank study defines three policy packages to deal with lagging areas:⁶

- First, a level playing field for development is to be created, for example by improving the business climate, by encouraging growth in the towns or by improving people's access to education, health services and social security networks in poorly developed areas.
- Secondly, support should be provided for projects to connect peripheral to dynamic areas, e.g. through transport infrastructure, business incentives as well as information and communication technologies.
- Thirdly, support should be given to the private sector in disadvantaged parts of the country. In doing so, the state acts less as a controller of economic development and more as an enabler, who creates the right conditions and facilitates entrepreneurial initiative and dynamism in the private sector.

All three World Bank recommendations come back to a policy approach based on decentralisation and participation: "If regional development is to be based on local potential, regions need a decentralized, bottom-up approach to policy

5 | Cf. *ibid.*, 37 and 327.

6 | Cf. *ibid.*, 11-28.

design and implementation".⁷ Such an approach makes use of the knowledge and skills of local actors and will be more effective in ensuring that they will identify with regional development strategies and support their implementation.

Spatial polarisation is, however, a process that has been going for a long time in the Middle East and North Africa and is likely to continue. As in many other developing countries, there has been a substantial intensification of the urbanisation process in the region of late. This provides opportunities for the further development of the respective economies: "No country has ever achieved developed-country status without urbanizing."⁸ Research on regional economic development has examined the benefits of concentrated economic activity for some time, which range from deeper division of labour and specialisation with corresponding learning effects to the free circulation of innovations and the therefore coming of creativity.

Excursus 1: Hidden Champions

In industrialised countries, there are some examples of the significance and exploitation of endogenous growth potential (in spite of all the existing problems relating to regional development). You will thus find the much celebrated "hidden champions" of the German SME sector, not infrequently global market leaders in their specific niche, not only in the well-known industrial centers and metropolitan areas but also in smaller towns in rural areas. Such companies, which act as engines of economic growth, have frequently emerged at a particular location by chance, for instance due to family connections of the founder or – as in the case of the global Hewlett-Packard corporation in the USA – because the founders happened to go to university there.

The political challenge lies in taking measures to prevent peripheral areas becoming disconnected entirely from the economic dynamics of the strong areas and thereby denying its inhabitants sufficient economic participation. The prosperity generated in urban areas can be used to guarantee the population in rural areas an adequate basic level of public infrastructure.

7 | Ibid., 28.

8 | Ibid., 39.



The capital Tunis: The wealth created by urban regions can be utilized to expand infrastructure in rural areas. | Source:

© Maximilian Benner.

However, this redistribution component of a regional development policy intent on balancing can only go so far in solving the problem of strong spatial disparities. Such a policy must also seize on the growth potential of rural areas. In other words, it is important to make efforts to realise such growth potential wherever it happens to arise, not merely for the purpose of social balancing but also for reasons of economic efficiency. This concept, which focuses on both efficiency and equity, is at the core of the Social Market Economy. It represents a strong justification for a regional development policy that prevents a complete disconnect between rural areas and the development of the economy as a whole.

REGIONAL DEVELOPMENT POLICY IN TUNISIA: MODELS, APPROACHES, OUTCOMES

To utilise growth potentials in the regions, the MENA countries pursue regional development initiatives – with international assistance and frequently inspired by international models. Since 1985, Tunisia has had a sophisticated system of territorial planning, consisting of “horizontal” regional plans and “vertical” sectoral plans. The regional plans are drafted at national level in a complex inter-ministerial coordination process, drawing on data supplied by the governorates. The sectoral plans come from the line ministries. The Regional Development Directorates coordinate the integration of regional and sectoral planning

at governorate level, acting as local counterparts of the Ministry of Development.⁹ In addition, Tunisia uses targeted measures to support economic development in poorly developed areas of the country. One such measure consists of tax incentives that the Tunisian state offers to businesses in 140 regional development zones (*zones de développement régional*) in western areas and along a north-south development axis.¹⁰

Remarkably, there has in fact been a measurable reduction in regional economic disparities in Tunisia between 1980 and 2000. However, on closer inspection it happens that this process of convergence has played out very differently in various (formerly) underdeveloped areas. While the capital and its surrounding area had dominated until 1980, the central-eastern coastal region with the governorates of Mahdia and Monastir had gone through a significant economic upturn by 2000. The northwest region also enjoyed impressive progress in closing the gap. In the other peripheral regions, however, comparable developments failed to materialise. Although the weakest region, Central West (with the Sidi Bouzid governorate), made some economic progress until 1990, it has since clearly fallen behind again.¹¹

Seeing that the coastal areas have made relatively good progress, one can assume that tourism has played a significant role in their developmental achievements since 1980. It probably also reflects the significance of this sector in regional development as well as the difficulty of exploiting it in remote areas in the country's interior, although those areas do have some attractive and marketable tourist destinations such as the salt lake of Chott el Djerid and the locations where the "Star Wars" films were shot. Added to this is the fact that the above-mentioned investment incentives in the *zones de développement régional* motivated by regional development policy objectives have helped to provide support to eastern coastal areas. Zones in that region have seen an above average influx of companies looking for a base.¹²

9 | Cf. *ibid.*, 280 et seq.

10 | Cf. *ibid.*, 253 and 257 et seq.

11 | Cf. *ibid.*, 101 et seq.

12 | Cf. *ibid.*, 251 and 257.

Excursus 2: Trends in Regional Development Policy

In many countries, there appears to be an increasing emphasis on growth as a goal in regional development policy. This goal focuses on encouraging economic growth, accepting the fact that this may produce stronger spatial disparities. This trend has been noticeable for approximately three decades in industrialised countries and roughly since the mid-1990s in developing countries and emerging economies as well. Around the same time in each case, the countries discovered the approach of the cluster policy. Clusters of companies and supporting institutions (e.g. universities, institutions of research and training) in certain sectors or areas of technology receive targeted support and are encouraged to expand. This means that local concentrations of sector or technology-specific activities are exploited and regions are supported in their respective strengths at the same time.

Models for this approach to regional development exist in the form of success stories such as that of the Californian high-tech location Silicon Valley. While this example can only serve as a model for regional development in other locations to a degree given its unique local conditions, clusters represent a phenomenon that can also be observed in other economic sectors that are technologically far less sophisticated.¹³ That is why they provide a starting point for targeted growth promotion as a part of regional development. Although this approach primarily focuses on growth, it does not necessarily have to be restricted to economically strong areas. Sector-specific strengths or potentials can, in fact, also exist in poorly developed areas and benefit from targeted support. However, there is a danger of developing or expanding regional mono-structures. Furthermore, the manipulation of clusters by political means is a controversial issue. The cluster concept is therefore not without its problems, and clusters are not a panacea of regional development policy. Having said that, they can provide a starting point for an innovative economic policy in conjunction with other approaches of regional development policy that aim more strongly at regional balancing.¹⁴

The Tunisian regional development policy with its focus on balancing has produced mixed results. Consequently, the Tunisian state has been looking to international examples of regional development initiatives, which are

13 | At the local level, one could, for instance, consider streets with numerous car repair shops next to one another found in major cities in the Middle East and in North Africa, which reflect the structure of the souks in the old towns, as clusters on a small scale. Similarly, one could consider the alleys and districts of the souk, which are organised by trade, as clusters.

14 | Cf. Maximilian Benner, Clusterpolitik: Wege zur Verknüpfung von Theorie und politischer Umsetzung, Münster, LIT, 2012.

The Tunisian cluster program is based on the French model *pôles de compétitivité* and entails partnerships with the corresponding clusters in France.

aimed at developing endogenous growth potential. One case in point is the Tunisian cluster policy. It emphasises the sectors of mechatronics, textiles, leather processing

and shoes, agriculture as well as information and communication technology. In terms of structure, this program is based loosely on the French model (*pôles de compétitivité*) and entails partnerships with the corresponding clusters in France. As is the case in France, the planning of the cluster policy in Tunisia originates at the national level.

One initiative in this connection is the *pôle de compétitivité* Monastir-El Fejja la Manouba. This cluster comprises a technology park for the textile industry, two industrial estates as well as a network intended to connect businesses and institutions and improve collaboration between them. This cluster initiative offers businesses start-up support services (e.g. help with drafting a business plan). The technology Park in Monastir makes available various facilities including laboratories, conference rooms and exhibition halls. One striking feature of the Tunisian cluster policy is that the clusters supported so far have almost exclusively been located in coastal areas, particularly on the east coast. This means that peripheral, lagging areas have so far seen little benefit from the Tunisian cluster policy.¹⁵

What all these practical examples have in common is top-down planning. The national level plays a dominant role in shaping regional development policy. The local and regional levels are distinctly subordinate and only play an

15 | Cf. Maximilian Benner, "Cluster Policy as a Development Strategy: Case Studies from the Middle East and North Africa", *University of Lüneburg Working Paper Series in Economics*, No. 255, Lüneburg, Leuphana Universität Lüneburg, 14 et seq., http://leuphana.de/fileadmin/user_upload/Forschungseinrichtungen/ifvwl/WorkingPapers/wp_255_Upload.pdf (accessed 20 May 2014); Mfcpole, *Pôle de Compétitivité Monastir-El Fejja la Manouba*, http://www.mfcpole.com.tn/Fr/accueil_46_7 (accessed 20 May 2014); Neila Gongji, *Territoires Métropolitains Innovants: Technopoles et Pôles de compétitivité*, http://www.euromedina.org/bibliotheque_fichiers/tunis_Atelier5Gongi.pdf (accessed 20 May 2014); Ministère de l'Industrie, de l'Énergie et des PME, Agence de Promotion de l'Industrie, *Stratégie industrielle nationale à l'horizon 2016: Synthèse*, <http://www.tunisieindustrie.nat.tn/fr/download/CEPI/Synthese.pdf> (accessed 20 May 2014).

executing role, if any. This entails problems that are discussed in more detail below.

BENEFITS OF DECENTRALISED REGIONAL DEVELOPMENT POLICY

To be able to exploit the potential of lagging areas, regional development policy must utilise local engagement and local knowledge. To this end, it must include local actors in the development areas in the planning and implementation of regional development projects. Consequently, the structural relationships between the national government and the political units in the regions and districts become important prerequisites to the effective design and realisation of regional development policy.



A “gas station” near Sousse: Where investments in transport infrastructure are concerned, the national level will have to take responsibility. | Source: Rusty Clark, flickr ©©.

Particularly where cluster policy is concerned, experience has shown that locally initiated projects tend to be more successful in the long term than those initiated from the top or even by political decree. In the case of organically grown cluster initiatives formed from the bottom up, there is a greater likelihood that the support strategy actually matches the localised strengths as well as the skills and knowledge of local actors. One can also assume that local institutions (such as businesses, unions, associations, universities and local economic development bodies) will

identify more strongly with the development strategy than can be expected from programs designed by the national government. The willingness of local actors to make a contribution to development support (by contributing to the funding of the cluster initiative or by volunteering their time and expertise) is also frequently higher. This is particularly important with an approach such as cluster support, which is often organised on a network basis – as is the case in Tunisia – and requires public and private actors to collaborate as partners.¹⁶



Souvenir shops in the coastal town of Port el Kantaoui: A decentralised regional policy would also assist the tourism sector. | Source: Goran Necin, flickr ©①②.

The tourism sector differs from other industries in several respects that demand public actors to play a stronger and more direct role. This is because the product tourism offers – the holiday resort – is a public good whose maintenance can and must particularly involve local government and local administration. If the expansion of this sector is to have any hope of success, the involvement of subnational territorial authorities in the planning and implementation of tourism-related strategies is central. Besides utilisation of the new scope of action opened up by decentralisation, it will need collaboration between the center on the one side and the local and regional authorities on the other. Where investments in transport infrastructure are concerned, the national level will have to take responsibility.

16 | Cf. Benner, n. 14.

However, in the case of tourism-related objectives, the local authorities will be the main actors, working in conjunction with the private sector. Where projects such as festivals are concerned, which could strengthen tourism in peripheral areas, collaboration between local actors will be paramount.¹⁷

In other policy areas important for regional development the national level will have to continue providing assistance to territorial authorities in developing their political and administrative capabilities even after decentralisation and partner them in the planning and implementation of future regional development projects. The latter will also be necessary because of the interaction between regional development policy and sectoral policies, which are predominantly or partly designed and executed by the national level. There will be overlaps in areas such as export and investment support, location marketing, science policy (e.g. with respect to promoting collaboration between universities and businesses) and education policy.

In a scenario including top-down as well as bottom-up processes, the national level will be able to support the territorial authorities in mobilising their endogenous potential and in devising regional development strategies from the bottom up. It can do this by awarding subsidies in a competitive process, in the course of which the local applicants are required to devise strategies of their own that are matched to the respective area and its economic structure in a collaborative and participatory manner. This approach requires administrative competences to be developed at local and regional level. Decentralised regional development policy is not realised purely by transferring political responsibilities to local and regional authorities, but involves active support of local political and administrative institutions in making use of their new scope of action.

Decentralised regional development policy is not realised purely by transferring political responsibilities to local authorities, but involves active support of local administrative institutions.

17 | Cf. Sarah Mersch, "Tunesiens neuer Tourismus", *Deutsche Welle*, 4 Mar 2014, <http://dw.de/p/1BII3> (accessed 20 May 2014); Maximilian Benner, *Towards a policy to promote tourism clusters*, Munich, Munich Personal RePEc Archive (MPRA), 21 Jan 2013, http://mpra.ub.uni-muenchen.de/43924/1/MPRA_paper_43924.pdf (accessed 20 May 2014).

Business-related actors can provide impulses, when participatory approaches are used, such as the cluster policy, local tourism promotion or the drafting of regional development concepts.

And one should not merely consider actors from the sphere of politics and the administration in this context. Private businesses or business-related institutions such as trade and employers' associations and trade unions can also act as regional development partners.

Particularly when participatory approaches are used, such as the cluster policy, local tourism promotion or the drafting of regional development concepts, these actors can provide important impulses, contribute valuable know-how and take on specific tasks in the implementation. Trade and employers' associations and trade unions, for instance, are often more suitable partners than local authorities where the organisation of basic and further training of employees is concerned. Particularly in labour-intensive sectors such as tourism, involving these actors is essential. All the more when there are plans for education and training schemes modelled on the German dual education system, which make perfect sense for Tunisia considering its high youth unemployment rate and which are being trialled there.

Similarly, local and regional actors have a role to play in efforts to support business start-ups as these take place in a local social context. Business founders have personal and business networks, possibly also links to local education and training establishments and are in a good position to assess the local business climate. Local economic development bodies, universities and education & training establishments, trade associations and local banks can collaborate in setting up a network that can provide support ranging from "soft" infrastructure such as seminars to help with drafting business plans to "hard" infrastructure such as business incubation centers.

The task for local and regional authorities consists mainly of coordinating participative regional development processes. To this end, the World Bank is promoting the "coordination of multiple actors to facilitate private sector interest in an area's latent potential".¹⁸ Local (and national) political institutions on the one hand and private actors including self-regulatory business organisations and associations on the other must meet as equal partners in such approaches

and pursue a joint vision of regional development, which can and should take into account the regional development priorities of the democratically legitimised local government.

TUNISIA'S TRANSFORMATION PROCESS AS A WINDOW OF OPPORTUNITY FOR DECENTRALISATION

Tunisia's priorities in regional development policy clearly lie in reducing regional development disparities and combating youth unemployment. The country has potential for a decentralised regional development policy that includes local and regional actors in politics, administration and the private sector, and compared to other countries in the Middle East and North Africa, it has a high level of economic development and a relatively high level of competitiveness in its economy. One can therefore expect instruments of regional development policy, which make use of the energy, knowledge and commitment available at a local level and which support the regions through targeted assistance from the national level, to boost the dynamic strength of the Tunisian economy and its labour market. However, this will require the bottom-up and top-down approaches to complement one another to good effect.



