ENHANCING INSTITUTIONAL EFFECTIVENESS IN SUB-SAHARAN AFRICA

Reflections on Trends in Kenya, Ghana and Senegal

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enlightening the debate on good governance

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Enhancing Institutional Effectiveness in Sub-Saharan Africa

Reflections on Trends in Kenya, Ghana and Senegal

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Foreword

Africa continues to labour under the twin challenges of economic growth and poverty alleviation. Anaemic economic performance comes up against the paradox of rising population growth and the ravages of the HIV/AIDS raptor; while downward trends in human welfare—life expectancy, adult literacy, income, education, health and employment—are indicative of deep stagnation in Africa's development trajectory.

Over the last two decades, a variety of policy discourses have emerged in Africa which broadly examine the causes of this development and growth malaise and then attempt to provide appropriate diagnostic interventions. Despite their differing ideological presumptions and intellectual currents, there is broad convergence, it would seem, around six strategic policy imperatives which focus on the need to: consolidate achievements in macroeconomic stabilisation; enhance state capacity for development; promote an active role for the private sector; transform Africa's agricultural base; improve the foundations of Africa's human capital; and diversify the continent's economies.

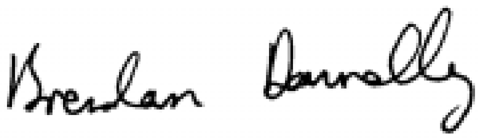
This study is interested in casting greater light on the question of state capacity and building institutional effectiveness in Africa. It draws its inspiration from important recent developments around NEPAD and the evolving architecture of the African Union. Both provide important markers and herald a different approach to governance, with a strong normative emphasis and commitment. Indeed, NEPAD's preconditions for development stress the need for state transparency and accountability as foundational norms for strong and robust institutions, which in turn are seen as the essential bulwarks of 'African solutions to African problems'.

This project is rooted in an ongoing conversation between the London-based Federal Trust and the South Africa-based Institute for Global Dialogue (IGD) which sought to design a project that would, on the basis of select case studies, attempt a better and deeper understanding of the institutional nexus of state capacity in Africa. A novel approach (used by the Federal Trust in a European context) would invite the testimonies of relevant actors who have views about the factors that inhibit and promote institutional effectiveness. Because of their instructive profiles for the project and vastly different colonial progenies, Ghana, Kenya and Senegal were selected as Case Study Countries. While the Federal Trust and the Institute for Global Dialogue would share the responsibility for managing the project, a high-level pan-African working group would provide constant project guidance and advice, lead the testimony-gathering exercise and act as a conceptual and critical sounding board.

This study thus embodies the collective effort of those involved in the project and its findings are emblematic of the contributions made by a cross-section of interlocutors in the three case study countries who gave generously of their time, opinions and insights. The study further highlights and informs an important impulse for building institutional effectiveness in Africa, namely, democratic pluralism. The base of evidence here suggests that democratic pluralism is salutary for government accountability. In terms of this logic, as the democratic order institutionalises itself, it will promote developmental state institutions that improve social welfare and advance economic prosperity. However, let us hasten to add that state weakness in Africa is a structural phenomenon and building more effective state administrations, will, as the case studies make clear, require time, resources and sacrifice, but above all, political will and discipline.

This study must be seen as a modest contribution to the ongoing discussion and debate about Africa's development challenges and prospects. We trust that it will enjoy a wide audience and that its findings will be of interest to a wide policy and academic community.

We would like to take this opportunity to recognise the sterling effort and unwavering commitment of all our colleagues involved in this enterprise and to thank the UK's Department for International Development (DFID) for considering the project worthy of its financial support.



Dr Garth Le Pere
Executive Director, IGD

Brendan Donnelly
Director, The Federal Trust

Methodology

In February 2005 the Institute for Global Dialogue in South Africa and the Federal Trust for Education and Research in London convened a Pan-African Working Group of experts to rethink institutional effectiveness in Sub-Saharan Africa.

The aims and objectives of this Working Group are:

1. What lessons can be learnt from 10 years (1995-2005) of attempts by African countries and the international community to improve institutional effectiveness and state capacity in Sub-Saharan Africa (SSA)?
2. How can future strategies designed by African governments and supported by the international community best improve institutional effectiveness and state capacity to support poverty reduction?
3. What does the emerging Pan-African Agenda of the AU and AU-NEPAD mean for African Countries and the international community that is supporting Africa? What are the implications?

Within this overall context, the Working Group's Terms of Reference are:

1. Is there a common understanding within Sub-Saharan Africa on what elements of institutional reform are essential to promote democracy, reduce poverty and enhance economic growth? What elements might be considered secondary and tertiary issues? To what extent is this ordering applicable to Sub-Saharan Africa as a whole?
2. Is there a common understanding within Africa of the tools made available by the international community and Pan-African initiatives to enhance institutional effectiveness?
3. Using the three examples of Ghana, Senegal and Kenya, what lessons can be learnt from comparing and contrasting different records of institutional reform? In particular, what recommendations can be made on the recent and future role of the African Union, NEPAD, APRM and relevant Poverty Reduction Strategies?
4. What is the role of the African Union in working to enhance institutional effectiveness at the national and Pan-African level? What lessons can be learnt from other supra-national bodies such as the European Union?
5. How should future initiatives be designed and implemented to maximise the positive effects they might have on institutional effectiveness at the national and Pan-African level? In particular, how can policy-makers respond effectively to national differences within Africa and the need for appropriate amounts of policy space?
6. What ought to be the future role of the following groupings in enhancing institutional effectiveness in SSA?

   The International Community

   Providers of Foreign Aid
   International Investors
   Multinational Business

   Domestic Stakeholders

   Private Sector
   Trade Unions
   Local and National Media

The Working Group

The Working Group was comprised of experts from around Africa, all of whom have expertise and experience of dealing with various political, economic and social issues that impact on how institutions work. Members were supported by a Research Team at the IGD. The members of this Team were Dr Siphlomandla Zondi, Francis Ikome and Che Ajulu.

The following experts have contributed to the Working Group.

1. Professor Rok Ajulu - Department of International Relations, Wits University *(Kenya)*
2. Dr Abdul Lamin - Department of International Relations, Wits University *(Sierra Leone)*
3. Dr Garth Le Pere - Executive Director, Institute for Global Dialogue, *South Africa*
4. Dr Khabela Matlosa - Director for Research, Publications and Information, EISA *(Lesotho)*
5. Professor Dani Nabudere - Executive Director, Africa Studies Centre *(Uganda)*
6. Professor Irene Odotei - Institute of African Studies, University of Ghana, Legon *(Ghana)*
7. Professor Eghosa Osaghae - Vice Chancellor, Igbinedion University, Okada *(Nigeria) (Group Chairman)*
8. Dr Alioune Sall - Regional Coordinator, African Futures Institute *(Senegal)*
9. Dr Gloria Somolokae - Advisor, WK Kellogg Programme, University of Botswana *(Botswana)*

10. Prof Balefi Tsie - Dean of Arts Faculty, University of Botswana (Botswana)
11. Dr Nicholas Amponsah - Lecturer, Political Science Department, University of Ghana *(Ghana)*
12. Professeur Pathé Diagne - Directeur, Centre d'Etudes Prospectives Alternatives et de Politologie, Senegal *(Senegal)*

Case Study Countries

From March 2005 the Working Group met on four separate occasions to consider its Terms of Reference, recent developments and the views of other experts and stakeholders. Three of these meetings took place in the Case Study Countries – Kenya, Ghana and Senegal – chosen by the IGD so that this project would reflect both political realities and national characteristics.

The Working Group recently completed its work in these three countries where they met with key stakeholders interested in institutional effectiveness. The dialogue between these experts and the Working Group took place in a series of Roundtables that were hosted by local partners. The Working Group also used its trips as opportunities to engage with post-graduate students enrolled in political and economic studies.

9-11 June 2005: Kenya (hosted by the Department of Politics at the University of Nairobi)

27-29 July 2005: Ghana (hosted by the Tradition and Modernity Project, University of Legon)

17-19 August 2005: Senegal (hosted by the Centre d'Etudes Prospectives Alternatives et de Politologie, Dakar)

The Report

The report continues with a context-setting chapter that presents a historical overview of the evolution of institutional governance in post-independence Africa.

The main element of the report is a set of key findings presented alongside an analysis of the expert testimony received during the Roundtable discussions held during the Working Group's study visits to the three Case Study Countries as well as the African Union and Economic Commission of Africa's headquarters in Ethiopia.

The final section of the report is a summary compilation of the notes from the Roundtable meetings.

An Overview of Post-Colonial Governance Reform

An analysis of the current state of governance and governance institutions in Africa would be incomplete without an understanding of the historical factors that have influenced the nature of the post-colonial African state. To begin with, the foundations of Africa's post-colonial state were laid during the colonial era. Not only did the colonial administrations shape and structure the territories that were to become independent African states, but they also bequeathed a range of institutions and practices to these states at independence – legislatures, judicial systems, executive offices, public service apparatuses and public corporations. However, these institutions, which were originally tailored to serve the needs of the colonial metropolis, were handed over to independent African states without adapting them to the changed realities and needs of sovereign statehood. Therefore, a major challenge that the immediate post-independence African governments faced was restructuring these inherited colonial legacies to meet both the development needs of their countries and their personal aspirations to consolidate their newly won political power.

This formed the basis for efforts to restructure national institutions in Africa in the first decade after independence; covering areas as diverse as political and military organisation, education and public administration. Politically, leaders of Africa's independence movements converted themselves (with disarming ease) into despots; stifling opposition parties and creating one-party states, emasculating the judiciary and the legislature and creating overbearing presidential regimes, and even silencing the media. In a number of cases, pioneer presidents were deposed from power and replaced by juntas and tyrants without any interest in transformation of inherited institutions and practices. To buttress their grip on power, many African leaders devoted sizeable portions of their national budgets to strengthening the coercive apparatuses of state - expanding the sizes and capabilities of their armies and police forces. African governments' emphasis on the use of the coercive apparatuses of state, alongside the systematic weakening of broad-based political institutions, widened the gap between the African state and civil society. This severely undermined the prospects of a democratic political culture.

Meanwhile, in the administrative realm, African governments undertook to phase out expatriate manpower through processes of nationalisation and indigenisation of their public services and national corporations. In the 1960s and early 1970s, a majority of African governments embarked on massive recruitment and appointment of graduates into the public service. Public service workers were offered a variety of incentives – huge salaries, free housing, service cars, free telephones, water and electricity. African public services became the most lucrative sectors of the economy, and civil servants stood out as a privileged class. As a result, by the late 1970s and early 1980s, African public servants became 'public masters' – compromising neutrality and probity that are characteristic of public services elsewhere. Corruption, absenteeism and generalised impunity became the hallmarks of the African public service.

