CONDUCTING A DG ASSESSMENT:
A FRAMEWORK FOR STRATEGY DEVELOPMENT

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ABOUT THIS PUBLICATION

Conducting a DG Assessment: A Framework for Strategy Development provides a framework for constructing donor, in particular USAID, democracy and governance (DG) strategies. It is not a step-by-step manual on how to develop a strategy, but a guide for how to undertake the assessment process that informs the final product. This framework incorporates what researchers and practitioners have learned from comparative experience.

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ABOUT THE DG OFFICE

The Office of Democracy and Governance is the U.S. Agency for International Development's focal point for democracy and governance programming. The DG Office's role is to provide USAID and other development practitioners with the technical and intellectual expertise needed to support democratic development. It provides this expertise in the following areas:

C **Rule of Law**
C **Elections and Political Processes**
C **Civil Society**
C **Governance**

ACKNOWLEDGMENTS

This document, in various forms, has been applied in more than 50 countries.

CONDUCTING A DG ASSESSMENT:
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CONTENTS

EXECUTIVE SUMMARY

Conducting a DG Assessment: A Framework for Strategy Development provides a framework for constructing donor, in particular U.S. Agency for International Development (USAID), democracy and governance (DG) strategies. The framework guides a political analysis of the country, leads to program choices, and incorporates what researchers and practitioners have learned from comparative experience. While every country (like every person) is unique in some manner, we think that with countries, as with people, there are important commonalities. This is what makes medicine possible and it is what makes anthropology or comparative political science possible. By and large, most countries have political systems whose elements and basic construction resemble at least some other countries. Like kaleidoscopes, the arrangement may be singular, but the elements and basic patterns are not unknown.

Politics is often likened to a game in which interests peacefully contest for power according to certain explicit and implicit rules. Democracy is one version of the political game characterized by several criteria: ordered liberty, open competition, the rule of law, and respect for pluralism and minority rights.

Donors, such as USAID, have found that political issues are as important to a country's development as other issues such as health and economic growth and that many developmental plans have floundered on political shoals. In particular, donors believe that support for democracy should be part of their development assistance both because it is good in itself and because it best supports the developmental effort. Host countries also agree, at least officially, since most have signed the Universal Declaration of Human Rights and other international agreements that include elements of democracy.

This strategic assessment framework is designed to help define a country-appropriate program to assist in the transition to and consolidation of democracy. As such, it is useful in developing DG strategies that address the core DG problem(s) in a country and that identify primary actors and rules of particular institutional arenas. The framework is of particular value to the USAID community, as USAID Missions and other operating units are responsible for developing and submitting to USAID/Washington strategic plans for program funds over which the units have responsibility and authority [ADS 201.3(7)].

The strategic assessment framework is divided into four steps to assist practitioners as they think through the planning process (not dictate a cookie-cutter approach):

- An analysis of the kind of political game that characterizes the country and of the problems relating to the transition to or consolidation of democracy [Step 1]

- A more specific analysis of actors, interests, resources, and strategies leading to an understanding of how the political game is actually being played in the country [Step 2]

- An analysis of the institutional arenas (legal, competitive, governmental, and civil society) in which the game is played, whose characteristics define the incentives that channel the behavior of actors, whose character is to be changed by democratic reform, and in which investments are to be made [Step 3]

- The interests and resources of the donors, including USAID [Step 4]

Taken together, the first three analytical steps should help define a descending order of preferential strategies. Combining them with the practicalities of the donor in Step 4 should produce a set of program recommendations and their likely impacts on democratic reform. These steps are primarily analytical filters rather than sequential pieces, although we believe that Step 1 needs to be reasonably clear before Step 2 or 3 makes much sense. Assessment teams should keep all three steps in mind as they interview.

In Step 1, the structural features of the political game and the issues confronting democracy are analyzed from a broad democratic perspective. The analysis defines the political game, and, again from a democratic perspective, it prioritizes the issues. Step 2 looks to the dynamic element: How the game is actually played, who might support democratic reform, and who might oppose it. The results of Step 2 are then incorporated with those of Step 1 and may result in a re-prioritization of program priorities by taking into account both the problems for democratization, as well as the local actors who can advance or retard democratization. Step 3 deals with the institutional settings or arenas in which the political game is played, including the set of formal and informal rules according to which political actors compete in each of these arenas. As in Step 2, the results of Step 3 may call for a re-prioritization, taking into account problems, actors, and institutional arenas. Finally, Step 4 considers the practical constraints on the donors themselves, including their own interests and resources, what impact the constraints have on programming choices, and how those considerations may affect the donor's programmatic choices.

Put differently, Step 1 characterizes the country and its politics, locates them on a globally comparable scale of regime types much like, say, the Freedom House rankings, and delineates the problem for democracy. Step 2 identifies the key players, their interests, resources, alliances, and strategies to ascertain how politics is actually being played, for example, in Colombia as opposed to Senegal or Croatia (notwithstanding that all three have similar regime types and the same Freedom House rankings), and who would benefit from democratic reforms. Step 3 looks at the institutional arenas in which the political game is played, including incentives for democratic or anti-democratic behavior, and the ways in which they would need to be changed to encourage the former and discourage the latter. Step 4 joins the first three (which together should produce a set of strategic choices) with issues such as donor resources and interests, existing portfolio, and timeframes to define and prioritize an assistance program. At each step, the previous step's conclusions are re-examined in light of the new analysis.

Step 1: Indisputably, there are many variables or criteria that could be used to analyze a political system and complete the first step of this framework. In the interest of parsimony, this framework proposes just five, and we believe they will capture as much of the picture as we need for our purposes. No doubt, social scientists may argue that this or that issue has not been given enough attention, but the compromise here is between completeness and parsimony, under the assumption that donors would want to complete the entire effort with a team of three people in three weeks.[1] The five elements examined here are

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

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

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[1]   The short timeframe depends on a number of factors. Chief among them are that the mission/embassy be involved at a sufficient level to ensure follow-through, that the majority of interviews/meetings are assessed and scheduled prior to arrival in-country, and that it is recognized that a small number of country situations may not be amenable to this timeframe.

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

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

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

Step 1 also guides practitioners to define regime type, as well as the immediate history and direction of the country. These considerations help accurately analyze the country context.

Step 2: Having defined the political system from a democratic perspective and therefore the problem for democracy, how is the political game actually being played? Who are the key political actors? What are their interests, their resources, their alliances and opponents, and their strategies? What domestic resources are there to support democratic reform? What resources do democracy's opponents have? Assistance presumes domestic actors to assist; who are they? Are they inside or outside government? And who stands on the other side of democratic reform, and with what interests and resources?

Step 3: Step 3 continues the analysis of how the game of politics is actually played. It is played not in the abstract, but in institutional arenas that provide structure and (through their formal and informal rules) incentives for some behavior and sanctions against others. Four institutional arenas seem particularly critical for democracy: legal and competitive arenas, and arenas of governance and civil society.

The *legal* arena defines the most fundamental and formal rules by which behavior is channeled. It includes constitutional law (whether in a formal constitution or in the form of primary law), subsidiary substantive law, and the implementation of law through the judiciary. The reach of the rule of law—the extent to which actors are truly constrained by a legal regime impartially adjudicated—defines the degrees of impunity with which those in power can advance their interests outside of the bounds that constrain or motivate others. Other regime types, say authoritarian regimes, may also have a rule of law but usually they do not. In a democracy, the rules are equitably enforced, and the actors are bound by them.

Democracy also depends on *competitive* arena(s). Free and fair elections are the most important and formal mechanisms of competition. They are the means by which political office and control of government are achieved, if only temporarily. But elections are not the only mechanisms of competition in a democracy. Competition is imbedded in the very structure of democratic governance. In government itself, the balance between central and local government and among the branches at all levels provides, if not full competition, at least a healthy set of checks and balances. There must as well in a democracy be a pluralistic civil society with a competition of ideas; for this an independent media and the rights of assembly and expression are critical. Some degree of equity in access to and control of financial resources may also be an essential element of such competition.

Governance—the ordering of social life—is evidenced not only in the instrumentalities of government itself but throughout society wherever groups at all levels need to make decisions. Still, government is the central arena for governance. Within government, it is useful to consider at least three sub-arenas (the legislature, the executive, and local government). As a general matter, the assessment should address five issues for each such arena, from the most local to the most central: (1) its authority (especially its discretion to use power), (2) its transparency, (3) its accountability, (4) its capacity and effectiveness, and (5) its responsiveness to the public interest. The key to safeguarding democracy and liberty seems to be balance. Democracy and liberty are most threatened when one part of government becomes too powerful; order is threatened when none is powerful enough. The analysis of each sphere of governance should look to the five issues, the balance among them, and the balance among different parts of government. Donor assistance can help sustain a healthy balance but is less able to create one, because those who control the more powerful arenas are unlikely to cede their power willingly.

Finally, a healthy democracy requires a vibrant, pluralistic *civil society*, not merely to augment government but as a basis for it. From a purely democracy perspective, non-governmental organizations (NGOs) typically perform one or more of three functions. First, they "aggregate interests" to meet common needs and advance a common cause. Second, they advance that common cause by "petitioning" government to do so with public funds and/or they monitor the actions of government. Third, to advance their interests, they organize themselves, in a sense, as mini-governments, i.e., institutions with their own actors, interests, rules, etc., organized to accomplish certain ends. Internally, their governance can be democratic, autocratic, or anarchic. Sometimes NGOs play an overtly political role. More often, they do not. Most often, they oscillate: They are political when their interests are at stake but mostly they are not.

Step 4: Steps 1-3 should produce an optimal strategy from an analytical standpoint but not necessarily from a practical one. Donors also have interests, are also constrained by institutions, and also have resource trade-offs. Too often, these are the beginning of the analysis rather than, as here, the end. The point of this framework has been to begin by understanding the country and the problem, then see how the donor can best help to address that problem and what its constraints might be in doing so. Only in that way is it clear what the compromises are made between the optimal and the next-best options, and the program that will actually be implemented, given the donors' interests, resources, and constraints.

At least 10 donor constraints need to be considered: What are the donor's own interests in the country; what is the donor's current program; what are the donor's financial and human resources; what are the donor's bureaucratic needs, interests, resources, and constraints; how can the program be kept parsimonious and focused; what is the donor's tolerance for failure and its level of patience; what results can be expected from the proposed program and with what impact; what are other donors doing; what are the donor's comparative strengths and weaknesses; and what are the constraints on the recipient's side?

Taken together with Steps 1-3, which define a descending order of strategic preferences, these practical considerations should distill the preferences into another descending order of strategic donor recommendations, including timing, sequencing, funding, and domestic allies or partners. The donor and the donor's domestic partners should have a clear idea of what the problem is; what "solutions" have been considered; who the domestic allies and possible opponents are; which options have been chosen, in what order of preference, and for what reasons; what investments are being recommended in which institutional arenas; and why. They should also have a clear idea of how those recommendations stack up against a host of donor-driven resources and constraints, and what results and impacts can be expected over roughly what period of time with what contingencies and uncertainties. In the end, that is the

purpose of a strategic assessment—to lay out the problems and possible solutions, to explain and order them, to recommend a strategy and subordinate tactics, and to suggest results and impacts.

As of Spring 2000, the framework has been applied in a dozen countries on every continent. In Asia, Africa, Latin America and the Caribbean, and Eastern Europe, it has helped analyze the political environment for democratization, has prioritized the problems, and has provided programming guidance. For illustrative purposes only, this document concludes with a much-condensed summary of one such application, in Morocco.

The hope is that this framework—again, only a tool—can help bring some degree of clarity and can help those who are committed to enlarging freedom and democracy find a coherent way to do so.

I.   INTRODUCTION

It is important to conduct a democracy and governance (DG) assessment at the outset of a new country program, before the expiration of an existing program, and when the critical assumptions which underpin a current strategy fail to hold true. The analysis informs the development of a DG strategy that will guide programming throughout the duration of the strategic plan. Working through the framework presented in this document, DG officers will be prepared to lay out a country's DG problems and possible solutions, to explain and order them, to recommend a strategy and subordinate tactics, and to suggest results and impacts.

The assessment's "first cut" is defining the problems for democracy; it should, therefore, also define the optimal strategic objective. After this first cut at the problem, the analysis moves to ascertaining the domestic resources for addressing them and the obstacles to success: Who are the allies and the opponents of the reforms necessary to move toward democracy and what resources and strategies do they bring to the struggle? The third step describes the institutional arenas in which the struggle takes place, pointing toward those in which donors and their domestic allies are most likely to have impact. Step 4 looks at the constraints on the donors themselves, their own interests, resources, limitations, and so forth. In order to understand the programmatic compromises that may be necessary, the idea is to begin with the domestic problem, not the donor's, to deal first with the problems of the recipients, and only later with the donor's preferences or constraints.

A. Purpose of the Document

This document provides a framework for constructing USAID DG strategies, and it incorporates what researchers and practitioners have learned from comparative experience. While every country may be unique in some

manner, we think that with countries, as with people, there are important commonalities. That is what makes medicine possible and it is what makes anthropology or comparative political science possible. Yet many field missions submit country strategies whose political analysis begins "Country X is unique." They seem to argue that, unlike the country's economy (which also has unique features), its political arrangements and dynamics have never been seen before, ever, anywhere. But, by and large, most countries have political systems whose elements and basic construction resemble at least some other countries at some place in time. Like kaleidoscopes, the particular arrangement may in fact be singular, but the elements and basic patterns are not unknown.

This framework then draws upon a set of common approaches from comparative political science, a discipline which is concerned with patterns and variations among political institutions or processes in different nations. Comparative politics embraces a number of methods or perspectives, several of which were drawn on in developing this framework, including (1) political sociology and political anthropology, which focus on the broad interactions of social structure, culture, and political systems; (2) political economy, which is concerned with the relations between actors, their interests, their resources, and their choices and strategies for maximizing gains (in that limited sense, the "economy" of politics); and (3) institutional analysis, which is concerned with the design of political institutions and focuses on institutions as a constraint or resource in different settings.[2]

B. What is a Strategy?

Within USAID, the word "strategy" has many different meanings, all the way from general

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[2]   See Appendix A for a description of the sources the team drew on in developing the framework.

principles to specific programs. Almost anything that its author wants to be taken seriously is called a "strategy." This framework uses the term in its traditional, more narrow meaning: an objective or set of objectives along with a general plan for the deployment of resources to achieve those objectives.

A few examples might help. The first is from the military. A military strategy begins with two givens: an objective to be reached and the realities which affect that objective (the resources of the contending parties, the nature of the terrain on which those resources are to be deployed, a series of parameters or limitations on how the resources can be deployed, etc.). So, the strategy is developed by comparing the objective with an assessment of the advantages and disadvantages of opposing forces, their size and disposition, the nature of the terrain, the acceptable results (say, total annihilation as opposed to holding an advance), timetables, and so on. The result is a general plan: We will undertake a tactical retreat, draw their forces in, lengthen their supply line beyond its capability, wait until winter, and watch while they freeze. Or, alternatively, we will use our superior mobility to advance aggressively, build on the west, feint to the east, and punch a hole in their defense. Each is a strategy.

Strategies are different from tactics. The strategy is the general plan. The tactics are the 1,001 contingent implementations of the strategy in particular situations. Sometimes the tactics are left to field commanders; sometimes they are dictated by headquarters. The question of whether to defend a particular town, attack a certain regiment, or commit select resources is a tactic to be decided under the general strategy.

A second example: A defense attorney needs to develop a legal strategy. S/he wants to attack the prosecutor's theory of the case, propose (and defend) an alternative theory, undermine the prosecutor's evidence, and so forth. The particular tactics depend on the individual

witnesses, the facts of the case, the nature of the jury, the available knowledge, the resources of the defendant, etc.

A final example is offered, this time drawn from DG. A donor has taken Step 1 of this strategic assessment framework and decided that the major problem for democracy in a transitional environment from military rule is the establishment of civilian control of the military. It wants to develop a strategy to address that objective. To do so, it needs a general plan. Who supports civilian control and who opposes it? What are their respective resources, and how important is that objective to them? Is it critical to the supporters or just desirable? What about the opponents? Who are they and what resources are they willing to commit? How important is continued military rule to them? Is the military itself a partner in this transition or an opponent? Is it divided? Does the military have direct control of any part of the economy? What are its sources of support? Does it play a direct role in the political system as a whole, or is it limited to the armed forces? Once these and other similar questions are answered, it may be possible to forge a general plan for "civilianization" and the role of a donor in that plan. But the plan—the strategy—comes before the activities, if the activities are to be rationally designed and implemented.

Suppose, for the sake of discussion, that the military is divided about its role—that it has had general control of the country, but has not directly managed industrial plants or other resources. The strategy would be to return control to democratically elected civilian authorities by supporting those civilian and military elements in whose interest it is to achieve that goal, linking them in a common effort, and equipping them with the capacity to work together and to implement their respective roles once the goal is achieved.

This is fair enough for a strategy. But how to implement it? What specific steps should be

taken and in what sequence? What response is required to changing conditions, especially reactions by the entrenched military? These are the tactical decisions by which the general strategy will be implemented. They are highly specific to the particular situation and likely to change over the three-to-five-year period. Tactical elements of the strategy might include increasing civilian expertise in military and national security matters, decreasing the military's role in the economy and society, and/or increasing public information on security matters. The donor resources would then flow from ideas about whose expertise needs to be strengthened (legislature, media, NGOs, think-tanks, etc.) and in what specific areas (military budget, armaments, recruitment, etc.), methods for increasing professionalization (working with NATO, participating in joint military exercises with more advanced countries, joining UN peacekeeping missions, etc.), and so on. The particular tactics selected will depend very much on local circumstances. For example, in terms of increasing civilian expertise, is the effort carried out through workshops, joint applied research, technical assistance, study tours, etc.? Will there be one overarching NGO implementor, a series of them, or a host of separate grants administered directly by the mission?