Carpet manufacturing near Kairouan: Promotion of the middle class will be a central task of the local authorities to balance regional disparities. | Source: Dennis G. Jarvis, flickr @@@.

The new constitution envisages a decentralised system comprising municipalities, regions and départements, endowed with individual legal entities.

The new constitution has created scope for decentralisation and for territorial authorities below the national level to become more involved and take on greater responsibility. In the past, the Ministry of the Interior appointed the governors of the 24 Tunisian governorates, while local communities had elected councils, which in turn elected the mayors.¹⁹ The new constitution envisages a tripartite decentralised system comprising municipalities, regions and *départements*, endowed with individual legal entities. Article 133 of the constitution states that the regional and local council members shall elect the council members of the *départements*. One other noteworthy point is that youth representation is to be guaranteed in the councils of the territorial authorities. This should mean that the issue of youth unemployment will feature on the political agenda of these territorial authorities. After all, the subsidiarity principle is enshrined in Article 134 of the constitution.²⁰ It will be interesting to see what consequences the new governmental structure will have for future regional planning.

Over the next few years, legislators and the government will face the challenge of putting flesh on the bones of the newly created constitutional framework. This raises the question as to how the political parties will address the question of regional development policy. The fact that the National Constituent Assembly adopted the new constitution including decentralisation with a majority of 200 out of 216 votes demonstrates that there is a broad consensus across the political landscape, including the strongest party, the Islamist Ennahda. The secular-leaning Nidaa Tounes party led by former Prime Minister Béji Caïd Essebsi, for its part, makes explicit reference to regional development in its discourse. Some observers believe this party will be capable of attracting a following comparable to that of Ennahda in the upcoming new elections.²¹

19 | Cf. *ibid.*, 279.

20 | Cf. "Constitution de La République Tunisienne", http://marsad.tn/uploads/documents/Constitution_Tunisienne_en_date_du_26-01-2014_Version_Francaise_traduction_non_officielle_Al_Bawsala.pdf (accessed 20 May 2014).

21 | Cf. Hardy Ostry, "A Constitution for all Tunisians: New Constitution Provides a Glimmer of Hope – Many Challenges Still Lie Ahead", *KAS International Reports*, No. 5/2014, 50, <http://kas.de/wf/en/33.37762> (accessed 20 May 2014).

Nidaa Tounes considers regional development to be one of four factors involved in the 2011 revolution (besides employment, youth and social justice). In its manifesto, the party makes an explicit commitment to decentralisation as it regards political decision-making at a regional level a means for the local population to be instrumental in determining its own economic and political prospects. According to the party, infrastructure development will make a further contribution to the economic development in areas that are lagging behind.²²

MOVING TOWARDS A DECENTRALISED REGIONAL DEVELOPMENT POLICY

The newly created constitutional framework – and its outstanding underpinning through legislation – allows for stronger co-determination by regions and municipalities in matters of regional development policy. Not only does this make sense under the aspects of grass-roots democracy and subsidiary, but it is also of practical benefit because a decentralised system can be advantageous in terms of effectiveness. For instance, considering the reasons for a stronger bottom-up approach in regional development, the implementation of the cluster policy could benefit from a stronger involvement by local actors and particularly municipalities, regions and *départements*. That way, the existing top-down political practices can be complemented by elements of bottom-up control. If decentralisation opens up scope for subnational territorial authorities to act in the area of economic development, it might even be possible for cluster initiatives to emerge in a bottom-up process, with local economic development bodies playing a strong coordinating and prompting role. Particularly in remote, lagging areas in the country's interior, this may provide opportunities to gain a foothold in niche sectors where their economic structures possess relative strengths.

If decentralisation opens up scope for subnational territorial authorities to act in the area of economic development, it might even be possible for cluster initiatives to emerge in a bottom-up process.

22 | Cf. Hafawa Rebhi, "Programme socio-économique de Nidaa Tounes: 'Pour que la Tunisie devienne un pays émergent... et démocratique'", *L'Économiste Maghrébin*, 17 Nov 2013, http://leconomistemaghrebin.com/2013/11/17/?page_id=47598 (accessed 20 May 2014).

A decentralised regional development policy would also be beneficial to the development of tourism – in comparably prospering coastal areas as well as in remote areas in the interior.

It should be possible to create synergies through collaboration with international donors. The World Bank recently announced plans for 300 million U.S. dollars of funding for building up the capacities of local government in conjunction with the decentralisation process linked to the new constitution.²³ An exchange of experience in the area of local government and administration relating to economic development – for instance with German municipalities, which have experience with participative economic development – would foster benefits from decentralisation for Tunisian regional development policy.²⁴ Furthermore, participatory political processes should attract non-governmental actors for the realisation of regional development initiatives, namely organisations such as the employers' association UTICA and the trade union association UGTT and their regional or local organisations.

An exchange of experience in the area of local administration relating to economic development would foster benefits from decentralisation.

Considering the large regional discrepancies in economic development in Tunisia, the obvious approach is to use a mixture of instruments of regional development aimed at a wide range of industries ranging from labour-intensive tourism to innovative technology sectors.

In this context, encouraging start-ups is of particular importance. The *pôles de compétitivité* are already making a wide range of sector or technology-specific services available to business founders. Local or regional start-up networks could do the same for specific sectors or technologies. Once again, the above-mentioned and other non-governmental actors will be of crucial importance in

23 | Cf. The World Bank, *World Bank Group Announces up to US\$1.2 Billion in Support for Tunisia in 2014*, press release, 28 Feb 2014, <http://worldbank.org/en/news/press-release/2014/02/28/world-bank-group-support-tunisia-2014> (accessed 20 May 2014).

24 | Cf. Maximilian Benner, *Clusterwettbewerbe: Eine Option für Entwicklungsländer?*, Munich, MPRA, 19 Aug 2012, http://mpra.ub.uni-muenchen.de/40743/1/MPRA_paper_40743.pdf (accessed 20 May 2014).

such networks. This includes not least banks and organisations offering microfinance.

Excursus 3: Start-ups in the Middle East and North Africa

Most countries in the MENA region are faced with the challenge of opening up access to the labour market for new graduates. This is difficult because demographic developments mean there are more graduates flowing onto the labour market than it can absorb at the current level of economic growth.²⁵ Regional disparities exacerbate this problem. It is obvious that a solution will not only require a macroeconomic policy encouraging economic growth overall but also targeted support for business start-ups. It is hardly conceivable that the economies in the Arab World will be able to generate sufficient growth and employment without new businesses being founded.

TUNISIA'S REGIONAL DEVELOPMENT POLICY AT THE CROSS-ROADS

The exploitation of the knowledge and skills of local actors from politics, administration and the private sector will require decentralisation of regional development planning and implementation competences combined with the support of local actors in exercising these competences as an important component of a regional development policy that will produce growth and employment. Even though there is a certain awareness of the problem of regional disparities among the politicians, the importance of decentralisation in the context of regional development policy does not seem to have made it to the forefront of political discourse in Tunisia.

However, the willingness of the politicians to transfer competences to the regional and local levels and to recognise the role of non-governmental actors in regional development is crucial to the success of a decentralised regional development policy. It remains to be seen whether and to what extent Tunisian politicians will use the opportunities provided by the new constitution to this end. Ultimately,

25 | The World Bank estimates, for instance, that Tunisia will require a GDP growth of at least 4.5 per cent to reduce unemployment by 2020. At the same time, it forecasts a growth rate of just three per cent for 2014. Cf. n. 3, 5 and 7.

regional development policy in Tunisia will be measured by the extent to which it will improve the economic prospects of the population in peripheral, lagging areas as well and create opportunities for people to access the job market. The expectation of this happening, which was awakened by the revolution, has so far remained unfulfilled, and it will only be possible to realise it over the long term and in small steps. Addressing this expectation successfully is one of the urgent tasks of Tunisian politics. If this could be achieved, it would bode well for lagging areas in the entire region of the Middle East and North Africa.

THE EUROPEAN PARLIAMENT AS THE “DRIVING FORCE” OF THE COMMON SECURITY AND DEFENCE POLICY

Gerrit F. Schlomach

The outcome of the European elections of 23 to 25 May will have an impact on the direction the European Parliament (EP) will take with the Common Security and Defence Policy (CSDP). During the expiring 7th legislative period from 2009 to 2014, the EP has consolidated its role as “driving force”¹ for the Security and Defence Policy and been successful in advancing the parliamentarisation of the CSDP. It made important contributions in the areas of agenda setting, law-making, budgetary law as well as parliamentary monitoring and political oversight. The Christian Democrat group in Parliament played a central role in all these areas, preparing the ground for a “grand coalition” in matters of security and defence.



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ROLE OF THE EUROPEAN PARLIAMENT WITHIN THE CSDP

In the course of its 7th legislative period from 2009 to 2014, the EP strengthened its role as an oversight and admonitory force within the CSDP, which forms an integral part of the Common Foreign and Security Policy (CFSP), on the basis of the Treaty of Lisbon. The European Parliament exercises five functions in connection with the CSDP: information gathering, political oversight, budgetary control and legislative functions as well as responsibilities with respect to agenda setting. Before any oversight or control

1 | Hans-Gert Pöttering, “European Union Common Foreign, Security and Defence Policies: Contribution of the European Parliament”, in: Karl von Wogau and Guy Verhofstadt (eds.), *The path to European defence*, Antwerp, Maklu, 2004, 73-80, here: 75.

can be exercised, the MEPs need to obtain pertinent information in order to be able to do justice to their oversight and admonitory role.

The MEPs had already acted with respect to their duty to gather information in the autumn of 2009 by questioning the now First Vice President of the European Commission and High Representative of the Union for Foreign Affairs and Security Policy, Baroness Catherine Ashton, at a hearing in Parliament. As an EU commissioner candidate, she was answering questions on the future of the then European Security and Defence Policy (ESDP) and on the demand for a European Security and Defence White Paper tabled by Parliament. At this occasion, it became apparent that the ESDP was not going to be one of the areas she would focus on. During the course of the legislative period, the parliamentarians made use of their right to question Ashton in plenary assembly sessions. She committed herself to giving an account to MEPs with respect to the CFSP and CSDP at least twice a year.



Since 2009 Catherine Ashton is the EU's High Representative of the Union for Foreign Affairs and Security Policy: Ashton, here during a visit to the Polish Foreign Ministry in 2012, committed herself to giving an account to MEPs. | Source: Mariusz Kosiński, Foreign Ministry of Poland, flickr ©©©.

Table 1
Groups in the 7th European Parliament (2009 to 2014)

Group	Abbreviation	Number of seats (percentage)
European People's Party (Christian Democrats)	EPP	274 (35.8)
Progressive Alliance of Socialists & Democrats in the European Parliament (Social Democrats)	S&D	196 (25.6)
Alliance of Liberals and Democrats for Europe (Liberals / centrists)	ALDE	83 (10.8)
Group of the Greens/European Free Alliance (Greens, regional parties)	Greens/EFA	57 (7.4)
European Conservatives and Reformists (Conservatives, EU sceptics)	ECR	57 (7.4)
Confederal Group of the European United Left/Nordic Green Left (Socialists, Communists)	GUE/NGL	35 (4.6)
Europe of Freedom and Democracy (EU sceptics, right-wing populists)	EFD	31 (4.1)
Non-attached		33 (4.3)

During the 7th legislative period, the European Parliament had 766 MEPs.

Source: European Parliament, <http://ergebnisse-wahlen2014.eu/de/election-results-2009.html> (accessed 16 Jun 2014).

The fact that the groups in the EP (see Table 1) occupy different political positions means their stances towards the CSDP differ as well. During the regular discussions, it became clear that the MEPs from the GUE group, the ECR group and the EFD group are fundamentally opposed to the existing CSDP structures and processes. The GUE group imputes that the CSDP entails an indefensible militarisation of the EU. The MEPs from the ECR group expressed doubts as to whether the EU should accept any military remit at all. This is not a case of pacifism, as with the MEPs on the Left, but of a fundamental suspicion that the CSDP is duplicating NATO. The EFD group is also opposed to the EU exercising military responsibilities on principle and demands that these matters be returned to the level of the nation states.

EPP, S&D and ALDE agree on the idea that the civilian-military approach should be consolidated by strengthening capabilities and meeting security challenges with a common response.

Opposing these views is a “grand coalition” around the EPP group, which prepared the ground for a compromise with the S&D group and the ALDE group on central issues relating to the CSDP. In terms of content, this “grand coalition”² welcomes the current form of the CSDP with its central approach of networked security. These three groups agree on the idea that the civilian-military approach should be consolidated by strengthening capabilities, adopting a Security and Defence White Paper and meeting security challenges with a stronger common response. The group of the Greens also stresses the need for a strong CSDP, although it does not take clear positions on military, research and industry-related issues in the CSDP context.

SECURITY-POLICY ARM OF THE EP: SUBCOMMITTEE ON SECURITY AND DEFENCE

Since 1984, there have been EP subcommittees dealing with matters of security, disarmament and defence. The only period when these were not active was during the legislative period from 1999 to 2004.³ During the expiring legislative period, the work in this policy area has been carried out by the Subcommittee on Security and Defence (SEDE), which assists the standing Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (AFET for short from the French term *Affaires étrangères*). SEDE developed from a subcommittee on security and disarmament.⁴ The work of the latter had been retrospectively rated by its then chairman as a “driving force behind the foreign policy, security and defence debate”, which “consistently provided creative inputs”.⁵ In addition, the MEPs prepared the ground to ensure that Member States would accept the idea of assigning the “European Community/ Union” a role in the areas of security and defence. The EP has been consistent in its support for defence policy at

2 | To date, out of a total number of 766 MEPs, this coalition has included 274 MEPs from the EPP group, 195 from the S&D group and 83 from the ALDE group.

3 | Cf. Richard Corbett, Francis Jacobs and Michael Shackleton, *The European Parliament*, London, Harper, 2007, 147.

4 | SEDE was established in 2004, chaired by then MEP Karl von Wogau (EPP/CDU), who was succeeded by French MEP Arnaud Danjean (EPP/UMP) from 2009 to 2014.

5 | Pöttering, n. 1, 75.

the European level, reflected in the change of name of the subcommittee in 2004.

During the expiring legislative period, there have only been occasional incidents in SEDE where MEPs diverged from the common parliamentary group stance on specific pertinent issues due to national positions. Generally, the scene was dominated by a confrontation between the groups along the political spectrum from Right to Left. One example proving competition between the groups was the contentious vote on defence export control,⁶ when the existing “grand coalition” on fundamental issues was revoked by the Social Democrats. It had already transpired during the preparations for the vote that the S&D and GUE groups and the Greens held joint views that could gain a majority as they had support from some of the Liberals. The groups on the Right and Left did not agree on the extent to which the Member States could be called to account at EU level in the event of failure to conform to the common stance on defence export control and the degree to which the control regime was to be expanded.

One example proving competition between the groups was the contentious vote on defence export control, when the “grand coalition” on fundamental issues was revoked by the Social Democrats.

In agreement with the ECR group, the EPP group took the view that implementation of defence export controls should be left to national parliaments. The other groups, however, wanted to enforce accountability to the EP and to civil society organisations. Ultimately, the EPP group succeeded in stopping the draft at committee level although it looked like it might be defeated in the vote. It gained the necessary majority for the draft to be rejected in the final vote in AFET, which meant it could then not be submitted for a vote in the plenary session. All the members of the EPP group eligible to vote turned out for the vote. Conversely, there were too few S&D MEPs present casting their vote, resulting in the “left-wing” groups being defeated. Some of the Liberals had also sided with the EPP.