The failure of African states' institutional reforms of the 1960s and 1970s was compounded by the nature of Africa's incorporation into the global political economy. In this regard, the global political economy into which Africa was incorporated in the 19th century was underpinned by an international division of labour whose logic consigned Africa to a peripheral position. The continent specialised in the production and exportation of primary products (cash crops and minerals with no value add) to the markets of industrialised countries of the North. In return, they were to serve as markets for manufactured goods from the North. Moreover, African governments could neither determine the prices nor the volumes of their exports. Their export-oriented economies were therefore bound to be vulnerable to external shocks in later years.

In the 1970s, commodity prices plummeted in global markets. This, together with successive energy crises, beginning with the 1973 OPEC-induced global oil crisis, nearly brought a majority of African states to their knees. Desperate for finances, African governments were forced to embark on borrowing sprees from bilateral and multilateral institutions, marking the beginning of African countries' debt overhang and debt crisis. At the same time, some African governments made serious efforts to move away from export-oriented economic policies towards import-substitution industrialisation. At the political level, African leaders at the 1979 OAU Summit in Monrovia responded to the crisis with a call for self-reliance through regional integration and promotion of agriculture. The Summit sought to reinforce the role of the state in confronting the economic crisis. Donors, on the other hand, saw the crisis as an opportunity to force African governments to retreat from the centre of national development. The donor community, especially the IMF and the World Bank, put pressure on African states to liberalise their politics and economies, because, in their opinion, the lack of political and economic liberalisation in African countries was the major cause of African countries' inability to develop. These external pressures would constitute the incentive for externally driven institutional reforms in the continent in the 1980s.

In 1981, the World Bank's Berg Report advanced the argument that the problem of development was fundamentally an institutional one. Viewed in this light, the Bank saw the economic crisis as being a product of excessive state intervention in the economy. It blamed the public sector for a deteriorating macro-economic environment, leading to persistent fiscal deficits and hyperinflation. The report averred that an over-extended public administration overlaid with parastatals, was responsible for economic inefficiency and resource wastage. Therefore, the Bank advocated that 'governments could do more with less.' The report advocated privatisation of state entities alongside stringent fiscal controls as key corrective measures. But what would subsequently characterise the donor response would be the leitmotif of downsizing the public service, cutting down on wage expenditure and reducing budget allocations in areas such as health, education and social welfare which the private sector was expected to take over. A lean and managerial state became a precondition for much needed development aid. Structural adjustment, thus, further eroded state capacity to deliver public goods and manage economic development, while paradoxically, donor funding went to countries with increasingly undemocratic governments.

In the late 1980s, the World Bank admitted that there were weaknesses inherent in the imposed reforms; however, it only suggested minor changes to the adjustment dogma. Chief among these was the propagation of capacity building as a means to rescue *flagging* donor-driven public-sector reform initiatives. Another was the mantra of political conditionality, which made support for institutional reform conditional upon good governance, democracy and civil society development.[1] These adjustments reinforced the agenda of rolling back the state. The private sector was given a boost, but it failed to take over the responsibility from the state for the provision of basic services as the Bank had anticipated. This further deepened the economic crisis and undermined the service delivery process. Donor programmes thus became widely unpopular within African governments and amongst the African populations.[2]

By the end of the 1990s, the World Bank admitted that donor intervention had exacerbated "bureaucratic dysfunction and its attendant problems of overstaffing, distorted wage incentives and weak governance institutions."

More than a decade of structural adjustment had failed to improve development capacity.[3] Clearly, donor interventions sought to deal with technocratic symptoms of the fundamental problems in the nature of the post-colonial state that only served to accentuate its predatory tendencies. Such interventions diminished the centrality of the state in national development, and failed to revitalize the public sector even when its importance was later realized. These donor policies further insulated government institutions from deep-seated maladies by allowing them to outsource, privatise, and decentralise 'non-essential' activities to the detriment of sectoral reforms and efficient service delivery.

In the final analysis, the 'rolling back the state' agenda weakened even the very institutions it created as part of public sector reform and decentralization. It diminished the administrative capacity necessary for the functioning of new institutions within the public sector. The state lost vital human capital and institutional memory necessary for sustaining even donor-initiated reform processes. This experience is, perhaps, behind the paradigm shift exhibited by a recent World Report with regard to the role of the state:

The state is not merely a referee, making and enforcing the rules from the sidelines, it is also a player, indeed often a dominant player in the economic game.[4]

This shift in donor thinking is both opportune and positive. It will give African governments more space to negotiate priorities and dictate the nature of public sector reform. This coincides with the emergence of the New Partnership for Africa's Development (NEPAD), itself a result of a long process of debates and reflection on post-independence experiences, including devastating consequences of dictatorship and the dislocation of the state from the centre of national development. NEPAD balances self-reliance as enunciated in Monrovia in 1979 with the notion of effective partnership with wealthy countries to ensure that African countries play a pro-active role in the global economy. It is setting standards and values of good governance and democracy against which African states will be judged. It also provides a common agenda in Africa's engagement with donors and investors.

What flows from the foregoing overview of governance reforms in post-colonial Africa is that the continent has over the years faced a serious challenge of building appropriate institutional frameworks for its development. It also points to the fact that various efforts at institutional building (both internally driven and externally inspired) have only yielded mixed results. It is within this context that this study, focusing on a select number of African states, reflects on trends in institutional effectiveness in Sub-Saharan Africa.

[1] World Bank, *Sub-Saharan Africa: From Crisis to Sustainable Growth* Washington, 1989.

[2] African Development Bank, Development *Policy Management Forum Report*, November 1999.

[3] Ibid, p. 5.

[4] World Bank, *World Development Report*, 1997, p. 31

Observations, Findings and Trends

This section provides an overview of the key observations, findings and trends that have emerged from the three countries studied in the project: Ghana, Kenya and Senegal. The analysis and findings provided here are preliminary and tentative in nature but are strongly suggestive of the conclusions that could be drawn on the basis of an expanded sample of countries. This report thus has three objectives:

- to highlight general trends and critical comparative insights which emerge from the composite report on the three case studies;
- to provide broad observations and findings in ten thematic areas; and
- to draw conclusions on key questions posed by the study and those that have emerged in the course of the country visits.

The thematic areas referred to are as follows:

1. Separation of power;
2. State bureaucracy
3. Local government
4. Financial management and budget control
5. Revenue collection
6. Private sector development
7. The role of civil society
8. Leveraging traditional institutions
9. The impact of regional and continental institutions
10. Cross cutting issues of gender, capacity, citizenship and literacy

Conceptual Reflection

Numerous governance initiatives in Africa, with NEPAD and the UK Commission for Africa being the most recent, have attempted to address the need for a strong political and administrative framework to advance development, democracy and stability. These initiatives are underpinned by principles of accountability, transparency, integrity, respect for human rights and observance of the rule of law. To realise these values and norms (which also sometimes come in the form of prescriptions) countries have had to build, restructure and overhaul their institutions. Indeed, countries in Africa, including the three referred to in this study, have established a complex web of institutions in the form of administrative and oversight structures to enhance the efficiency and effectiveness of the state. Another set of institutions emerged largely under the influence of the Bretton Woods institutions, particularly, to promote macro-economic stability, private sector development and resource mobilisation. Yet African countries still labour under the burden of evolving effective institutions as a basis for addressing their perennial developmental problems and challenges.

As the study has established, the continent's underlying problem is not so much the absence of institutional frameworks, but rather how efficiently and effectively existing institutions function. Their frequent lack of functional coherence, adaptive capacity and delivery efficacy is important because of the profound impact it has on the credibility and legitimacy of the institutions themselves. Contrary to the often-expressed belief that tends to see lack of capacity as the overriding problem in the failure of African institutions to deliver, this study found that it is rather the poor utilisation of existing capacity that accounts for much of the institutional weaknesses observed in the study. Some of this poor utilisation derives from the insufficient "domestication" of institutions in order to be sensitive to local political cultures and differing spatial and existential environments. The 'ownership' of institutions and government programmes as well as enhanced human resource capacity is central in addressing problems of institutional ineffectiveness and is essential for their legitimacy and integrity among the citizenry.

Separation of Power

The overbearing power of the executive, especially powers vested in the head of state, has a detrimental effect on the prudential separation of power required to ensure the independence of institutions. In all three cases studied, state power is concentrated in the office of the president and, by extension, the executive. The executive tends to be drawn directly from parliament, which severely compromises the ability of the legislature to maintain its oversight and law-making function. In Kenya and Senegal, in particular, there is a creeping authoritarianism that threatens the independence of the various organs of state as well as the effective functioning of the administrative institutions, such that the delivery of public services is impeded and jeopardised. Although this tendency is less apparent in Ghana, recent presidential actions there have raised concerns about the efficacy of separation of power as an observed constitutional imperative. To address this adequately will require systemic and normative changes in the underlying culture of impunity, patronage and personality cults which have been spawned by a history of political and economic crises, illiteracy and poverty.

Legislatures remain fairly weak and incapable of exercising checks and balances within the state. Although enshrined in the constitution, the independence of parliaments in our Case Study Countries is undermined by the influence of the executive, frequently exercised through financial incentives tied to neo-patrimonial arrangements and rent-seeking activities. This is especially evident in Kenya where the executive provides huge amounts of discretionary constituency development funds to parliamentarians to underwrite local development projects of their choice. This in turn gives parliamentarians the means to buy votes. There are also instances of parliamentarians being subjected to and tempted by corrupt practices in Ghana and Senegal. The executive typically applies pressure to ensure conformity and compliance by parliamentarians in all three cases. The fact that legislatures are the recruiting grounds for cabinet posts reduces incentives for parliamentarians to hold the executive to account. The ability of parliamentarians to exercise rigorous oversight over policies and their implementation as well as scrutiny of legislation is constrained by high levels of technical incompetence, poor education and, in Senegal, sheer illiteracy. The impact of this is aggravated by a lack of technical and analytical support services within parliaments. This further undermines the work of the parliamentary committees, especially those overseeing public accounts. As a result, any appearance before parliamentary committees by the executive and other senior officials has become perfunctory and an empty formality. The poor state of political parties, weakened by low educational levels especially in Senegal, a culture of patronage in Kenya and lack of professional staff in Ghana has generally had a cumulative negative effect on the quality of the work and productivity of the legislature. To change this, governments will have to improve support

Mauritius has flexible regimes governing political parties

While competitive politics on the continent is hampered by draconian rules governing registration and activities of political parties, Mauritius has over the past decade put in place a legal regime that allows for greater flexibility around registration and operations of political parties. For instance, in Mauritius political parties are not required to register at all except for electoral administration. Opposition parties enjoy considerable freedom, guaranteed by law and enforced by law enforcement agencies.

Source: ECA Africa Governance Report, 2005 services, establish resource centres, introduce literacy programmes and run civic education programmes in order to enhance the understanding of oversight and legislative functions among members of parliaments.