Naturally these issues need also to be considered at the strategic level. There is no point in a strategy that exceeds the capacity of implementation. But these are not the same and, in order to have a coherent, effective deployment of resources in this or that situation, it is helpful to have a general plan—a strategy—for achieving the objectives.

So a DG strategy does not consist of a list of programmatic tactics: a grant to this or that NGO, a contract to assist this or that agency, etc. These are tactics and they may well change as the strategy unfolds and the conditions change. Rather, a strategy consists of both an analysis of the DG context, a definition of our objectives, and a general programmatic plan for bringing

the resources of donor assistance to bear in a way that can be expected to have impact on achieving those objectives.

That analysis results in a general programmatic plan. The strategy requires both. Contrary to common USAID usage, it is neither an analysis by itself nor a program by itself. Rather, it is the relation between the two, or at least that is the way the term will be used in this framework.[3]

C. When to Do an Assessment

A DG assessment requires officers to step back from the day-to-day work of managing programs and projects to analyze more broadly the country's DG situation. In greater detail, the process leads the officer through a number of steps aimed at clarifying the DG problem, possible solutions, and trade-offs.

Generally speaking, an assessment should be conducted when introducing a program. It should also be undertaken in the penultimate year of a country's existing Strategic Plan. This timing allows the donor the leisure to engage in a dialogue with counterparts, partners, and customers. It should also allow for time to engage in most, if not all, of the contracting procedures required to put a new program on the ground before the expiration of an existing strategy or to expand an older program.

A donor may also want a new assessment when the critical assumptions which underpin its current strategy fail to hold true (e.g., withdrawal of military occupation or death of a charismatic leader). Since progress in democratization is in no sense linear, movement backwards is possible if not probable. Important reversals or major shifts in political alignments

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[3] On the other hand, in USAID parlance [ADS 201.5.14], "the Strategic Plan (at the strategic objective level) represents the Agency's strategy for a particular country or program over a specified timeframe."

may require additional analysis to determine if the strategy still makes sense.

D. Level of Effort

This framework has been designed to construct a DG strategy in three weeks by a team of three people—one of whom should know the country very well. We believe from our case study applications that nine person-weeks of field work plus some preparation and follow-up time for non-field-based teams is adequate. The framework has also been designed so that a field mission can undertake the effort itself.

With very rare exceptions, however, no team of three outside people can, in three weeks, also translate the strategy into a formal USAID "results framework"[4] (strategic objectives, intermediate results, and indicators) nor will the team be able to complete the partnership, consultative, or participation requirements of the mission's strategy. All of that will need to be done by the mission, by another team with different skills, or (if some members of the strategy team have the requisite skills) by the original team over an additional week or two. It is important to realize that "AID-speak" (SOs, IRs, indicators) is not a common language spoken by consultants. Moreover, the development of SOs, IRs, indicators, participation and customer fora, etc., is the property of and requires the participation of the mission's SO team and its partners, not just a team of outsiders.

To return to the military or legal analogy, the mission is responsible for executing the tactics

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[4] [ADS 201.5.10(e)] "In the context of defining a Strategic Objective or Strategic Support Objective, it is necessary to identify the Intermediate Results which are necessary to accomplish that objective. This analysis will produce a results framework for each objective. The results framework must provide enough information so that it adequately illustrates the development hypothesis (or cause and effect linkages) represented in the strategy and therefore assists in communicating the basic premises of the strategy."

and designing the tactical shifts to accommodate changing conditions (i.e., revising the IRs and indicators), so a set of results and indicators dropped on the mission's desk as a team of consultants departs would not be very helpful.

For similar reasons, a general strategy that this framework is designed to help develop may well need to be augmented by a much deeper, more detailed sub-strategy for a particular sector. If, for example, the analysis points to a rule of law strategy, a team of three—only one of whom at best may have rule of law experience—may not be able to dig deeply enough in a general three-week attempt into the courts, the statutes, alternative dispute resolutions, the various legal players, their respective interests, etc., to be able to construct a detailed rule of law strategy for the mission. Often, we believe, the original strategy effort will suffice, but not always.

Attached to the framework in Appendix B is an illustrative scope of work for a team to conduct a strategic assessment using the framework in this document. The scope can be tailored to fit a given environment.

E. Presentation vs. Analysis

This framework is analytical, not rhetorical. Its purpose is to help diagnose the political situation and design an appropriate DG program. It is not necessarily a good format for presentation, nor is it intended to be. Indeed the strategy presentation may begin with the conclusion of the analysis or with a narrative on the macro-political situation. The framework is designed to get to the conclusions and the telling features of the narrative, not necessarily to provide the format for its presentation.

F. Organization

That said, this framework is divided into four analytical parts. Step 1 is devoted to identifying the primary problems or strategic challenges from a DG perspective through five key

attributes of democracy (the degree of *consensus* on the rules and on fundamentals; the degree to which the *rule of law* is respected; the degree of *competition*; the quality of political *inclusion*; and the performance of government's institutions, i.e., *good governance*) and then to examining the direction of change on a continuum of democratic development.

Steps 2 and 3 consider how the game of politics is actually played. Step 2 focuses on the natural endowments and history of the country (its geography, resources, demography, social structure, and historical legacies), but, more important, on its central actors, their interests, resources, objectives, relationships, and alliances. Who are the key actors? What do they want? What are their political resources? How do they deploy them? How do they relate to one another? How do they play the game? How do they relate to democracy? Step 3 deals with the institutional settings or arenas in which the political game is played, including the set of formal and informal rules according to which political actors compete in each of these arenas.

Step 4 considers the practical constraints on the donors themselves, including their own interests and resources. Step 1 will have suggested a clear statement of the problems and ideal or "best" programming options. These options are then passed through a sequence of "filters" (Steps 2 and 3) which screen out impractical options and may, therefore, reorder the priorities for programming. The final step (Step 4) introduces the interests and resources of the donors. Its positioning, at the end rather than the beginning of this process, is important. In this analysis, we begin with the country, its problems, and the nature of politics, not with the donor's present programs or predilections. Only after we have understood the country context and what needs to be done—both ideally and practically—do we introduce the donor's interests. The donor's interests are important, indeed may be dispositive, but from an analytical perspective, unless they are introduced at the end rather than

the beginning, the donor will not know what its options were, what compromises it has made, and why.

Although the steps in this process are primarily analytical rather than sequential, we believe that Step 1 needs to be reasonably clear before Step 2 or 3 makes much sense. But assessment teams will keep all three steps in mind as they conduct interviews. As a practical matter, they will not be able to return to the same person three times, each time with a different set of questions depending on the "step" they are considering. Moreover, the relations among key actors are illuminated by their activities in various institutional arenas and, vice versa, the nature, dynamics, and constraints of institutions are illuminated by how actors operate within them. As they proceed, each set of conclusions should be provisional and subject to validation: Was our original conclusion right? Is this person telling us something that makes us rethink what someone else said? Similarly, conclusions about the fundamental nature of the state in Step 1 are subject to revision as a result of the institutional analysis of Step 3.

This framework does not (and could not, given the current state of knowledge) prescribe a definitive set of strategies and programs to be applied in specific settings. It should be viewed as a "navigation chart," offering alternative paths and tactics, rather than a "cookbook" with a single fitting approach. While we believe that this framework will be helpful in analyzing change, it is a tool and not a policy prescription. If the tool does not seem to fit a given situation, a different approach should be adopted. For illustrative purposes only, a sample case study on Morocco forms Section VI. It is included to show how a particular assessment team approached a DG assessment of Morocco. It also serves to summarize, in a much abbreviated form, the team's findings and recommendations.

We anticipate that the framework will undergo revisions in the future as we improve our

understanding of processes of democratization and of what works—or does not work—programmatically. This tool was developed through an iterative process in which a core group of practitioners and academics wrestled with the problem of how to analyze democratization, developed a draft, applied the draft in a number of countries, and returned to consider what worked and what did not (see Acknowledgments).[5]

In order to refine this tool further, we would be interested in knowing whether, taking the key attributes, these five are the best, most useful, and parsimonious variables. Should there be more, fewer, or different ones? Regarding identification of actors and allies, is the interest-based analysis useful or are there other, better ways to understand political interactions? In Step 3, are these institutional arenas the most important or the most fruitful? Are the assessment questions posed for each arena reasonably complete? Are they the best questions? Similarly, in Step 4, are there other constraints or considerations that should be added? Finally, the rules of thumb on programming discussed in the text are just that—rules of thumb. Clearly, their applicability depends on the country context and impact of the assessment, including the donor considerations in Step 4. The Office of Democracy and Governance would be grateful for any insights, opinions, or thoughts gained from applying the framework.

Although USAID Missions are not required to use this analytical framework, they are required to include a political analysis as part of their country strategic plans. In it, they will need to define the DG problems, analyze the obstacles to surmounting them, the resources for addressing those obstacles, the barriers to achieving results, the mission's manageable interests, and so forth.

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[5]   Countries in which, at different stages, the framework was tested and then revised include Bolivia, Cambodia, Guyana, Haiti, Lebanon, Mexico, Morocco, Nepal, Senegal, Zambia, and Zimbabwe.

II. STEP 1: DEFINING THE DG PROBLEM

This framework is designed to assist donors, in particular USAID, in the development of a strategy to support democracy and good governance. It is divided into four steps. The first three are directed to an analytical understanding of the country from the democratic point of view. The fourth is a distillation of the resulting analysis together with the interests and constraints of the donors into a strategy and program. It bears repeating that these steps are not necessarily temporal; in most cases they go on simultaneously. A strategy team cannot come back to the same actors three times with three different sets of questions.

Nevertheless, the first step—defining the DG problem—should come first in time as well as in concept. What is the country's political context from the democratic point of view. What kind of country is this? What sort of political system does it have? What are the primary problems for democracy and good governance?

This is the first cut. It defines the problems for democracy. It should, therefore, also define the optimal strategic objective. Other factors in later sections will delineate the extent to which those primary problems and objectives can be achieved and the extent to which it would be better to address a secondary problem in a second-best strategy. In effect, the analysis should describe a preference structure, a descending order of priorities for supporting democracy, and a rationale for choosing among them when the preferred strategy cannot be implemented or the primary problem cannot be productively addressed.

A. Five Key Elements of Democracy

In the first cut, then, this approach focuses on five key elements of democracy. No doubt there are others, and certainly these five are not exhaustive. But the necessity for parsimony—to complete the analysis in a reasonable time with a practical product—requires some compromise on completeness. Initial experience suggests that these five—consensus, rule of law, competition, inclusion, and good governance—will provide most of the information and that they emerge out of discussions with a wide range of democrats in a wide range of geographic contexts.[6]

It is important to recognize that each country experiences many, if not all of these problems, to varying degrees. It is rare to find one confronting only one of the five.

1. Consensus

Although democratic politics centers around competition for power or ideas, there can be no stability, let alone legitimacy, without consensus about certain fundamentals. The basic order of society cannot be constantly under question and assault. In order for disagreements to be resolved peacefully, in order to have peaceful politics at all, the basic rules need to command consensus and legitimacy. Otherwise they are likely to be resolved "extra-constitutionally," that is, outside the rules of peaceful dispute. In Angola, Cambodia, Rwanda and, throughout most of the 1980s, much of Central America, there existed no consensus, no peace, almost no society, and certainly no democracy.

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[6]   These five elements (consensus, rule of law, competition, inclusion, and good governance) represent critical DG problems that need to be addressed in a country. The DG Office directs its programmatic work toward four objectives (rule of law, elections and political processes, civil society, and governance). While these two groupings appear to be very similar, they represent very different things. The DG problem may or may not be addressed by work within the DG sub-sector that seems to directly correspond to it. They are overarching DG problems, not programmatic activities. That is, in a country where one of the DG problems has been identified as "competition," one should not assume that the appropriate DG sub-sector in which to explore DG programming options is "elections and political processes." It is important to follow the remaining steps in the framework to determine where the programmatic options lie.

The most fundamental issues for consensus are the boundaries of society itself and, therefore, of the state. War broke out in Bosnia because the Serbs and the Croats did not want to live in a single state with the Bosniacs. Never mind peaceful rules about the contest for political office, they did not agree to live together at all. Eritrea is the result of a breakdown of consensus about the fundamental structure and rules for Ethiopia. Fundamental divisions based on race, ethnicity, tribe, language, and religion have caused crises in every region. Dissensus about the boundaries of society—who is in and who is out and under what terms—creates structural instability at the least and civil war at the worst.

Even if there is consensus about the boundaries of the state, there must be some consensus also about the fundamental relation among the state, civil society, and the individual. What kind of a state is this? Is it a "liberal" state with a circumscribed role, accountable to popular will, and designed to complement the activities of individuals and private organizations? Does the individual serve the state (in fact if not in theory)? Do all groups serve state functions? Is the state secular or theocratic? These were problems that plagued the communist states of Europe and the Soviet Union. They are the issues of "political Islam." In a sense, they animate the profound disaffection with authoritarian and certainly with totalitarian regimes and the affection for freedoms of speech, press, religion, association, and the other "civil" liberties. The encroachment by the state on civil society and of both on an individual's legitimate rights is often at the heart of demands for democracy. By this we do not mean the "tyranny of the majority" but rather the free exercise of discretion, both personally and in associations.

Even if there is consensus about the basic legitimacy of state and society and about the relation among state, society, and the individual, there is often dissensus about the rules for achieving power and public office within the state. The contesting forces in Angola, Cambodia, and Nicaragua were not disagreeing about the boundaries of state or society; there was no question about who was legitimately an Angolan, Cambodian, or Nicaraguan. But because they could not agree about the basic rules for playing the political game peacefully, they resorted to war. Unless there is some basic consensus about the elemental rules of the game, there is no game; there is no rule of law.

It is axiomatic that there will be disagreements of all kinds: differences about power, about policy, and about personality. That is what democracy is about. But the essence of democracy is ordered competition, respect for the rule of law, and respect for the rights of the individual and of the minority. In order to engage in a peaceful, ordered disagreement, the participants need to agree about the basic rules under which those disagreements will be addressed. Is there a social compact that allows ordered disagreement about policies to take place? Is there an agreement about the fundamentals, or is there the kind of disagreement that puts at risk every other dispute, indeed the peaceful and authoritative resolution of all policy disagreements? Can the disagreements that remain be adjudicated through a peaceful political process, or are they so fundamental that the political game cannot proceed routinely until they are resolved?

In short, the issues that require consensus are those that will result in political gridlock until they are resolved. These are the "meta-rules," the rules about how other decisions will be made. Failure to agree on these fundamentals can lead to war (as in Angola, Nicaragua, or Sri Lanka) or to political gridlock (as in Georgia, Nigeria, or Zambia). Put more positively, consensus about fundamental issues confers legitimacy onto power. Without that consensus, the issue of legitimacy hangs over the entire process.

LACK OF CONSENSUS ON THE RULES OF THE GAME: BANGLADESH (1997)

In March 1994, Awami League (AL) charges that the ruling Bangladesh Nationalist Party (BNP) rigged a parliamentary by-election precipitated a serious crisis over the rules for competition. The crisis lasted for over two years, cost the Bangladeshi economy millions of dollars, and resulted in the death of 120 people. The AL, disappointed with the by-election, called in 1994 for a neutral caretaker government to run the next election. When the BNP refused to consider this suggestion, AL members of parliament first boycotted parliament and then resigned. The AL began organizing "hartals" or general strikes. In 1995 alone, there were more than 150 hartals, each lasting anywhere from six hours to six days and costing businesses roughly $15 million per day.

The BNP was forced to dissolve parliament in late 1995 and schedule new elections in February 1996. The opposition boycotted the elections, which were marred by violence and massive vote-rigging. Voter turnout was under 10 percent. The BNP won 289 out of 300 seats in the parliament, but its credibility was in tatters. In March, the AL initiated an indefinite strike. The country ground to a halt. In the face of continuing violence, the business community demanded that the BNP annul the February elections and schedule new ones under a caretaker government. The Chamber of Commerce then effectively organized civil society groups to support its demands. The government still refused to yield. Finally in late March, the civil service issued a similar ultimatum. The BNP was obliged to give way. The prime minister resigned; parliament was dissolved; and a caretaker government was formed.

Voter turnout for the June 12 elections was over 73 percent, close to an all-time high. International monitors declared the elections free and fair. Although no party won a majority, the AL—after 21 years in the cold—took most of the seats, with the BNP running second. The AL was able to form a coalition government. Predictably, the BNP claimed the election had been rigged. The new AL government promptly brought corruption charges against BNP leaders and moved to neutralize pro-BNP student groups. Within months the BNP members walked out of parliament. They were lured back in January 1997, after talks with the AL.

While the immediate crisis is over, Bangladesh still seems caught between a government that manipulates the rules in its own interests and an opposition that relies on violent street politics. Hartals are increasingly seen as short-cuts to power by whoever is in opposition—as a way to circumvent the democratic process. Public cynicism about government and politics has increased, and no lasting consensus has been achieved.

Many problems in achieving consensus deal with issues of competition and inclusion, but not all. Those who wield power are reluctant to share it or to risk it in a competitive arena, especially those who have achieved it by force. So demands for inclusion and competition are often the issues of dissensus. Those who challenge the regime's legitimacy or want it subjected to regular, competitive elections come up against those who believe that orderly competition will degenerate into civil strife or who believe they have some other principle for legitimate succession or who just want to control the political arena. Similarly, those who are (or believe they are) excluded are asking for a new division of power; they are asking "winners" to share their resources with "losers." But there are many issues, other than competition and inclusion, that threaten consensus as well: for example, the role of language and religion, the relations between different parts of the country, the power of central as against local government, and the role of traditional leaders.

The basic assessment questions are

- Is there a basic consensus within which the political game can be played?

- Do the forces striving to control the country at least agree on a basic set of rules for their competition?