6 | Even the draft report created controversy in SEDE. Cf. European Parliament (EP), “Draft report on arms exports: implementation of Council Common Position 2008/944/CFSP (2012/2303(INI)”, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/afet/pr/927/927057/927057en.pdf (accessed 22 May 2014).



The European People's Party, led by parliamentary chairman Joseph Daul between 2009 and 2014, took the view that implementation of defence export controls should be left to national parliaments. | Source: Martin Lahousse, EPP, flickr @@@.

SEDE'S PARLIAMENTARY INFORMATION GATHERING AND OVERSIGHT FUNCTIONS

At the level of SEDE, the MEPs gather security and defence-related information through hearings, by questioning representatives of the European executive as well as visiting CSDP operations.⁷ During these sessions, the MEPs exercise their political oversight function by investigating ongoing processes and opening up the CSDP, normally dominated by the executive, to a degree of public inspection. During the legislative period from 2009 to 2014, the exchanges between SEDE and national defence ministers, high-ranking representatives of HR Ashton or Commission representatives, the European Defence Agency (EDA), the European Union Satellite Centre (EUSC) and the European External Action Service (EEAS) were mostly conducted in public sessions.

To add to the body of knowledge available throughout the EP, SEDE regularly organises committee meetings with other parliamentary institutions, such as the Foreign Affairs, Development and Budgets committees. There have also been joint meetings of SEDE delegations with

7 | Secretariat of the Subcommittee on Security and Defence, *European Parliament Subcommittee on Security and Defence 7th Legislative Period (2009-2014)*, Brussels, 2011, 10.

delegations from other regional organisations or non-EU states. Delegations are dispatched to CSDP operations so MEPs can gain a more detailed insight into the particular deployments and assess their implementation. The visits to areas of deployment are complemented by SEDE hearings, where the MEPs question the EU Special Representatives, the heads of the European Union Military Staff (EUMS), the civilian-military planning unit (Crisis Management and Planning Directorate, CMPD), the Civilian Planning and Conduct Capability (CPOCC) as well as the civilian and military commanders of the CSDP missions.

Delegations are dispatched to CSDP operations so that MEPs can gain a detailed insight into the particular deployments and assess their implementation.

The scientific services make a further contribution to strengthening the knowledge base within the EP and to informing the public. They conduct studies on behalf of SEDE or engage third-party research institutions to carry out the work. Two recent studies have attracted widespread attention. The first is a study entitled "The impact of the financial crisis on European defence"⁸ by the German foundation Stiftung Wissenschaft und Politik (SWP), which served as the basis for the so-called Lisek Report. The results from this study have been shown to influence the perceptions of the CSDP in the capitals and led to more in-depth studies by the EP and the EDA. The second was a study entitled "Cost of Non-Europe Report: European Common Security and Defence Policy",⁹ which attracted considerable public attention and initiated Europe-wide discussions about the acts and omissions of the Member States in connection with the CSDP.

LEGISLATIVE AND NON-LEGISLATIVE ACTIVITIES WITHIN THE CSDP

The Subcommittee on Security and Defence uses committee work and visits by delegations to become involved in the legislative and non-legislative work of the EP that is relevant to security and defence policy through parliamentary opinions and reports. The areas of EU legislation that SEDE

8 | Christian Mölling and Sophie-Charlotte Brune, "The impact of the financial crisis on European defence, study for the European Parliament", Brussels, 2011.

9 | Blanca Ballester, "Cost of Non-Europe Report European Common Security and Defence Policy", *CoNE 4/2013*, European Parliament, Brussels, 2013.

has been involved with in an advisory capacity during the expiring legislative period have included the future of the Galileo satellite navigation program and of the Copernicus Earth Observation Programme. In addition, the subcommittee succeeded in having a say in shaping the legislation for the next EU Research Framework Programme, Horizon 2020. In all three cases, the EP ensured that civilian-military aspects were included in the European legislative work. This is worth mentioning as SEDE opinions reflecting parliamentary insights in the area of security and defence policy do not automatically have to become incorporated into the legislation by the respective committee in overall charge.



Launch of the first Galileo navigation satellites in 2011: the Subcommittee on Security and Defence of the European Parliament is an advisory body for the legislation concerning the satellite navigation program. | Source: Thilo Kranz, DLR, flickr ©©.

Examples in this area include the legislative work on devising the Single European Sky (SES) and the failed partial EU funding of the integration of military aviation. In 2011, the estimated cost of the technical integration with the future SES was put at seven billion euros.¹⁰ A problem arose in that none of the EU Member States had set aside funds for this purpose in the defence budget or was planning to do so. If Member States do not create the prerequisites in terms of military technology to enable participation in the

10 | Cf. Blanca Ballester, "Cost of Non-Europe Report European Common Security and Defence Policy", *CoNE 4/2013*, European Parliament, Brussels, 2013, 58.

reformed airspace sometime soon, this could potentially result in restrictions to military deployment and supply operations in the future.

A conflict has broken out in this connection between the Council and Parliament. While the Council has agreed to the civilian-military character of the SES, Member States are refusing to acknowledge the consequences the Commission is creating in the course of implementing the legislation in agreement with the EP. As the single airspace is aimed at strengthening civil aviation while creating cost and energy savings, so-called Functional Airspace Blocks for military reasons would be very difficult to enforce in the future. Under European legislation, the air forces do not play a special role where participation in general air traffic is concerned. This is a circumstance that Member States will definitely have to take into account when planning their defence budgets in future.

As the single airspace is aimed at strengthening civil aviation, so-called Functional Airspace Blocks for military reasons would be very difficult to enforce in the future.

The Transport Committee, which is in overall charge where the SES is concerned, disregarded the proposal put forward by SEDE on cofounding to support the national air forces in managing the integration. While SEDE adopted the draft of the opinion with a broad majority, this did not feature in the subsequent decision-making of the Transport Committee. This is not an isolated example. SEDE frequently initiates proposals for decisions intended to strengthen the CSDP. But as other committees are in overall charge, such initiatives do not necessarily have to be given consideration. Besides the conflicts between parliamentary groups and nationalities, differences and obstacles at the level of the EP committees represent a third line of conflict.

In addition to their involvement in legislative reports, the MEPs in the SEDE subcommittee draft non-legislative reports to respond to measures and/or reports of other EU institutions or to start political initiatives of their own. The EPP group in the EP used this route to make some political points. They succeeded in strengthening civilian-military cooperation at EU level and the use of civilian-military capabilities by a report on "civilian-military cooperation

and the development of civilian-military capabilities".¹¹ The EU initiative on the sharing of military roles and tasks (Pooling and Sharing) was subjected to criticism in a report on the "impact of the financial crisis on the defence sector in the EU Member States",¹² accompanied by suggestions for improvements. The EP responded to Commission proposals on the future of defence by submitting a report on the "European Defence Technological and Industrial Base",¹³ thereby making a substantial contribution to the European Defence Council in December 2013.¹⁴

At the biannual occasions when the First Vice President of the European Commission and High Representative of the Union for Foreign Affairs and Security Policy, Baroness Catherine Ashton, gives her account to the EP, the parliamentary annual reports on the CFSP and CSDP are debated in plenary session, and the execution of measures relating to foreign affairs and security policy are submitted to a critical examination. AFET produces the annual report on the CFSP, which contains sections on the further development of the CSDP, if appropriate. SEDE committee members draft the annual report on the CSDP, which concentrates on political and strategic questions, the execution of the CSDP missions, institutional processes as well as the debate on strengthening civilian and military capabilities.

The annual reports are generally supported by large majorities consisting of the EPP, S&D and ALDE groups. Firstly, this is due to the fact that the two large groups agree on

11 | EP, "European Parliament resolution of 23 November 2010 on civilian-military cooperation and the development of civilian-military capabilities (2010/2071(INI))", <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0419&language=EN&ring=A7-2010-0308> (accessed 17 Mar 2014).

12 | EP, "European Parliament resolution of 14 December 2011 on the impact of the financial crisis on the defence sector in the EU Member States (2011/2177(INI))", <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0574&language=EN&ring=A7-2011-0428> (accessed 17 Mar 2014).

13 | EP, "European Parliament resolution of 21 November 2013 on the European Defence Technological and Industrial Base (2013/2125(INI))", <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2013-0514&language=EN&ring=A7-2013-0358> (accessed 17 Mar 2014).

14 | Cf. Michael Gahler, "Nach dem Gipfel ist vor dem Gipfel", *Europäische Sicherheit und Technik*, 2014, 2, 10-12.

the fundamental arguments regarding the CSDP. Secondly, responsibility for drafting the annual reports is assigned on a rotation basis, alternating between the group that is in charge of the subcommittee and the next largest group.¹⁵ In the 2013 annual report on the CSDP, the EP commented on political and strategic issues as preparations were being made for the upcoming Defence Summit. In this report, the MEPs called for a European Security and Defence White Paper and for a formal Council of Defence Ministers to be convened.



Parliamentary responsibility in foreign affairs: MEPs, such as those here in Strasbourg, debate the parliamentary CFSP and ESDP annual reports and discuss the implementation of foreign and security policy. | Source: © Kovács Gábor, EU (2014), EP.

These efforts have not come to fruition so far, as these issues were not given any consideration by the heads of state and government at the 2013 defence summit. There is a conflict between the EP and the Council in this connection in that the Member States issue pompous diplomatic declarations, which are then only implemented very slowly or not at all. To date, Member States have refused to disclose the military capabilities of individual countries to each other and to the EP or to state where there are cases of

15 | During the 7th legislative period, the EPP group has provided the committee chairman, French MEP Danjean, who presented the draft every two years. In the intervening years, the Social Democrat group did the drafting.

duplication. A European White Paper would be drafted on the basis of a joint European review of the current situation so that the development of capabilities can be linked to strategic development. However, Member States have so far shown little interest in this as it would mean the bundling of military national sovereignty at the European level.

BUDGETARY CONTROL AND MULTI-LEVEL OVERSIGHT OF THE CFSP AND CSDP

As part of the budgetary control of the CSDP, the EP regularly takes part in joint consultation meetings with the Council, the European External Action Service (EEAS) and the European Commission. Five times a year, a small EP delegation joins these meetings (behind closed doors), consisting of the heads of AFET, SEDE and the Budgets Committee. These meetings serve to exchange information about CSDP operations and to examine the way the budgetary plan for the CFSP is being implemented.¹⁶ However, in the past this opportunity was hardly used to question the implementation of the civilian CSDP components in the CFSP budget and institutional processes.

In the inter-parliamentary conference for multi-level scrutiny of the CFSP and the CSDP, national parliamentarians and MEPs met to jointly consult about the future of the CSDP.

Following the dissolution of the parliamentary WEU Assembly (European Assembly for Security and Defence/Assembly of the Western European Union), a new inter-parliamentary conference was created in 2012 for multi-level scrutiny of the CFSP and the CSDP. During the sessions to date, which have taken place in Warsaw, Dublin and Vilnius, national parliamentarians and MEPs met to jointly examine the CSDP missions and consult about the future of the CSDP. When the conference was initially set up, a dispute arose between the national and European levels with respect to how many MEPs were to attend to represent the interests of the EP. The EP asserted its position on this point, which was that it should not be treated like an additional national parliamentary delegation in terms of numbers; its contingent now comprises 16 MEPs, while the national delegations comprise six MPs each.

¹⁶ | Cf. n. 7, 11.

The establishment of the inter-parliamentarian oversight body is to be seen as a positive sign. The added value it provides lies in the fact that the EP monitors the missions, the Commission and the EDA on a continuous basis. In the outcome document of the inter-parliamentary conference in Vilnius in September 2013, the EP delegation further formulated joint parliamentary demands to be addressed to the European Defence Council in the face of opposition from some national MPs.¹⁷ In terms of content, the majority of the opinions and assessments of the EP with respect to the CSDP won through.

Interestingly, a further dividing line became apparent during this dispute, with the European level and the nation state level on opposite sides. The EP had the upper hand where the drafting of the document contents was concerned, as its positions, rather than those of the national parliaments, had the support of the broad majority of the EP delegation. No doubt, the next few sessions will help to deepen the trust between the parliamentarians from the two levels further. This would strengthen the role of the European Parliament in overseeing the CSDP for the long term.

INVOLVEMENT OF THE EP IN SHAPING LEGISLATION RELATING TO THE CSDP

Before the Treaty of Lisbon came into force in the autumn of 2009, the legislative powers of the Parliament in Strasbourg and Brussels relating to the CSDP extended to the EU Single Market. During the 7th legislative period, the MEPs have monitored the implementation and compliance of the so-called Defence Package, which the Council and Parliament adopted jointly in the summer of 2009. This package consists of two elements: the directive to simplify transfers of defence-related products

During the 7th legislative period, the MEPs have monitored the implementation and compliance of the Defence Package, which the Council and Parliament adopted jointly in the summer of 2009.

17 | Cf. Lietuvos Respublikos Seimas, "Conclusions. Inter-parliamentary conference for the common foreign and security policy and the common security and defence policy, 4-6 September 2013", <http://europarl.europa.eu/webnp/webdav/site/myjahiasite/shared/ICMs/2013/AFET-SEDE%205%20November/CFSP-CSDP%20IPC%20Conclusions,%20Sep%202013,%20Vilnius.pdf> (accessed 22 May 2014).

within the EU¹⁸ and the directive on the award of contracts relating to defence-related products and services.¹⁹

In both these areas, the European Commission had found it necessary in 2007 to use its right of initiative because intergovernmental regulations had not produced the desired result or there were in fact no regulations in place. Although Member States had set up an intergovernmental regime for defence procurement and developed a code of conduct within the EDA in 2006, this did not translate into any significant change in their national reflexes in connection with procurement projects because the code was not legally binding. As some Member States had strong reservations with respect to the application of Single Market rules to the defence market, they made no effort to establish legally binding intergovernmental regulations via the EDA. The Commission reacted to both these failures with the Defence Package initiative, the aim of which was to apply the Single Market principles to the defence market.

The Council and the EP are on opposing sides on this issue, as the Member States insist on retaining their historically developed national awarding practices. In addition, the Commission has called for equal conditions to be established among Member States for defence-related business deals and for a substantial strengthening of the European Defence Technological and Industrial Base. Parliament supports these calls. However, due to national reservations, Member States are making hardly any progress in establishing a European defence base. MEPs questioned the Commissioners for Enterprise and Industry, Michel Barnier and Antonio Tajani. They gained insight

Due to national reservations, member States are making hardly any progress in establishing a European defence base.

18 | Cf. EP and the Council of the European Union (CoE), "Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community", <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:146:0001:0036:EN:PDF> (accessed 22 May 2014).

19 | Cf. EP and CoE, "Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC", <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:216:0076:01:EN:HTML> (accessed 17 Mar 2014).

informed the political demands that the EP addressed to the European Defence Council in December 2013.

THE EUROPEAN PARLIAMENT PLACES IDEAS OF ITS OWN ON THE AGENDA

During the expiring legislative period, the EP has been involved in placing innovative ideas on the security and defence policy agenda.

The EP issued a critical response to the publication of the parliamentary report on the European Defence Technological and Industrial Base in November.

The EP issued a response to the publication of the parliamentary report on the European Defence Technological and Industrial Base (EDTIB) in November 2013, criticising the way the EDTIB was being dealt with. At the same time, the EP put forward two ideas on supranational standardisation and certification. The EP is also providing impulses with respect to civilian-military research under the EU Research Framework Programmed Horizon 2020.