Notwithstanding decades of legal reforms, the ability of the judiciary to advance the rule of law and remain independent of the executive remains weak. The credibility of legal institutional frameworks, including those institutions that dispense justice, requires that the rules, procedures and laws be effectively guarded by an independent judiciary. The study found that in both Kenya and Senegal, the executive has a strong influence on the appointment and functioning of the judges, where judicial councils are appointed by the president and staffed with loyal officers.

This, in turn, has compromised the competency profile and stature of the judiciary and alienated some of the best legal minds from the bench. At the same time, in Kenya, the rampant culture of corruption has penetrated the judiciary, with a growing number of judges facing court charges for corruption. This, again, has seriously compromised the credibility and effectiveness of the judiciary in advancing the rule of law.

While legal reforms have increased popular access to justice, the quality of the justice system and its administrative ability have hardly improved, particularly in Ghana and Senegal. Legal reform must address equity and quality issues simultaneously so that improvements are evenly spread. Yet, until a clear separation of power is achieved, the effectiveness of the reforms in enhancing justice and protecting the rule of law will remain weak. Clearly, reforms should not limit themselves to improving the quality of judicial institutions, but must also address the legislative nexus from which laws emerge that the judiciary is meant to advance and enforce.

The State of the Bureaucracy

The state bureaucracy is generally inadequate in the delivery of public services. The overall capacity of the public sector has weakened as economies stagnated following the oil crisis in the early 1970s. Decades of downsizing under structural adjustment and the failure of palliative civil service reform initiatives (largely driven by donors and the Bretton Woods institutions) have contributed to the deterioration of service delivery. The public sector has lost critical skills and has failed to spread public services wide enough due to chronic resource deficits. The study found that the public sector lacks financial incentives to attract managerial and technical expertise and, as it stands, is not geared towards delivery of public services but is rather a repository of patronage and sinecures of office. Civil service reforms aimed at transforming the public sector into a focused, decentralised and market-friendly deliverer of services have only enjoyed modest success. Assumptions that service privatisation would make good the delivery failures of public goods by the state have proven to be fallacious. Worse, due to lack of local ownership and poor policy co-ordination, what reforms have been undertaken have often created administrative shells and accentuated fragmentation within the public administration. Corruption flourishes within the civil services of the Case Study Countries. In Kenya, a particularly worrying trend is the ease with which the executive arbitrarily hires and fires public sector management. There is a need for far-reaching public sector transformation - rather than mere reform - in order to advance national development plans and to ensure local ownership of decision-making processes by better involving citizens in the political process, particularly at the provisional level.

Local Government

Local government is generally inefficient, under-resourced and neglected. In all the Case Study Countries there is a dominant and over-determined strong centre that undermines the effective functioning of local government and municipal systems. In all three countries, local government is weak and is increasingly being replaced by parallel initiatives from the centre that eventually usurp the role of local councils and undermine their ability to interact as interlocutors with communities. For instance, the well-resourced Constituency Development Fund in Kenya, which parliamentarians use for local development projects, undercuts the role of a grossly under-resourced local government system. In Ghana, the space provided for the traditional institutions within local government structures has reduced local councils to deliberative forums. The critical need for performance-based local government is undermined, in Kenya and Ghana especially, by the fact that local councillors form part of elaborate and deeply entrenched patronage networks which guarantee them re-election even in cases of underperformance. Serious weaknesses also arise from the failure of local authorities to attract people with the requisite levels of managerial and technical skills. The lack of credibility and legitimacy of the local councils as key delivery nodes has had a deleterious effect on public perception of the public sector as whole. However, there have been improvements in Ghana inspired by the prominent role of traditional authorities in leveraging local development and popular participation. Financial systems and auditing practices are beginning to impact positively in Senegal's local councils in particular.

Community-driven service delivery in Cameroon

Cameroon has improved community participation in key areas of public sector intervention in the economy, particularly agriculture. A national agricultural extension programme is a case in point. It is pilot programme covering some 100 villages with assistance of experts from Benin, Mali and Madagascar training Cameroonian trainers. The trainers then galvanize communities to come together to diagnose their challenges, set priorities and demand support for these from state extension officers. While the initial focus was on agricultural extension, but once organized, the community used their newfound power to prevail upon local authorities for better schools, roads, water supply, health services and other local issues. The phenomenon convinced cabinet ministers to make field visits. With support from both government and donors, the communities have managed to improve local government delivery of basic services and to force local elite to provide additional resources for local development. Organized villages put pressure on mayors and local government officials to reduce diversion of funds to unbudgeted purposes and to improve utilization of allocated resources. In 2002, the Ministry of Planning decided to make this an official government approach to local development nationally with participating villages increasing every year to reach 13 000 villages by about 2007.

Source: World Bank Development Report 2004

Financial Management and Budget Control

Economic reforms have potentially improved financial management and budget control, but these remain key areas of concern. Some strides have been made in the course of fostering macro-economic stability and promoting improved public finance accountability systems over the past decade. Appropriate policies and legislation exist and institutions and procedures are in place, especially in Ghana and Kenya, although their impact has been constrained by poor management and lack of political will. The study found glaring inefficiencies and ineptitude in the financial oversight institutions such the Auditors-General and Central Banks, especially in Kenya. The Public Accounts and Budget Committees of parliament charged with monitoring economic management are constrained by high technical illiteracy in Senegal and lack of technical support more broadly. While budgets are constructed in such a way that they may become useful tools for addressing development challenges in each country, they are formulated and implemented in a climate of secrecy and opaqueness, with minimal participation even within the bureaucracy itself. Usually the time parliament has to examine the budget is too short for meaningful scrutiny such that the logic behind appropriations and expenditure patterns is not thoroughly investigated. Although audit and financial laws are in place in Senegal, they are not observed, let alone implemented. African countries such as Botswana have shown that transparent and efficient financial systems can be made to work in the continent. The three Case Study Countries would do well to follow Botswana's example.

Botswana champions transparency in monetary and financial systems

A key element of transparency in the monetary policies is the availability of timely, accurate, comprehensive and detailed information on who makes the decisions, how they are made, the objectives pursued, the outcomes expected and how the institutions are constructed. In Botswana, not only are systems to ensure transparency in place, but they have helped improve macro-economic stability and corporate governance. The Bank of Botswana ensures transparency through annual publication of a monetary statement that outlines the objectives and targets of its monetary and anti-inflation policies. Adjustments to the bank rate are publicly announced and the reasons for them explained and justified. The exchange rate policy is also publicly explained, debated and justified. The information on the basket of currencies is made available to the public for verification of calculation of the exchange rate. The Bank requires commercial banks and credit institutions to provide it with - and disclose to the public - details of all charges payable for the operation of accounts and other services rendered.

Source: ECA Africa Governance Report 2005

Revenue Collection

Tax collection is improving but it remains generally limited in scope. While tax collecting entities have been created, they have not been adequately resourced. Senegal has drastically improved revenue collection, following the strengthening of its tax collecting institutions on the basis of improved resource allocation and putting in place auditing systems. A major problem in Ghana and Kenya is that a large section of their income-generating population is in the informal sector, which renders tax collection virtually impossible. In all three Case Study Countries, the culture of paying taxes is weak at the highest level. The rules *de facto* exempt political elites, senior civil servants and, sometimes, their families. It is especially they who tend to be the main tax delinquents and who further entrench a culture of evasion. As a result, the tax system is perceived in some quarters as punishing the low-paid, the small entrepreneur and the poor, while being permissive for the wealthy. To change this, there will need to be a multi-pronged strategy, including in particular strengthening and increasing the resources made available to tax-collecting institutions. The culture of not paying taxes could be reversed through public education, sanctions, incentive systems and political commitment at the highest level of government.

Privatising Kenya Airways – a best practice example for other African countries

Since its privatisation in 1996, Kenya Airways (KQ) has been able to realise cost savings, provide a quality service and connect to a wide network. To achieve this, the company has grown strongly and managed to weather the aftermath of the September 11 pretty well. Incomes rose 2% over the six months following these events and bombings in east Africa. The company has substantially cut non-essential capital expenditure and produced a healthy balance book. It has successfully upgraded its ageing fleet to allow it to expand its operations connecting different parts of the continent and the continent with Europe and Americas. The airline is today a key player in Africa's development and inter-regional trade. The result has been improved reliability and performance by an airline named African Airline of the Year in 1999 and has been a runners-up to SAA, Africa's biggest airline, since then.

Source: ECA Africa Governance Report, 2005

Private Sector Development

In spite of the success of investment incentives, the private sector remains underdeveloped and largely expatriate. Generally, the private sector is expanding in Africa as a result of investment incentives brought on by democratic reform, improved macro-economic stability, the easing of registration requirements of private companies, the protection of property rights and the improvement of infrastructure. Yet, very little of this expanded private sector is in the hands of local entrepreneurs. No prospering middle class has taken substantial root in any of the three studied countries. In Kenya in particular the tradition persists whereby the state is still regarded as the most natural vehicle for personal wealth creation. Until an environment is created for increased domestic ownership of capital through empowerment programmes, the state will find it difficult to promote private sector development effectively.

The Role of Civil Society

Civil society has grown remarkably active, but is not strong enough to hold government to account and to participate in the fight against poverty. The oversight role of civil society and its importance in raising the public's awareness of its rights and privileges is universally accepted. Civil society organisations have played a critical role in the political transition in all three Case Study Countries. They have compensated for weak opposition parties in holding government to account in Senegal and Ghana. In Kenya, civic groups and the media have exposed corruption. In the process, civil society has incurred the wrath of governments and ruling parties. It has suffered deliberate attempts at suppression in Kenya and Senegal. Of the multiple forms of civil society, NGOs have however become weaker as their sources of funding have been eroded or shifted elsewhere, following relatively smooth yet incomplete transitions to democracy. Civil society organisations have work to do to improve their own credibility by addressing concerns about their agendas, constituencies and sources of funding as well as problems of fragmentation and duplication. Governments will need to provide formal spaces for authentic civil society formations to engage them on key matters affecting service delivery and social development.

Leveraging Traditional Institutions

The involvement of traditional authorities in addressing the development lag - in remote, rural areas especially - is growing in some countries, albeit slowly. Traditional modes of governance have been modified in many cases to conform to the demands of modern-day political realities. In Ghana, traditional authorities are not just involved, but are integrated into the state rural development strategies. They have become key players in areas as diverse as health and HIV/AIDS, education, agriculture and preservation of revenue-generating cultural heritage sites. Ghana is unique in that the state has invested heavily in capacity enhancement of Chiefs' financial management, general managerial and legal/policy competencies. There are fears that involving traditional leaders in modern governance will promote ethnicity and corruption in traditional norms of gift-giving. While accepted as a norm in Ghana, these practices have been studiously avoided in Kenya and Senegal. Even though there are problems of compatibility and complimentarity between modern and traditional modes of governance and concerns about ethnic tension and corruption, the traditional institutions' authority and influence could perhaps be used to ease the burden on over-stretched local governments in Kenya and Senegal.