- Is there agreement on who is inside and who is outside legitimate political life— for example, who a citizen is, what the borders of the country are, whether there is a legitimate country and a state at all, whether everyone is or should be treated equally under the law, and whether the rule of law is binding? Is there agreement on the relations among individual, state, and society?

It is easy enough to identify problems of consensus, but not so easy for donors to help resolve them. Often, consensus begins with an agreement or "pact" among elites—those with the power to accept or reject fundamental agreements on behalf of followers. Sometimes donors can act as honest brokers for what the literature calls "inter-elite pacting" and sometimes donors can create enough incentives to bridge the differences. If there is a role to play, it is more often diplomacy than assistance that can wring agreement, although assistance can provide some incentives to support the diplomacy, which is likely to be protracted. In general, the parties themselves must want to reach agreement, and their differences must be minimal enough to be negotiable. Otherwise there is little to broker, and donors, such as USAID, almost never have sufficient power to force agreements on fundamentally unwilling parties or sufficient resources to prod agreements between them. Even if they did have the power, forced agreements rarely last. In the end, elites cannot produce enduring agreements, let alone democratic ones, if their constituents do not concur about the essential fairness and integrity of the outcome. Democracy, legitimacy, and authority begin with the consent of the governed and with publicly accepted rules and norms.

2. *Rule of Law*

Consent—consensus—about the fundamental rules is the beginning of the political game. But of course the rules must be enforced. Not all

countries have a rule of law, although virtually all have the trappings of law: judges, courts, statutes, and lawyers. In many authoritarian countries, the law is personalized. It serves the interests of the regime itself, the ruling elite, or the group it represents. A country may have the trappings of law, but not the substance. If the law varies from case to case or time to time because of the political connections of the parties, there is no rule of law even if there are courts and judges. "Telephone justice," in which the judge is told how to rule "over the phone" by the ministry, is not justice under a rule of law. The questions are whether the regime as a whole abides by its own rules; whether the rules are public; whether similar cases are treated similarly; whether the entire system is inlaid in legal substance and procedure; and so forth. It is possible for an authoritarian country, say Singapore or Taiwan before 1989, to have a rule of law, but most authoritarian systems do not.

Form and procedure are hallmarks of the rule of law, but so is substance. The rule of law must incorporate fundamental human rights and civil liberties. Most countries have signed the Universal Declaration of Human Rights, so at least in theory they are fully committed to the guarantee of these rights, and their citizens, in turn, are fully protected. Unfortunately, these commitments are too often abrogated by the very governments committed to ensuring them. Any analysis of the rule of law must begin with a review of the country's human rights record. The protection of human rights is the sine qua non of a rule of law.

Individuals must enjoy basic liberty, and that liberty cannot be abrogated without a fair trial in which innocence is presumed and guilt must be proven. The law itself must be clear, transparent, and (as indicated) equitably applied by a judiciary of integrity: impartial, independent, uncorrupted, knowledgeable, and "just."

The law adjudicates between liberty and constraint. The alternative to a rule of law, to

THE RAMIFICATIONS OF RULE OF LAW'S ABSENCE: CAMBODIA (1999)

Of the many tribulations visited upon the people of Cambodia—a barely rudimentary economy, extremely poor health, the highest rates of infant mortality and illiteracy in Asia, etc.—the most fundamental is the political devastation, especially the ethno-genocide, of the past 25 years. The root of that political devastation, then as now, is corrupt, unaccountable governance, because unaccountable governance lies at the root of the other problems and, conversely, the others cannot be successfully addressed without accountable governance. "Governance" is taken here in its widest sense. It includes government, of course, but it also comprises almost all institutions of Cambodian society, private as well as public, non-governmental organizations as well as governmental organizations. Rule of law is the key problem, not just for democracy but for every other sector of Cambodian life.

The manifestations of unaccountable governance are many, but the worst is impunity. Many argue that government officials stand outside the law; they do more or less what they want; and, the higher they are in the regime, the greater is their impunity. Cambodia is a poor country, but it has resources. Yet, from the depleting stock of timber and gems through the relatively massive foreign aid (40 percent to 50 percent of the national budget) to land in the countryside and businesses or even homes in the city, government officials use their public offices for personal gain. Observers say that these officials commit violent crimes (or have them committed) against their adversaries without fear of legal consequences. Cambodians believe that those in power do what they want, irrespective of what the law says, so there may be law, but no rule of law in Cambodia.

Cambodia has never had accountable governance. From the seventh century through the twentieth, from the Bakong to Angkor to Phnom Penh, Cambodians have worked for the state, never the other way around. The god-kings, the French, Lon Nol, the Khmer Rouge, and the Grand Prince have all been on the take. Hardly unique to Cambodia, that pattern has, however, been broken, or at least controlled, in much of Asia over the last 50 years. In Hong Kong, Singapore, South Korea, Taiwan, even Malaysia and Thailand, the institutions of society that began corruptly have become more transparent and accountable. Cambodia has yet to tackle the issue in any systematic way.

ordered liberty, is force. Sometimes that force is manifested in armies. But equally corrosive of both order and democracy is personal violence. The fundamental, irreducible function and obligation of state and society is to guarantee personal security. Personal security is almost always the primary public demand when it is uncertain. Growing crime rates feed the attraction of authoritarian leaders who promise the iron fist to restore public order and personal security. Gangs in South Africa, mafias in Russia, and thugs in Haiti threaten the social order by undermining personal security. In recent years, problems of personal security have grown, challenging all regimes, but particularly those committed to due process, respect for individual rights, the presumption of innocence, and democracy. The tendency is to meet

violence with violence, and in general authoritarian regimes have fewer compunctions to clamp down.

The formal institutions of a rule of law are found in government: the legislature to pass laws, the executive to implement them, and the judiciary to adjudicate them. Institutional failure is often a prime target for assistance, especially for the judiciary and secondarily for the legislature. The first analytical question is not how to support the rule of law, but why it has failed in the first place. Often, that failure is no accident. It is not infrequently in the interest of powerful political forces for the judiciary or the legislature to be weak or corrupt. Indeed, judges and legislators would often like to be the instruments of a rule of law, but the judiciary

and the legislature are often kept too weak to play their proper roles. A quarter of a century of support for the judiciary in Latin America has demonstrated some of the limits of institutional assistance absent the political will by such powerful domestic forces to implement a true rule of law. Conversely, when that will exists, the opportunities for impact by donors, such as USAID, can be great. The problem for donors is to find opportunities for the institutionalization of a rule of law when political will is ambiguous.

The British exception notwithstanding, constitutions are the most obvious instruments for the expression of consensus and the foundations of the rule of law. They provide the forum for negotiating consensus about the fundamental rules and then express the results tangibly and in ways that permit enforcement. In particular, they provide the weaker branches and civil society with political and legal recourse. It is harder for authoritarian impulses to find legitimate expression if a constitution defines the relation among the various parts—the "estates" as the French call them—of society and government, and thereby limits the power of the executive and protects individual rights.

The basic assessment questions are

- Is there a true rule of law? Is politics, indeed are life, liberty, and property, bound by a rule of law? Is the state, and those who control its instruments, committed to the rule of law? Is society committed to a rule of law?

- Is personal security guaranteed by the state?

- Is personal freedom guaranteed by the state both against transgressions by other citizens or groups of citizens or by the state itself? Are civil disputes and violations of law, especially criminal

law, subject to the authoritative adjudication of the courts?

- Are the public security forces themselves subject to the rule of law and the judicial branch?

- Is there a judiciary of integrity? Is the judiciary reasonably independent?

3. *Competition*

Perhaps the irreducible, unequivocal essence of democracy is competition and popular sovereignty. As the "Asian tigers" have demonstrated, there can be consensus and a rule of law without liberal democracy, but unless there is competition for power based on popular sovereignty there is no democracy. Competition is the instrument by which popular sovereignty is tested and implemented, and it is the instrument by which power is checked and balanced. Choices in public policy have constantly to be made, and people will not always agree. Consensus can be built on the fundamentals but not on all the particulars. Democracy places the ultimate choice in the hands of the citizens. It does so, not only because of Plato's question about benign authoritarianism (who will guard the guardians?) or Lord Acton's observation that power corrupts, or because the judgment of even benign autocrats is not immune from mistakes (competition being the surest guarantor against and the best corrective for error, whether economic or political). It does so because popular sovereignty—democracy—is right in itself; people have the right to govern themselves, not just for instrumental reasons but for philosophical reasons.

The obvious arena for competition is the multi-party election for public office, and some have defined democracy solely in terms of such elections. But free and fair elections are not the only form of competition in a liberal democracy and public office is not the only prize.

COMPETING IN ZAMBIA: A NON-STARTER (1997)

In Zambia, the two primary political actors, President Frederick Chiluba and former President Kenneth Kaunda, are in a gridlock over the rules of the political game. As a result of the lack of consensus over these rules, two important areas—elections and the legislature—are also devoid of substantive **competition**. Thus, competition is also a critical DG problem.

In 1991, bowing to increasing domestic pressures to reform, Kaunda ended 27 years of authoritarian and mostly single-party rule when he agreed to the promulgation of a new constitution laying the groundwork for multi-party elections. Unexpectedly, Chiluba soundly defeated Kaunda in the 1991 elections and Chiluba's Movement for Multiparty Democracy (MMD) took 125 out of 150 seats in parliament.

The MMD won on a platform marked by promises of respect for human rights, a multi-party system with checks and balances, universal adult suffrage guaranteeing government by popular consent, and the lifting of the state of emergency. It, however, failed in implementing these political reforms. Chiluba came instead to dominate the government together with a few of his party allies. Several founding members of the MMD began to dissent from the government's policies, and many dissenters had resigned or been expelled by 1993. Political reforms stalled.

The political situation took a decided turn for the worse in 1996, when the government's mandate neared the end of its five-year term. First, Chiluba effectively eliminated his primary presidential opponent (Kaunda) by pushing through a constitutional reform that made it illegal for Kaunda to run.[1] Perhaps as important as substance, the opposition and many elements of civil society objected to the process used to amend the constitution. Chiluba had appointed the Mwanakatwe Commission to consider amendments to the 1991 constitution and to recommend a procedure for formal consideration of its recommendations. The commission heard testimony throughout the country and recommended broad changes. It then recommended that those changes be submitted first to a referendum and then to a constituent assembly, but not to parliament alone. Instead, the Chiluba government accepted some but not all of the commission's recommendations, added a few of its own, and adopted the changes as amendments to the existing constitution by passing them through the parliament rather than through a referendum and constituent assembly as recommended. Understandably, the opposition complained that the Chiluba government's actions had violated the need for consensus around the constitution.

Second, and in response to the constitutional fiasco, Kaunda and his party (UNIP) announced in October 1996 that they would boycott the November 1996 elections. Several smaller parties joined in the boycott. The election returned Chiluba to office and raised the effective block of MMD members in parliament to 140 (out of 150) seats.

The situation in Zambia, then, is a stalled transition. The MMD Manifesto of 1991 promised a dramatic reform by committed democrats, but the result has been far short of that promise. On the government side, while there may be committed individuals, the question remains whether there is a clear reform movement, a reform agenda, or reform-committed actors or interests on which to base a clear program of democratic assistance. **Competition** then is one of the primary obstacles to a transition in Zambia.

[1] The constitutional amendment required that any presidential candidate be born of parents both of whom were Zambian citizens. Kaunda's father and mother were born in what is now Malawi.

Democracy is about the competition of ideas and public policy, as well as about public offices, although putting those ideas into effect often requires control of public offices. Pluralistic civil society—the profusion of non-governmental forms of public organization—is also an arena for the competition of ideas and organizational forms. The free media, in particular, are

indispensable to liberal democracy as vehicles for information, analysis, and debate, and as checks on the power of government. Some authoritarian regimes allow a surprisingly free press and some "electoral democracies" are intolerant of basic liberties, especially a free press.

Also critical, as a check on government, is some degree of economic competition. Much has been written about the symbiosis between democracy and free markets, but the main concern here is the impact of the distribution of resources on political pluralism. For example, economic resources are necessary for financing independent media, supporting independent civil society, and building up the competitive capacity of opposition parties. To the degree that economic resources are concentrated or politically controlled, pluralism is likely to suffer. Access to politically-controlled economic resources comes at a political price, usually political subservience. Even when a market economy has developed, the degree to which government and its allies control economic opportunities may affect the willingness of even democratically inclined actors to speak out or employ their wealth in the service of pluralism or dissent for fear of losing a job, a contract, a business license, etc. Similarly, organizations with business ties (e.g., professional associations, chambers of commerce, etc.)— often the best source of independent resources— may be hesitant even to voice criticism of, let alone finance opposition to, governments that can punish them or their members economically as well as politically. Lack of access to independently generated financial resources can significantly curtail all aspects of political competition.

In short, fully competitive systems reflect a regularized, free, and fair electoral process, in which any aspiring group or party may contest for power under a liberal and generally agreed-upon rule of law. They also include a broadly permissive political arena, allowing for a range of debate and disagreement between government and citizens and a structural balance among various centers of power. These systems include a pluralistic civil society in which different ideas vie for adherents. Indeed, true competition requires three fundamental conditions: that the competitive arenas be accessible; that the competition be generally free and fair; and that the political contest be formalized, routine, and regulated by publicly acceptable rules, norms, and laws. In cases where competition is hampered, restrictions may arise from different sources including the exclusion of significant groups, the obstruction of electoral processes by incumbents, and the rejection of the competitive process by major political forces, indeed any concentration of resources. When resource concentrations are imposed or enforced by the state, competition becomes almost impossible, not just unlikely.

Finally, democracies often institutionalize competition within government itself through a balance of power among its branches and levels (central, provincial, and local). The idea of a balance of power is premised on competition, in this case intra-governmental competition. The importance of local government is based not only on efficiency and its proximity to the people it serves (hence the hope that it will better reflect popular sovereignty), but also on the desire to check the power of the central government with a competitive source at the local level. Similarly, the balance among the branches of central government is designed to provide competition within central or local government. (There can be local despots and warlords, as well as national ones, and devolution of power to local government is, by itself, no guarantee of good or democratic governance. A balance of power at the purely local level is just as important as at the national level, particularly when the locality has autonomy; put differently, the extent of local autonomy is directly proportional to the need for institutional balance at the local level.)

**INCLUSION: INCORPORATING BOLIVIA'S MULTI-CULTURAL SOCIETY
INTO THE DEMOCRATIC ARENA (1995)**

Bolivia has high levels of participation at the local and national levels. Indigenous peoples, peasants, civic associations, labor unions, and others regularly organize marches, strikes, and community protests to demand services, land, recognition, respect for human rights, price subsidies, and opportunities for greater economic and political inclusion. The participation is often confrontational, taking place outside the regular institutional channels. It is a practice that reveals the weakness of existing political processes.

Over 85 percent of Bolivia's population is indigenous and mestizo, with the additional 15 percent being of European origin. The languages of the indigenous population are officially recognized, but the 40 percent Spanish-speaking minority still dominates the political process. (www.freedomhouse.org) During the past decade, indigenous communities have sought recognition as ethnically and culturally distinct communities within a pluri-ethnic society that is in the process of building democracy.

They are seeking **inclusion** within a changing political panorama. New movements have emerged, and they organize workers and peasants as indigenous peoples and mestizos with a distinct culture and identity. The new movements are demanding bi-lingual education, land, and recognition of traditional authorities. They have begun to reconstruct traditional social organizations and to revive native authorities.

The Bolivian government has begun to respond to Bolivia's mobilized civil society. Bolivia's constitution was re-written in 1995 to recognize the country as a pluri-ethnic, multi-cultural representative democracy. A "popular participation law" was introduced in 1994, and it institutes local elections and allocates 20 percent of the national budget directly to municipal authorities. But the reforms are not consolidated or fully realized. Nor are they supported by the entire population, especially among many of the traditional power holders. Further, there are great barriers to implementation. For example, many indigenous people have never received the standard Bolivian identity card, the prerequisite to voter registration.

Recognizing the problem, Bolivia's elected leadership is attempting to include long-excluded majority populations into the formal political arena, creating new channels of participation and inclusion that uniquely adapt the forms and standards of representative democracy to the needs of Bolivia's pluri-ethnic society.

Still, politics is about competition for power. Instead of recourse to force, democracy tries to domesticate that competition—subject it to rules, pacify it, and make it accountable to the public—primarily through free and fair multi-party elections. Free and fair elections, necessary but insufficient elements in the definition of democracy, require (1) a competitive public arena accessible to all significant political forces; (2) publicly acceptable, transparent, fair procedures for public contestation among those forces, including free speech, access, and association, which are equitably enforced and open to monitoring; (3) a universal franchise; (4) guaranteed individual as well as associational rights; and (5) formal rules governing regularity in the holding of elections. While elections are contests among forces that do not agree, the rules governing those elections should be consensual at least among the broad political public. If they are consensual and if they are equitably enforced, losers are more likely to accept the legitimacy of the outcome, organize to contest again in the future, and abjure recourse to extra-constitutional mechanisms to gain power or impose their ideas. If those conditions are not met, electoral rules are likely to lose the support of the public.

The basic assessment questions are

- Is there competition in the system?

- Free and fair elections are one form of competition, but not the only one. To what extent is competition allowed and in what forms and arenas? Is there a competition of ideas? Is there a free media to provide information, analysis, and a forum for the competition of ideas? Is there a vibrant civil society in which pluralism is allowed or even encouraged? Is there economic competition? What amount of the country's economic resources is controlled by the political authorities or those dependent upon them? Can people legally organize to pursue their interests and ideas? Finally, is there competition within government? Is there a balance of power among branches at all levels and between central and local government? To what extent is there democratic decentralization?

- Competition in all of these areas entails four primary dimensions: Is competition allowed and institutionalized? Are the competitive arenas accessible? Is the competition fair? Is the political contest formalized and routine and regulated by publicly acceptable rules and norms?