MEP Gahler concentrated on the need to strengthen the EDTIB in his report. He worked from the idea that jointly adopted CSDP missions require an independent industrial base that was capable of sustainably supporting the successful execution of operations and missions. The report expressed the MEPs' dissatisfaction with the implementation of the intergovernmental initiatives in this area and with the strong inertial forces at work in the ministries of defence in the narrow interpretation of the rules of the Defence Package. They pointed out that previous multi-lateral initiatives to strengthen the defence market had so far failed due to the egotism of the Member States. This position has majority support from the three large groups of the EPP, S&D and Liberals. While the Member States have paid lip service to this goal in the Council in the past, they have made scant practical progress in its implementation.

All Member States are aware of shrinking defence budgets, the fragmentation of the European defence market and the erosion of the defence base. Although joint insights gained by the Member States and the Commission in their efforts to address these challenges have been reflected in various strategies, this has so far only resulted in a small number of intergovernmental agreements, which are not having much of an impact because of the lack of legal enforceability. And while Parliament and the Council

devised the Defence Package in 2009 and thereby placed the supranational actor, namely the Commission, center stage, these measures are also very slow in having any effect.

Article 346 allows Member States to disregard the Single Market principle for defence contracts relating to sensitive areas of national security.

Under the Treaty of Lisbon, it is up to the Commission to monitor whether the Member States put defence contracts out to Europe-wide tender. However, the pertinent Article 346 allows Member States to disregard the Single Market principle for defence contracts relating to sensitive areas of national security. Unlike under the precursor to this article, the national ministries of defence must now justify to the Commission why a specific tender would affect the country's national security. It is not yet clear how and to what extent the Commission will interpret this article.

On 4 March 2014, Commissioner Michel Barnier confirmed in Brussels that the Commission would not object to a pragmatic course of action in this area. Has it given in to the Council on this point and therefore to the urging by the Member States to adopt a broad interpretation? In any case, his statement contradicts the instruction by the EP to demand a narrow interpretation of the pertinent article. This represents an essential conflict of objectives between the EP and the Council as the interpretation of this article will crucially affect the success of the common defence base.

With their demand for standardisation and certification in the area of defence to be organised at a supranational level, MEPs are taking a clear stand. The benefit of European standards is obvious: they will strengthen European competitiveness, because whoever has the standard will rule the market. This is the view backed by the "grand coalition" of the EPP, S&D and ALDE groups. The ECR group is opposed, citing duplication of the standardisation agreements within NATO. One can counter this with the question: Where were European standards when German in-flight refuelling aircraft could not be used in the French airborne operation over Mali in early 2012? There was a compatibility problem with the refuelling filler necks in spite of Franco-German cooperation within and outside NATO. If the EU is successful in establishing a standard, one can

assume that other regional groupings and third-party states will not be able to ignore that standard, seeing that 28 states back it. One positive example of the Commission setting standards exists in the area of software-controlled radio equipment, which could well encourage its global proliferation.

Where certification is concerned, the EP advocates the mutual recognition of military certification processes, which have been conducted purely on a national basis to date, in the short term and their Europeanisation in the long term. Member States are in agreement with this approach in principle, but they have also prevented the Europeanisation of military certification in the past. When one is dealing with 28 military certification processes, there is unnecessary duplication that wastes time and money. It is estimated products cost up to 20 per cent more for end customers because of duplicated certification.²⁰ Where existing military capabilities are concerned, it does make sense to begin with mutual recognition. This might have prevented the NH-90 helicopter from having to be certified again in Germany although France was already using the same type to support the troops deployed in Afghanistan. In the case of new types of technology, such as that involved in drones, care must be taken to ensure that European certification processes are taken into consideration from the planning stage onwards. In the same way as civilian drones will need to be certified by the European Aviation Safety Agency in future, we need a European aviation licencing agency for military drones. The EP had some success with its demands insofar as the conclusions of the 2013 Defence Summit picked up on both issues – certification and standardisation.

EP ESTABLISHES CIVILIAN-MILITARY RESEARCH AND PLACES EUROPEAN DEFENCE RESEARCH ON THE AGENDA

Although the implementation of the CSDP is subject to an executive prerogative and the Member States have been assigned the central role in the execution of the operations, “with the entry into force of the Lisbon Treaty the

20 | Cf. Kangaroo Group, “Kangaroo Group Discussion Paper for the December Defence Summit”, http://www.kangaroorgroup.eu/DB_beelden/DP_Dec_Sum.pdf (accessed 22 May 2014).

EU's industrial, space and research policies extend to the defence remit".²¹ Although the Member States have defined this legal basis contractually, they have not derived any consequences from it when drafting the Multiannual Financial Framework for 2014-2020. It was on this legal basis that the involvement of the MEPs in security and defence-related matters developed as part of the so-called codecision procedure, and this involvement needs to be developed further during the coming legislative period.

Prior to the 2013 Defence Summit, the parliamentarians expressed support for the CSDP operations in two ways.

Firstly, by exercising their role as co-legislators on matters

of civilian-military research, and secondly,

Back in 2007, the EU defence ministers had jointly promised to raise expenditure for defence research and technology to two per cent of the entire defence spending.

with the development and launch of the idea of European defence research. The majority of the MEPs had previously come to realise that there was no chance the objectives set

by the governments themselves would be achieved without further joint European efforts. Back in 2007, the EU defence ministers had jointly promised to raise expenditure for defence research and technology to two per cent of the entire defence spending and to increase European cooperation in this area to 20 per cent.²² However, the figures currently available for 2012 show a different picture and indicate that this had been pure lip service. After expenditure in this area had increased slightly in 2011, it decreased again the following year to 1.93 billion euros (1.02 per cent of total spending). These are the lowest values since 2006 in both relative and absolute terms. Furthermore, expenditure for cooperation projects and programs in the area of defence research and technology decreased by almost 15 per cent from 2011 to 2012.²³ This notwithstanding, the current figures from the EDA do not give any clear indication of whether the 20 per cent target for cooperation research projects has been achieved; instead, there is talk of insufficient data being available,

21 | N. 13.

22 | Cf. European Defence Agency (EDA), "Research and Technology Strategy", <http://eda.europa.eu/Aboutus/Whatwedo/eda-strategies/ResearchandTechnology> (accessed 22 May 2014).

23 | Cf. EDA, *Defence data 2012*, Brussels, 2013, <http://eda.europa.eu/docs/default-source/eda-publications/defence-data-booklet-2012-web> (accessed 22 May 2014).

making it difficult to assess the indicator on the basis of the 2012 figures. Once again, there is a conflict of objectives between the Council and the EP on this matter. The MEPs are in favour of these budgetary targets. But how Member States and the Council can be induced to adhere to self-defined agreements is another matter.

In the SEDE subcommittee, the “Ehler Report” prepared the ground for establishing civilian-military research and development in support of CSDP operations. The relevant institutional infrastructure is the EU Research Framework Programme Horizon 2020, which is embedded in the Multiannual Financial Framework for 2014 to 2020. The envisaged networked security and defence research will deepen the security research that had already been conducted from 2007 to 2013 under Framework Programme VII with a budget of 1.4 billion euros. One new aspect is that explicit reference is made to the desire for civilian-military research outcomes linked to international security. This compromise was supported by a majority of the three largest groups, namely the EPP, the S&D and the Liberals. The strongest opposition to this political idea came from the Greens, as they were not interested in using EU funds to finance tasks they deemed to fall under the remit of the Member States. The Greens also protested against the EU strengthening the financially strong “large” defence corporations even further in future.

The Commissioner responsible for research, Maire Geoghegan-Quinn, used to oppose any funding of research and development relating to military applications on principle because of the lack of ethical justification. Among the Member States, France is the strongest proponent of European defence research. This also applies to the French EPP MEPs. Parliamentarians from countries such as Finland, Austria and Sweden, on the other hand, tend to oppose defence-related research and development on ethical grounds. But they represent a minority view in the EP, where the majority view is that the CSDP forms part of the contractually regulated EU policies and that each EU policy should stand on a solid ethical basis.²⁴ There is also the question of a potential case of negligence if Member

Among the Member States, France is the strongest proponent of European defence research. This also applies to the French EPP MEPs.

States were to approve the deployment of soldiers on dangerous CSDP missions. The two EU legislators – Parliament and Council – would act in a negligent manner if the CSDP did not have a sound ethical footing. This type of argumentation might potentially deprive personnel deployed on civilian-military missions of the best and most modern equipment funded by EU means.

It took several non-legislative reports in the SEDE subcommittee during the 7th legislative period to obtain approval for EU funded research and development in support of CSDP operations. In the 2010 and 2011 CSDP annual reports, Parliament merely agreed to permit civilian-military research. The breakthrough for EU defence research was achieved by a non-legislative parliamentary report prepared by the Polish MEP Lisek. According to this report, this objective was to be included in the next EU Research Framework Programme “to stimulate European collaborative research and help bring together dispersed national funds”.²⁵ The group of the Greens in particular opposed this compromise. Their MEPs argued that EU-funded defence research was illegal as it was not covered by the EU treaties. There is no justification to sustain this interpretation as the Treaty of Lisbon does contain provisions on EU research in support of all contractually defined policies.

On this basis, the Commission included a recommendation to the European Defence Summit in its communication of July 2013 to the effect that a preparatory action on defence research should be established in addition to the Horizon 2020 program. This Commission instrument serves to establish an action outside the Multiannual Financial Framework, which is then continued with more extensive funding in the subsequent Financial Framework. At the Commission's suggestion and with the approval of Parliament, the European Council welcomed a preparatory action on defence research at its Defence Summit in December.

OUTLOOK FOR THE NEWLY ELECTED PARLIAMENT

During the expiring legislative period, the MEPs have been successful in strengthening their role in the framework of EU institutions. They did so in their collaboration in shaping the CSDP, in providing public oversight of the CSDP missions and exercising budgetary control over the civilian CSDP missions. In addition, the MEPs exercised their admonitory role by calling for new provisions of the Treaty of Lisbon and for existing decisions by governments to be implemented. Through their intensive collaboration in the CSDP, the MEPs in Strasbourg and Brussels made significant headway regarding EU funding for the research and development of civilian-military capabilities as well as the planned EU defence research.

Through their intensive collaboration in the CSDP, the MEPs in Strasbourg and Brussels made significant headway regarding the planned EU defence research.

One can assume that the MEPs who were either re-elected or newly elected in May will continue the constructive work in SEDE in order to gradually parliamentarise the CSDP further at the European level. The parliamentary involvement will probably focus on calling upon governments to implement all the security and defence-related options in the Treaty of Lisbon.²⁶ The topmost demand is that governments should be assertive in driving forward the contractually defined gradual establishment of a common defence policy (Article 42(2) TEU). Bearing in mind its role as co-legislator, the EP will work towards establishing the envisaged European policy in the area of capabilities and armaments (Article 42(3) TEU) at a fast pace. During the 8th legislative period, SEDE will be tasked with ensuring coherence between the external CSDP and the internal policies. Within the EU, this will entail coordination with the capabilities and armaments policy as well as with the policies relating to industry, aerospace and research.

The “grand coalition” of fundamental agreement on security and defence issues is expected to persist over the next five years. However, it will probably meet with a “strengthened front” of national opposition to the CSDP. Within the

26 | Cf. Arnauld Danjean, Michael Gahler and Krzysztof Lisek, “Towards a stronger Union defence policy”, 3 Sep 2013, http://michael-gahler.de/fileadmin/media/presse/pdf/130903_position_paper.pdf (accessed 22 May 2014).

“grand coalition” in the EP, national views will probably be of little relevance, as has been the case in the past. In interaction with various committees, the MEPs forming the SEDE subcommittee will have to continue to actively seek majorities to defend their positions on security policy. That is the only way to ensure that the European Parliament can enhance its role as the “driving force” of the CSDP. The next opportunity to question the candidate for the role of High Representative responsible for the security and defence policy (as well as Vice President) will be when the candidates for commissioner posts will appear at a hearing in the autumn of 2014. In the course of this, the parliamentarians may succeed in wresting some political concessions and greater authority for shaping the CSDP from the Commission.

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20 YEARS OF DEMOCRACY AND THE FIFTH PARLIAMENTARY ELECTIONS IN SOUTH AFRICA

Holger Dix

The ruling African National Congress (ANC) was once again able to defend its dominant position during the parliamentary elections of 7 May 2014. However, it also saw a reduction in its vote and was unable to achieve the two-thirds majority that had been targeted by Party and State President Jacob Zuma. The high turnout once again demonstrated the importance to the South African people of the democracy they have enjoyed for the last 20 years. But there are growing concerns about the country's future. The new government will have to work hard during the next legislative period to ensure that the country's economic and social situation does not worsen and that the acceptance of democracy becomes firmly entrenched.



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20 YEARS OF DEMOCRACY – PRIDE AND BITTERNESS

The death of Nelson Mandela in December 2013 served to remind the country of the political upheavals of 1994 and the outstanding contributions made by political leaders at that time. In April 2014, South Africa celebrated the 20th anniversary of the birth of its democracy. The celebrations were used as an opportunity to look back on what had been achieved to date. It was then up to the parliamentary elections to demonstrate that democracy is firmly established and that the country is well-equipped to face the future. However, as the elections took place in parallel, the analysis of the success of the first two decades of representative democracy was somewhat mixed. There was a unanimous feeling that a great deal has been achieved since 1994 and that South Africa has been successful in many respects. The political stability of the country has been maintained, no

mean achievement in light of the deep divisions in society. The constitution and the democratic institutions that were established have stood the test of time, and millions of disadvantaged people now have access to healthcare, electricity, water and education. Economic growth has been consistently positive and a new black middle class has emerged.

Where there is disagreement, however, is over the question of whether the country is still heading down the right path. Large sections of the population are justifiably concerned that this success story is unlikely to continue. South Africa's economic growth has declined steadily over the last three years, from 3.6 per cent in 2011 to 2.5 per cent in 2012 and just 1.9 per cent in 2013. The government's 2012 National Development Plan assumes an annual growth of five per cent in order to achieve its goals of reducing poverty and creating employment.¹ 16 million South Africans currently receive social security benefits, something which the government considers to be a success, as this means many people have been lifted out of absolute poverty. However, the number of people receiving benefits is actu-

Out of a potential labor market of 31 million, only 13 million South Africans currently have jobs. Many of those who are unemployed have few prospects of getting a job and have already given up looking.

ally more than twice as high as those who pay taxes, leading many to question how sustainable the government's current policy really is. 20 years after the end of apartheid, South Africa still remains a country where people have very different prospects and opportunities. According to the GINI index, South Africa is one of the countries with the greatest income inequality. Out of a potential labor market of 31 million, only 13 million South Africans currently have jobs. Many of those who are unemployed have few prospects of getting a job and have already given up looking. Youth unemployment figures are some of the highest in the world, as young people tend to be badly prepared for the labour market when they leave school. One reason for this is the education system, which, while it currently enjoys a school enrolment rate of nearly 100 per cent, also produces a significant number of school dropouts and in terms of quality it is considered to lag behind many other African countries.

1 | Cf. Ntsakisi Maswanganyi, "Sluggish SA economy 'demands bold reform'", *Business Day*, 26 Feb 2014, <http://bdlive.co.za/economy/2014/02/26/sluggish-sa-economy-demands-bold-reform> (accessed 22 May 2014).

More and more people are taking their dissatisfaction to the streets. The number of public, often violent protests against the lack of public services has dramatically increased in recent times. Almost every day the media reports on accusations of corruption against leading politicians. There is a feeling the political elite is out to fill their own pockets, which has been confirmed by reports from Transparency International. Even the country's hard-fought democracy is no longer above criticism. Surveys suggest that while South Africans support democracy in principle, many people are unhappy with the version of democracy that is currently being practised in their country. Trust in political parties and parliament is at a low level and continuing to decline. The ANC has won every democratic election since 1994 with well over 60 per cent of the vote, so it has been able to establish one-party dominance. While there is no doubt that this has contributed to the country's stability, this development also carries certain risks. There is a lack of political competition, which not only reduces the incentive for good governance, but can also result in insufficient care being taken by the ruling party when it comes to recruiting its political elite. The ANC are open to the criticism that they are no longer fully exploiting the potential of gifted and highly motivated politicians. Other risks inherent within one-party dominance include a blurring of the dividing lines between party and state, inadequate checks and balances in parliament because of the government's significant majority and a tendency towards patronage.