Leveraging traditional authorities in Ghana

Ghana sets a food example in terms of promoting integration of traditional and modern institutions of governance. Ghana is strengthening the capacities of Chiefs, queenmothers and village headpersons in the Asenteman Council areas and Akyem Abuakwa Traditional Council areas to participate in activities to improve health and fight HIV/AIDS in their communities. It is providing resources for rehabilitating basic primary education facilities in select rural and deprived areas in the Asanteman Council community, thus designing a partnership between traditional authorities and government to provide quality basic education. Government is also improving the financial and management capabilities of the two councils' secretariats and building their capacity in community development. It is supporting the councils in efforts to preserve and benefit from their cultural heritage by developing school activities on cultural heritage, and community partnerships. Fundamental to all these programmes are the continuous efforts to revise, codify and disseminate traditional laws and customs and to increase the accessibility and effectiveness of traditional law courts. The latter are critical in delivering justice at the local level where the Chief is the first point of call for persons seeking redress.

Source: ECA Africa Governance Report, 2005

The Impact of Regional and Continental Institutions

Regional and continental institutions have had a mixed impact on institutional effectiveness at national level. The transition from OAU to AU, the emergence of NEPAD and the reform of regional economic communities have buttressed acceptance of principles of democracy and good governance. They have also provided a normative framework and a common agenda at national level, while enhancing the harmonisation of policies and programmes amongst countries. The impact of these institutions in encouraging diversification of production and exports has enhanced the global competitiveness of some products. The potential for regional integration to improve intra- and inter-regional trade was noted in Kenya, but the persistence of protectionist tendencies in other cases undercuts this. Outside state institutions, very little is known about the activities of regional and continental organisations, partly because governments have not involved enough national stakeholders in disseminating knowledge and information on regional and continental initiatives. National populations have not been adequately consulted on processes such as the African Peer Review Mechanism in Ghana and Kenya, and the negotiation of trade agreements in Senegal, thus creating a legitimacy crisis for these processes at national level. Nationalist sentiments have also been a constraint on the popularisation and understanding of integration initiatives. There is no sense that regional and continental institutions are providing direct support to development of effective institutions among member states generally, partly because of internal weaknesses within regional institutions themselves. Yet regional and Pan-African institutions are potential conduits for the exchange of expertise, skills and resources needed to improve institutional effectiveness across the continent. Conducted with strict conditions of inclusivity and robust national debate, the APRM process could become a critical catalyst for meaningful institutional reform.

Gender-responsive budget initiatives—an increasingly popular tool

In *South Africa* the Women's Budget Initiative empowers parliamentarians and others with analysis and information to oversee and critique government budgets. It has been a collaborative venture of the Gender and Economic Policy Group (part of the parliamentary Committee on Finance) and two non-governmental organizations (NGOs) focused on policy research. By linking researchers and members of parliament, the researchers could be assured that their work would be taken forward into advocacy, while the parliamentarians would have a solid basis for their advocacy. From the start the core members of the initiative were also expected to draw in others as researchers and reference people. The initiative published a series of books and, more recently, a series of papers called *Money Matters,* written to be accessible to a broad range of readers. South Africa's government has also introduced gender budget analysis within the government, led by the Ministry of Finance. This and the above initiative have had some positive effects. For example, all sectoral budget reviews now include gender-sensitive analysis.

In *Tanzania* gender budgeting drew inspiration from Australia and South Africa. Initiated by the Tanzanian Gender Networking Programme, an NGO, the programme's main strengths are the alliances created with government, especially its gender equality activists. Teaming up an NGO researcher with a government officer, the initiative has commissioned research on four sectoral ministries (education, health, agriculture, industry and commerce), on the Ministry of Finance and Planning Commission and on the budget process. It has also done research in selected districts.

Source: UNDP HDR 2002

Cross-Cutting Issues

There are four issues which cut across the above thematic areas: human capacity, gender, civic education, and literacy.

Although institutional capacity is critical, it is ultimately the quality of persons who make up the institutions that will make them effective. Many existing institutions have been undermined by weak human capital, especially in the areas of managerial competence and technical skills. This shortage in turn derives from inadequate financial resources, the allure of the private sector and more lucrative employment abroad, corruption, political interference and internal dysfunctionalities. Allocation of adequate resources, establishment of incentive systems and sanitising institutions could go a long way towards turning 'brain drain into brain gain'. Improving education and training systems, both on the job and through external interventions, will in the long run help improve competency levels.

Women are neglected in the running of key institutions. Progress has been made over the past few decades towards enforcing international and national commitments to gender equity. Efforts to reverse the systemic exclusion of women in state and non-state institutions are on-going. There are gender or women commissions to ensure state and private sector compliance with gender equality standards. This notwithstanding, women remain marginalised in critical public debates, and progress in the upliftment of women is lethargic, falling below national targets in most cases. Gender is yet to be main-streamed into state and non-state planning and action. This requires both the integration of gender into development planning and deliberate efforts to increase participation of women in public life and business.

There is a low sense of national belonging and responsibility among the peoples of the countries studied. This contributes to poor government accountability and a culture of impunity among politicians. The study found that high corruption, misuse of state resources and failure to implement plans and programmes could be ascribed, in part, to a low sense of belonging and a poor understanding among people of their role as citizens in the advancement of their nations. This under-developed civic culture leads to a lack of enthusiasm for holding government and companies to account for their handling of national resources and assets. Civic education integrated into the education system, but also driven publicly by various stakeholders, would in the long term reverse this growing public disillusionment and instil a stronger sense of responsibility among citizens.

Illiteracy has hampered institutional and human capacity. Major strides have been made in improving the standard of education over the past decades in spite of the negative impact of structural adjustment programmes. Yet there are high educational illiteracy rates in key organs of state and civil society in Senegal, which impair the effective functioning of these institutions. Large segments of national populations are left out of public debates, economic development and opportunities for personal advancement due to illiteracy. There is also in the political world a problem of lack of technical literacy and analytical skills necessary to scrutinise bills and legal documents or to evaluate the merits of budgetary allocations. Alongside normal educational programmes, specific programmes targeting technical literacy in specific areas such as public finance as well as provision of technical support services are needed.

The International Dimension

Where matters of internal African governance are concerned, governments and even non-governmental agencies find themselves in a dilemma. Where they believe their own administrative experience and structures can act as a useful model for their African partners, they are naturally eager to share their ideas and experiences, all the more where they fear that inefficiency and corruption may be harming Africa's economic and social development. Africa's recent history however, dictates extreme caution and sensitivity before those from outside Africa take it upon themselves to prescribe the future course of governance in the continent. In particular, Europe's recent imperialist past must still cast some shadow on even the most benevolent attempts of its representatives to shape governmental structures in Africa.

We have found, however, one aspect of relations between Africa and Europe, in which, without embarrassment or resentment on either side, Europe's governmental structures are being studied and increasingly embraced by Africa. That aspect is the conscious modelling of the nascent African Union on the philosophy and institutions of the European Union. The European Union itself is a consciously post-imperial political phenomenon. Imperial rivalries outside Europe were an important vehicle in the eighteenth and nineteenth century for the jostling nationalism which the European Union seeks to replace. It is wholly appropriate that the African Union should seek to imitate, with appropriate amendment for the African context, much about the well-established, but still evolving European Union.

We are aware that a number of the regional groupings within Africa already work closely together on economic and security issues. Equally, the African Union is poorly funded and still lacking in personnel. Nevertheless, we learn from Europe's recent history that regional economic and political arrangements over time

Aid for social insurance in Zambia

About half of Zambia's population of more than 10 million people live on less than the minimum energy standard set by the food poverty line. Malnutrition threatens lives, reduces opportunities for earning income, undermines the education of children and increases vulnerability to ill health.

Working with the Zambian Ministry of Community Development and Social Services, the German Agency for Technical Cooperation (GTZ) developed a pilot cash transfer programme in the southern Kalomo district. Covering 143 villages and 5 townships, the programme targets the 10% of households identified as most destitute on the basis of criteria agreed and administered through community-based welfare committees. Two-thirds of beneficiary households are headed by women, most of them elderly. Two-thirds of household members are children, 71% of them orphaned by HIV/AIDS.

Transfers under the programme amount to $6 a month. The pilot programme covers 1,000 households. Initial evaluations of the programme, which started in 2004, point to some successes. School attendance has increased and targeted households have been receiving regular monthly incomes.

Scaling up the transfer scheme to cover 200,000 destitute households would imply an annual cost of $16 million, or about 4% of total aid flows to Zambia. What this scheme demonstrates is the potential for such programmes to provide a conduit for poverty-focussed redistribution programmes. Very small transfers from rich countries can generate significant gains for poor households in countries like Zambia. However, the success of such social insurance schemes depends critically on donors and governments working together over a long time horizon.

Source: UNDP HDR 2005

have a definite tendency to be subsumed in a flourishing larger unit. The unceasing expansion of the European Union since 1957 bears eloquent witness to this proposition. It was our strong impression that the existing regional blocs of Africa are seen by national elites as a marginal aspect of their political culture. If the African Union undergoes over the next decade a process of development in any way similar to that of the European Union's first decade, it should not regard the pre-existence of African regional groupings as an insuperable check on its progress.

The European Union is rightly proud of its position as the world's largest donor of aid. Much of that aid is concentrated on practical and specific projects. Some does concern itself with governance structures in individual countries, helping to train civil servants, non-governmental organisations and possibly disadvantaged social groups. We were struck, however, by the absence of a distinct and coherent programme to help the African Union, as an organisation, with training and administrative support in its aspiration to transfer the successes of the EU to Africa. We believe this should now be a high priority.

Conclusion

Our study has illuminated critical issues associated with strengthening institutions and enhancing governance. The importance of credibility and legitimacy of institutions is a common refrain in the governance conundrum of the three countries. The negative effects of presidentialism, with its tendencies towards authoritarianism, are seen as having a corrosive effect on improving effective governance. The impact of adjustment programmes on social investment is well known and documented, but identifying how the high levels of illiteracy have impinged on the effectiveness of parliament, the functioning of the civil society and economic governance, is an important contribution to policy learning.

While not part of the Terms of Reference, there is an instinctive sense that external influences cannot be ignored, as they form part of the dialectic of forces which have shaped institutions in Africa. It has become clear as well that the subject of the study could benefit from coverage of other cases with different colonial and socio-cultural heritages and post-colonial experiences. These could include additional French- and Portuguese-speaking countries, but there is also a typology of small states in Africa which could be instructive for further study.

Perceptions from the Case Study Countries

The following is a summary account by topics of the discussions that took place during the Working Group's visits to Kenya, Ghana and Senegal. The account highlights in particular the problems, strategies and characteristics that appear to be specific to each country.