Most donors, including USAID, have experience with support for competitive processes, especially elections. Both bi-laterally and multi-laterally, donors have supported election commissions, election monitors, civic education for elections, and even political party assistance. Indeed some observers have confused the visible support for elections with support for democracy as a whole. The question for assessment is when election support is warranted, the type of support that is warranted, the impact that can be expected, and (most sensitive) the extent to which election support constitutes unwarranted

interference in the domestic political environment.

4. Inclusion

Democracies are inclusive. Neither formal rules nor informal practices exclude segments of the population. The universal franchise is one manifestation of inclusion, but not the only one. All citizens must be free to participate both in governmental and non-governmental arenas. And if private parties or associations try to exclude certain kinds of citizens from the public realm, democratic government uses its power to guarantee full rights of public participation. Widespread governmental guarantees for political and individual rights are a *sine qua non* for effective participation. Not only is exclusion undemocratic, it breeds resentment toward the society that condones it. In Ethiopia, Russia, and Sri Lanka, it has spawned secessionist movements. In Central America, Haiti, and Algeria, it has brought civil violence. In many countries, it festers and poisons the political environment.

Political inclusion presents a tactical challenge to the democratization process itself. As authoritarian systems liberalize, the political mobilization of previously excluded groups can have destabilizing effects that jeopardize the democratic transition. Transitions frequently begin with agreements among elites—but only among elites—about limited reforms. Tension often arises between the aspirations for political representation by disadvantaged or excluded groups and the more limited reforms negotiated by the elites, especially if the agreements provide for a different kind of participation among the elites but not full democracy. Demands for full participation in the face of elite concerns for their own privileges or for consensus or security can destabilize the agreements and liberalization. From a donor perspective, these are tactical questions, not principled ones. While full participation in the short term may be deferred to prevent

reactionary backsliding, countries are no longer viable, let alone democratic, if they systematically exclude elements of their citizenry.

Still, one could take a broad and a narrow definition of inclusion. Narrowly considered, a democracy is inclusive if its citizens have equal legal access to the public square and roughly equal access in practice. However, some argue—broadly—that legal access is insufficient if in practice people do not actually participate. In low voting rates, few civic organizations, and general feelings of exclusion, they see weak democracy in need of strengthening. Apart from active barriers erected by the state or other groups to exclude some citizens, inclusion and participation can also be impeded by passive constraints such as a lack of civic awareness, low educational levels, social intimidation, or the absence of physical infrastructure. Even more broadly, non-participation may be the result of poverty, rural isolation, illiteracy, or a variety of other not-strictly-political factors. Indeed, in highly stratified societies, those at the bottom often do not participate even when there are no legal or strictly political barriers to participation, indeed even when they are encouraged to do so. The extent, if any, to which a donor addresses these economic, educational, or health issues, let alone under the banner of democracy, is both a bureaucratic and a political issue.

The assistance question is whether donors should take a relatively broad or a relatively narrow definition of inclusion. Is it enough, from a donor's point of view, that the legal and social instruments for inclusion exist and that there are no barriers to participation? Or should they also be concerned about whether the citizenry—indeed all segments of the citizenry—actually participates? And, if so, are they coerced to participate? Is it enough that the mechanisms are there and is it up to individuals or groups whether they use them or not? Or should donors take a broader view to find out

why, apart from active barriers, actual participation rates are low? And should they do something to help improve them? Should donors support programs to improve actual, not just permissive, participation? No doubt democracy is healthier when large numbers of citizens actually participate. But the *right* to participate is critical, not just desirable. Low rates of actual participation are less pivotal unless they are indicators of structural impediments, a lack of consensus, or an absence of competition, for example. Problems of apathy are lower-order problems than access, arising more often when democracy is consolidating than before or during transition.

The basic assessment questions are

- Are there problems of inclusion and exclusion? Are parts of the population excluded, formally or informally, from meaningful political, social, or economic participation? Are there disenfranchised parts of the population, for example, groups based on race, gender, religion, language, or geography?

- Are there formal guarantees of inclusion? Are participation low and apathy high? If so, why? Is it because of disaffection with the system, because of informal exclusion, or because people are basically content?

5. *Good Governance*

Democracy is a form of governance, not a philosophy club. Ultimately its citizens will judge their democracy not only on procedural questions—is it consensual, competitive, and participatory—but on whether it works— whether it "delivers the goods." If democratic government is not effective at providing essential public goods like public safety, law and order, reasonable justice, basic infrastructure, minimal social services, the

instruments and policies for economic growth, and the like, if essential needs are not met, deep inequalities are not alleviated or profound grievances are not addressed, government will either be replaced through the competitive process or through some less benign process with a less benign outcome.

In democratic settings, good governance includes transparency, accountability, efficiency, and the rule of law. Transparency refers to the public accessibility of government operations. Accountability denotes the extent to which government officials and agencies are regulated by and responsible to public approval and formal rules. Efficiency relates to the effectiveness of government at delivering public goods at the lowest cost. The rule of law reflects the degree of adherence to legal principle and procedure. The attributes of the legal system and the judiciary crucially affect this area. Good governance is evident in relatively low levels of corruption; consistent, minimum levels of service provision; and responsiveness to changing conditions and public needs. Although good governance is normally an attribute of government itself, in a democratic society NGOs will also exhibit good governance in the form of transparency, accountability, and efficiency. Because democracy is a set of processes and attitudes as well as institutions, good governance applies to all of the political

institutions in a democracy. The democratic habit is not limited to government.

In some senses, good governance should be the result of inclusion, competition, the rule of law, and consensus. By analogy to the free market, if public organizations do not govern their affairs well, competitors should be able successfully to challenge them and succeed them. If the other elements of democracy are in place, good governance should follow. In that sense, it is a dependent rather than an independent variable, a secondary rather than a primary variable. And in general, better governance is most often found in consolidated democracies. From a democracy perspective, issues of good governance arise primarily during or after the transition rather than under authoritarian regimes when consensus, competition, inclusion, and the rule of law are the more pressing problems. It is true, however that a few authoritarian regimes have also delivered good governance, although the majority have not. By the same token, some democracies have suffered from poor governance and the question is why they have not been replaced. Do democracies with competition suffer from poor governance over the long term? If so, why don't the voters throw them out?

The basic questions for analysis are

- Is there good governance, or at least the capacity for good governance, not only by the state but by social institutions in general? Do they have the capacity to deliver what they have promised? What can people legitimately expect them to deliver?

- And if they have the capacity, do they actually deliver? Do the political institutions of society work? Are they responsive without simply mirroring the prevailing mood? Are they able to balance the need to make hard choices without pandering to the strongest

political forces yet remain broadly representative and responsive to the "general will" of the public?

With the possible exception of elections, donors, including USAID, have the most experience in providing assistance for good governance. From equipment to technical advice, sovereign donors feel most comfortable assisting other sovereigns and, increasingly over the past few years, non-governmental institutions as well. Good governance is especially targeted because of its importance to other development sectors as well as democracy. It has become clear in recent years that economic, health, social security, and environmental programs founder when governance is poor. For that reason, the World Bank has targeted good governance notwithstanding its charter provisions requiring that lending be done "without regard to political or other non-economic influences or considerations;" the World Bank's economic portfolio was threatened by poor governmental performance.

Still, the question for donors is what preconditions must exist for good governance assistance to have impact. Assistance, by definition, implies partnership: someone or something to assist in doing what the recipient wants to do. Unless there is political will in the host government, the provision of equipment and advice is not likely to succeed.

No doubt, political will is not so cleanly discerned. Elements of any government are likely to be interested in reforms which can be assisted. The practical question is whether the key actors required to assure success in any particular venture are "on board." Sometimes the central ministry is a willing partner but its subordinates or local affiliates are not. Sometimes the reverse is true, or the ministry in question supports the reform but the prime minister does not. Or some within the ministry are reformers and some are not. Experience suggests that much time, effort, and money are

lost if the political preconditions for assistance to reform are absent.

B. Regime Types

Combining the five elements, it is possible to use a common typology, based on institutional structure, as a shorthand way of describing a country's political system (although it is possible that some other typology, for example one based on the socio-economic profile of the country, might be equally useful). Since every country has its own unique features, these are archtypes.

1. Totalitarian Regimes

In totalitarian regimes, the state attempts to define every aspect of life, political as well as non-political. Usually founded on a prevailing ideology, the state and its rulers control everything. Nazi Germany, Maoist China, Stalinist Russia and Castro's Cuba are examples. Not only is there a political monopoly embodied in a personalistic party and/or military regime, but the regime also typically permits no form of social organization that it does not control. Politics aside, religion, the economy, and even family life are controlled by the state. The regime typically spends substantial resources trying to establish and enforce a consensus.

No competition or pluralism of any kind is allowed. True inclusion is typically limited to the narrow ruling group although the rhetoric of total consensus may be illustrated by wide-ranging but forced participation. The "law" is devoted to the service of the state, so what may seem to be like cases are not treated similarly and in that sense (among others) there is no real rule of law; indeed, to ensure the "right" outcome, judges are often political functionaries or serve under their direction. Totalitarian regimes allow very little room for democracy building activities. Indeed, support for human rights and the rule of law (particularly commercial law) may well be the only

opportunities, and, even then, donors may well be limited to working with expatriates.

2. Authoritarian Regimes

Unlike totalitarian regimes, authoritarian ones monopolize political power but allow other forms of social organization. The scope of that latitude distinguishes the degree of authoritarianism. For example, Singapore and Indonesia are relatively liberal; they have increasingly open economic regimes and a growing middle class, and they allow a range of secular and religious NGOs. Pre-transition Nigeria and Burma allow a much more narrow band of organizations outside state control, and they are more likely to subject organizations outside the state to surveillance. In the former, although there is no direct political competition, limited dissent is tolerated, and many newspapers are quite critical. In authoritarian regimes, even the state, and certainly the rest of society, is subject to at least the rudiments of a rule of law. The *raison d'etre* of the regime is often based on claims of good governance, and the elite typically has achieved power as a result of some conflict whose chaotic potential is exhibited as the legitimating warrant for the regime: it's us or chaos.

The room for donors depends on the extent to which alternative forms of social organization exist and the goals of the regime. If the regime allows relatively free media and the organization of NGOs, these may offer the best opportunities to support greater competition and inclusion. If the regime allows private markets, there may be substantial synergies between the interests of entrepreneurs and those who want greater political openings. As has often been observed, it is hard to limit freedom once it has a foothold; those, for example, who thought they could contain the flow of information necessary for market reform soon found that other information could not very easily be excepted.

3. Democratic Regimes

Democratic regimes combine all of the five elements: consensus, rule of law, competition, inclusion, and good governance. There is of course no perfect democracy. No country is without its problems. There is almost never complete consensus, if for no other reason than the tension between different democratic values (e.g., freedom and order). There are always groups that feel excluded, even if they enjoy the same formal legal protections. Competition is never perfect, if only because actual or aspiring competitors have differential access to resources. Governance can always be improved. Moreover, new conditions always require a re-examination of the extent to which these criteria have been met. Still, because there is widespread consensus about the basic canons, a rule of law, open competition, and general inclusion, democratic performance is open to public scrutiny and debate, and competitors are likely to accuse one another publicly of their respective shortcomings and those of the political system.

C. Political Change

The immediate history and direction of the country are as important as the kind of regime. In which direction is the country going? Is it headed in a more democratic direction with more competition, transparency, and political freedom? Or is it going in a less democratic direction with narrowing competition and freedom? Is the country taking the first steps from a highly totalitarian state, is it well along in the transition, or is it sliding backwards? Is it moving quickly or slowly? Is it moving at all or is it stalled? Is the government concerned that the rate of change is too fast and, therefore, likely to impose breaks or is the government itself behind democratic reform? For assessment purposes, it is useful to describe three of the more usual processes of change—liberalization, transition, and consolidation—although there are other types as well (e.g., violent revolutions,

coups d'etat, and disintegration). Although they will be described here as increments on a general continuum toward democracy, it is obvious that regimes can move away from, not just toward, democracy. There is no guarantee that an authoritarian regime will gradually become more democratic rather than totalitarian or that a regime transitioning toward democracy cannot move back toward authoritarianism. Indeed, donors may find their most important contributions in consolidating tentative gains rather than reaching for new ones.

1. Liberalization

A variety of pressures—deteriorating economies, minority discontent, dissent within the elites, succession problems, military unrest, etc.—may push totalitarian or authoritarian regimes to liberalize and reduce their monopoly control. Totalitarian regimes typically relax controls over non-political areas, like religion or the economy, but not over political life. In effect, they become authoritarian regimes. Authoritarian regimes, which have already relaxed their controls over these areas and have allowed even advocacy-oriented NGOs, may now allow greater political participation and even some competition, particularly at the local government level. In effect, some political competition is now allowed—at least in the area of civil society (the media, associational life, etc.), if not immediately in political parties and elections—and often limited economic competition as well. There is at least a commitment to the rule of law and some implementation of it. Several of the Central Asian republics seemed to be liberalizing, although (returning to the issue of direction) they now seem to be reversing course. The debate in Iran between the "hard-line" and the "soft-line" mullahs is precisely over the question of liberalization.

In most cases, these are reactive strategic or tactical moves, designed to respond to domestic or foreign pressure and to forestall more radical

reform. Sometimes the strategy works. Other times it creates additional pressures which can spark a reactionary response and clamp-down or, more hopefully, can open the way for greater reform, even a transition to democracy. Generally, the appropriate strategy is to support political forces, inside or outside the regime, that will advance plural politics, especially those that can negotiate further democratic reforms.

2. *Transition*

If they continue to reform, authoritarian elites may consciously and explicitly agree to a transition to fully competitive democracy. Again the reasons vary—sometimes domestic, sometimes international, sometimes out of necessity, and other times out of true conviction. Indeed, authoritarian regimes often claim that they are just way-stations toward democracy, which can be achieved only after this or that social or economic precondition is achieved. In those cases, the seeds of transition have been planted by the regime itself. No matter what the cause, the transition is marked by a decisive shift from one set of political rules which dissuades if it does not prohibit competition and inclusion to one which institutionalizes them. Because these are fundamental, constitutional changes, they call for a new consensus which embraces competition, inclusion, and a wide-ranging rule of law.

Transitions are diverse but they commonly reflect three general patterns. *Top-down* transitions are led by incumbents who usually exert considerable influence over the process, as in Ghana and Taiwan. *Bottom-up* transitions reflect the power of popular groups seizing the initiative from the incumbents, as in Czechoslovakia or the Philippines. *Negotiated* transitions are a combination: more gradual, crafted processes in which incumbents and challengers agree on the contours of political reform, as in South Africa or El Salvador. Sometimes these transitions are clear and unambiguous, as in Central Europe or Russia.

Often there is no single defining moment, but rather a protracted series of incremental reforms which, in the end, amount to a transition, as in Mexico, South Korea, or Thailand.

The transition is not inexorable. There are many junctions at which momentum may be lost, reforms may be slowed, or the entire process reversed altogether. Much depends on the interests, strategies, resources, and capacities of the key actors. Authoritarian incumbents may not really be committed to the transition and may take every opportunity to impede reform, as in Belarus, Cameroon, and Zaire. Their containment strategy may collapse under domestic or foreign pressure, as in Korea. Once they taste power, reformers may themselves backtrack from their pro-democracy stance, as in Zambia. Other times pacts between incumbents and challengers lead to real transition and democracy, as in Poland or South Africa.

The key for the donors is to support the reformers and the transition. These can be critical moments and donors should be prepared to abandon earlier, more incremental strategies if real breakthroughs are possible. If they achieve power, reformers are likely to need a broad spectrum of assistance, especially in governance.

3. *Consolidation*

The key for the transition is its consolidation: Can it be institutionalized so that democracy becomes, as Linz and Stepan have put it, "the only game in town?" The primary problems of consensus and competition should be resolved (although many secondary issues no doubt remain), the rule of law should be established (although inadequate capacity may remain a problem), and no substantial elements of the population should remain excluded. Naturally, none of these issues is ever finally resolved, no matter how well established and consolidated democratic institutions, processes, and attitudes may be. No democracy is perfect, and the

meanings of inclusion, competition, and the rule of law are always being reconsidered as experience tests the balances that have been struck, for example, between liberty and order, consensus and dissent, and competition and concordance. Unquestionably democracy will be tested not only by its enemies but by the population at large. Since it is often the product of a crisis, democracy must be able to perform. Can it produce what it promises? Will life be better with democracy than without it? Will an economic stabilization and adjustment package be implemented and without too much personal pain? Will personal security be ensured? Will the economy be well managed, social services provided, justice enhanced, and marginalized groups included or at least their rights safeguarded? Is there confidence in the good governance of the democratic regime? If not, and especially if democratic competition becomes demagogic, disillusion sets in and democratic reform is at risk.

As an empirical matter, democracy is most secure when certain social and economic factors accompany it, factors such as minimum standards of living, middle-class values and lifestyles, low to moderate levels of social inequality, relatively strong educational standards, and modest (if any) ethnic and religious tensions. Indeed, democracy is unfortunately often confused with wealth itself. In a world of global communications, the living standards depicted in some Western TV programs and movies are associated with democracy, never mind that the two are unrelated let alone that most people even in Western democracies do not live on thousands of acres of ranch land which they monitor by helicopter.

For democracy to be truly consolidated, it must become incomprehensible that ordinary crises be resolved other than through democratic means. That requires the construction of institutions that routinize democratic procedure and constrain the possibility of a usurpation of power. In short, it

requires that the competition of elections, ideas, and checks and balances be encoded in the routine procedures of public life in general, but governance in particular. In the end, however, democracy becomes "the only game in town" when, in the normal course of social life, at all levels people turn to democratic procedures to structure group decisions. Not only governments, but also NGOs and ordinary social intercourse institutionalize democratic values and procedures to make decisions and resolve differences. Institutions can be subverted unless the democratic attitude itself is institutionalized all the way from children's play groups through sports clubs and neighborhood associations to government. It must become second nature that when groups at all levels need to govern themselves, they turn to democratic procedures, the rights of minorities, and so forth.