SCANDAL AND DISCONTENT IN THE ANC GOVERNMENT CAMP

Many European observers believed these developments would put the government under significant pressure, and indeed polls carried out at the end of 2013 suggested that the ANC was likely to lose large numbers of votes. In the run-up to the elections, these warning signs were accompanied by a number of serious scandals, including the shooting by police of 34 protesting mineworkers in August 2012.² This event shook the South African people's trust in state institutions to the very core. The slow pace

2 | Cf. Kristina Lunz, "Gewalttätige Streiks und Repressionen", Country Report, KAS South Africa, <http://kas.de/suedafrika/de/publications/32413> (accessed 22 May 2014).

A scandal that made waves during the election campaign was the taxpayer-funded modernisation of President Jacob Zuma's residence.

of the investigation into this incident and what the families of the victims considered to be insufficient compensation turned the Marikana massacre into a major election campaign issue. Another scandal that made waves during the election campaign was the taxpayer-funded modernisation of President Jacob Zuma's residence in Nkandla (KwaZulu-Natal province), which threatened to cause a collapse in support for the ANC. Building projects, including a swimming pool and amphitheatre, were carried out on Zuma's private property, with the claim that they were necessary for security reasons and paid for using 246 million rand of taxpayers' money. The South African ombuds-woman published an inquiry report entitled "Secure in Comfort" a few days before the election, in which she called on the President to repay some of the money that had been spent.

As the election drew nearer, "Nkandla Gate" triggered debate within Zuma's own party about whether he was actually the right candidate. Polls suggested that more than half of ANC members believed Zuma should resign before the election.³ Former leading ANC members publicly called on the electorate to spoil their votes as a means of registering their discontent with the ANC. A few days before the election, Jay Naidoo, the founding General Secretary of the Congress of South African Trade Unions (COSATU) and a former minister in Nelson Mandela's cabinet, summarised this internal party dispute in dramatic fashion: "South Africa burns while our politicians tune out in a daze."⁴ During the election campaign, the ruling coalition made up of communists, unions and the ANC struggled to maintain their unity. Just a few months before the election, the National Union of Metalworkers of South Africa (NUMSA), (the largest member of the trade union federation COSATU), withdrew its support for COSATU and hence the government. Relations were patched up temporarily, but the breakaway still had an impact on the election results. The ANC Youth League had significant debts and

3 | Allister Sparks, "At home and abroad: ANC has to live with tainted Zuma", *Business Day*, 15 Jan 2014, <http://bdlive.co.za/opinion/columnists/2014/01/15/at-home-and-abroad-anc-has-to-live-with-tainted-zuma> (accessed 22 May 2014).

4 | Jay Naidoo, "South Africa Burns While Our Politicians Tune Out in a Daze", *Sunday Times*, 20 Apr 2014, 21.

was close to bankruptcy and so, like COSATU, could only make a limited contribution to the election campaign.

However, in spite of earlier polls suggesting that the ANC would win significantly less than 60 per cent of the vote, and in the face of criticism from all sides, including from within the party itself, in the end the people were in no real mood for change. The reasons for this were explained by an ANC supporter in a newspaper article. He claimed the assumption that the ANC would lose votes at the election was based on a false, Western understanding of voter intentions. Youth unemployment, for example, was unlikely to have a significant effect on the election results, as the voters were much more concerned with finally doing away with the apartheid that still haunts South Africa. The majority of people had an emotional connection to the ANC and would continue to love the party for their actions in liberating the country. In contrast, the writer asserted that the largest opposition party, the Democratic Alliance (DA), is a white people's party that has tried to strengthen its position with a few token blacks. The voters were not blind and would recognise the attempts by the West to undermine South African democracy in order to pursue its own interests in the country. He concluded that only a party that was involved in the struggle for freedom was capable of governing a liberating and changing South Africa.⁵

According to an ANC supporter, youth unemployment was unlikely to have a significant effect on the election results, as the voters were more concerned with finally doing away with the apartheid.

If, on this basis, the ANC had no cause to be concerned about whether they could hold on to power, the same could not be said for South Africa's president. In contrast to his predecessors, Jacob Zuma embodies many of the characteristics of a traditional African leader and so succeeded in dividing not only the South African people, but also his own party. He likes to present himself sometimes as a statesman, sometimes as a traditional leader, and has been accused of profiting from the financial resources available to him in his position to an extent far in excess of his salary. He has repeatedly been the focus of scandals and accusations – at various different times there have been

5 | Cf. Thami Mazwai, "Struggle will not be forgotten come the election", *Business Day*, 22 Jan 2014, <http://bdlive.co.za/opinion/columnists/2014/01/22/struggle-will-not-be-forgotten-come-the-election> (accessed 22 May 2014).

more than 700 charges brought against him for fraud, corruption, money laundering and other offences. The ANC therefore had to ensure that the growing public criticism of the president did not adversely affect the party's chances of success in the elections. This resulted in many party members attempting to claim during the election campaign that Zuma was not the ANC.



The legacy of an icon: Nelson Mandela's death in December 2013 was a chance for President Jacob Zuma to emphasize on the ANC's achievements. | Source: Siyabulela Duda, GCIS, flickr ©©©.

THE PARTY-POLITICAL SPECTRUM

A total of 29 political parties stood for election in May 2014, 14 of them for the very first time.⁶ The African National Congress, whose candidate lists included members of the

6 | For more on the impact of the ANC-dominated party system on the political, social and economic development of South Africa, see also Nicola de Jager, "South Africa: A Democracy in the Balance", in: idem, Pierre du Toit (ed.), *Friend or Foe? Dominant Party Systems in Southern Africa: Insights from the Developing World*, New York and Tokyo, 2012, 149-170.

South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), went into the elections as clear favourites. President Zuma had targeted a two-thirds majority during the election campaign, which would give him a mandate to change the constitution. In addition to the ANC, other proven political parties with prospects of winning seats in parliament included the liberal Democratic Alliance, the Congress of the People (COPE), which was formed in 2009 by ANC dissidents, and the conservative Inkatha Freedom Party (IFP). The run-up to this year's elections also saw the formation of new parties, as was the case in 2009. The most significant of the new parties were Agang SA, founded by civil rights activist Mamphele Ramphele, and the Economic Freedom Fighters (EFF) led by the former leader of the ANC Youth League Julius Malema. Other new parties standing for the National Assembly for the first time included South Africa First (SAF), set up by veterans of the ANC's former military wing Umkhonto we Sizwe, the Workers and Socialist Party (WASP) and the National Freedom Party (NFP), formed in 2011 after a split from the IFP.

Table 1

The parties in the 25th South African National Assembly and new parties

Party	Party leader	Founded	Political orientation ⁷
African National Congress (ANC)	Jacob Zuma	1912 (African Native National Congress)	Center-left to left
Democratic Alliance (DA)	Helen Zille	2000 (merger between the Democratic Party, New National Party and Federal Alliance)	Liberal, to an extent social democratic
Congress of the People (COPE)	Mosiuoa Lekota	2008 by former ANC members	Social democratic to left-liberal
Inkatha Freedom Party (IFP)	Mangosuthu Buthelezi	1975 (Inkatha National Cultural Liberation Movement (INCLM))	Liberal-conservative, traditionalist
Independent Democrats (ID) ⁸	Patricia de Lille	2003 (by former PAC member Patricia de Lille)	Left-liberal

7 | The political orientation of the parties is only described in general terms.

8 | In 2010 the ID announced it was merging with the DA. There was a joint list for the 2014 elections (DA).

Party	Party leader	Founded	Political orientation
United Democratic Movement (UDM)	Bantu Holomisa	1997 (Roelf Meyer (NP), B. Holomisa (ANC) and Tom Taylor (ANC))	Center-left, social democratic
Freedom Front Plus (FF+)	Pieter Mulder	1994 FF; 2004 merger with the Conservative Party & Afrikaner Eenheids Beweging	Conservative, Afrikaans-nationalistic
African Christian Democratic Party (ACDP)	Kenneth Meshoe	1993	Conservative, Christian democratic
United Christian Democratic Party (UCDP)	Isaac Siphon Mfundisi	1997	Christian democratic
Pan Africanist Congress of Azania (PAC)	Letlapa Mphahlele	1959 (split from the ANC)	Pan-African, Africanist, socialist
Azania People's Organisation (AZAPO)	Jacob Dikobo	1978 (formed out of the Black Consciousness Movement (BCM))	Black Consciousness Movement (BCM); socialist
Minority Front (MF)	Shameen Thakur Rajbansi	1993	Interests of the ethnic minorities (esp. the ethnic Indian population)
African People's Convention	Themba Godi	2007 (split from the ANC)	Africanist, pan-African, socialist

Major new parties

Agang SA	Mamphela Rampehele	2013	Left-liberal, ANC-critical, combating corruption
Economic Freedom Fighters	Julius Malema	2013 (Malema was President of the ANC Youth League until his expulsion in 2012)	Left-radical, anti-capitalist, nationalist

Source: Table "Politische Parteien der Nationalversammlung", KAS Country Profile South Africa, Feb 2014, 7-8, http://kas.de/wf/doc/kas_35105-1522-1-30.pdf (accessed 22 May 2014).

ANC supporter profile: over forty per cent of supporters are unemployed

The election showed that the ANC clearly has more financial opportunities and better organisational capabilities. The public funding of 68 million rand that the party received

for the budget year 2012/2013 was in itself enough to ensure that it had four times more money in its coffers than the second-largest party, the DA (28 million rand). The system of private political party funding in South Africa is not transparent, but it can be assumed the ANC had a significant advantage here too and used the money for its election campaign. The financial dominance of the ANC was demonstrated by the party's final election rally in the FNB football stadium, which was attended by more than 90,000 supporters.

The governing coalition used every possible political strategy and tactic during the election campaign. In the end, their election victory was down to their focus on the historic contribution the party had made to the country's progress and the 20th anniversary of the dismantling of apartheid, both of which effectively distracted people's attention away from the country's ongoing social and economic problems. The death of Nelson Mandela in December 2013 and the celebrations surrounding the 20th anniversary of the new South Africa were cleverly exploited to remind the people of the historic contributions made by the ruling party. The ANC managed to drown out those voices that wanted to relativise the movement's past achievements in freeing South Africa from apartheid. Even on the Sunday before the election, a ceremony was organised in KwaZulu-Natal to reinter ANC heroes who had been the victims of political murders in 1993 and 1994.

During the elections themselves, the opposition did not always succeed in presenting a credible alternative to the government. The leading opposition party, the DA, tried but failed to rid itself of its image as a white party by signing an agreement with the black African leader of the Agang SA party, Mamphela Ramphele, with a view to her becoming the DA's presidential candidate. The alliance only lasted a week before publicly imploding, giving the ruling party an ideal opportunity to use the debacle to its advantage in its own campaign. Efforts by the DA's leader Helen Zille to gain support from the growing black middle classes caused unrest amongst the party's traditional supporters, who accused the liberal DA of a growing tendency towards social democracy. For its part, the COPE party, which had burst onto the political scene in 2009, was the victim of an

internal dispute over the leadership of the party, which only the courts could resolve. Johann Abrie, the party's head of communications, addressed the electorate in January 2014 with the following words: "We are going on our knees in front of the South African public, asking them to forgive us. We are asking forgiveness from 1.3 million people who voted for us in 2009."⁹

The Inkatha Freedom Party, still led by 85-year-old Mangosuthu Buthelezi, also suffered significant losses. The IFP had been steadily losing votes since the 1994 elections – a decline made worse by a split in the party that resulted in the founding of the NFP by former IFP members. The Economic Freedom Fighters, whose leader adopts the title of Commander in Chief and wears a red beret in the style of Hugo Chávez, appealed not only to less educated members of society but also many students with their manifesto. This promised higher taxes for private businesses, a significant increase in the minimum wage for mineworkers and domestic staff, the nationalisation of mines and banks and the repossession of land without compensation.

GOVERNMENTAL AND ELECTORAL SYSTEMS

The South African electoral system is based on proportional representation with closed party lists and no electoral threshold. The distribution of seats is based on national and regional party lists, which is meant to ensure a regional weighting of the votes. Candidates are elected to

the lower house of the bicameral parliament, the National Assembly in Cape Town, which has 400 members. The National Assembly elects the President, who acts as both head of state and head of government. All South

In 2014, South Africans living abroad were allowed to vote in the parliamentary elections for the first time due to changes in the 2013 Election Amendment Act.

African citizens who are 18 or over and who had registered to take part in the elections are entitled to vote. In 2014, South Africans living abroad were allowed to vote in the parliamentary elections for the first time due to changes in the 2013 Election Amendment Act.

9 | Olebogeng Molatlhwa and Phetane Rapetswane, "Chaotic COPE Says it Will Mend its Way", *Times Live*, 9 Jan 2014, <http://timeslive.co.za/thetimes/2014/01/09/chaotic-cope-says-it-will-mend-its-ways> (accessed 22 May 2014).



Call for registration: Eligible to vote are only those South African citizens older than 18 years who registered as voters beforehand. | Source: Niko Knigge, flickr @📧.

The electoral system is meant to reflect the special circumstances affecting elections in deeply divided societies and to embody the principles of simplicity, inclusion and fairness.¹⁰ The lack of an electoral threshold is designed to encourage the widest possible representation of the interests of different social groups. 13 parties were represented in parliament during the last legislative period, of which four held just one seat. One of these was the African People's Convention, which was able to secure a mandate with 35,867 votes, or 0.2 per cent of the overall vote.¹¹ This system of proportional representation is not without controversy and reforms have frequently been mooted. The biggest criticism is that the voters are not involved in the selection of party candidates and can only vote for party lists over which they have no influence. These closed lists ensure that members of the National Assembly are extremely dependent on their parties but have little relationship with or responsibility towards the voters. The influence of the parties over elected members is further

10 | Cf. Judith February, "The Electoral System and Electoral Administration", in: Roger Southall and John Daniel (eds.), *Zunam: The 2009 South African Elections*, Johannesburg, 2009, 48.

11 | Results of the 2009 parliamentary elections: Electoral Commission of South Africa (IEC), "2009 Election Report", 104, <http://www.elections.org.za/content/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=1287> (accessed 22 May 2014).

strengthened by the fact that expulsion from a party results in members losing their seat. Parliamentary practices and the country's political culture allow the exercise of this party influence over members of parliament.

ELECTION RESULTS FROM 7 MAY

As was the case in 2009, 13 of the 29 parties that stood in the election won at least one seat in parliament.¹² The ruling coalition won 62 per cent of the vote, almost four per cent less than in 2009, giving it 249 members in the National Assembly (2009: 264). So the ANC failed to reach its target of a two-thirds majority, but still remains by far the largest national party. With the exception of the Western Cape, the ANC also managed to achieve a majority in the provincial parliamentary elections that were held at the same time in the country's nine provinces. In Gauteng, the province with the strongest economy and home to the capital, Pretoria, and the country's biggest city, Johannesburg, the ANC lost more than ten per cent of the vote compared to the provincial elections of 2009 and received only 53.6 per cent of the overall total. However, the ANC once again enjoyed very comfortable victories in the other provinces.



The government coalition received 62 per cent of the votes which means 249 out of 400 seats in the National Assembly. Although a two-thirds majority was missed, the ANC remains the strongest party. | Source: Siyabulela Duda, GCIS, flickr @@@.