In considering this summary account it should be noted that the Rapporteurs were keen to reflect the diversity of views as expressed by the experts and hence have limited their interventions to correcting grammar and ensuring that the views are presented along thematic lines. Accordingly, what follows may at times be regarded as contradictory and/or inconsistent. This is in keeping with the free-flowing nature of the discussions had in each Case Study Country.

Key Elements of Good Governance and Institutional Effectiveness

In Kenya, more than in the other two countries, there was lengthy discussion of what ought to be considered as the essential elements of good governance and institutional effectiveness. A number of differing perspectives were offered.

One analysis was that the simple existence of institutions was insufficient unless they worked appropriately and coherently among themselves. It was argued that this network and its constituent parts had to:

1. ensure power was exercised through co-decision;
2. be accountable to the population;
3. ensure checks and balances were in place; and
4. protect civil liberties and rights.

Another theoretical framework offered argued that the essentials could be described more fundamentally in that institutions simply had to guarantee the essential elements of human rights. In this instance five rights were highlighted:

1. Universal education
2. Universal healthcare
3. Shelter
4. Security (food and personal)
5. Equitable justice

Turning to the more specific question of what policies and strategies could promote institutional effectiveness, three suggestions were offered:

1. Deepening institutional and legal reforms
2. Public sector management
3. Consistent policy-making

In Ghana the Working Group heard a particularly well-argued description of the pre-requisite characteristics of an effective institutional framework. Under such a framework, institutions must:

1. create and sustain a political space for state, civil society and economic actors to contribute to improved living conditions;
2. ensure all citizens partake in economic gains and shared growth;
3. guarantee that the vast majority of people can be actively involved in decision-making that affects them;
4. mobilise the requisite revenue and resources required for growth and development; and
5. be internalised by the overarching political culture and society as a whole.

With regard to the final point, the Working Group was asked on a number of occasions to consider what came first: weak institutions or a society unable to utilise institutions effectively and appropriately? For example, in Kenya many experts held the view that the country was caught in a vicious circle characterised by the fact that 'corruption weakens institutions and the rule of law, which ensures that there are no harsh consequences for corruption, hence encouraging more.' In response to these and similar considerations, the point was put by some that institutional effectiveness was not about changing institutions but rather about changing political and administrative cultures - and perhaps entire societies. The problem perhaps did not lie with the institutional design, but rather with the way the political elite used these institutions.

A recurring theme of discussion in all three countries was the perhaps overly-abstract nature of concepts such as ‘democracy’, ‘poverty alleviation’ and ‘economic growth’. Instead, it was often put to us that these benefits should be seen as arising from the success of states in attaining the more basic goals described above.

Institutions and Branches of Government

Experts familiar with debates about governance in Africa will not be surprised by th e fact that a significant proportion of the Group’s deliberations and its discussions with key stakeholders in each of the Case Study Countries considered the formal branches of government: the executive, the legislature and the judiciary. The role of fiscal frameworks and public finance authorities also played a significant part in these discussions.

Presidents, Presidential Power and the Executive

In all three Case Study Countries, the role of the president and actions of the office of the president and the parliament dominated discussions. The importance accorded to these institutions by participants implicitly suggested that unless these institutions operated together to the benefit of their respective countries, little could be achieved in other areas.

An ever-present theme during the Group’s Working Visits in Kenya, Ghana and Senegal was the dominance of the president and the damage this did to each of these countries’ political and economic systems. In each country, these problems stemmed from the simple fact that the presidents and their officials and supporters were perceived to have undue influence across the entire political system, impacting on both the economy and society. Some stakeholders argued that their governments had used state institutions to extract benefits for themselves and their supporters. Others simply asked, ‘why is it that many of our presidents, who had democratic credentials, fail to display them after taking power and instead gravitate in the other direction, towards corruption and the abuse of power?’

These structural power imbalances within each country were thought to have had a variety of significant effects. In Kenya, participants regarded the domination of the president and his executive as having had a particularly crippling effect on the country’s political system and infrastructure. The Office of the President was described as a ‘leviathan’ with a ‘life of its own’. Some went so far as to argue that the country was nearly collapsing under the weight of authoritarian rule and an almost ‘predatory’ regime. Specific instruments of presidential dominance mentioned were the power of the president and his office to appoint judges and select an unusually large number of parliamentarians from all parties to join the executive. Significantly, the Group also heard how important institutions with the potential to question presidential authority and action were often marginalised. The Public Accounts Committee within the Kenyan parliament was mentioned in particular, as it had considerable potential to oversee and improve fiscal controls. Nevertheless, this potential meant that the Office of the President regularly impeded the activities of the Committee and went out of its way to damage its credibility and effectiveness. In Ghana, the Committee on Government Assurances, tasked with overseeing appointments, was highlighted as one of the few Ghanaian institutional devices through which Parliament could hold the government directly to account, but again there were concerns about its effectiveness.

With reference to Ghana, and especially Kenya, the specific point was made that the dominance of their respective presidencies stemmed from their relations with their own national parliaments. In particular, many participants raised concerns about the fact that members of the executive could constitute a substantial proportion of the national parliament. For example, in Kenya the Cabinet was said to be comprised of 77 members and the government of an additional 80 Ministers, the vast majority of whom were drawn from the Parliament. As the Kenyan Parliament is comprised of only 200 members, participants argued persuasively that this system adversely affected the Parliament's willingness and ability to hold the Executive to account: parliamentarians either were, or were anxious to become, government ministers and did not want to jeopardise their chances by questioning government action or policy. A similar dynamic was also said to affect parliamentary oversight in Ghana, albeit to a lesser extent. In Senegal, the situation was said to be slightly different, as the president could summarily dismiss the House Speakers and other parliamentary office-holders.

Presidential domination was also said regularly to impact on the independence of the judicial system in both Kenya and Senegal, where the president either also acts as the Chief Justice or retains the sole authority to appoint judges. In both instances, even though judges were somewhat protected by having tenure, many participants felt that judges were unduly influenced by their 'political masters'. The Working Group heard how Ghana had introduced a more sophisticated and independent system, through which judges were appointed.

Participants in Ghana also described how presidents and their executive enjoyed a near-monopoly of being able to introduce legislation and policy proposals. In particular, the Group heard that it was practically impossible to introduce a Private Members' Bill in the Ghanaian Parliament. The situation in Kenya and Senegal was not said to differ much; one Senegalese participant concluded that their national parliament was no more than a rubber stamp.

Considering this extreme dominance of the presidency, a number of conclusions were drawn during each Roundtable seminar. Many participants argued that very little could be done to reduce overt presidential dominance unless there was a systematic change in countries' political and institutional cultures. It was suggested, that unless this could be achieved, 'tinkering' with institutional design would be futile.

Nevertheless, other participants called for the introduction of more robust mechanisms and institutions that could act as counter-balances to presidential power. These could involve designing, equipping and supporting institutions that could be effective without having to rely on the goodwill of the president.

Institutions could also be better supported in their ability effectively to monitor government action. In highlighting each of these areas for further deliberation, it was clear that the vast majority of participants thought that independent and effective national parliaments, above all other institutions, would go a long way to providing the appropriate checks and balances.

Political Parties, Parliaments and Parliamentarians

In all three Case Study Countries, the Working Group was exposed to a number of different viewpoints on how political parties and national parliaments could be strengthened.

In both Kenya and Senegal, general elections and the selection of parliamentary candidates were presented as problem-ridden. Of particular concern was that current electoral systems favoured a link of unhealthy interdependence between parliamentarians and their constituents. In Kenya, stakeholders commented on how current arrangements reinforced the system of patronage, characterised by parliamentarians using the trappings of their position to reinforce their personal position in their constituencies. These specific concerns are outlined below. A potential remedy suggested by a number of participants at the Roundtable in Nairobi was that Kenya could weaken the patronage system by introducing proportional representation.

In Senegal, more concerns were raised about the fact that parliamentary candidates were selected from closed party lists rather than popular votes. Some participants suggested that candidates were often elected by virtue of their background and position in the party, not because of their expertise or knowledge.

Although electoral systems were seen by some to be a problem, the weakness of political parties was seen to be a more pressing issue in all three Case Study Countries. Participants thought that these weaknesses stemmed from the fact that very few political parties had sufficient financial resources or human capacity to engage actively in political debate by engaging voters and spreading their message. Another problem which was highlighted was that the vast majority of parties lacked core professional staff, thus making party activity ad hoc and poorly co-ordinated. Although there was general agreement that parties were weak, views diverged on whether these weaknesses were systemic or self-inflicted.

Primarily in Senegal, participants argued that the actions and attitudes of their political leaders inherently weakened political parties. Some stakeholders described how their parties tended to be more like private associations, associated more with individual personalities and families than with policies or ideologies.

In all three Case Study Countries, stakeholders explained how the effectiveness of parliamentarians was weakened by the fact that their roles and responsibilities remained inextricably linked to patronage. This patronage was said to take many forms, one being where parliamentarians were seen to be, and acted as, parts in a revenue distribution network for constituents. Stakeholders also cited the way specific groups and tribes received preferential treatment from their political leaders and how some politicians used the political system simply for their self-enrichment.

These types of problems were particularly evident in Kenya where financial transfers appeared to impact upon every aspect of the political system. The Working Group was briefed on the Kenyan system of ‘Harambee’ which had been introduced to encourage individuals to support their local community. They heard how this system had quickly become corrupted so that only the wealthy were elected to parliament as they were seen by their constituents to be the only ones with the capacity and money to support their local community. Participants argued that, unsurprisingly, new parliamentarians did not work to represent their electors. Rather, they sought to recoup the money they spent on first being elected. For many this explained the Kenyan parliament’s repeated pay rises over recent years.

Other participants gave the example of schemes such as the Community Development Funds, which arranged for parliamentarians to be given monthly cash amounts to distribute amongst their constituencies to encourage development. Stakeholders explained how this scheme had been suggested and supported by donor countries, perhaps without fully understanding its ramifications. Participants argued that this scheme had contributed significantly to corruption as it had meant parliamentarians were either using the money for their personal enrichment or they had become ‘walking cash machines’ for their constituents.

Patronage was also said to have less immediately obvious effects on the capacity of parliamentarians to fulfil their legislative role properly. Of particular concern was that parliamentarians, particularly in Kenya, were hampered by the simple fact that 90 per cent of their appointments were with people from their local community looking for support and handouts. In short, even if parliamentarians wanted to legislate and scrutinise the actions of the Executive, they were too busy acting as a support network for their constituencies.

In Senegal, the parliamentary situation was presented in a different light. For example, in Senegal, absences from parliamentary sessions and committee meetings were a particular problem, particularly after MPs had been given complimentary cars for their own use. Other participants also highlighted the fact that Senegalese MPs were permitted to join another political party (‘cross the floor’) as often as they liked and at any time during a parliamentary session. Again, this was seen as undermining parliament’s effectiveness and, to a certain extent, its legitimacy.