Donors, such as USAID, can assist that institutionalization. They can help develop democratic skills and behaviors. They can advise on judicial and governmental reform. They can assist parliamentarians to work effectively. They can help the initial democratic regime confront its immediate challenges. They can facilitate a smooth relation between the military or the police and the civilian authorities. They can counsel political parties and the media. In short, they can be partners.

D. Summary

At the end of Step 1, the basic character of the regime, the trends of the political process, and the problems for democracy should have been identified. The five factors—consensus, rule of law, competition, inclusion, and good governance—define the structural basis for democracy. No country ever completely resolves the many, sometimes conflicting, elements within and between the five. New conditions and experiences always call for re-assessment, even in the most consolidated democracy. Nevertheless, at least minimum thresholds must be reached in each of the five in order to create

the basis for a transition to, let alone the consolidation of, democracy. The first step in the strategy is to assess where the country stands in terms of these five criteria, how they fit together to define the regime, and what the trends of the political system are. The completion of this analysis and inventory should point to the primary, secondary, and tertiary problems. The best strategy would address the primary problem, the second-best would address the secondary problem, and so on.

But the primary problem from a purely structural perspective may not be amenable to resolution or to donor assistance. There may be too many domestic impediments, for example. Moreover, a purely structural analysis leaves out the dynamic elements in the way the political game is actually being played: Who is doing what in the pursuit of which ends? The analysis of the dynamic elements of politics and of the allies and opponents of democratic reform constitutes Step 2 in the assessment.

III. STEP 2: IDENTIFYING KEY ACTORS AND ALLIES

In a sense, two things matter to the transition to or consolidation of democracy, once the basic game has been established: One is human agency; the other is institutions and incentives. Step 2 deals with human agency. Step 3 deals with institutions and incentives. In general, human agency is the greater problem during liberalization and transition, while institutional incentives and constraints may be the greater problem in consolidation. But these are generalities. Human agency, institutional arenas, and incentive structures are important in any political system, especially when there is choice.

The game of politics is played for a purpose. The players want to win. They deploy their resources, generally follow the rules, and try to defeat their opponents, take control, and win. In a democracy, that victory is only temporary. The losers regroup, assemble, deploy their resources, and challenge the winners to another round. Still, politics involves the struggle to gain, keep, and use power for one's own interests.

Victory in the political game is often conceived in terms of raw power, but in fact political actors often have interests beyond, and even apart from, sheer personal power. They may be interested in advancing a policy or an idea. Put differently, power is not always an end in itself. It may be used to advance an agenda. But that is merely another way of talking about power, in this case the power to affect an agenda.

Still, once the structural features and primary problems of a country are identified, the analysis must move to the specifics. Are we in Guatemala or in Zambia, in Sri Lanka or in Romania? Although structure is the first cut at the problem, no political analysis would get very far without knowing the particulars of the local political environment. We need to know

- The players
- Their interests
- Their resources
- Their objectives
- The rules under which they play
- The institutional arenas in which (and for control of which) they play
- How they play (e.g., how they use their resources, who their allies are, who their opponents are, how they use their assets and deal with their liabilities, etc.)

In short, once we know we are playing chess, how is this particular game being played?

A. Contextual Factors

Certain "background" features define the political setting in which (sometimes about which) the political game is played. In some cases, these ambient factors affect politics only minimally, in others deeply. Among the most obvious, but of course not the only, of these contextual factors are

- Geography
- Demography
- Socio-economic endowments and cleavages
- Historical legacies

Geography and natural resources can affect the domestic political processes (including the existence of assets coveted by foreign or by domestic political actors), hostile neighbors, regions that are likely to rebel or secede, areas fit for cultivation, mountains or seaports, and disputes over channels of settlement or migration. Naturally these factors influence assistance as well, since they affect the national interests of the donors. Without doubt, Kazakhstan and Nigeria would be different without oil, Kenya without the tension between its nomadic pastoralists and its farmers or

without its burgeoning population or its port, Indonesia without its gas and minerals, and Malaysia and Singapore outside the Straits of Malacca. Would the assistance programs be the same for Bosnia if it were located in sub-Saharan Africa rather than on the southern edge of Europe or if Bangladesh were in Central America rather than Southern Asia?

Similarly demographic, socio-economic, social-structural, and historical factors can influence domestic politics, sometimes profoundly. High population density and rates of growth (especially if they differ between sections of the country) create insistent political demands, difficult policy trade-offs, little apparent progress even with economic growth rates fairly high, and often problematic inequalities. Socio-economic and social structural endowments and cleavages—the nature and state of the economy, the level of human capital (e.g., education and health), physical infrastructure, "primordial" divisions (e.g., race, tribe, ethnicity, language, religion, and class), gender inequalities, class differences, urbanization, etc.—definitely influence domestic politics. Indeed these are often the issues that define personal or social identities, political parties, ideologies, enemies, animosities, and alliances.

When societies are deeply divided and passions are especially aroused by the divisions, politics is about little else. In those cases, a preoccupation with stability and security and the search for some consensual arrangement (or at least an arrangement that can accommodate the divisions and support stability in place of civil war), is the main political fixation—especially in the face of dominance by one or another element of society. Consensus becomes the overwhelming problem, at least in order to ensure stability, security, and territorial integrity (as well as access to resources). Competition poses special threats, although they are often magnified to justify the incumbent regime's monopoly of power. These factors, however, are contextual.

B. Political Actors and Their Interests, Resources, and Alignments

The directly political element is how these factors are put into play by real actors seeking power. The core dynamic of politics and, therefore, of a democracy assessment lies in the relation of the political actors, their interests, their resources, and their relations.

1. The Actors

Because foreign donors, such as USAID, are not often primary actors themselves, but rather providers of *assistance*, they need to find political **actors** or processes to *assist*. If donors want to support democratic reforms, they themselves need domestic allies whose interests are consistent with reform and who have the political capacity to influence the outcome of the political game. They need to find actors to back.

No doubt there are many political actors. The assessment problem is to identify the key actors—the ones who are actually playing the game in a way that affects the outcome—and to find those whose own interests are consistent with democratic reform. They can be individuals (politicians, editors, business leaders, religious, ethnic or other civil society leaders, activists and dissidents, etc.) or groups (political parties, media outlets, civil servants, the military, entrepreneurs, professional associations, farmers, labor unions, the intelligentsia, religious, ethnic, tribal or other traditional groups, etc.). They can be institutions (the legislature, the judiciary, mayors, governors, the church, the press, etc.) or marginal or "excluded" groups (women, the poor, indigenous groups, minorities, etc.). Groups and institutions naturally have their own internal political dynamics (their own actors, interests, and resources), which are often pivotal to how effective they are politically. If they have a common set of interests and are internally coherent, they can act as a single actor. Their adversaries naturally test that coherence by

tendering inducements for division, offering to include this or that leader in exchange for loyalty.

The second problem is to identify the interests or objectives of the actors, and the resources and alignments that they employ to advance their interests.

2. *Their Interests*

Interests embody the central concerns of actors for power, resources, ideas, and symbols. They are the objects of political activity, the reason the actors are playing. Players have deep or structural interests and narrow or immediate interests. The former are relatively permanent; the latter fluctuate. The former are strategic; the latter are tactical. Politicians have a deep interest in achieving power, entrepreneurs in amassing wealth, unions in better wages and working conditions, and so forth. Their immediate interests may be in a particular position or policy, not in democracy as a whole.

But actors need not even support democracy to be useful allies for democratic reform. They need only *benefit* from and, therefore, support certain reforms which in turn advantage democracy. It is enough that there be a commonality of interest. In that sense, "interest" is used in a broad sense. For example, a common argument (false in our view) that economic reform must precede democratic reform contends that a middle class will demand democratic reform but that, without a middle class democracy, cannot succeed and may even be counterproductive. The more interesting argument is that economic actors may have interests which benefit democratic reform. For example, even if entrepreneurs do not directly support democracy (indeed even if they support an authoritarian regime), they need a stable, predictable legal regime and broad access to information. They may be able to live with corruption as a cost of business even if they do not like it. But they need some certainty, and

they need enforcement of contracts. Because it is in their economic interest, because they benefit from it, not just because they are attracted to it ideologically, they are natural allies in supporting a rule of law. Similarly, they need open access to information. They cannot operate in an increasingly global environment if the regime restricts access to such information. So they have an interest in—they benefit from—a relatively free media.

So domestic allies need not carry pro-democracy banners in street demonstrations to support democratic reforms. They need only benefit from, for example, efficient markets, which depend on those reforms.

Naturally, there are also opponents of democracy—those who have an interest in stopping or even reversing a transition. Authoritarian leaders rarely have an interest in democracy. They normally want to retain power, and, if they support democracy at all, it is usually because they have been forced to do so by the proponents of reform. The practical key for donors is to identify the proponents and opponents of democracy and to support the former. They need to identify democratic reforms that benefit domestic actors or, put differently, to find the issues which both benefit certain actors and advance the democratic agenda—in short, to create alliances over interests as manifested in particular policies or reforms. That said, not every interest that promotes some aspect of democracy necessarily addresses the key democratic problems. The preference is to find allies to address, in descending order of priority, the problem(s) defined by Step 1. Put differently, the purpose of Step 1 was to order priorities from a structural perspective; the purpose of Step 2 is to find allies in solving those problems but, if there are no such allies, to consider reordering the priorities on the basis of domestic allies and resources who can help resolve them. If there are no allies, do the structural priorities remain or does the donor move to a lower-level problem

in the democratic resolution of which there are domestic allies and interests?

3. *Their Resources*

The success of political actors depends on the **resources** they can bring to bear and the skill with which they deploy them. Resources include money, access to positions, political followers, information, and, of course, power itself. Marginal or excluded groups are marginalized or excluded primarily because they lack resources, and—the common political circle—they lack resources in part because they are marginalized. Politicians garner political resources and use them to advance their interests, including the accumulation of more resources.

4. *The Alliances/Strategies*

Taking into account their resources and their allies and opponents (including the opponents' interests and resources), political actors construct **strategies** for advancing their interests. That calculation may not be overt or formal. It may be implicit and unarticulated. But generally political actors are determined. They do not wander aimlessly or squander their resources, at least not those that succeed. No doubt they make mistakes and no doubt good fortune and exogenous events or forces play a role. Still, it is often possible to discern a general underlying pattern or strategy in the words and deeds of political actors.

Part of that strategy may be the negotiation of **alliances** with other actors to advance their common interests and resources. Groups are themselves alliances of individuals whose interests, they believe, are advanced by their membership. But the political environment is constantly in flux. The fortunes of political actors change. Shifts in the political environment, in immediate interests or skills, resources, or in accidents of political life create shifts in alliances, alignments, and political

maneuvers. The waxing and waning of power, the fluctuations in resources as one actor gains and another loses, the consequent need to reevaluate and realign, to define the tactics by which to effect a particular political strategy in a changing environment or (if the resources or environment move dramatically) even a new strategy—these are the things that make politics dynamic. They create opportunities and impediments. They create shifting political alignments, allies, and adversaries: allies who share interests; adversaries who have opposite interests. But an ally over one issue or at one level can be an adversary over other issues or at other levels, and vice versa. Sometimes the alignments endure; other times they are temporary.

The key to understanding political actors, their strategies, and their tactics lies in understanding their interests. Consequently, assisting democratic reform—which means supporting certain reforms which in turn serve the interests of certain actors and disadvantage others—requires an analysis by donors of the interests of the actors. Assistance puts resources at the service of certain policies and of certain actors, namely the ones whose interests are served by the reforms. Almost always that comes at the expense of other actors. In that sense, assistance is always an intervention in domestic affairs.

So if the first step, described above, is to analyze the primary structural problems facing democratization and the priority assistance problems, the second step in a strategic assessment is to analyze the dynamics of politics and the domestic actors who, in their own interests, might support democratic reforms. Are there any domestic partners in whose interest it is to support democratic reforms? Are the reforms they are willing to support sufficient at least to address the key problems in a meaningful way, even if they are unlikely to resolve them?

The two steps are not necessarily consistent. They might call for trade-offs. There may be no domestic allies in whose interest it is to solve the primary problem; or those with the requisite interest may not have the requisite resources. But, there may be domestic allies to address a lower priority but still important problem. The success of the democracy assistance depends on matching problems that call for democratic resolution on the one hand and effective domestic actors with an interest in the resolution on the other. Each analytical step is a kind of funnel in which a variety of potentials is considered going in and a smaller number with a priority attached comes out the other end.

C. Re-evaluating the Conclusions of Step 1

The results of Step 2 (i.e., the analysis of actors, interests, etc.) may call for a reprioritization of the problems and priorities identified in Step 1. No matter how important the problem may be for democratization, if the pro-democracy allies, who can help deal with that problem, are too few or too weak, or conversely the opponents of democracy are too strong, the donor will need to reconsider whether to work on that problem. In short, the donor needs to reprioritize. The same will be true after Steps 3 and 4.

IV. STEP 3: IDENTIFYING KEY INSTITUTIONS

Actors do not play politics in the abstract. They play on a field. In fact, they play on many fields—or arenas—simultaneously. These arenas affect the game in at least three ways.

First, because each arena has certain characteristics, they structure politics; they give it form. They encourage certain behavior by routinizing and rewarding it, while they discourage other behavior by sanctioning it or failing to provide a channel for it. Moreover, they constrain or discipline political interests and actions. To say, for example, that we seek to establish a regime of law, not of men, is to say that we want to establish institutions that survive the individuals operating within them and, more importantly, that we want to construct institutional limits within which personal ambition and interest will be circumscribed and directed. More positively, we want to provide incentives for certain behaviors. We want to structure them, make them routine, and make them the ordinary, unexceptional way to get things done. We want to "institutionalize" certain kinds of behavior. Naturally, since the nature of the institutionalized arenas differs, so too will the political behavior which they canalize. The politics of one arena is not necessarily the politics of another.

Second, the primary way in which institutions condition or constrain behavior is through their rules. The arenas structure politics by providing some of the rules and incentives by which the game is played. The rules or incentives that characterize the arenas are part of the structure which the arenas impose on politics. Rules exist to channel behavior, to reward certain acts, and to punish others. In politics, rules are supposed to discipline power. Some rules are formal; others are informal. Formal rules are often embodied in laws and regulations—informal ones in norms, values, understandings, and expectations. Sometimes the two are in conflict: Corruption is the concealed (or at least camouflaged) use of public position or power for personal gain, and it is concealed because it is illicit—the formal rules forbid it; patronage is the placement of political supporters and dependents in public positions notwithstanding formal rules requiring equity; gerrymandering is the drawing of formally equitable electoral boundaries in ways that create advantages; and so forth. Since the rules condition behavior, since they provide incentives and constraints, politicians naturally want to shape them to serve their interests. They want rules whose incentives will advantage them and disadvantage their adversaries. Part of the competitive political struggle, then, is about the rules themselves. But because of the "law of unintended consequences" and a changing political environment, today's advantage can be tomorrow's liability. For that reason, those democratic systems endure whose fundamental, constitutional rules are consensual and fair, both on their face and as applied. They are "just" rules in the sense that politicians would pick them "behind the veil," i.e., without knowing whether they were in power or out, in the majority or the minority.

Third, because they are the locus of resources or the institutional expression of policies, the arenas are themselves objects of the political game. Politicians want to control them. That is one dimension of their power. Politicians also want their resources. Politics is in part about controlling society's institutions, their resources, and their rules. In democratic systems, the competition is about controlling the arenas.

Of the many institutional arenas in which politics is played, the first two assessment steps—the analysis of the structure and context of the country and the analysis of the dynamics of the specific actors, interests, resources, and strategies—should point the analysis to those institutional arenas most central and most profitable to foster democratic reform. Those are

the arenas that need to be looked at more closely. So not all of the arenas described below would necessarily be examined; at least, they would not be examined in the same depth. Nor are the arenas described below exhaustive. Rather, they are generally thought the most important, and are the most common domains of donor assistance.[7]

A. The Legal Arena

The *legal* arena defines the most fundamental and formal rules by which behavior is channeled. It includes constitutional law (whether in a formal constitution or in the form of primary law), subsidiary substantive law, and the implementation of law through the judiciary. The reach of the rule of law—the extent to which actors are truly constrained by a legal regime impartially adjudicated—defines the degree of impunity with which those in power can advance their interests outside of the bounds that constrain or motivate others. Other regime types, say authoritarian regimes, may also have a rule of law but usually they do not. In a democracy, the rules are equitably enforced and the actors are bound by them.

1. Constitutional Sphere

Although not all democracies have constitutions, most now have both formal constitutions and basic, fundamental "constitutional" instruments of some kind, even if they are in the form of organic law of special status. In fact, most regimes, democratic or not, have adopted at least the aura of the rule of law by adopting constitutions. Some constitutions are extremely detailed and are hard to distinguish from substantive law while others consist only of the most basic rules, but all constitutions purport to define the most general, most fundamental rules

of society and the mechanism by which the constitutions themselves can be modified. They often articulate the formal relation between society and the individual, the relation between government and civil society, the relations among parts of government, and the process by which government will be created, operate, be held accountable, and be staffed. This is the place in which any balance among branches or between national and local government is formally delineated. It is the place where the most basic personal liberty, security, and property rights are defined. It is the place where the powers of—and the limitations on—the state are designated, and the place, if anywhere, that basic freedoms of speech, press, and assembly and the rights of political and social minorities are formally guaranteed. In effect, constitutions usually define the basic rules about power, legitimacy, and, therefore, authority. As the most basic law, they define the rule of law itself and are among the rules over which there should be consensus if the regime in general and the rule of law in particular are to have legitimacy.