12 | Results of the 2014 parliamentary elections: IEC, "2014 National and Provincial Elections. Results", <http://www.elections.org.za/resultsNPE2014> (accessed 22 May 2014).

The strongest opposition party, the Democratic Alliance led by Helen Zille, can also be considered one of the winners in the election. The DA improved its results from 16.7 to 22.2 per cent, giving it 89 members in the new National Assembly (2009: 67). It not only defended the slim majority won in the Western Cape five years previously but managed to significantly increase it. There was also success for the Economic Freedom Fighters (EFF), which was only established as a party last year under the leadership of the former president of the ANC Youth League Julius Malema. With 6.35 per cent of the vote and 25 seats in parliament, it is now the third largest party. It also became the biggest opposition party at the first attempt in the Limpopo and North West provinces.

Table 2

Results of the 2009 and 2014 general elections

Party	2009 election		2014 election		Change from 2009 in percentage points
	Share of the vote in per cent	Seats	Share of the vote in per cent	Seats	
African National Congress (ANC)	65.90	264	62.15	49	-3.53
Democratic Alliance (DA)	16.66	67	22.23	89	5.37
Economic Freedom Fighters (EFF)	—	—	6.35	25	6.23
Congress of the People (COPE)	7.42	30	0.67	3	-6.74
Inkatha Freedom Party (IFP)	4.55	18	2.40	10	-2.13
Independent Democrats (ID)	0.92	4	0	0	-0.92
United Democratic Movement (UDM)	0.85	4	1.00	4	0.18
Freedom Front Plus (FF+)	0.85	4	0.90	4	0.07
United Christian Democratic Party (UCDP)	0.37	2	0.12	0	-0.25
Pan African Congress (PAC)	0.27	1	0.21	1	-0.27

Minority Front (MF)	0.25	1	0.12	0	-0.13
Azanian People's Organisation (AZAPO)	0.22	1	0.11	0	-0.11
African People's Convention (APC)	0.20	1	0.17	1	-0.03
National Freedom Party (NFP)	—	—	1.57	6	1.59
African Christian Democratic Party (ACDP)	0.81	3	0.57	3	0.24
African Independent Congress (AIC)	—	0	0.53	3	0.53
Agang SA	—	0	0.28	2	0.28

Sources: 2009: n. 11; 2014: n. 12.

In accordance with the electoral rules described above, 0.21 per cent of the vote (almost 38,000 votes) was sufficient to win a seat in parliament at this year's elections. Of the 13 parties now represented in parliament, six won three or less than three mandates. The Congress of the People (COPE) party did very badly this time round, winning less than one per cent of the vote and only three seats in the national parliament (2009: 30). The Inkatha Freedom Party also lost further ground, gaining only 2.4 per cent of the vote (2009: 4.6 per cent). Even in the province of KwaZulu-Natal, its former electoral stronghold, the IFP was only able to achieve an overall majority in two of the municipalities and ended up third behind the ANC and the DA with 11.5 per cent of the vote.

The result achieved by the Agang SA party was particularly remarkable. It was founded earlier this year, accompanied by a great deal of media hubbub. The party's leader Mamphele Ramphele had hoped to use her popularity as a former Black Consciousness movement activist and partner of Steve Biko, her status as a former director of the World Bank and Vice-Chancellor of the University of Cape Town and the financial support of South African businessmen to win between five and ten per cent of the vote. However, her hopes of getting off to a fast start were dashed when the party won only 0.28 per cent of the vote and two seats in parliament.

South African voters turned out in impressive numbers for the election, demonstrating once again their support for the country's democratic process. The fact that they often had to wait several hours to cast their vote did not deter people from participating. The atmosphere at the polling stations clearly demonstrated that voters were not just carrying out their civic duty, but saw their participation in the elections as a right that had been fought for in South Africa for many years. The number of registered voters (80 per cent, 25.4 million people) was, however, lower than in 2009 (84 per cent). Of these registered voters, 18.7 million actually voted (73 per cent), so the turnout represented approximately 60 per cent of the population of voting age. The turnout amongst young people was particularly disappointing, especially amongst first-time voters who were born and became politically active after the end of apartheid. Only a third of the potential voters in this group registered to vote. Opposition parties had hoped to gain support amongst the "born free" generation, believing that they would be less swayed by the ANC's role in the country's liberation.

Table 3

The strongest parties in the 2009 and 2014 provincial elections

Province	Votes in 2009 in per cent		Votes in 2014 in per cent	
Eastern Cape	ANC	68.20	ANC	70.09
	COPE	13.67	DA	16.20
	DA	9.99	UDM	6.16
Free State	ANC	71.10	ANC	69.85
	COPE	11.61	DA	16.23
	DA	11.6	EFF	8.15
Gauteng	ANC	64.04	ANC	53.59
	DA	21.66	DA	30.78
	COPE	7.78	EFF	10.30
KwaZulu-Natal	ANC	62.95	ANC	64.52
	IFP	22.40	DA	12.76
	DA	9.15	IFP	10.86

Province	Votes in 2009 in per cent		Votes in 2014 in per cent	
Limpopo	ANC	84.88	ANC	78.60
	COPE	7.53	EFF	10.74
	DA	3.48	DA	6.48
Mpumalanga	ANC	85.55	ANC	78.23
	DA	7.49	DA	10.40
	COPE	2.91	EFF	6.26
North West	ANC	72.89	ANC	67.39
	COPE	8.33	EFF	13.21
	DA	8.15	DA	12.73
Northern Cape	ANC	60.75	ANC	64.40
	COPE	16.67	DA	23.89
	DA	12.57	EFF	4.96
Western Cape	DA	51.46	DA	59.38
	ANC	31.55	ANC	32.89
	COPE	7.74	EFF	2.11

Sources: 2009: n. 11; 2014: n. 12.

The call by a group of former leading ANC members for people to spoil their votes as a protest against the current government fell on deaf ears. The number of spoiled ballot papers remained at the same level as in 2009. What is interesting is the fact that eight of the 13 parties elected to parliament actually received fewer votes than the number of spoiled ballot papers (252,000 votes or 1.3 per cent).



Waiting line at a polling station in the township Alexandra: Even waiting in line for several hours could not stop the people from voting. | Source: © KAS South Africa.

A PATCHY UNDERSTANDING OF DEMOCRACY

The parliamentary elections were generally free and fair. At the same time, they provided interesting insight into the country's democratic development, which still shows signs of weakness. A good example of this are the attempts made by those close to the government to illegally influence public media reporting on the elections. The majority of the private print media were very critical of the government and the weekend newspaper *Mail and Guardian* even went so far as to publish an editorial a few days before the election calling on people not to vote for the ANC in order to weaken their grip on power.¹³ During the election campaign, government representatives publicly warned people against voting for the opposition as they might lose their social security benefits, or, as the President threatened, attract the wrath of their ancestors.

Undemocratic attempts to influence the vote, such as threats of violence and the use of violence against political opponents; event spaces not being made available for party events; electoral bribes in the shape of food and blankets; and the exclusion of opposition supporters from jobs, contracts and services are all part of the country's political

13 | Cf. "Vote tactically to dilute ANC power", *Mail and Guardian*, 2 May 2014, 26, <http://mg.co.za/article/2014-05-01-editorial-vote-tactically-to-dilute-anc-power> (accessed 22 May 2014).

culture. In a country such as South Africa, playing the ethnic card was a risky way of trying to mobilise voters. For example, the deputy leader of the ANC, Cyril Ramaphosa, suggested that people had to vote, otherwise the Boers would return. There were some problems on Election Day itself, such as polling stations opening late, a lack of ballot papers and parties illegally canvassing in the immediate vicinity of the polling stations. After the elections, bags of ballot papers were found, which must have gone missing between the polling station and the electoral commission. Representatives from the African Union, the Southern African Development Community SADC and the Commonwealth attended the elections as international observers. Local election observers were also allowed, but it was not possible to achieve full coverage by observers. In any event, it seems that there was no intention to allow such coverage, as many applications for accreditation by local organisations and embassies were rejected.



Election observers in action: numerous local organisations and especially Embassies applied in vain for an authorization to monitor the elections. | Source: © KAS South Africa.

TRENDS AND OPEN QUESTIONS

With the ANC winning well over 60 per cent of the vote and gaining overwhelming victories in the provinces (with the exception of Western Cape and Gauteng), President Zuma has created some breathing space in the party leadership race. He was elected by the national parliament to his

second presidential term, which in accordance with the terms of the constitution will be his last. He is likely to use the election results to keep many critics within the ANC in check.

President Zuma is likely to use the election results with over 60 per cent of the votes to keep many critics within the ANC in check.

The South African voters have clearly decided not to punish Zuma politically for the many charges levelled against him, not least the scandal surrounding his property in Nkandla, which has been modernised using taxpayers' money. Zuma will still need to answer some of these charges in the wake of the elections, and it can be assumed that the South African legal system will be less forgiving than the electorate. As a result, it remains unclear as to whether he will be the first South African President since 1994 to actually serve two full terms in office. Prior to the election, the ANC made a clear decision to protect the President from criticism in order to avoid damage to the party, but that may now change. Immediately after the election, some voices within the party were claiming that the ANC had won in spite of Zuma, not because of him.

This election brought with it further changes to the country's party system. The gains made by the DA ensured that there is now a trend away from one-party dominance to a system with two potentially strong parties. Meanwhile, the smaller parties will still need to fight to survive. The system of public funding distributes 90 per cent of funds in proportion to the number of seats parties hold in the National Assembly and provincial parliaments, with the remaining ten per cent being distributed evenly amongst all parties represented in parliament. This will only serve to reinforce the dominance of the two main parties. In the new parliament, six parties have only three or less than three seats. From the point of view of the country's democratic development, there is now a need for debate on the benefits of achieving the most inclusive representation possible weighed against the possibility of an extremely divided parliamentary landscape and the resulting limitations on the ability of certain parts of the legislature to function effectively. Consideration should be given to introducing a low electoral threshold, which would encourage smaller parties to join forces prior to the elections. South African democracy is now sufficiently well established that such a threshold would not pose a threat to social cohesion.

Reform of the electoral system could also be used to create closer ties between voters and their elected representatives, along with enhanced accountability on the part of members of parliament towards the electorate. The current system of closed party lists serves to promote MPs' loyalty to their parties – originally intended as a means of maintaining political stability in the country – but this effectively leads to an imperative mandate and, in light of the majority structure, weakens the system of checks and balances. Private funding of parties also needs to be urgently reviewed. The concerns expressed by some parties that a transparent recording of donations might make some private donors less willing to provide financial support are justified to some extent. However, these concerns need to be weighed against the dangers for democracy and the country's future development, especially if private party funding can result in preferential treatment for donors when it comes to the awarding of government contracts.

The ruling coalition of the ANC, SACP and COSATU may have been the victors in these elections, but they have emerged in a weakened state. For tactical reasons, disagreements within the trade union association were partially and incompletely patched up during the elections, but they soon broke out again afterwards. Even now, there is an expectation within South Africa that a new political force will emerge to the left of the ANC and the current government, which will either take in scattered members of the trade union association or will be formed by them. 20 years after the country's political transformation, it is becoming increasingly clear that the governing coalition represents too many different political interests and directions to be able to achieve the goals set out in the National Development Plan. The coalition noted with concern how their support in the major cities threatened to desert them during the parliamentary elections of 7 May. In Pretoria the coalition failed to win a majority, while their majority in Johannesburg and Port Elisabeth was very slim. Cape Town remains in the hands of the DA. The 2016 local elections may well demonstrate this increasing sense of dissatisfaction with the government.

INTERNAL SPIRIT OF OPTIMISM AND FOREIGN POLICY READJUSTMENT

BACKGROUNDS AND PERSPECTIVES ON THE NEW INDIAN GOVERNMENT

Lars Peter Schmidt / Malte Gaier

On 16 May, the results of the national elections, which lasted from 7 April to 12 May, were announced. The former opposition party, the Bharatiya Janata Party (BJP), won a clear victory. With 282 seats, it achieved its strongest result since its establishment in 1980 and the highest percentage of votes by a single party since 1984.¹ Narendra Modi, Chief Minister of the state of Gujarat and the leading candidate for the BJP and its coalition, the National Democratic Alliance (NDA), is now the new Prime Minister and head of the Government of India.² By contrast, the former incumbent party, the Indian National Congress (INC), suffered its worst defeat since India was founded in 1947, winning only 44 parliamentary seats.³

According to the Election Commission, approximately 815 million Indians were eligible to vote for 9,667 candidates⁴ for 543 parliamentary seats, with approximately 114 million of them being first-time voters.⁵ Nationally, voter



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- 1 | Election Commission of India (ECI), "General Election to Lok Sabha Trends & Result 2014", <http://eciresults.nic.in> (accessed 26 May 2014).
- 2 | Anandiben Patel succeeds him as the new Chief Minister of Gujarat; he served as one of Modi's confidants in the inner circle of the Gujarat BJP.
- 3 | N. 1.
- 4 | "Lok Sabha Polls: Stage Set für Last Phase Voting for 41 Seats on Monday", *Z-News*, 12 May 2014, http://zeenews.india.com/news/general-elections-2014/lok-sabha-polls-stage-set-for-last-phase-voting-for-41-seats-on-monday_931463.html (accessed 26 May 2014).
- 5 | B. Sivakumar, "12 crore first-time voters hold key to 2014 Lok Sabha polls", *The Times of India*, 4 Oct 2013, <http://timesofindia.indiatimes.com/india/articleshow/23479553.cms> (accessed 26 May 2014).

turnout was 66.4 per cent, the highest voter turnout in the country's history.⁶ In order to ensure a smooth electoral process, a total of eight million election officials and three million security forces were called into action. After the results of the preliminary final polls were made public (a few days before the official election results), the stock market responded positively with a significant increase in the value of the Indian rupee, which temporarily reached its highest level since mid-2013, as well as a rise in the BSE Sensex, the main stock index traded on the Mumbai stock market.⁷ Another noticeable result of the elections is the high proportion of new parliamentarians. 58 per cent of the MPs in the 16th Indian parliament, the Lok Sabha, have been elected for the first time, the highest number seen for over three decades. At the same time, the average age of MPs has slightly decreased. That being said, a major point of criticism of the political culture is yet to be overcome. Many MPs still belong to political families, meaning one can continue to speak of a dynastic principle in Indian politics.⁸

ELECTION REACTIONS AND OUTWARD MESSAGES OF RECONCILIATION

The U.S. held firm to its position of the de facto denial of entry clearance to Narendra Modi that had been in place since 2005 until his election as head of the government.

The leader of the Indian National Congress party, Sonia Gandhi, commented on the outcome of the election quite late: the historic electoral defeat was not the sole fault of the leading candidate – her son – Rahul Gandhi, but this “collective failure” necessitates an internal reform of the party in the coming years and a return to the party's old policy agenda. Until the results of the election were made public, the U.S. held firm to its position of the de facto denial of entry clearance to Narendra Modi that had been in place since 2005 until his election as head of

6 | Saugar Sengupta, “Polls End: TMS Goons Run Riot in Bengal”, *The Daily Pioneer*, 13 May 2014, <http://dailypioneer.com/todays-newspaper/polls-end-tmc-goons-run-riot-in-bengal.html> (accessed 26 May 2014).

7 | Rajkumar K. Shaw and Santanu Charkoborty, “India's Nifty Stock-Index Futures Drop before Election Results”, *Bloomberg*, 16 May 2014, <http://bloomberg.com/news/2014-05-16/india-s-nifty-stock-index-futures-drop-before-election-results.html> (accessed 26 May 2014).