While recognising the deficiencies of individual parliamentarians, some stakeholders argued that the role of national parliamentarians was circumscribed by factors beyond their control.

First, and perhaps foremost, the Group appreciated the arguments of stakeholders who cited the damaging effect over-dominant presidencies and executives had on the role of parliament. Stakeholders also argued that the effectiveness of parliamentarians was fundamentally weakened by the fact that many lacked the basic training to be able to scrutinise legislation. Other groups argued that even the most intelligent and well-meaning parliamentarians were hampered by lack of capacity in their offices to manage the paper work created by the legislative process. In considering these two points, some stakeholders argued that parliamentarians often reverted to tribal, ethnic and ideological rhetoric during debates, rather than arguing on specific points of policy substance. It was said, particularly in Ghana, that this resulted from a parliamentary system where scrutinising government legislation was of secondary importance to participating in ritual displays of “legislative grandstanding.”

Faced with this wide range of problems, all of which were seen to impact on parliamentary effectiveness, a number of experts offered possible solutions. Some argued that nothing would improve until the system of patronage could be broken. It was accepted this would require a fundamental shift in political cultures. In contrast, other more specific and perhaps more easily achievable recommendations were made, including the suggestion that each country should have a well-regulated and reliable parliamentary list of members’ interests. The argument was also made that there should be a constitutional cap to the number of parliamentarians who could be co-opted into the executive. Other experts called for more formal training courses for new MPs and parliamentary candidates to improve their capacity to scrutinise government proposals. Such programmes were being actively considered in Senegal, although, disappointingly, progress on implementation had been blocked by a dispute over who should provide the training.

The Civil Service and State Bureaucracies

Enhancing the effectiveness of the civil service and state bureaucracies was of paramount concern to the vast majority of experts heard by the Group. But, as in the discussion on national parliaments, differing views were offered as to whether the general weaknesses of African administrations were the consequence of actions by the institutions themselves or of external factors beyond their control. This debate was at the centre of the discussion on corruption.

At the most basic level, corruption was described to the Group as “endemic rent-seeking behaviour.” In Ghana, such behaviour is known as ‘Kalabule’, the widespread corruption that affects, according to stakeholders, almost every government and public service transaction. In Senegal, one stakeholder compared corruption to an octopus with tentacles that could reach into any administrative crevice. Although the vast majority of stakeholders argued that any form of corruption was unacceptable, a minority, particularly in Ghana, offered two subtle arguments which provided the Working Group with insights as to why this problem was so wide-spread.

Firstly, some stakeholders talked about the role of gift-giving in Ghanaian society: any good deed or service obtained by an individual or family was usually acknowledged by the imparting of a small gift. This was ingrained in the culture, particularly in rural areas where informal networks are particularly important. Although this failed to offer any real excuse for corruption, the pertinent question was posed as to how it might be possible to educate a population into accepting that gift-giving was an inappropriate action when dealing with government officials. In response, some stakeholders argued that it was not a task for the general population to change its cultural system. It was rather for officials to recognise how completely inappropriate it was to accept any gifts offered. Some stakeholders thought that, unfortunately, this was unlikely, especially because money had corrupted a system that used to be characterised by the giving of small tokens such as a ‘box of matches’ or some ‘lamp oil.’

This problem was reinforced by another subtle problem, which related to the way in which some officials received their remuneration, particularly in Ghana. In that country, officials, even of relative seniority, received modest wages of about $350USD a month but enjoyed considerable non-salaried benefits such as free transport and housing. Although this situation provided a good standard of living whilst officials were employed, the structure of their remuneration package also meant many faced destitution when they retired or lost their job. This was because they lost their benefits (housing, transport) and their low salaries had been insufficient to allow them to save for the future. As a result, many turned to accepting gifts, including money, to help supplement their income and pension. Although few condoned any action that might be considered corrupt, many of those interviewed by the Working Groups suggested that governments should perhaps look at remuneration packages for their administrators that did not encourage pension planning through corruption.

In a similar way, corruption was said to damage the effectiveness of national civil services. Concerns were raised that officials appeared at times, particularly in Ghana, to be more interested in their personal status than in their roles and responsibilities. One stakeholder made the point that many institutions appeared to have far more senior officials then those tasked with actually implementing reforms and policies.

As described above, many stakeholders thought that the effectiveness of their civil services was reduced by overall weak political cultures and the damage caused by overly dominant executives who equated decentralisation with a loss of power and control. Many thought that this trend resulted in over-centralisation and a growing gap between the ‘people and the institutions supposed to serve them’.

Within this context, stakeholders were concerned by the weakness of local government, particularly in Kenya and Senegal. Many thought this situation was caused by a number of overlapping problems, some systemic, others operational. In Kenya, a large number of stakeholders explained how many local authorities had been shaped largely for political purposes, in such a way as to influence the outcome of general elections, and not because political leaders thought a local authority could help improve the provision of public services. The Group heard that in these countries local authorities were often treated as political tools, not as administrative bodies. Hence they had no real ability to operate effectively, lacking as they did sufficient central government funding. This had led to a situation in Kenya where many local government bodies were effectively bankrupt. The politicisation of local authorities was also said to have resulted in a situation where many councillors who were incapable of improving their local area were regularly re-elected by virtue of the system of patronage.

In Ghana, the Group was presented with a similar account, but it heard the additional point that in the Ghanaian political system regional ministers often oversaw the area from which they originated. Some stakeholders thought this should be encouraged as these ministers would be more likely to understand the needs of their own area. Others disagreed, citing their belief that this practice simply results in further patronage and corruption.

Other reasons were mentioned for the possible ineffectiveness of local government. Foremost, many stakeholders thought that there were significant inconsistencies between policies and strategies considered at the national and the local level. This understandably contributed to confusion and overlapping responsibilities that many stakeholders thought encouraged corruption. Many stakeholders thought that at the most basic level, there was not enough attention paid to local government bodies and hence they had particular problems attracting well trained and appropriate staff.

Although views were clearly mixed as to the causes of these countries' weak civil services, there was common agreement on the effect of this problem. The most concerning effect was that limited state finances were said by many to be mis-spent, even squandered. Some stakeholders argued that this problem was compounded by the states' limited capacities to collect government revenues. Over the long term this led to increased government borrowing and debt, with the well-known resulting problems. Inefficiencies and weak structures were also said to create bottlenecks and open up further opportunities for corruption. In Ghana the argument was made that by far the most damaging effect of weak administrative structures was that they discouraged both domestic and foreign investment. This point was supported by persuasive statistics showing that Ghana had experienced a fall in foreign direct investment even though it had recently followed a strategy of market and economic liberalisation. This trend was shown to have materialised at the same time that business surveys had recorded increased concerns about the effectiveness of administrative structures.

Although the majority of discussion about the effectiveness of civil services was dominated by the problems experienced by the three Case Study Countries, some stakeholders offered their views on possible solutions. Some recommendations were specific: for example, in Kenya it was suggested that 'whistleblowers' highlighting corrupt practices should be given far more protection and support. Other ideas concerned more general areas where specific improvements might be made. Within this context the specific recommendation was given that former officials should be encouraged more to record and consider their insights. Others argued that the key was to look forward and instil better leadership and management skills in bureaucracies. Considering the problems associated with the political and administrative cultures in each of the three countries, it was accepted that this had to be a long-term aim. Nevertheless, some stakeholders thought a good starting point would be to introduce a Code of Ethics and Performance Management.

The Rule of Law, Judicial Systems and Judicial Reform

Unsurprisingly, the rule of law, judicial systems and judicial reform were seen by the majority of stakeholders in each country to be critical issues. In Ghana, upholding the rule of law was considered to be the greatest test of institutional credibility: citizens in a democracy must have confidence that rules, procedures and laws are known, predictable and enforceable. Similar sentiments were expressed in Senegal and Kenya. That said, concerns were raised about the judicial effectiveness in all three Case Study Countries. These problems related to how judges were appointed and how cases were handled.

In all three countries, participants were concerned that the president's office had far too much control over the appointment of judges. In some countries, the Group heard how the president was also the Chief Justice. This gave rise to accusations that judges were not independent but merely 'political tools'. Although the majority of stakeholders agreed with this sentiment, some argued that judges were accorded a modicum of security (although probably not enough) by having tenure of employment.

The Group also heard about the specific ways in which judges were appointed in Ghana and Senegal. In Ghana, judges are appointed by the president from a list of nominees drawn up by Ghana's Judiciary Council. This Council is composed of representatives from the police, military, bar association, employers' association and the organisation that publishes the Law Report. They are joined on the Council by a small number of Chiefs, four individuals nominated by the president, the Attorney General, and the Chief Justice (Chair). Within this Council there is a sub-committee charged with screening potential candidates and drawing up a list of nominations that is then discussed amongst the full Council.

Although this process was highlighted as an example of possible 'best practice', some participants did point out that Ghana's judicial system had been damaged by recent presidential action. The Group heard how the Ghanaian President had allegedly taken advantage of constitutional loopholes to appoint new judges to the Supreme Court to help overturn cases that had previously gone against the government.

In Senegal, the problem was said to be slightly different: Because the executive selected judges there was little opportunity for them to be promoted on merit; hence they were said to have little reason to be independent. Stakeholders argued this meant that many well-educated Senegalese were put off from joining the judiciary. More generally, the rule of law was often compromised and corrupt behaviour often tolerated, particularly in the civil service and state bureaucracies.

Aside from the legitimacy and efficacy of judges, stakeholders also contributed insights as to how cases were processed in each Case Study Country. Underpinning much of this discussion was an implicit debate on whether increasing the citizen's access to justice ought to be the first priority or whether the credibility of the courts and the resultant quality of the justice passed down was more important. There was no majority view, but in Ghana and Kenya there was significant discussion, particularly about the role of traditional arbitration and also how judicial systems could be streamlined and enhanced.

In Ghana, the role of alternative dispute resolution procedures and traditional judicial process was discussed. It was suggested that, due to Ghana's lack of administrative resources, the country would be better advised to look at traditional Chiefs becoming more involved in considering non-criminal disputes and arbitration rather than trying to increase the number of courts and formal arbitration panels. Some participants argued that using traditional methods of arbitration would have the double advantage of reducing the caseload of more formal courts and also increasing access to justice. Similar sentiments were expressed in Kenya, where the Group heard the argument that it was necessary to look beyond formal judicial structures because the citizens live in traditional structures. Some stakeholders disagreed with these sentiments as they recalled that Chiefs, particularly in Ghana, had previously been divested of their judicial role due to their mixed record.