Because constitutions provide the basic rules, donors, such as USAID, are often anxious to assist in their construction. Lawyers throughout the assistance community are usually eager to design the fundamental law and the shape of the polity. But if constitutions are to be more than rhetoric, if they are to have meaning, force, and endurance, they must articulate the political consensus among different, often contending, forces of society. The impulse to lay out an "ideal" plan needs to be balanced against the ownership of that plan by contesting parties and interests and by the social reality to which it is supposed to give shape. Still, the drafting of a constitution is one of the arenas in which donors can help create consensus. It is a task which calls for the most abstract political discussions, yet the task itself is concrete. The drafting of a constitution cannot go on indefinitely. The theoretical disputes require tangible resolution. And if it succeeds, the constitution will define the political fundamentals and the legal

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[7]   Although these labels are a much closer fit with USAID's DG sub-sectors, they are still not an exact fit. For example, "legal arena" does not necessarily infer a focus on "rule of law" programming.

architecture, and it will constrain power. Some of the most important questions requiring address are the following:

- Is there a constitution?

- If so, does it consist of basic rules or tend toward substantive law?

- If not, what type of formal law system is present?

- How is the constitution or other formal law system enforced? What body has jurisdiction over its interpretation?

2. Substantive Law Sphere

The constitution—if there is one—is only the beginning of a rule of law. Most law is not constitutional. It is statutory, either substantive or procedural. In common law systems, it also includes precedent, and in civil law systems it can include learned commentary. Both substantive and procedural law are important. The latter governs the ways by which the legal system will handle criminal accusations; civil disputes; challenges to the institutions. to the procedures of government; or to the rules themselves; and so forth. The analysis of statutory law and procedures can become very technical very quickly. Moreover, when it is augmented by an analysis of the legal institutions themselves and how they operate, it can require a substantial level of effort. That effort is not normally warranted in the basic assessment. Indeed, an independent assessment, if warranted at all, is normally warranted only if the primary focus of donor programming is in the rule of law arena. Otherwise, it should be left to implementors.

3. Judicial Sphere

Of course constitutions are only formal expressions of the law. To institutionalize a rule of law, those basic laws and other subsidiary laws must be interpreted and enforced by the executive and judiciary. Since the rules constrain and encourage certain behavior, the role of the judiciary is particularly important in creating justice and in disciplining power—subjecting power to the rule of law. Among the most important issues for analysis are

- The role, powers, and prerogatives of the judiciary, especially its independence (including terms of recruitment, compensation, transfer, and discharge)

- The relations among the judiciary and the other branches, particularly the executive

- The rules governing the judiciary, including the degree of self-governance

- The structure of the courts and the relation of the judiciary to the legal profession in general

- The performance of the judiciary, its efficiency, effectiveness, and integrity (especially in the political and economic areas where corruption is likely to be highest)

- The rules of jurisdiction and the scope of the courts

- The contents of the law, especially the legal standing and enforcement of human rights

- The role, structure, prerogatives, and performance of the bar

- The competency of the judiciary and the bar to implement a rule of law

- Adequacy of the statutes and procedures to the needs of the judiciary

When all is said and done, the overriding question is whether the rule of law is working, whether justice is being dispensed, and whether it is seen as being dispensed. The judiciary is often the weakest element in the structure of governance and the most tempting for non-democratic regimes to control in order to augment their power and resources, or at least not see them constrained. Consequently, notwithstanding the donor's interests in addressing so fundamental an arena where the basic rules are enforced, effective assistance in strengthening the judiciary and the rule of law often depends on the willingness of the other political forces to implement a rule of law and subject themselves to its constraints. Absent political will to implement a rule of law, donor assistance to its institutions has had disappointing results.

Moreover, the legal arena is the most specialized, technical, and complex arena of those described in this framework, especially when the substance of the law is included. Consequently, if the rule of law is an arena which, once the assessment is completed, emerges as a primary target for assistance, a separate rule of law assessment may be necessary to focus the assistance in the most productive way.

B. Competitive Arenas

Democracy also depends on a *competitive* arena(s). Free and fair elections are the most important and formal mechanisms of competition. They are the means by which political office and control of government are achieved, if only temporarily. Normally, they represent the primary way by which the consent of the governed—the bedrock and hallmark of democracy—is registered. But elections are not the only mechanisms of competition in a democracy. Competition is imbedded in the very structure of democratic governance. In government itself, the balance between central and local government and among the branches at all levels provides, if not full competition, at

least a healthy set of checks and balances. There must as well in a democracy be a pluralistic civil society with a competition of ideas; for this, a media independent of government and the rights of assembly and expression are critical. Some degree of equity in access to and control of financial resources may also be an essential element of such competition.

Competition is a hallmark of democracy. It is the expression of popular sovereignty, the right ultimately of the citizens as a whole to run their political system, especially to choose their own government. As in the economy, competition and free choice are also the best guarantee of efficiency in resource allocations. The political arena as a whole is sometimes defined as the authoritarian allocation of resources rather than personal, transaction-by-transaction allocations, as in the case of a free market. For freedom and efficiency to be protected, political decisions must be subject to competition. Finally, competition is also the most important discipline on power: Politicians are not guaranteed political authority no matter what they do; they can be replaced if they flaunt the popular will, especially if they corrupt the process by capturing public resources for private gain.

1. Electoral Sphere

The most obvious, but not the only, form of political competition is free, fair, regular, multi-party elections. Because they set the foundation of such elections and define the electoral arenas, electoral rules and administration are often the subjects of acrimony among different segments of the population, not just professional politicians. Electoral rules and administration can advantage or disadvantage groups. "Getting the rules right" and making sure the right rules are fairly administered are key to the acceptance of the results by losers and therefore their continued use of constitutional instead of extra-constitutional means to address their causes. Because they register the consent of the governed (if only temporarily), they are also key

to investing winners with authority—legitimate power—not just raw power.

While the rules define the electoral arena, the actual players are most often political parties. Political parties are groups of individuals (or of sub-groups) who, as noted in Step 2, have allied to advance their interests. Sometimes the alliances are loose, sometimes tight, sometimes enduring, and sometimes transient, but always, in a democracy, organized to gain power through election. In consolidated democracies, those interests usually have an ideological dimension, and often there is at least a correlation between socio-economic status and ideology: Workers and peasants are often in center-left parties; entrepreneurs and small landowners are often in center-right parties; and so on. These interests, ideological and socio-economic, give parties their character, their resources, and their energy. Without ideologically-based or interest-based parties—alliances of commonly interested individuals vying for power in the electoral arena—that arena itself would be a chaotic competition among individuals or an ordered competition for pure power among ethnic groups, strongmen, religions, and the like.

While political parties based on interest, ideology, and policy (as opposed to personality, ethnicity, region, language, etc.) are critical for democratic elections, donors have been at best tentative and ambivalent in supporting them. In fact, most donors do not. Some European donors support parties indirectly through links with their own national parties (the Social Democrats, the Christian Democrats, and so on). The United States is prohibited by law from "influencing directly or indirectly the outcome of any election;" however, it provides assistance "to the full range of parties committed to the democratic process" primarily through two NGOs affiliated with its two largest political parties. Most other donors, and certainly the multi-lateral donors, provide no party assistance at all.

Among the most important elements for analysis are

- Whether the electoral system as a whole, especially its rules, commands general consensus as fair

- Whether, no matter what the consensus, the electoral system is fair

- Whether, in particular, the electoral system is administered fairly and under law and whether the administration of elections commands broad respect, especially among the contestants

- Whether freedom of speech and assembly are guaranteed

- Whether political parties are free to organize and campaign and whether they have a reasonable legal chance to succeed

- Whether public resources are distributed fairly, if they are distributed at all, to electoral contenders and whether public resources have been promised after electoral victory in exchange for pre-election contributions

- Whether suffrage is universal and there are neither formal nor informal impediments to its exercise

- Whether the mechanisms for financing campaigns and elections, including the ability of parties to reach the public with their electoral appeal, are fair

Second, the kind of electoral regime makes a difference in the fortunes of contenders and in the complexion of politics. For example, proportional representation and multi-member districts result in more accurate reflection of different elements of society but often at the cost of factionalism, while majoritarian (winner-

takes-all) selection and single-member districts discount the dissenting votes but dissuade sectarian parties and favor pre-electoral (as opposed to post-electoral) legislative coalitions. Similarly, in a proportional system, the lower the minimum threshold for certification, the more representative the legislature, but also the more sectarian it will be. The guarantee of legislative representation to certain groups ensures their inclusion but may be seen as un-democratic. Presidential regimes provide the citizenry with a more direct voice in the election of the chief executive but with reduced powers for the legislature, while parliamentary systems provide a more equal division of powers between the branches, but only indirect participation by the electorate in the choice of the executive and fewer checks and balances.

Because elections are so central to the concept of democracy, donors, such as USAID, want to help ensure their success but, as with the rule of law, such assistance is not likely to be productive if the political authorities are not themselves committed to free and fair elections. Support for the electoral commission, for example, is not likely to ensure fair elections unless the commission is truly independent, is committed to running a free and fair election, has real authority over the elections, and is at least competent to use the assistance.

2. Other Spheres of Competition

As noted, elections are only one form of competition, even if they are essential. Others are balance—a more formal term for competition—between local and national government and among the branches of government at all levels. Outside government, competition also includes pluralism in civil society, especially the media.

No doubt there are many reasons to decentralize from central to local government. One of them is to disperse power and authority. Instead of competing for the same domain, as political

parties do, decentralization provides separate domains and separate stakes. When decentralization works well, the result is a defense by each level of its prerogatives and a kind of structural competition based on geography. Making decentralization work requires, among other things, that local governments have true authority in their domain, especially the independent authority to raise, direct, and dispense resources.

A second structural competition, this time based on function, results in the balance of powers among elements of government. The tripartite division among legislative, executive, and judicial branches does not work well everywhere. For example, in a well-functioning parliamentary system, the executive is directly responsible to the legislature and has no separate basis for authority although, as is well-known, bureaucracies develop their own inertia irrespective of their nominal political masters. Still, even in parliamentary systems, there is an institutional momentum that, as in decentralization, endows each branch with its own realm of authority, each checking and complementing the others. As the executive branch is almost always the strongest, it is the authority of the other two that most needs to be safeguarded. The legislative branch must retain authority over the budget, and the judiciary must be able to hold the others accountable to the rule of law. If the executive retains sole power to raise and disperse resources, and the judiciary lacks the capacity to hold every citizen and every institution (including the executive branch) to the rule of law, countries in transition toward (or consolidating) democracy are at risk of moving back toward authoritarianism.

Ultimately, the energy for change and the final check on government lie in civil society (especially the media). Most NGOs are devoted to the personal interests of their members (a sports association, an economic advancement group, etc.). A smaller number, often religiously affiliated, is devoted to social services,

complementing the services of government. A still smaller number enters the political area as advocacy groups, even if they stop short of organizing as political parties (which in a sense are NGOs devoted, in a democracy, to gaining political power through elections). NGOs need not, indeed most often are not, adversarial to government. Most often, they work with or complement government, but they are outside government structurally and at times some oppose government.

No doubt these categories overlap. A sports club may provide some social services and may briefly advocate for its interests if it is threatened. When they advocate positions— some never, some intermittently, some frequently, some constantly—NGOs enter the competitive arena. Like parties, they supply ideas, energy, and resources, although they do not seek political office. A healthy democracy depends on a vibrant, pluralistic civil society, not only to provide a monitoring check on government but also to incubate and nurture new ideas and new leaders and, as indicated, to complement the services of government.

For those purposes—new ideas and monitoring—universities, think tanks, advocacy NGOs, and media are most important, particularly the media. An informed citizenry is critical to democracy. These institutions, particularly the media, provide the open debate, the competition of ideas, and the reasonable assurance that citizens have at least the opportunity to compare alternative interpretations and political claims against a wide range of information without which no informed competition can flourish.

C. Arenas of Governance

Direct governance itself is normally the province of the legislative and executive branches at the national and local levels, although not all political systems have clear demarcations between these branches. And, as

already noted, the distinction between legislative and executive functions is sometimes blurred, as in pure parliamentary systems. Moreover, governance includes more than government and its institutions. Many elements of governance— the ordering of social life—are done outside government, for example, by private business or in civil society. Much of the analysis of democratic governance will, therefore, concentrate on the institutions and processes of government but by no means all. In totalitarian or authoritarian regimes where the government's political interest is adversarial to democratic reform, relatively few opportunities for partnership between government and democratic reformers are likely to exist (although there may be some reformers within government to support), and the better strategy (to the extent that governance is considered at all) lies in the support of non-governmental actors and institutions.

As a general matter, the assessment should address four issues for each governance arena, from the most local to the most central:

- Its authority (especially its discretion to use power)
- Its transparency
- Its accountability
- Its capacity and effectiveness

The key to safeguarding democracy and liberty seems to be *balance*. Democracy and liberty are most threatened when one part of government becomes too powerful; order is threatened when none is powerful enough. The analysis of each arena of government should look to the four issues, the balance among them, and the balance among different parts of government. Donor assistance can help to sustain a healthy balance but is less able to create one, because those who control the more powerful arenas are unlikely to cede their power willingly. If the imbalance is primarily a matter of insufficient resources, donors can help rectify imbalance by providing assistance to the disadvantaged arena, but rarely

are institutions of government starved for resources unless it is in someone's parochial political interests to do so. Ultimately, the preservation or restoration of balance is a domestic, constitutional matter: What are the formal allocations of authority and accountability and how are they observed in practice?

Still, balance is not the only issue, and donors can help domestic actors effect good governance when the domestic partner is willing and politically capable.

1. Legislative Sphere

The legislature, national or local, is the governmental arena for post-election competition and deliberation. In parliamentary systems, it is the only directly elected arena of government, and, in presidential systems, it is still the one with (potentially) the closest ties to the public. Still, perhaps the single most common non-electoral issue for democracy is the control of the entire political arena (judicial and legislative, government and civil society) by the executive branch.

Apart from a constitutional balance of powers that reserves certain powers to the legislature, the authority and accountability of legislators depend in part on the nature of the electoral system. For example, in systems with proportional representation and multi-member districts, legislators are likely to be more accountable to the political party (which nominates them and which is often under the control of the executive) than to the electorate at large since often they cannot get nominated without party approval. They do so because their positions on party lists determine the probability of their election and since the identity of their electorate is more diffused. In systems with a single national list, parliamentarians are even more beholden to the person or party that gets them nominated. In such systems, the party executive is more likely to be the effective

constituency than is the electorate. When parliamentary candidates are instead selected by their district constituents, they are more likely to feel accountable to the district electorate after election. It is the district that nominates and elects them, so it is the district (at least the district party) more than the central party to which they are accountable. Organizationally, parliaments need to be accountable to the electorate, and they need to be in touch with the electorate or risk not merely their election but the power of the legislature itself. Unlike the executive, whose administrative apparatus touches every corner of the polity, the power of the legislature lies in the direct affinity the electorate feels for the legislature.

Still, direct representation of districts is only one element of representation. Often proportional representation is adopted, because the primary need for representation is social or ideological rather than geographical. Proportional representation reflects social and ideological diversity much more accurately than single-member districts and "first past the post" rules. Every political element is mirrored in the legislature in direct proportion to its numerical strength in the larger population. If there are major schisms in society, each component is represented in the legislature and does not feel entirely excluded. That advantage brings its own disadvantage as segments of the population vie for seats in the legislature rather than reaching accommodation with other elements in the society prior to elections. In that respect, proportional representation moves the need for coalitions from before to after the elections and from political parties to the legislature itself. If schisms threaten social cohesion, proportional representation is one way to deal with them. And if excessive splintering of factions into parties is a problem, minimum voting thresholds can help.

Ultimately, no matter what kind of electoral system, if there is no direct contact, the legislature is likely to be as weak as the

judiciary because, unlike the executive, it has no direct organizational touch with the citizenry. In short, either the legislature is representative or it loses its power, even in a parliamentary system. The legislature does not have the organizational, bread-and-butter reach and touch of the executive, so it depends on its political touch for power and legitimacy. If, on the other hand, legislators do represent constituents and keep contact with them, legislatures can be a potent force in political life and a balance to the executive.

The major role of a legislature, however, is not just the derivative one of checking the executive. The legislature is the institutional arena in which debate takes place on public policy and is then resolved in the form of legislation. Many legislatures, even when they are politically pluralistic and decisively competitive, still rely on the executive branch to draft and submit legislation for their consideration. In a parliamentary system there is no clear distinction between executive and legislative, of course. Still, even in some parliamentary systems, the party machinery, the committee system, or some other instrument of the legislature itself takes an active role in the construction of law. And no matter who drafts the laws, the legislature in a democracy is the arena in which the contending political forces argue their differences on a day-by-day basis. Sometimes the contention—the "competition" to use the vocabulary of Step 1—is among political parties, sometimes among factions within them, and sometimes among regions or ethnic groups irrespective of parties. Back-benchers become front-benchers, members become leaders, and parties change electoral position in part on the basis of legislative debate. Not only is the product (well-debated and thoroughly considered law) critical in a democracy, but then so too is the competitive process by which decisions are reached.

Many legislatures have neither the capacity, the internal structure, nor the procedures to

discharge their democratic responsibilities. Sometimes that is a deliberate act of the executive to keep the legislative branch weak. More often, it merely reflects a conception of government centered on a strong executive, especially in a parliamentary system characterized by a single powerful party and, at best, a weak opposition. If an elected legislature is to perform its democratic functions, it needs appropriate capacity, organization, procedures, and attitude. Donors tend to concentrate on the executive, the branch which daily and directly affects the lives of the public and—too often—unilaterally sets national policies.