8 | Leading this charge is the AIADMK of Tamil Nadu with 92 per cent new MPs. Cf. “Watershed: More New than Old in Lok Sabha after 3 Decades”, *Hindustan Times*, 23 May 2014.

the government.⁹ At the outset of the election, Pakistani Prime Minister Nawaz Sharif had already reiterated that his country would impartially recognise a democratically legitimised Modi government and, together with him, would want to promote bilateral rapprochement efforts that have recently faltered. Modi issued an invitation to all heads of state and government of neighbouring SAARC countries for his swearing in as the new Prime Minister of India on 26 May. This is a unique step in India's history, especially from an elected but not yet inaugurated prime ministerial candidate. In doing so, Modi laid out a highly regarded symbol of reconciliation before the start of his term by inviting Afghan President Hamid Karzai, the Prime Minister of Nepal, Sushil Koirala, who was just recently elected in February, and Bangladeshi Prime Minister Sheikh Hasina to New Delhi along with the Pakistani President; in short, heads of Governments of SAARC neighbouring states whose foreign policy relationships with India have been regularly dominated by tensions in the past.



Congratulations on the victory of the BJP leadership: Prime Minister Narendra Modi and Minister of Interior Rajnath Singh. | Source: © KAS India.

9 | Shortly after Modi's victory, U.S. President Barack Obama called to congratulate and invited him to Washington for talks. According to media reports, the meeting will take place in September. As head of government, Modi would now receive an A-1 visa for entry clearance into the U.S.

With this offer of rapprochement primarily directed at Pakistan which underpins the reconciliation plans that already featured in Modi's election campaign but which shifted the onus of decision-making on India-Pakistan relations to the Sharif administration, the new government has skilfully issued a political signal: the fear expressed by many intellectuals and commentators of a split in Indian society under a radicalised Hindu nationalist BJP government, which appears to be susceptible to the ideology of rightist groups such as the Rashtriya Swayamsevak Sangh (National Volunteer Organisation, RSS) or Vishva Hindu Parishad (World Hindu Council, VHP),¹⁰ is invalidated for the time being by the new government's messages of reconciliation to the country's minorities, particularly India's Muslim population. However, protest against Sri Lankan President Mahinda Rajapaksa's participation in the swearing-in ceremony has been criticised by the Tamil regional parties, AIADMK and DMK. Under the previous United Progressive Alliance (UPA) government in India, they had already tried to enforce a policy of Indian isolation with regard to Sri Lanka's government, who has been accused of various war crimes and massacres of Tamils during the Sri Lankan civil war.¹¹ While the government was being formed, commentators reiterated that the long demanded regional realignment of Indian foreign policy under Modi – the first prime minister born in an independent India – should now take on more concrete form than it has in recent years.¹²

10 | Alongside the RSS, the VHP is the most important organisation among the Hindutva groups. Both originated in the 1920s as a response to the political mobilisation of pro-British forces perceived to be dominant, as well as the Indian National Congress' demands for independence. Two things must be noted regarding the RSS as an important BJP base: on the one hand, the outcome of the election has confirmed Modi as a leadership figure. On the other hand, the formation of the cabinet indicates that the new Prime Minister will seek to marginalise the RSS.

11 | "Narendra Modi's invite to Lankan President Mahinda Rajapaksa not acceptable: DMK", *The Times of India*, 23 May 2014, <http://timesofindia.indiatimes.com/india/articleshow/35508763.cms> (accessed 26 May 2014). In addition, Chief Minister of West Bengal Mamata Banerjee declined to participate, citing other commitments, in protest of the invitation of Bangladesh's head of state.

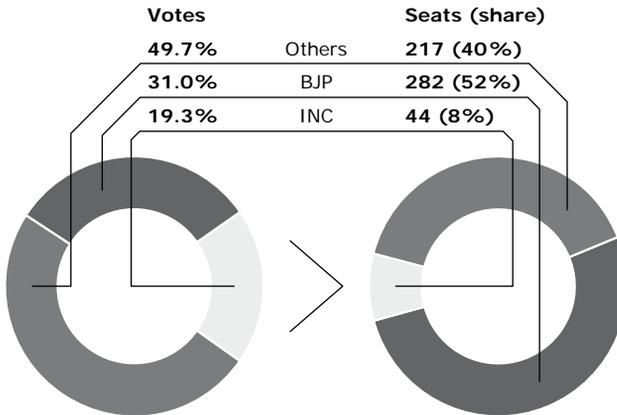
12 | "Indian media: Modi's foreign policy 'masterstroke'", *BBC*, 22 May 2014, <http://bbc.com/news/world-asia-india-27514160> (accessed 26 May 2014).

ANALYSIS OF ELECTION RESULTS

Indian MPs are elected by a first-past-the-post system, which leads to “(intentional) distortion” “because the winning MPs’ parties are under-represented in Parliament as measured by the number of votes. The defeated candidates’ parties are equally under-represented, since their votes will no longer be considered.”¹³ In the elections for the 16th Lok Sabha, the BJP was able to accumulate a total of 31 per cent of the vote, whereas the INC achieved a share of only 19 per cent of the vote. The BJP availed itself of the majority vote with around 60 per cent of the vote in Gujarat, Modi’s home state and the state with the highest share of the vote, and in Tamil Nadu as the state with the lowest share (approximately five per cent), the BJP benefited from the first-past-the-post system.¹⁴

Fig. 1

Proportion of votes according to first-past-the-post and in parliamentary seats



Source: ECI, n. 1.

The BJP’s electoral success came as no surprise and can be attributed to the following factors: an intensified sentiment of wanting to vote out the Congress in recent months, a concentrated personalisation of the BJP election campaign focused on Modi, which is why the outcome of the elections

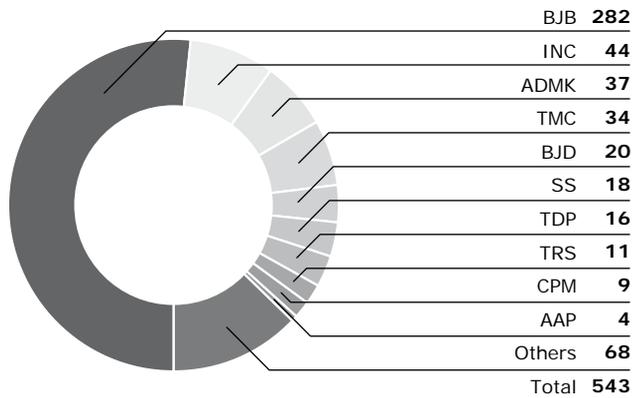
13 | Christian Wagner, *Das politische System Indiens: Eine Einführung*, Wiesbaden, 2006, 148.

14 | Adam Ziegfeld, “India’s election isn’t as historic as people think”, *The Washington Post*, 16 May 2014, <http://wapo.st/1pfdJ1R> (accessed 26 May 2014).

is seen as his own victory. Already last year, the party's election campaign had focused exclusively on the top candidates. Key issues such as inclusive economic growth, job creation, improving infrastructure and combating corruption were presented to voters exclusively in connection with Modi's accomplishments. The Indian media – especially television as the main medium – had contributed to Modi's popularity in the primary election campaign for their part and helped him achieve a record media presence in India through contributions and broadcasting time.¹⁵

Fig. 2

Distribution of seats by party in the Lok Sabha



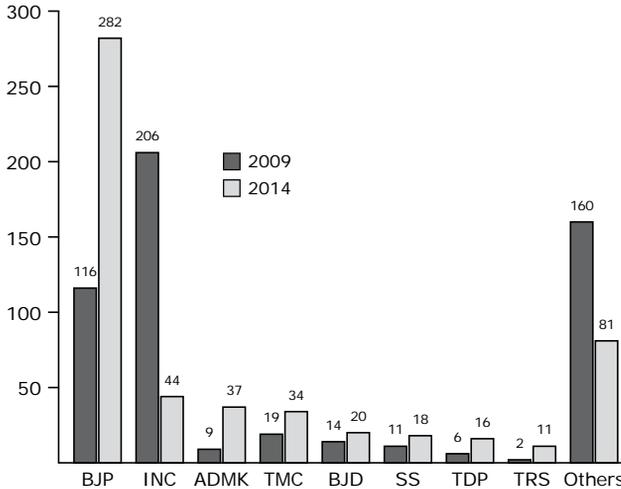
- Indian National Congress (INC)
- All India Anna Dravida Munnetra Kazhagam (ADMK)
- All India Trinamool Congress (TMC)
- Biju Janata Dal (BJD)
- Shiv Sena (SS)
- Telugu Desam Party (TDP)
- Telangana Rashtra Samithi (TRS)
- Communist Party of India (CPM)
- Aam Aadmi Party (AAP)
- Bharatiya Janata Party (BJP)

Source: ECI, n. 1.

15 | "Modi got most prime-time coverage: study", *The Hindu*, 8 May 2014, <http://thehindu.com/elections/loksabha2014/article5986740.ece> (accessed 26 May 2014).

Fig. 3

Distribution of seats in the 2009 and 2014 parliamentary elections



Source: ECI, n. 1.

As a former tea salesman from humble circumstances and a member of the lower Ghanchi caste, 64-year-old Modi also succeeded in credibly presenting himself as a man of the people.¹⁶ In contrast to the Nehru-Gandhi family, who are perceived as elitist, he has no political dynastic roots. Even Modi's debatable role as Chief Minister of Gujarat during the anti-Muslim riots in 2002, where some 1,000 Muslims were killed by mob violence, could not detract from his popularity. At the time he and his government were alleged to have deliberately delayed the intervention of the security forces. Local and international protests forced the Indian government to set up a commission to investigate the incidents. As a result, Modi resigned from his office as Chief Minister, but was re-elected as head of government as part of the BJP's victory in the next elections and as a result of his unfractured popularity. The EU have kept their distance from Modi with an unspoken boycott, as has the U.S. by formally denying him entry clearance, even though the commission investigating the matter was ultimately

16 | Designated an Other Backward Caste (OBC) by the government 1994.

unable to implicate him.¹⁷ During the campaign, the INC hardly addressed the Gujarat riots. For many analysts, it is clear that the party leadership of the Congress has deliberately avoided this in order not to provoke a counter-attack by the BJP. Such a manoeuvre would have brought into focus the 1984 pogroms directed against the Sikhs of Delhi in response to the assassination of Prime Minister Indira Gandhi. The INC would then have been hard-pressed to explain their failure to manage the crisis under Prime Minister Rajiv Gandhi.¹⁸



The St. Thomas church in the state of Tamil Nadu: In the province of Kanyakumari, where 44 per cent of the population are Christian, the majority of that group voted for the local BJP candidate Radhakrishnan | Source: Koshy Koshy, flickr ©.

Clearly the hope of the people that a stable government under Modi would have positive effects on the stagnant economy, the employment situation and the country's long delayed political will for reforms won out. It also paid off that Modi consistently avoided using anti-Muslim rhetoric during the election campaign. Instead, he emphasised an interfaith and inclusive approach in the interests of national unity. The election results of the majority Muslim constituencies, some where over 70 per cent voted for the BJP, further show that the majority of Muslim voters regard the

17 | Subhajit Roy, "EU ends ,boycott' of Modi, envoys had lunch with him last month", *Indian Express*, 8 Feb 2013, <http://indianexpress.com/news/eu/1071142> (accessed 26 May 2014).

18 | Ramachandra Guha, "Renown and Rubble – Where, then, does the Congress go from here?", *The Telegraph India*, 17 May 2014, http://telegraphindia.com/1140517/jsp/opinion/story_18348408.jsp (accessed 26 May 2014).

BJP's inter-religious message of reconciliation as credible. This could likewise be the case for other religious minorities: in the southernmost constituency of Kanyakumari (Tamil Nadu), the BJP candidate and party leader in Tamil Nadu, Pon Radhakrishnan, was able to establish himself this time around. In all previous Lok Sabha elections, the voters in this constituency, which has one of the highest Christian populations (44 per cent), had followed the calls of the local Catholic Church leaders to vote for the ruling local government party in Chennai.

The BJP leader in Tamil Nadu was Minister of Youth Affairs in the Vajpayee government and is considered a close confidant of Modi's. Since the 1990s, Radhakrishnan has been one of the leading figures of the Hindu Munnani. This organisation, which is influential in the Tamil regions in southern India, has dedicated itself to the preservation and defence of Hinduism, including passing a ban on conversion for Christians. Despite his history and despite the Church's calls to choose the party with the most credible concessions to Christians in the region, a majority of Christian voters favoured the BJP candidate, primarily because he avoided the subject of religion and rather emphasised the topics of infrastructure and supporting the Tamil fisheries sector.¹⁹ Overall, the BJP had focused their campaign on Modi's successful economic leadership of Gujarat. Thus the subject of economic reforms, which the electorate deemed a key issue for a future BJP government, were a major influence on voting behaviour.

Despite the Church's calls to choose the party with the most credible concessions to Christians in the region, a majority of them favoured Modi primarily because he avoided the subject of religion.

Initially, Modi faced fierce competition from within the BJP from former party leader Nitin Gadkari²⁰ with vehement opposition to his ascent and official appointment as prime ministerial candidate. Meanwhile, however, he has enjoyed the full loyalty of the next party president and the new Home Minister, Rajnat Singh, who has made an impression as the number two in the power structure of the newly

19 | T.E. Narasimhan, "Division in Christian votes: Modi wave could help BJP in Kanyakumari", *Business Standard*, 24 Apr 2014, http://business-standard.com/article/elections-2014/114042400187_1.html (accessed 26 May 2014).

20 | Nitin Gadkari has been appointed to the cabinet as Minister for Transport and Infrastructure.

inaugurated government. The December 2012 elections in Modi's home state of Gujarat were certainly an important milestone on the way to victory and also a precondition for his nomination as the BJP's leading candidate for the post of prime minister: although he narrowly missed the two-thirds majority that was expected, he was reaffirmed as chief minister for the third time, and this victory was decisive for his jump to the national policy stage.

The 2012 Gujarat elections also served as a testing ground for Modi to promote changes in India's political culture through new methods of campaigning, such as the massive use of new media and public relations: Supported by

Media experts and volunteers from student groups close to the BJP conducted the 2014 primary election campaign and broadcast the appearances of the party leadership digitally in real time.

the U.S. lobbying group Apco Worldwide,²¹ the "Modi brand" was put in place in Gujarat and was disseminated using the television station *NaMo* which was privatised under his leadership, the Internet and mobile technology and in 2012 produced its first resounding successes with spectacular appearances by the candidate flanked by monumental stage shows and 3D hologram projections of the politician.²² In the design of its campaign and the communication of its program, the party remained a technological leader: hundreds of media experts, social media managers and volunteers from student groups associated with the BJP conducted the 2014 primary election campaign²³ and broadcast the appearances of Modi and the party leadership digitally in real time. In the final stages of the primary campaign, the top BJP candidate completed a total of 440 events nationwide and had a significantly

21 | Apco, which had already drafted image campaigns in the past for the governments of Nigeria and Kazakhstan, was consulted by the Gujarat government in 2009 for the "Vibrant Gujarat" investment campaign and, in addition to its location-based advertising for Gujarat, has overseen Modi's election campaigns ever since.

22 | By 1998, the BJP had already become the first political group to address their constituencies via email and to regularly update its website. Adrienne Lee Atterberry, "Nationalism on the Net: Exploring the ideology of India's Bharatiya Janata Party", *Media Studies – Theses*, No. 11, Dec 2012, http://surface.syr.edu/cgi/viewcontent.cgi?article=1010&context=ms_thesis (accessed 26 May 2014).

23 | In the process, the *Akhil Bharatiya Vidyarthi Parishad* Students' League, founded in 1948 (ABVP), found their way into the BJP or the RSS through renowned politicians like Modi himself, Sushma Swaraj or Arun Jaitley.

greater presence than the leading INC candidates or the head of the AAP, Arvind Kejriwal.