Aside from such concerns, the Group heard about encouraging developments in legal reform in the Case Study Countries. Ghana was highlighted as taking some particularly interesting steps forward. The rationale for Ghanaian reform efforts was that Ghana should not seek to increase its number of courts or its network of judicial bodies. Instead, reform efforts should seek to rationalise and streamline current procedures and lessen the caseload of the national judiciary. Among the reforms mentioned were:

1. *The legal system now required legal arguments to be presented in writing prior to a case being heard.* This reduced the time needed to hear oral presentations and meant judges could look to give judgement earlier on in proceedings.
2. *The legal system was adopting practices whereby the appeals court was given the original files and findings upon which they could base their decision.* Currently, the delay in hearing appeals in Ghana is largely due to the amount of time it takes to produce a record of the initial case proceedings. It was said that by removing the need to produce a court record the entire process could be sped up without impacting on the quality of the justice passed down.
3. *A Land Court and Commercial Court had recently been set up to help Ghana create a more attractive environment for private investment.* The Group heard how the Commercial Court was being designed to emphasise the role of pre-trial conferences and alternative dispute resolution. It was said that, already, 70 per cent of cases brought before the court had been dealt with at the pre-trial stage.

Although reform efforts were ongoing, some participants argued that little could be done unless human capacity could be increased, particularly in Ghana and Kenya's legal systems. The Group heard how many problems stemmed from the fact that legal training in Ghana was extremely expensive. In Kenya, the problem was said to result from inadequate training of lawyers and legal professionals and from a lack of professional academic lawyers. This meant that few people were embarking on legal careers which, in turn, had resulted in a situation where there were not enough qualified officials to manage cases or enough lawyers to appear before the bench.

Fiscal Authorities, Public Finances and Revenue Generation

In all three countries, there was lengthy discussion on the role of fiscal authorities and the importance of managing public finances and government revenue effectively. In each case, conversation was dominated by concerns about a lack of oversight and transparency in government finances.

Particularly in Kenya and Senegal, there was concern that, although audit systems and laws had been designed and introduced, they were not being used or supported. In Kenya, the point was made that reports from the Public Accounts Committee of the parliament were routinely ignored, either through the absence of administrative capacity for reform or a lack of political will to deal with corruption.

Other participants thought that problems were more complex, with a lack of transparency in the way public monies are spent less of an issue than the fact that the sources of public finances were largely unclear to the general public. As a result, some stakeholders suggested a step change was necessary: government revenue needed to be understood not as government money but as public money. Some went so far as to suggest that if this could be achieved then perhaps the notion of 'no taxation without representation' could be introduced into African political cultures.

In Senegal the outlook seemed more positive. The Group heard from a number of stakeholders how fiscal and tax reform had yielded significant returns and how revenue collection had improved drastically in recent years. This had contributed to reduced corruption and fraud. Other reform efforts such as the 50 per cent devaluation of the CFA franc and the relaxation of government price controls were also seen positively. These policies, combined with the reform efforts described above, had contributed to a stronger fiscal position and economic growth of approximately 5 per cent per annum since 1993.

Influences on the Administrative and Political Systems

Against the background of the debate on government institutions, stakeholders in all three Case Study Countries highlighted a number of more general issues that they considered to be related to institutional effectiveness in Sub-Saharan Africa. These issues were related to the 'brain drain', traditional methods of governance, civic education and gender.

Brain Drain

In both Kenya and Ghana there was extensive discussion about the 'brain drain', the often-discussed issue of African nationals travelling to developed countries to find employment. Unsurprisingly, the Group heard on a number of different occasions that African countries were being damaged by the loss of well-educated workers to developed countries. In Kenya, these views were particularly heart-felt as some stakeholders thought "our best people [were] being attracted to developed countries to work in their public services". In light of this perception the Group heard calls for African countries to receive compensation from developed countries and for well-qualified workers to be barred from travelling overseas to obtain work, perhaps especially when they are newly qualified.

However, some participants made the observation that quite often the 'brain drain' from African public services was not to developed countries but to the private sector, both domestic and multinational. Accordingly, any new policies had to reflect the fact that developed countries were not the only destination for African workers looking to find jobs.

Some stakeholders also had grave concerns about trying to stop workers from travelling to developed countries. Firstly, the argument was made that expatriate Africans working in developed countries repatriated a proportion of their salaries to their families. The Group were reminded that in some sub-Saharan African countries these income streams were critically important to families, communities and the country as a whole.

Other stakeholders had more fundamental concerns about looking to stop workers from travelling overseas, as, in their view, this would impinge on the fundamental right to free movement. Many suggested that instead of looking at how to stop workers from moving overseas, African governments should consider ways to encourage and motivate them to stay.

Traditional Forms of Governance and Chieftaincy

Traditional governance and the role of Chiefs in modern day African states were discussed at length, particularly in Kenya and Ghana. Views were mixed as to whether these structures and institutions could help or hinder efforts to promote institutional effectiveness.

A general point was made that many Africans found it difficult, understandably, to differentiate between traditional and 'modern' government systems and structures. In both Kenya and Ghana, the Working Group heard how the primary role of the Chief was to improve their local community. In nearly every circumstance, this involved Chiefs helping their communities by offering gifts and other forms of support. In return Chiefs relied on goods and gifts from their constituents. It was argued that this system had operated in equilibrium for a considerable amount of time and had underpinned community growth. By contrast, some stakeholders were concerned about recent trends which had damaged this process. The introduction of hard currencies into African societies had meant that money rather than simpler gifts were now regularly exchanged. This was said to encourage corruption within traditional systems.

Other stakeholders were concerned about the impact gift-giving in traditional systems had on formal government. The point was made that if it was, and still is, considered acceptable for Chiefs to receive and exchange gifts, then why was it wrong for parliamentarians to do so as well? In the minds of many stakeholders this question was relevant, as many politicians were perceived by their electorate to be the equivalent of Chiefs. In response to this point some stakeholders argued that it was no longer appropriate for even Chiefs to exchange gifts or encourage gift-giving. Others had a different standpoint, supporting the traditional system but placing more emphasis on educating the electorate to differentiate between formal and traditional governance structures.

This general point about gift-giving regularly led to further discussions about other perceived strengths and weaknesses of traditional methods of governance.

In Ghana there was an extremely positive perception of the role that Chiefs can play within traditional systems. However, there was a general concern that over the last few decades Chiefs had seen their role decrease and their influence wane. Some stakeholders thought this trend could and should be reversed and that Chiefs ought to take on a more prominent role in Ghana's political system. Others argued that this process was already underway, largely due to the fact that a new class of well-educated, activist Chiefs was emerging. This was welcomed by many Ghanaians that the Group spoke to, as Chiefs were regarded as the first 'port of call' for the vast majority of Ghanaians who required help, support or advice.

Many Kenyan stakeholders had less positive views, arguing that traditional tribal allegiances had infiltrated the political system and had led to increased conflict between different regions and ethnicities. This was both the cause and effect of the electorate voting not on policy issues, but rather on the basis of patronage and tribal affiliation. Others argued that the traditional practices of 'Harambee' had also infected Kenyan political culture, as it encouraged a belief that wealth equated to leadership. These two processes combined had, in the view of one Kenyan stakeholder, resulted in a vicious circle whereby traditional practices supported or reinforced opaque and corrupt political practices. Politicians now lobbied to get their preferred candidate crowned as Chief, because they saw benefits for themselves in taking advantage of traditional forms of governance. This had led to an even more complex and difficult system of appointment of Chiefs.

Civic Education and Citizenship

In each of the three Case Study Countries a significant number of stakeholders firmly stated that more civic education was the key to improving institutional effectiveness.

Based on the views heard by the Group at its meetings, the situation in Senegal and Kenya was in this regard significantly more negative than that in Ghana. Some participants argued that at the most basic level there was no culture of good governance in Africa, particularly in Kenya, and this had a direct and adverse affect on the effectiveness of governmental institutions. In Senegal, the Group heard how high levels of illiteracy and low levels of civic education had meant that large numbers of people living in the countryside had not benefited from economic development and the economic success of the last decade. Social and economic exclusion was presented to the Group as the “most damning” fact of life in Senegal, with inevitable implications for the governance of the country.

It was argued that this situation gave rise in Senegal to a vicious circle in which large numbers of people were left out of the public debates on politics and economics which, in turn, meant that they could not make governments address their problems.

Aside from this troublesome picture the Group also heard about possible solutions to this widespread and systemic problem.

In both Ghana and Kenya, the argument was made that it was particularly important to focus young people’s attention on attitudes, public morals and societal expectations in order to instil a sense of citizenship and encourage them to recognise the benefits of good governance. At the same time, Kenyan stakeholders argued that it was also important to ensure people were involved in the political process from a young age. One participant suggested that without these efforts, successive generations would continue to be influenced by the negative aspects of tribalism and, at an older age, by corrupt practices.

Gender

In each Case Study Country, representatives from a number of civil society groupings commented on gender imbalances in national policy debates, political parties and the government.

A general point made was that women, particularly in Kenya, were not only likely to be marginalised and manipulated by political and administrative systems, but also by traditional customs and practices. Some stakeholders thought this situation reflected the fact that gender issues were not seriously considered when government programmes were being designed. It was argued that this disregard for gender-orientated policies had had an adverse affect on female poverty levels. For example, in Ghana the Group heard how women were an auxiliary workforce in rural areas, taking on manual jobs after the men had left to work in the cities. Some participants also argued that women were paid less for taking on the same roles and responsibilities.

It was suggested that increased female participation in the political process and involvement in administrative structures would work to reduce poverty. The Group heard that some women’s groups were seeking to push in this direction, but in Kenya, for example, women filled only 17 per cent of government positions, even though the Kenyan constitution mandated that the level ought to be 30 per cent.

Non-State Actors

In each Case Study Country there was equally lengthy discussion about non-government actors and their role in national political and administrative systems.

Civil Society

The vast majority of stakeholders thought that civil society in each country was essential for promoting institutional effectiveness and good governance. Its role was seen as varied, but many participants thought the primary aim of non-governmental groups ought to be to place pressure on institutions to operate effectively and credibly. In Kenya and Ghana in particular, there was the view that an active and independent civil society was important as it could highlight public corruption and help to strengthen political opposition. Stakeholders in Ghana expressed similar views, although some did emphasise that civil society groups should, and were, concentrating their efforts on shedding light on the budgetary process. They also thought that civil society groups had a responsibility to relay the views of the people to the government.

At the same time, other participants thought civil society groupings had a more important role to play in policy-making and legislative processes. In Ghana, for example, one stakeholder argued that 'the participation of civil society within Ghana was essential if national goals [were] to be achieved, especially poverty eradication'. Others agreed and added that perhaps this process was already underway, as civil society groups in Ghana had slowly matured and were playing an increasingly important role in Ghanaian political life. In Senegal, suggestions about the role of civil society groupings were more specific to the national context. For example, one participant the Group spoke to thought that 'NGOs could help act as a counter-balance to the rise of religion in Senegalese politics' and also contribute to combating gender imbalances.