When they do support legislatures, donors have a tendency to provide material and technical assistance even to anemic legislatures in the hope that institutional investments will help them mature into truly democratic arenas. However, if the legislature is not an arena for competition—both as a balance to the executive and internally as a forum for debate between political competitors—then it represents a doubtful investment for democracy, at least if democratic results are anticipated in the short term. Such investments should probably await the development of a more mature legislative arena, or at least the foreseeable prospects for one. Indeed, material or technical assistance to a parliament dominated by a single party can become just one more resource deployed by the dominant majority against the small minority constituting the weak, or even token, opposition.

Perhaps the single greatest weakness of democratic legislators and their parties is neither organizational nor functional. Rather it is their failure to attend to their constituents between elections. In a democracy, legislators are representatives of their constituents. The electoral mandate is temporary. Too many legislators act as if that temporary mandate endows them with almost royal authority: We have been elected to govern, now you listen to us. When their renomination depends on a political party committee rather than their

district electors, their accountability to their district is further eroded. The executive branch has a constant connection to the electorate through the myriad of services and regulations that bring them in contact. The legislature, unlike the executive, has no such organizational reach or touch. No constituent depends directly on the legislature. Its strength depends on the contacts its members nurture with the electorate. Even donors who support the electoral process and who may provide support to the legislature as an institution do not pay sufficient attention to the political role of legislators as representatives.

Issues to consider are

- Whether the legislature is democratically elected and to whom it is accountable

- Whether its operations are transparent

- The extent of its authority and the terms of co-authority

- The internal structure and processes of the legislature, the extent to which they are democratic, and their effect on the authority of the legislators

2. Administrative or Executive Sphere

Executive functions are commonly thought to be the heart of governance. When people think of their government and what "it" should be doing or not doing, "it" is the executive branch to which they normally refer. This is the part of government that delivers services, taxes citizens, prosecutes wars, and negotiates peace. It is normally the strongest, and therefore potentially the most dangerous, part of the political system in general and government in particular.

The ultimate form of a strong, authoritarian executive is a military one. Although, in a democracy, military figures may contest for

executive positions as civilians (assuming that they have truly severed their professional ties to the military), it is axiomatic that a democratic executive must be civilian not military. In the first place, all elements of the executive branch, including the military, must be at the service of an elected executive, not the reverse. And military figures are not popularly elected. In the second place, the military is quintessentially authoritarian. Commanders do not normally commission debates or run elections to decide how and when to engage their forces. Military organizations are based on chains of command and authority. They depend on command and control. Military regimes apply the same principles to the whole of governance, often in the name of efficiency or in response to corruption or internal violence. Some might argue that military regimes are crucial in certain circumstances. They are not democratic, but that is precisely why their supporters argue that they are crucial. So, while an efficient military may be critical to a democracy, it is also critical that the efficient military answer to a democratically elected legislature or executive.

The democratic problem arises in making the executive both effective and accountable; in providing enough authority but not too much discretion; in designing it to execute the law but in compliance with the law; and in making it accountable to the citizens, either directly through elections or indirectly through an elected legislature. Once again, the issue is balance. The major assessment issues flow from this need for balance:

- Is at least the head of the executive branch democratically elected, whether directly or indirectly?

- Is the executive effective but accountable? How and to whom is it accountable? Is there a presidential or a parliamentary system? To whom is the head of government accountable and to what extent does an accountable head of

state (or cabinet) control the bureaucracy?

- Are the checks and balances within the executive and among the executive and other branches not too onerous to be stifling but sufficient to make its individuals and institutions accountable?

- Does it have sufficient authority? Does it have enough discretion to meet its responsibilities but not enough to allow corruption?

- What are its sources of power? To what extent is it a source of patronage?

- Are its procedures fair and transparent?

- Is it effectively organized? Does it function efficiently? Does it have the resources and training to perform its job?

- Does it enhance or retard the private sector, civil society, and civil liberties? To what extent does it encroach on the private sector?

3. *Local Government Sphere*

For assessment purposes, anything below the central, national government is local government. In recent years, decentralization has been used as a tool to make government more efficient and accountable: efficient because it is thought that local governments are more cognizant of or "in touch" with the varying needs of different localities; accountable because they are structurally and geographically "closer" to the citizens who can monitor them and because they deal with issues that are often more tangible and commonplace. Democracy is an answer to the concentration of power.

Localizing government hardly ensures that it will be democratic and accountable. Regional or local bosses and warlords can be as, if not more, ruthless, corrupt, and authoritarian as national leaders. The balance necessary at the national level is also necessary at the local one.

Indeed, local leaders often achieve power by appealing to local, sectarian interests, which can fuel violence and intolerance. The desire for local "autonomy" by this or that group in response to "unfair treatment" by the central government or the popular majority often turns equally unfair with respect to sub-regional minorities. And they are usually raised in the vocabulary of democracy. The problems of "sub-national nationalism" have beset Asia, Africa, and more recently, Central and Eastern Europe and the former Soviet Union since the banner of "self-government" was advanced. Indeed, the level at which self-government is to be exercised defines the nature of the state itself, or at least the nation state. Was Biafra entitled to self-government? Should Sri Lanka be split between the Tamil north and the Sinhalese south? What is the relation between Chechnya and Russia or, for that matter, what holds all of the Russian republics together? The concept of the "nation state" (as opposed to the imperial state or some other form of statehood) placed those issues at the heart of legitimacy and authority. And of course these issues return the assessment to the problem of consensus and the social contract.

Within the state, the decentralization process has two general forms: deconcentration and true decentralization. A central government deconcentrates when it places its own officers at the local level but they remain accountable to the central government: In effect, the central government relocates its staff. In true decentralization, however, the central government transfers to the local level not just staff, but also power and authority. In practice, no decentralization can work if responsibility is transferred without the resources necessary to

exercise it or at least the practical authority to raise the resources.

One of the putative advantages of either of these "decentralization" processes is a net reduction in staff. Decentralization does not always reduce personnel; indeed, it often increases staff, especially if decentralization is used as a tool for increasing patronage jobs, for example, hiring new local workers or hiring new central ones to replace those who have been "deconcentrated."

Since local government often replicates national government, the issues relating to the electoral, judicial, legislative, and administrative arenas described above are all relevant to an assessment of local government and decentralization, as is the democratic approach by which the local government is held accountable to the citizens. The assessment team will need to decide how much detail is warranted. Clearly, these issues should only be pursued in depth if decentralization is to be the central focus of the assistance. Of import to the overall assessment, however, are a number of issues:

- If local government is being pursued, what form is being pursued: deconcentration or decentralization?

- What type of authority does local government authority have—

administrative, managerial, or financial?

- How is the local government authority organized? How accountable is it to the citizenry?

D. The Civil Society Arena

Civil society is the broadest institutional arena in a democratic society. It encompasses all associational life (water-user groups, sports clubs, business associations, media, labor unions). In a vibrant free-market democracy, most associational activity occurs outside government. Individuals join together to support common objectives and to enjoy one another's company, and for a myriad of other reasons. The immediate methodological problem is how to focus the assessment on those civil society elements with the greatest impact on democracy.

Looking at them only from a political point of view, such associational activities through NGOs—using that term very broadly—typically perform one or more of three functions. First, as political scientists put it, NGOs *aggregate interests* to meet common needs and advance a common cause. They want to worship, educate, help the needy, protect birds, or support a policy. Second, to do so, they *organize themselves*, in a sense, as mini-governments or mini-polities (i.e., institutions with their own actors, interests, rules, etc.), organized to accomplish certain ends. Internally, their governance can be democratic, autocratic, or anarchic. If they govern themselves democratically, they deepen the democratic attitude by which citizens approach all social decisions and all governance (not just government). Ultimately, that reinforcement of the democratic approach might be the most important function of NGOs although it is not uncommon for NGOs, even those committed to democratization, to be undemocratic, even authoritarian, themselves. Third, with respect to government, they advance that common cause

by *petitioning government* to do so with public funds and/or to monitor the actions of government itself with respect to that cause.

Sometimes these NGOs play an overtly political role. The most political form of the associational landscape is the political party, which is a kind of civil society organization but one which seeks to control government—indeed which may be part of or even control the government. Because of that duality, political parties are hybrids: part NGO, part governmental organ.

Often, though, NGOs have little concern with government at all except for this or that regulation with which they must comply. And often they support efforts that, but for them, government itself would be pressured to perform. Religious and general charitable organizations, for example, often support the efforts of government to provide for the poor, the sick, the handicapped, etc. Religious organizations frequently support educational institutions as well. Civil service organizations, like the Lion's Club or the Rotary International, sustain social welfare programs.

Still, to the extent that organizations have interests, they often do petition the government in support of those interests, and they monitor the government's activity to be sure it does not disadvantage them. Conversely, governments and politicians are anxious to enlist the resources of these NGOs in their own interests. So sometimes the relations between political actors and civil society is collegial, sometimes adversarial, and most often a combination.

Civil society depends on freedoms of expression and association. It depends on, and is part of, what Karl Popper called "an open society." In totalitarian regimes those freedoms are prohibited precisely to assure governmental control over all of social and associational life. As noted in Step 1, free and independent media, freedom of expression, and freedom of association are particularly critical for a

pluralistic civil society and for democracy. Truly independent media thrive on—indeed are dependent upon—democratic liberties, and, unless they are not independent of government, media almost always support democratic reform.

Democracy, in turn, depends on a free and independent media to provide the information without which the citizenry cannot itself make informed decisions, to provide analysis, and to serve as a forum for debate and discussion. In authoritarian or transitional regimes, where at least some associational life is permitted, the political establishment often tries to gain control over civil society or, failing that, to limit the freedom of expression and association upon which it depends. Still, in authoritarian regimes where there is no governmental partner to support democratic reform, civil society may be the donor's best alternative, and the hope is that

civil society will provide both an arena for partnership and ultimately the demand for reform. However, that is likely to be a long process with uncertain results. Moreover, the civil society partners are not always internally democratic themselves. The key is to find those elements in civil society whose interests are consistent with or, better yet, dependent upon democratic reform.

Especially in such a transitional environment, independent business organizations and labor unions—those not tied to or dependent upon the state—can be powerful allies for democracy. Both have interests that coincide with—that benefit from—democracy. Both need a rule of law, freedom of association, and (at least for business) the free, unimpeded flow of information. Even authoritarian regimes are likely to listen to business and labor unless they are so corrupt that they exist solely to serve the private ends of the leadership, and, even then, business and labor are often forces with which they need to contend. Especially when authoritarian regimes seem to be liberalizing, democratic reformers (and donors interested in democratic reform) should investigate business, labor, and the media as allies in the transition. The critical issues for analysis are

- Whether the basic legal conditions exist for civil society, viz. freedom of speech and association, a law allowing NGOs and other actors, such as media, to assume legal identity, financial viability, and independence

- Whether the financial conditions exist to support civil society, especially financial resources outside government

- Whether the organizational skills and personal commitment to run civil society organizations exist

- Whether NGOs and others support democratic reform, how much support

they have, how much assistance they would need, over what period of time, and whether the donors have the perseverance to sustain the assistance over the likely timeframe

- Whether NGOs and others are themselves democratic in their internal structure and procedures, and whether they foster a democratic attitude among their members in the way in which they go about their affairs

- What the chances are that support for civil society in the style and over the time available will produce the intended democratic reforms

E. Step 1 Problems and Step 3 Arenas

It was noted in Step 1 (footnote 6) that the identification of a problem for democracy does not necessarily identify the USAID sub-sector appropriate to the resolution of that problem. It is now possible to be more precise about that observation using the vocabulary of this framework. Take a hypothetical example: Suppose the most important problem is in the rule of law (Step 1), but there is insufficient political will (Step 2) for reform to mount a successful program by addressing the rule of law problem directly. Instead, the problem might be addressed by civil society programs, for example, or even one with entrepreneurs that might seem to address economic growth. In such a case, the institutional arena (Step 3) might be civil society for a program to marshall allies (Step 2) to address the rule of law (Step 1). The institutional arena, to repeat, is the organizational sphere in which the identified problem for democratization is addressed, not the problem itself.

F. Re-evaluating the Conclusions of Steps 1 and 2

As before, the results of Step 3 may call for a reprioritization of the problems and priorities identified at the end of Step 2. Taking into account the problem identification of Step 1 and the allies and opponents of democratization identified in Step 2, we now take into account as well the institutional arenas amenable or resistent to assistance identified in Step 3. If the institutional arena in which the primary allies of democratization are active is not amenable to assistance, is dominated by opponents of assistance, or is not amenable for some other reason, the donor will need to reprioritize once again.

V.   STEP 4: DISTILLING THE STRATEGY

Having analyzed the structural problem for democracy, then described the political actors, interests, and resources, and finally examined the institutional arenas which structure political behavior, it should be possible to distill an optimal strategy for assistance. The primary problems are clear. The allies, opponents, and resources have been identified, as has the playing field and its rules.

But an optimal strategy from an analytical standpoint is not necessarily optimal from a practical one. Donors also have interests, are constrained by institutions, and have resource trade-offs. These issues also need to be taken into account. Indeed, they may be dispositive and may call for a last reprioritization. Too often, these donor considerations occur at the beginning of the analysis rather than, as here, the end. The point of this framework has been to begin with the problem. Look first at the country, its character, its challenge, and its resources. Begin with a clean slate. Then see how the donor can best help to address that problem and what its constraints might be in doing so. Only in that way is it clear what the compromises are between the optimal program, the second-best option, the third-best, etc.; and the program that will actually be implemented, given the donor's interests, resources, and constraints. It is important to recognize that, given the donor's position (constraints, interests, and resources) and the optimal programs determined by this assessment framework, it is not infrequent to find the trade-offs are just not worth it. In those situations, it may be that donors should undertake no democratization program at all, instead of one where resources are not being directed at critical needs or where opportunities for impact are not meaningful.

As in politics, compromise is not a dirty word. It is an inherent ingredient of any environment, public or private, in which there are competing interests and resource constraints. As in any political environment, the key is not whether to compromise—that is a given—but rather what compromises are being made and at what costs.

At least 10 donor constraints should be considered (of course, there are others as well):

- Donor's interests
- Donor's current program
- Donor's resources
- Donor's bureaucratic needs, interests, and constraints
- Donor's need to keep programs parsimonious and focused
- Donor's tolerance for failure
- Donor's expectations of results from the proposed program
- Activities of other donors
- Donor's comparative strengths and weaknesses
- Practical constraints on the recipient side

First, what are the donor's own interests in the country? As noted above, the country exists in a geographic, historical, and resource environment. The donor may have an interest in one or another of those elements. They may be strong or weak interests, critical or ancillary, but they will certainly need to be taken into account. It is patently obvious that, if the donor has strong political, economic, or military interests in the country, for example, those interests will constrain, if not define, the donor's programs. Of course some of those interests will be ideological and altruistic. Donors may provide a sense of values in addition to any "direct" returns a program might have.

Second, what is the donor's current program? What results is it achieving? If "investments" have already been made, they create political constituencies for the investment within the donor's own organization, within the recipient country, and within the implementing entities.

Donors will not want to jump from one program to another, nor should they. They need to have some patience and persistence and to be willing to stay the course. The assumption should be that the existing program has a good rationale. The assessment will either support that rationale or not. If it does not, then the trade-off will need to be made. If the current program is the second or third best but not the optimal one, it may still be the best program choice because of the donor's sunk costs and because of the additional cost of changing strategies. But, to repeat, at least the trade-off would be clear.

Third, what are the donor's resources, both financial and human? No doubt, the donor has financial and personnel constraints. The strategically optimal program may be too costly for the donor, either in direct monetary terms or indirectly in terms of personnel (which is ordinarily an indirect financial constraint). Sometimes the right people to implement or supervise the implementation are not available. Sometimes the donor may not be able to stay the necessary course to see the strategy through to completion, and there is no point in beginning a program which (from the outset) cannot be completed. Indeed, that could be counterproductive. Moreover, it could lead local actors to take risks or make commitments they would not be willing to make if they knew that the donor did not have the resources to see the project through to completion.

Fourth, what are the donor's bureaucratic needs, interests, and constraints? Assistance is always implemented by an organization of some sort, whether national or multi-national, on the donor's side. What are its needs, in particular does it have the persistence to take on long-term projects? To what extent is assistance required to implement donor programs through the donor's own nationals rather than through local actors? Can it partner with local actors or can it implement only through its own nationals? The donor organization has its own needs, interests, and constraints.

Fifth, but related to the third and fourth constraints, how can the program be kept as parsimonious and focused as possible? Scattering a program among many possibilities is not a strategic use of funds or personnel. All things being equal, such an approach is less likely to be efficacious than focusing the resources on more important areas: Sufficient funding and personnel attention to the most critical problems are almost always a better use of resources than spreading them around. Indeed, "strengthening weak institutions" or "increasing participation" is no strategy at all. There are almost certainly many weak institutions that could be strengthened. There can always be more participation, and, in any event, participation without direction does not necessarily make a better democracy. The point of a strategy is to target resources to achieve the optimal results.

Sixth, what is the donor's tolerance for failure, and what is the donor's level of patience? Some strategies are long-shots in the sense that the odds against success are long. Some strategies are long-shots in the sense that they need a long time to ripen even if success is more likely. Donors do not always have the patience or the resources to invest in long-shots or long-term programs.

Seventh, but related to the fifth and sixth constraints, what results can be expected from the proposed program? What is its likely impact? Targeting the most important strategic problem would not advance democracy if little could be achieved in resolving that problem. Better to target the second-best option if it is likely to yield some impact from donor assistance, while remaining important to democratization.

Eighth, what are other donors doing? Most likely, there are more needs than donor resources available, and there is no point in donors trying to do the same thing. Indeed, they may well get in one another's way. Moreover, there are likely to be absorptive constraints on the recipient side,

i.e., limits to how much assistance can be effectively absorbed.

Ninth, what are the particular donor's comparative strengths and weaknesses? What is the donor, together with its implementing partners, good at? What do they not do particularly well? How flexible are they? How cumbersome?