Likewise, the major parties went in for door-to-door campaigns to increase voter mobilisation, which the AAP had used for the elections in Delhi in late 2013, engaging some 7,000 volunteers. In contrast, INC commissioned media reports comparatively late, in late 2013 – after clear losses in four of the five states in the last regional elections – and hired Dentsu, a Japanese advertising agency, to run an image campaign for their candidate, Rahul Gandhi, for the equivalent of around 50 million euros.²⁴ In addition, the INC leadership sought the help of international consultants such as Stephanie Cutter, one of the U.S. president's closest confidantes and campaign coordinator for the Obama administration²⁵ and brought in the international PR agency Burson-Marsteller to bring the party's internal media department up-to-date with the clearly superior BJP competition for the primary elections.²⁶ With an estimated total of approximately five billion U.S. dollars spent on the campaigns of all the parties, the 16th Lok Sabha elections tripled the cost of the 2009 elections. In the process they became the most expensive elections worldwide after the 2012 U.S. presidential elections (seven billion U.S. dollars).

VOTING OUT THE CONGRESS GOVERNMENT

The ever so slight positive balance of the last Congress government under Prime Minister Manmohan Singh, whose achievements have received a positive response in the

24 | "Congress ropes in Japanese firm for RS 500 cr makeover for Rahul Gandhi", *Daily Bhaskar*, 7 Jan 2014, <http://indiatoday.intoday.in/story/gandhi/1/334891.html> (accessed 26 May 2014).

25 | Rasheed Kidwai, *24 Akbar Road: A Short History of the People behind the Fall and Rise of the Congress*, 2nd edition, 2013.

26 | Akash Deep Ashok, "With Modi, AAP taking early lead, can global PR firms better Rahul Gandhi's poll prospects in 2014?", *India Today*, 7 Jan 2014, <http://indiatoday.intoday.in/story/gandhi/1/334891.html> (accessed 26 May 2014). In addition, in the final weeks of the primary campaign, the TV campaign "Bharat Nirman", a presentation of the UPA government's achievements in rural development, was broadcast nationwide. The total cost of around twelve million euros was borne by the Ministry of Information.

Rahul Gandhi, 43, currently Deputy INC Chairman, whom the party led by his mother Sonia Gandhi named as their top candidate late – too late in the eyes of many observers – but was never officially nominated by the party, was able to convey the main points at the end of the primary campaign despite sporadic advances. In Amethi, the traditional constituency of the Nehru-Gandhi family in the most populous state of Uttar Pradesh, the BJP had former actress Smriti Irani challenge Rahul Gandhi. Even though Gandhi had won a clear victory in the 2009 elections with 72 per cent of the vote, this time he was only able to narrowly defend his constituency.³⁰ Overall, the 80 seats in Uttar Pradesh, considered decisive for an election victory, served as another surprise when the BJP clearly exceeded all election forecasts and was able to win more than 73 seats. Compared to Modi, Rahul Gandhi is considered politically inexperienced and has never been a formal member of the government. Rahul Gandhi was unable to live up to expectations of modernising the party and particularly of addressing young voters. Even his mother Sonia, who was able to exert considerable influence on the Singh government as chairperson of the Congress, placed little emphasis on the campaign trail. Only in the final phase Rahul Gandhi's sister, Priyanka, was temporarily able to revive the campaign. Just how much the INC leadership will change over the coming years in opposition will ultimately depend on Sonia Gandhi's future role, as her party leadership is set to end in 2015.³¹ Just a few days after the defeat both mother and son offered their resignation of all party offices to the members of the central Congress leadership committee; the committee, however, refused.³² The full scope of the government and the INC being voted out once again became clear in early June when Rahul Gandhi

Rahul Gandhi was unable to live up to expectations to modernise the party and particularly to address young voters.

30 | Rohini Sing, "Lok Sabha polls 2014: Narendra Modi's Amethi rally under Election Commission scanner", *The Economic Times*, 12 May 2014, <http://articles.economictimes.indiatimes.com/2014-05-12/news/49795198> (accessed 26 May 2014).

31 | On the occasion of the appointment of her son Rahul as the Deputy Chairman of the INC in January 2013, the now 68-year-old Sonia Gandhi had announced she would leave politics when she turned 70.

32 | "CWC rejects Sonia Gandhi, Rahul's offer to resign", *The Times of India*, 20 May 2014, <http://timesofindia.indiatimes.com/Home/Lok-Sabha-Elections-2014/News/articleshow/35353957.cms> (accessed 26 May 2014).

declined the offer to become chairman of the INC in the opposition in favour of Mallikarjun Kharge, who has scarcely made an appearance within the party hierarchy over the past few years and who did not belong to Sonia Gandhi's inner circle.

Without a single seat from Delhi, the newly founded protest party AAP led by Arvind Kejriwal had to match the Congress and clear the field for the BJP.

The performance of the Aam Aadmi Party (AAP), which had temporary success in the 2013 regional elections for the government of Delhi, is another surprise: without a single seat from Delhi, the newly founded protest party led by Arvind Kejriwal had to match the Congress and clear the field for the BJP, which was able to win all seven seats. Nationally the AAP won just four seats. Kejriwal succumbed Narendra Modi, as did INC candidate Ajay Rai in the Varansi, Uttar Pradesh constituency, which is a safely conservative Hindu stronghold; he also emerged as the strongest candidate by far in Vadodara, Gujarat.³³ Two other regional parties achieved clear gains in the elections and neither party belonged to the two coalition alliances, UPA or NDA: the AIADMK from Tamil Nadu in southern India under Chief Minister Jayalalithaa Jayaram won 37 of 39 seats, while its counterpart, the head of government of the state of West Bengal, Mamata Banerjee, secured 33 of the 40 seats with her Trinamool Congress Party (TMC).

PRESSURE FOR SUCCESS ON THE NEW GOVERNMENT

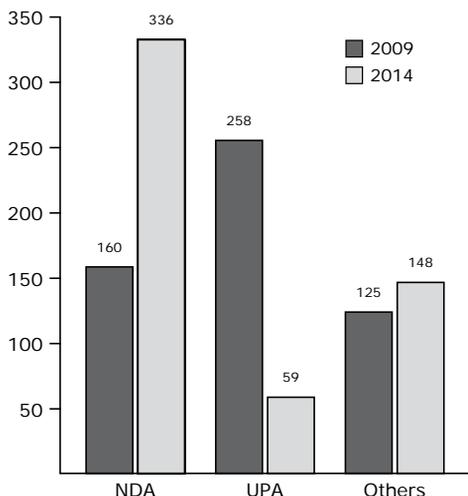
The BJP and Modi are now facing the following challenges as the winners of the election: according to the Indian Constitution, the BJP has been instructed to form a government as the strongest party by President Mukherjee. Despite its absolute majority, it will try to govern in a coalition and expand its existing NDA alliance (after tallying 332 MPs) in the process. It can rely on the support of its coalition partners, such as the Hindu nationalist Shiv Sena Party in the state of Maharashtra (18 MPs) and both of the regional parties from Andhra Pradesh, Telugu Desam Party (16 MPs) and Telangana Rashtra Samithi (13 MPs), which

33 | The loss of all the *Bahujan Samaj Party* (BSP) seats under four-time Chief Minister of Uttar Pradesh, Mayawati, whose main constituency are the outcaste classes, was also unexpected.

with the recent splitting of the state of Andhra Pradesh³⁴ may have achieved a clear ascent.

Fig. 4

Share of the vote of the Coalitions in 2009 and in 2014



Source: ECI, n. 1.

The BJP will try to expand its NDA alliance. If they are not only in majority in the Lok Sabha but also in the second chamber of parliament, the Council of State (Rajya Sabha, 245 seats), they could minimise intervention by the opposition in parliamentary functioning, which is still currently under the banner of the UPA coalition with 80 seats but will be re-formed due to the INC's electoral defeat. With 67 elected representatives currently in the upper house, the BJP and its old and new NDA partners also depend on non-coalition support from parties like the BJD, the TRS or the YSR Congress.³⁵ In all probability, the BJP will only be able to reverse this structural minority in the upper house in 2016 when approximately one third of its MPs³⁶ are re-elected at the end of their term.

34 | Now, as of 2 June 2014, to be divided into two states, Telangana and Andhra Pradesh by an Act of Parliament and with the approval of the President of India.

35 | "BJP's minority problem to continue in Rajya Sabha", *The Economic Times*, 20 May 2014, <http://economictimes.indiatimes.com/articleshow/35355222.cms> (accessed 26 May 2014).

36 | 233 Rajya Sabha MPs represent the states and are elected by the states proportional to their population size and twelve MPs are appointed by the president.

Before the election, and in spite of the party's ultimately almost complete permeation and commitment ("The Party is Modi") to its top candidate, it remained unclear until the very end whether the inner circles within the party surrounding party bigwigs Lal Krishna Advani and Murlidhar Manohar Joshi and parts of the Hindu nationalist Rashtriya Swayamsevak Sangh (RSS), affiliated with the BJP, would be able to form an opposition to Modi within the party after the elections. But Modi's clear victory and the rapid formation of a government currently make this unlikely. In addition, Modi was smart enough – or at least appears to be – to temporarily promote Advani's and Joshi's integration in the new government. Speculation swirling Advani would be appointed as the new Speaker of Parliament and Joshi as a candidate for the Ministry of Defence proved to be wrong. Neither of them was entrusted with a cabinet post. Making Advani chairman of the NDA alliance is unlikely, since Modi himself is seeking this influential position as well as forming the policy framework upon which his government will be formed through his determination in all key positions in the new government.

The new government cabinet line-up was sworn in with Modi as the new Prime Minister of India.³⁷ As already mentioned in the BJP's election manifesto under the banner of "minimum government, maximum governance", the new government will be leaner: Instead of the previously 81 members of cabinet, due to consolidations and restructuring, the new government will be comprised of 44 posts in addition to the prime minister and probably increase to up to 60 in the next three months. The following leading BJP politicians will be allocated: Arun Jaitley, BJP leader in the Rajya Sabha since 2009, will take over the Ministry of Finance as well as take on temporary double duties in the Ministry of Defence. The previous BJP parliamentary party leader in the Lok Sabha, Sushma Swaraj, who had also already gained ministerial experience in the BJP-led Vajpayee administration (1998 to 2004), is Minister of External Affairs and fits in behind

Instead of the previously 81 members of cabinet, the new government will be comprised of 44 posts in addition to the prime minister and probably increase to up to 60 in the next three months.

37 | Modi had urged that 21 May be the deadline for the formation of a cabinet, which was sharply rejected by the Congress because that day also marked the 23rd anniversary of the assassination of former Prime Minister Rajiv Gandhi.

Rajnath Singh in third place in the government hierarchy. Overall, the BJP can present a number of experienced senior government officials. Thus former BJP president Venkaiah Naidu is also a part of the inner circle as Minister of Parliamentary Affairs. Gujarat Energy Minister, Saurabh Patel, or Yashwant Sinha, former foreign minister, are on the short list of possible future MPs.



Inauguration of the new Prime Minister on May 27: The clear vote for Modi and the BJP is an expression how people long for a stable government. | Source: Photo Division (Ministry of Information and Broadcasting of India) via Narendra Modi ©©©.

The youngest member of the cabinet is the 38-year-old former actress and Deputy BJP Chairman Smriti Irani as Minister of Human Resource Development. Although she narrowly lost the election against Rahul Gandhi in the Gandhis' core constituency and, like Arun Jaitley, has no claim to a seat in the Lok Sabha, both were already considered top candidates for cabinet posts as members of the Rajya Sabha before the elections. Following the appointment of General Vijay Kumar Singh as Minister of State for the North East Region and with competencies of a Minister of state³⁸ under the future Minister of External Affairs Swaraj, a former army chief (2010 to 2012), perhaps India's most popular, is taking the political stage: after his military service and some initial sympathy for the protest movement surrounding Anna Hazare, Kumar only joined the BJP in March this year. He won by a large margin, the nation's

38 | A Minister of State (independent charge) functions as an independent cabinet minister in assigned ministries and reports directly to the Prime Minister. In contrast, a Minister of State is directly attached to a cabinet minister at the State or Union level.

highest after Narendra Modi's dual constituency victory.³⁹ The 74-year-old Dr. Najma Heptulla, who belongs to the elite founding family of the Indian state as the great-niece of independence fighter Maulana Abul Kalam Azad, is the only Muslim cabinet member in the new government and will be responsible for the Ministry of Minority Affairs.⁴⁰

BETWEEN OPTIMISM AND EXPECTATION

Overall, for India and its future development as the most populous country in the world after China, the 2014 parliamentary elections set an important tone that India is a rising economic power and a confident geopolitical regional power: Modi's and the BJP's clear victory primarily conveys the desire of the majority of the country for a stable government, a country that has recently been impacted by a political standstill. As a result, the elections and the change of government have given rise to a clear spirit of optimism that has not been so readily apparent for a long time. At the same time, Modi and his government will begin their official duties under considerable pressure from the expectation to quickly deliver on its campaign promises. Above all, this means determinedly promoting bureaucratic reforms and the fight against corruption, as well as the rapid expansion of infrastructure and the country's energy supply. India's new government must also quickly achieve success in the area of economic reforms: only through a resolute reduction of trade and investment barriers can the Prime Minister increase India's attractiveness to investors and potential trade partners. The main idea for the socially inclusive development of India that was included by the BJP in their election manifesto –

The BJP's clear victory primarily conveys the desire for a stable government, a country that has recently been plagued by a political standstill.

39 | "Gen VK Singh: MoS for Development of North Eastern Region, External Affairs and Overseas Indian Affairs", *India Today*, 26 May 2014, <http://indiatoday.intoday.in/story/modi/1/363625.html> (accessed 26 May 2014).

40 | After she was elected to the Rajya Sabha in 1986, she has been re-elected in every election since, but in 2007 ran an unsuccessful campaign as the NDA vice presidential candidate; now she is once again playing a central role in the new cabinet, not least due to her seniority and her prominent Muslim descent.

“Participation for all, development for all!”⁴¹ – will only be fruitful as a result of stable economic growth and modernising the country.

In terms of foreign policy, Modi will be judged on his promise to continue to pursue the course of reconciliation in India's relations with Pakistan and China that Prime Minister Atal Bihari Vajpayee set forth during his time in office. Inviting Pakistani Prime Minister Nawaz Sharif to the swearing-in of the new government was a positive signal in this direction even before Modi took office. However, this diplomatic coup during the most recent idle bilateral rapprochement efforts have raised high expectations that, in the garden of the presidential palace on 26 May and before the eyes of the world, this gesture will emphatically deepen the reconciliation between India and Pakistan. Even if the meeting of the heads of state of India and Pakistan is mainly of symbolic value, Modi's break with protocol that only after being sworn in does he receive a briefing as Prime Minister by the National Security Council,⁴² the commanders of the armed forces and members of the Joint Intelligence Committee comprised of representatives from all intelligence agencies on the state of bilateral relations was met with great sympathy in India. And finally it should be mentioned that, with regard to Germany's traditionally good relations with India and the great mutual interest the two countries have in intensifying trade and economic relations, this only stands to gain from serious efforts by the government in Delhi in further cutting red tape, reducing taxation and allowing for greater legal certainty to create an environment that is friendly to investment. How the relationship between the two countries will ultimately be formed can only be evaluated once Modi and his cabinet have settled into their official duties.

41 | BJP, “Election Manifesto 2014. Eek Bharat, Shreshtha Bharat” (One India, Excellent India), 7 Apr 2014, <http://bjpelectionmanifesto.com/pdf/manifesto2014.pdf> (accessed 26 May 2014).

42 | The National Security Council (NSC) was established by Atal Bihari Vajpayee himself in November 1998 and has been significantly built up to become the central decision-making body for security issues.

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