Although the above points highlight the importance accorded to civil society groupings by the stakeholders, there was equally lengthy discussion about the weaknesses of the non-governmental sector. By far the most important concern highlighted was the apparent politicisation of civil society groupings. This was said to be a particular problem in Kenya and in Ghana where it was argued that some NGOs appeared more like political parties than civil society groups. Many stakeholders thought that this caused the influence of these groupings to wane, in particular if their leader was co-opted into the political system, or more significantly, into the executive. Many stakeholders accepted this point but suggested that this trend was unsurprising as politicians were known to gravitate towards centres of power and NGOs were increasingly seen as powerful players in the political system.

Aside from politicisation, other stakeholders offered further suggestions as to why civil society groups were not as strong as they could be. Firstly, particularly in Kenya, there was the view that there were too many NGOs trying to do the same thing. This was said to lead to duplication, opaque practices and also corruption. In Ghana the view was different, as the Group heard that civil society appeared to be excessively concentrated at the centre, thus creating a vacuum in the rest of the country. It was said that this problem was compounded by the fact that 'community-based organisations' (CBOs) did not receive enough attention, particularly by donor-country organisations who felt more comfortable dealing with larger NGOs. Some stakeholders approached this problem with a different perspective and said that the CBOs were not there to create a link between local communities and the state, but rather to help bridge the divide between people and NGOs.

Faced with these concerns it was clear that maintaining a strong civil society in each Case Study Country was of utmost importance. This obviously required political reforms, but civil society groupings themselves also had to work hard to grow stronger and become more effective. In Senegal it was suggested that this was a particularly urgent task, as, since 2000 and the election of President Wade, many Senegalese NGOs had become complacent, believing the new regime would automatically allow them to grow stronger.

The Media

The role of the media was considered at the same time as that of civil society groups. Like civil society groups in each country, the media were seen as critical for sustaining democracy, particularly by holding political actors to account and articulating public interests. In this regard, FM Radio Stations were seen as the most effective medium in informing people and getting them involved in public life. That said, the Group did hear about concerns, particularly in Kenya, that FM stations were prone to encouraging divisive political debates and, on occasion, to stirring up tribal tensions. At the same time concerns were also raised about the weaknesses of the print media and television reporting.

In Senegal there was particular concern about television stations. A number of stakeholders argued that the national stations were seen as propaganda tools of the government. At the same time there was also concern that many stations were being bought by a very limited number of media organisations, many of which were close to the government.

There was also concern about some Senegalese newspapers, particularly those regarded as being part of the 'Blue Press', which was universally regarded as a group of publications entirely concentrated on disseminating the government's messages and promoting its political agenda.

In Ghana the situation was slightly different. The Group heard how there the Ghanaian government had introduced laws which had given the media more opportunity to operate independently. There was however concern that the media had not taken advantage of the new opportunities and that some outlets, particularly amongst the press, were sometimes self-censoring so as not to embarrass the government.

The Private Sector and Foreign Investment

The problems experienced by the private sector and its own inherent weaknesses were discussed at length in each Case Study Country, but particularly in Ghana and Kenya.

In Kenya there was the perception that the private sector was damaged by international factors and exploitation by the global system. The production of coffee was given as an example, as Kenyan coffee growers were seen as trapped by an international trading system which meant that they were unable to move into roasting and processing beans, where the greatest added value is found. However, other participants disagreed, arguing that weaknesses were internal. They said that even if Kenya was given the opportunity to export processed coffee, it did not have the institutional capacity or infrastructure to support the necessary manufacturing base. Faced with this reality, they suggested Kenyans had to spend more money on research and development to help enhance their own production methods and manufacturing processes.

In Ghana the view was equally pessimistic. The Working Group heard a particularly strong presentation on foreign investment that highlighted the need to match liberalisation with essential legislative and administrative reforms. Although Ghana had liberalised over the last three decades, its antiquated administrative and legal structure had not been equipped to encourage domestic and foreign investment. A specific example was that successive Ghanaian governments had spent a considerable amount of time and effort travelling the globe seeking to attract foreign investment. These efforts had failed particularly in the mid-1990s, when investment levels dropped significantly even while Ghana pursued a liberalising economic agenda.

As a result, it was the view of many stakeholders that Ghana had not created a positive economic environment for business because, unlike Asia, they were not organised enough to take advantage of new economic opportunities presented to them. Others had a more nuanced view. They thought Ghana had benefited from services liberalisation but that Ghana's manufacturing sector had been damaged through market opening and increased competition from foreign companies.

Ghanaian business was also said to be

hampered by two significant issues. Firstly there was concern that business was over-politicised, so much so that it was suggested that whether a company prospered or not was dependent not on its competence but rather on its political connections. The Group also heard how a survey of businesses recently completed in Ghana had shown that a significant proportion of respondents 'still perceive the illiberal, neo-patrimonial and predatory tendency of the state'. Faced with these results it was suggested that even if the state did not openly and aggressively impinge on business activity it still employed covert and subtle means to interfere unfairly with private enterprise.

Antiquated legal systems were also highlighted. Of paramount concern was that there was no credible institutional framework in Ghana to develop and manage land policy. It was strongly argued by stakeholders that this was a significant problem as land 'constitutes the most fundamental prerequisite for productive industrial investment and development'. In particular, the Group heard how Ghanaian land was often claimed to be owned by a number of individuals. Hence it was very difficult simply and legitimately to purchase land. Stakeholders also argued that there was an additional problem of landlords who made arbitrary financial claims during the course of a lease. It was suggested that these issues were behind Ghana's difficulties in attracting foreign investment or encouraging domestic investment.

The effect of weak private sectors and poor investment climates were obviously recognised by both the Working Group and the participants at the Roundtables. Nevertheless, in Senegal and Kenya a particularly strong point was made that perhaps the most important effect of systemic private sector weakness was that the state became the sole means of accumulating individual and group wealth. This was because with access to political power came the power to distribute resources. Hence it was suggested that many political leaders are put in power by private interests who then recoup their investment through benefits deriving from political patronage.

Faced with these fundamental and systemic weaknesses there was little opportunity to consider specific proposals that might strengthen the private sector. Nevertheless some stakeholders, particularly in Ghana, did suggest that African countries should perhaps look to move away from market orthodoxy and look to protect their domestic markets more rigorously. It was their view that this course of action would create a more conducive environment for business to operate in. At the same time, other participants called for more specific legislative items to be introduced that would first make it easier to register new businesses and overhaul the land registry system and the way land is bought and sold.

Supra-National Considerations

Regional and Pan-African Groupings

The Working Group encouraged discussion on the supranational and regional aspects of good governance and institutional effectiveness. Even so, there was little discussion of these issues in Kenya and Ghana, perhaps because supranational considerations had not yet impacted on political discourse in these countries.

Nevertheless, particularly in Kenya, the few comments that were made about regionalism and Pan-African groupings were, on the whole, positive. Some stakeholders argued that regional groupings were critical to the overall success of African countries, as 'small African countries can benefit from these groupings to increase their collective global influence'. Others thought that regional blocs could also help to reduce the domination of the nation-state and thus some of the unfortunate characteristics of overt nationalism.

The point was also made that these regional blocs benefited countries economically in that they encouraged countries to specialise and work towards enhancing their national competitiveness. One stakeholder suggested that over time this might enhance the global competitiveness of African industries.

Although these benefits were recognised, there were concerns about the ongoing development of these blocs. Some stakeholders, particularly in Kenya, argued that, contrary to the earlier argument, these regional blocs were overtly liberal and hence exposed national industries to dangerous economic shocks.

There was also concern that there was a need to rationalise and harmonise the number and type of regional and pan-African groups, particularly as it was perceived that they could lead to a strain on state resources and to unnecessary duplication and complexity. This complexity was also said to be contributing to an ever-increasing gap between the people and these organisations. It was suggested that, if this trend was to continue, then African regional organisations might experience similar problems to the European Union and its 'democratic deficit'.

Economic Autonomy and International Trade

When regional integration was discussed in Senegal, views were often hostile. It was the view of many stakeholders that the West African Economic and Monetary Union (WAEMU) had curtailed Senegal's ability to manage its economy effectively. Many agreed but added that they thought these problems were compounded by ongoing undue influence on Senegalese policies by other countries, particularly France.

At the most fundamental level, Senegal was said to have very little control over its economic, monetary, industrial and fiscal policies. It was argued that this was demonstrated by the fact that tariffs and other customs duties/taxes had been harmonised in WAEMU and the French government was said to still influence the valuation of the Francophone currency, the CFA. The Bretton Woods institutions were also criticised for their policies and conditionality that were said to dominate the Senegalese macro-economic framework.

Those points aside, it was also argued that perhaps the biggest problem facing Senegal was that WAEMU negotiated trade agreements on behalf of its members. This had been a particular problem as the Senegalese cotton industry had been decimated by the effects of regional agreements signed with Morocco under the auspices of the WTO. Senegalese cotton producers had to compete with heavily-subsidised farmers from the United States and European Union. These agreements also had the knock-on effect of closing second-hand clothing units, which had meant increased job losses and clothing shortages.

In light of these criticisms it was suggested by a number of stakeholders that Senegal had to fight for its political independence from WAEMU, much as it had done during colonial times. In this instance, WAEMU was seen as the latest manifestation of colonialism, and it was said that without seeking greater political independence, Senegal would not obtain economic independence and enjoy stronger economic growth.

Not all the Group's contributors shared this analysis of the situation in Senegal. Some stakeholders thought that Senegal's problems stemmed from poor domestic policy decisions and a lack of reforms.

The Group heard how much had been done to reverse the policies of President Senghor, who had advocated state intervention in the economy. Nevertheless a number of stakeholders felt that this process had been overly dominated by the executive and donor countries at the expense of other important stakeholders. In their view this had greatly damaged the credibility of reform efforts, particularly those related to the privatisation of utilities companies.

At the same time, there was the view that the Senegalese government was not sufficiently prepared to contribute effectively to WAEMU policies or negotiating positions. It was argued that very few, if any, impact assessments were carried out before negotiations began and that there was little research into alternative scenarios. The Group also heard how the government ignored various stakeholders when formulating its trade policies. It was suggested by one participant in Dakar that these failings meant that, as a member of WAEMU, Senegal accepted policies that it would normally unilaterally reject at the national level.

Other stakeholders thought the problem was more fundamental, as Senegal's political system stifled debate on different policy alternatives and neither the public nor political parties seriously debated political choices.

Again, as an example of this problem, the impact of WTO and regional trade agreements on Senegalese cotton producers was raised. It was argued that these producers had not been considered by the main political parties because the agricultural sector did not receive the attention it deserved from the political system.

When these suggestions and concerns were brought together, many stakeholders in Senegal concluded that regional blocs may not be the best way forward, both for structural and systemic reasons, and also because their members were not equipped to realise the benefits of integration. With this in mind, one stakeholder succinctly posed the question, 'if we can't be organised at the national level, how can we be organised at the regional level?'

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