Tenth, what are the practical constraints on the recipient side? Are the personnel resources of the host country adequate for the implementation of the strategy? Conversely, would the strategy be implemented by professional recipients, people who have a personal interest in seeing the program implemented whether or not it will have impact commensurate with its costs to the donor? If so, does that matter to the likely success of the strategy or its cost?

Taken together with the three analytical steps which define a descending order of strategic preferences, these practical considerations should help distill those preferences into another descending order of strategic recommendations to the donor, including timing, sequencing, funding, and domestic allies or partners. The donor and its domestic partners should have a clear idea of what the problem is, what solutions have been considered, who the domestic allies and possible opponents are, which "solutions" have been chosen and in what order of preference and for what reasons, what investments are being recommended in which institutional arenas, and (most of all) why. They should also have a clear idea of how those recommendations stack up against a host of donor-driven resources and constraints, what results and impacts can be expected over roughly what period of time, and with what contingencies and uncertainties.

In the end, that is the purpose of a strategic assessment: to lay out the problems and possible solutions, to explain and order them, to recommend a strategy and subordinate tactics, and to suggest results and impacts.

The hope is that this framework—again only a tool—can help those who are committed to enlarging freedom and democracy find a coherent way to do so.

VI. APPLYING THE FRAMEWORK: MOROCCO (1998)

As of Spring 2000, this framework has been applied in a dozen countries on every continent. In Asia, Africa, Latin America and the Caribbean, and Eastern Europe, it has helped analyze the political environment for democratization, has prioritized the problems, and has provided programming guidance.

For illustrative purposes only, below is a much-condensed summary of one such application, in Morocco. The team, in this case Professor Guilain Denoeux of Colby College assisted by Driss Khrouz of Mohamed V University in Rabat, employed the framework both as an analytical and as a presentational tool. The analysis is that of the team and not necessarily that of USAID or the U.S. government.

Since August 1998, when the assessment was completed, much has changed in Morocco, both under King Hassan II (who died on July 23, 1999) and, especially, following the accession of his son, King Mohamed VI. But as the summary is presented only to illustrate the application of the framework, no attempt has been made to bring it up-to-date. Consequently, the analysis below uses the present tense as if it were August 1998: "The king" is King Hassan II; Driss Basri is still the minister of interior; etc. Much of the material below is drawn from the original assessment report.

Step 1: Defining the DG problem

Step 1 calls for charting the political landscape from a democratization perspective. A review of Morocco's political dynamics over the past decade suggests that the country has achieved astonishing progress in resolving problems of consensus and competition. It also has made significant advances in becoming more inclusive. But very substantial problems remain for establishing a rule of law and good governance, and those problems impede both democratization and economic growth. Fortunately, King Hassan II, who has the power to effect change, has recognized those problems and seems to be willing to tackle them. Since political will for reform creates precisely the environment in which assistance is most effective, USAID is urged to direct its assistance in those two areas.

Consensus on the rules of the game
For some four decades after independence in 1956, Morocco was paralyzed by a rivalry between two antagonistic blocs. On one side were the monarchy, powerful individuals and families politically allied with it, and the political parties created (directly or indirectly) by the palace. On the other side were opposition parties born out of the nationalist movement—foremost among which were the Istiqlal Party and the Socialist Party. These two blocs had irreconcilable visions of Morocco's future and fundamental differences on the procedures for resolving them. In the resulting stalemate, power remained concentrated in the former, while implacable but largely powerless opposition characterized the latter. Parliament, the courts, local government, and civil society were all controlled or heavily influenced by the palace. Threatened by the opposition's demand for a drastic reduction in the monarchy's prerogatives, the king did not hesitate to resort to heavy-handed tactics to impose the supremacy of the palace in the political system.

This great historical rivalry was progressively tamed as King Hassan II initiated genuine and meaningful, albeit incremental, reforms emphasizing dialogue, consultation, and compromise. In the process, the king redefined his role as that of an arbitrator and guarantor of the rules of the political game, rather than as the dominant figure of one particular faction. While doing so, he also expanded the circle of decision-makers. The opposition, facing the disintegration of its models in the socialist world

and the consequent strengthening of its pragmatic wing, responded by showing itself increasingly willing to recognize the centrality of the monarchy. In this context, King Hassan II became freer to make political concessions, which he did.

The resulting broad consensus on the rules of the game—the king would liberalize and the opposition would not challenge the legitimacy and political centrality of the monarchy—resulted in a series of significant reforms. The constitution was amended, first in 1992 in order to increase the responsibility of the cabinet to parliament, and then again in 1996 to provide for the direct election of the lower house (a longstanding demand of the opposition) and for the indirect election of a new upper house. During the 1990s as well, several consultative or advisory councils (e.g., on human rights, youth, and labor) were established to facilitate a broad-based dialogue between the state and civil society organizations. In the lead-up to the legislative elections of November-December 1997, an agreement was reached between the government and opposition parties on a "code of honor" designed to ensure that the balloting would be free, transparent, and fair.

Most important, however, was the king's historic decision to appoint Socialist Party leader Abderrahmane Youssoufi as prime minister in February 1998. Youssoufi had long been a political opponent of the regime; he had been imprisoned for political reasons, and, between 1965 and 1980, he had lived in exile in France. His selection by the king was thus imbued with symbolic significance—the more so because the monarch was under no pressure to choose the prime minister from the ranks of the left since the lower house was equally divided among the left (102 seats), the right (100 seats), and the center (97 seats). In March 1998, Youssoufi proceeded to form a broad coalition government that reflected Morocco's new consensus; it included parties of the left and center, the traditionalist-nationalist current represented by

the Istiqlal Party, and, in five key portfolios, individuals handpicked by the king. The cabinet was now led, at least nominally, by representatives of parties that had remained in the opposition for over 35 years. But ministers from these parties also had to coexist with individuals—particularly Interior Minister Driss Basri—who had long been their fierce political opponents.

Competition
As the elections of 1997 and the government formed in their wake demonstrated, Morocco's new political consensus has paved the way for a more competitive political arena. The parties of the left are now freer to operate; they no longer are the objects of surveillance and containment by the Ministry of the Interior. Of Morocco's 19 legal political parties—which range from leftist to conservative, and from Islamist and pan-Arabist to Berber—16 took part in the 1997 parliamentary elections, and 15 are currently represented in the Chamber of Representatives (the lower house). For all their weaknesses, these parties compete vigorously with each other to promote their respective agendas, as well as for access to positions in government and representative institutions.

Freedom of expression, too, has expanded very significantly since 1990. Newspapers now routinely publish stories regarding human rights abuses, corruption, and financial scandals, even when such reporting touches personalities close to the palace (which would have been unthinkable only a decade ago). They can criticize government policy without fear of censorship or retribution, though certain issues remain off-limits and subject to self-censorship: the centrality and sacredness of the monarchy; the king's status as "commander of the faithful" (and his consequent right to define "proper" Islamic views on social and political issues); the details of succession to the throne; the private lives of the royal family; and Morocco's right to sovereignty over the Western Sahara. But as long as they avoid these still-sacrosanct topics,

newspapers now enjoy great freedom of maneuver. Consequently, the primary constraints on the press today come not from governmental interference, but from the press's own, numerous structural weaknesses and deficiencies. For instance, most dailies act as mouthpieces for the political parties to which they are tied, and consequently they display a tendency toward sloganeering as opposed to independent thought. In addition, journalists suffer from a lack of adequate equipment and professional training, and their reporting shows a propensity for populism and sensationalism at the expense of analysis.

Freedom of association has improved as well, and the number of NGOs has risen sharply since the mid-1980s. In addition to service organizations and other less-sensitive NGOs, scores of associations now operate in areas previously considered off-limits for associational activity: human rights, women's rights, corruption, and Berber rights.

Yet, there remain significant constraints on the free contest of ideas. Electoral competition suffers from various forms of manipulation including vote buying, administrative interference, orchestration from above, and limitations on the degree to which candidates can run in the constituencies of their choice. There are legal limits on press freedoms, including the Press Code which, even if not employed, empowers government to prohibit reports on certain topics, seize offensive publications, and order indefinite suspensions. The government retains control over the only two television stations (in a country where high illiteracy rates make television the primary source of information for most of the population).

The association law is very restrictive. NGOs are required to register and to submit a file to the authorities upon their establishment; officials can deny them legal status simply by failing to issue the document acknowledging receipt of

this file. Conversely, certain NGOs (usually connected to the palace) are granted the status of "associations of public utility" from which they enjoy a variety of benefits. These and other problems encountered by associations explain why civil society remains too weak and fragmented to act as a real counterweight to the power of the state. Nevertheless, overall, and, especially by the standards of the region, Morocco enjoys a significant degree of political competition.

Inclusion
The polity also has become more inclusive. In addition to the government's increased tolerance of associational activity, the establishment of several consultative councils, and broader representation in the Chamber of Representatives, there is also greater official recognition of Berber identity and culture. Similarly, although the law still prohibits specifically Islamic political parties (on the ground that, since the overwhelming majority of Moroccans is Muslim, no single party can claim to stand for Islam), a small but active fundamentalist movement is allowed to operate. Moreover, a legalist segment of the Islamist tendency was allowed to take control of an old party that had survived (barely) on the fringes of the Moroccan political system, and to take part in this manner in the November 1997 elections to the Chamber of Representatives. That party presented 142 candidates nationwide, was given access to the television, and even won nine seats.

Notwithstanding the greater participation of previously excluded groups, there are limits on the extent to which the polity has become more inclusive. Declining voter participation in national elections reflects widespread disenchantment with the political process and a perception that electoral results only have a limited impact on the way the country is governed. Parties are controlled by aging leaders. They are primarily avenues to patronage and are not seen by Moroccans as representing

their needs or interests. Most importantly, women play only a marginal role in the political process. There are only two women in the 325-member Chamber of Representatives, and two in the 225-member Chamber of Councilors. Only 83 out of 24,253 members of local councils are women, and there were only 69 women among the 3,319 candidates who ran in the November 1997 elections to the Chamber of Representatives. No woman has ever been a minister (although there are two women with the title of "secretary of state" in the cabinet). With a handful of exceptions, all leadership positions in political parties are occupied by men. More generally, women suffer from pervasive discrimination and harassment in the workplace and from a Personal Status Code that makes them *de facto* second-class citizens. Although several NGOs now are working actively on behalf of women (whose status is improving albeit very slowly), the host of legal and informal restrictions on women's role in the public sphere remains a critical problem for Moroccan democracy.

Rule of law
As already noted, however, Morocco's most prominent DG problems lie in the rule of law and governance areas. These problems impede both democratization and economic growth. For instance, to ensure democracy and to position Morocco competitively in the European market to which it aspires, the legal system requires substantive as well as procedural reform. Legal rules are not implemented in a fair, impersonal, and consistent manner, and, even if they were, they require revision. The judicial system lacks adequate technical and human resources, court procedures are extremely slow and cumbersome, corruption is widespread (initially by design), and both the economy and the legal structure lack transparency. Without legal reform, Morocco will not be able to compete in the global economy. Indeed, it will be hard-pressed to meet commitments it has made, whether under the regime of the World Trade Organization or as an associate member of the

European Union. (In 1994, Morocco signed the General Agreement on Tariffs and Trade, and in February 1996 it concluded with the European Union an association agreement that provides for the gradual establishment of a free-trade zone between Europe and several Arab countries, including Morocco, by 2010.)

Fortunately, the Youssoufi government has made it clear that it intends to make the strengthening of the rule of law and the streamlining of the justice system a priority of its program. With the blessing of the king, in March 1998 Youssoufi re-appointed Omar Azziman as minister of justice (a position Azziman already held since August 1997). A professor of law by training, Azziman was a founding member and former president of the Moroccan Organization for Human Rights. Widely recognized for his integrity, effectiveness, professionalism, and independence of mind, he is well acquainted with the shortcomings of Morocco's justice system if for no reason than the years he spent in court defending victims of human rights abuses. Since his appointment, he has endeavored to do nothing less than change the culture of the entire judicial system. As of August 1998, he already has significantly reorganized the central administration of the Ministry of Justice and has used it as the engine of a broad reform effort. Azziman has launched a public investigation of 50 magistrates accused of corruption, established a system of commercial tribunals and appellate commercial courts to adjudicate commercial disputes, and begun to modernize the curriculum of the National Institute for Judicial Studies, where magistrates are trained. Meanwhile, Mohamed Aujjar, Youssoufi's new minister of human rights, has floated his intention to make respect for basic human rights a component of the school curriculum, to establish legal aid centers, and to develop closer ties between his ministry and human rights NGOs. Naturally, all of these intentions must weather the opposition and inertia they will no doubt encounter, but, in a country whose fundamental political dynamic revolved around

control by the security forces under the Ministry of the Interior, these beginnings may portend fundamental reform.

Good governance
Last but not least, the central premises of governance in Morocco—both in the governmental and non-governmental arenas—need to be reversed. For the most part, public and private institutions have been instruments for personal advantage and private gain. They now need to become instruments of public purpose. Some steps have taken place in that direction. Parliament has become a more credible institution, if only because it is more diverse and no longer populated predominantly by allies of the palace. In addition, the king has established consultative councils to discuss sectoral matters (e.g., business and labor). Most importantly, NGOs have appeared in virtually all key social and economic areas—health, education, poverty alleviation, rural development, entrepreneurship, etc.—to deal with problems for which the state cannot, or will not, assume primary responsibility. Naturally, these NGOs will engage the government on their respective issues, thereby contributing to a broader national dialogue on public policy matters. Nevertheless, Morocco has a long way to go before it achieves good governance. Public administration is poor and deteriorating. It remains bloated and excessively centralized; it is marred by absenteeism, nepotism, and corruption; and it is extremely slow and cumbersome. Indeed, the bureaucracy still seems to operate under two implicit principles: that it should act as an employer of last resort and that it is there to serve the palace.

In this context, it is not surprising that Moroccan entrepreneurs see administrative behavior as the main constraint on their operations and on increased private investment. Donors, too, have pointed to the inadequacy of the tax collection system, the uneven and non-transparent application of business regulations, poor customs procedures, and the pervasiveness of corruption, noting that these are major obstacles to economic development in Morocco. For their part, political parties are not effective at aggregating preferences, representing constituencies, or mobilizing individuals in public life. Meanwhile, the reach of many NGOs does not extend much beyond their members. Most are located within the Rabat-Casablanca corridor, and, outside urban areas, "civil society" is hard to find. Moreover, the level of coordination among NGOs is inadequate, in part because of the rivalries among them. Finally, just as in the public sector, political parties, NGOs, and other social institutions far too often exist primarily to serve the interests of their leaders, rather than those of their members or the broader public.

Since governance and rule of law stand out as Morocco's two outstanding problem areas, donors in general, and the USAID Mission in particular, should, when possible, direct their efforts accordingly. Fortunately, both areas have been identified as priorities of the new Moroccan government. Both also lend themselves to a broad range of possible donor interventions. This situation creates for the donor community an opportunity that did not previously exist and that should be seized.

Step 2: Identifying key actors and allies

Opportunity may exist, but the road to reform is hardly clear of opponents. That should come as no surprise since, until recently at least, Morocco was run by a small coterie of interests centered on the palace. And it remains to be seen whether that has changed fundamentally and, if so, how much.

Historically, Moroccan politics has been the politics of the *makhzen*—a term that refers to the complex system that underlies the monarchy's authority. In practice, the *makhzen* consists of a nationwide network of influential individuals: rural notables, successful businessmen (who often owe their success to the palace's

patronage), religious leaders (*ulama*), heads of Sufi brotherhoods, descendants of the Prophet (*chorfa*), leading representatives of traditionally influential families, and political parties tied to the king. These various elements are intertwined by shared interests, intermarriage, and, most importantly, by a common loyalty to the monarchy, which remains the heart, the head, and the *raison d'être* of the *makhzen*. To ensure his dominance and control over this system, King Hassan II has long balanced competing interests and individuals against each other. In doing so, he has relied on incentives and rewards (the distribution of favors), as well as on threats and punishments (mostly reserved for those who refuse to play by the monarchy's rule, have contested its legitimacy and dominance, or have advocated the use of violence for political purposes). In exchange for the economic benefits, political power, and social influence, they have drawn from their membership in the *makhzen*, its members have performed essential political and security functions. They have facilitated political control, policy implementation, the resolution of disputes, and the representation of interests.

Apart from his ability to influence the flow of economic benefits (including through the granting of licenses, concessions, and monopolies), King Hassan II has exercised control through two public institutions: the military and the government (including the judiciary). The military—which can bring the regime down or, alternatively, be its ultimate bulwark—is part of the king's "reserved domain." Significantly, and irrespective of the many prime ministers who have come and gone, King Hassan II has reserved the defense portfolio for himself for nearly 30 years. Prior to 1971, the army operated as the backbone of the regime and neutralized many threats to the monarchy. Under the personal direction of the king as then-regent and chief-of-staff, it crushed the tribal revolt in the Rif (1959). In the years that followed, it was used to contain and repress the left. However, in July 1971 and in August

1972, senior officers attempted coups d'etat, from which the king narrowly escaped with his life. Both were masterminded by General Oufkir, who, as minister of defense, was King Hassan II's main confident and most trusted advisor. The king never forgave the military for its betrayal, and he personally oversaw the trials, purges, and executions of the officers and cadets involved. It is no wonder that, thereafter, he entrusted the military to no one but himself. In addition to purging particular individuals, the king engineered the social transformation of the military. Before the coups, the overwhelming majority of the senior officers had been Berbers, trained in France or Spain. After the coups, those Berber officers who were not tried were retired and replaced with Arabs. To the reformulted military, the king offered inducements for loyalty by increasing officers' salaries and perks, by engaging them in the prestigious crusade to secure the Western Sahara (which also had the advantage of keeping the army busy far away from the palace), and by providing officers with many opportunities for personal enrichment. Corruption in the officer corps was not only tolerated, but, as in the civilian sector, it was encouraged as a strategy of political control. Since corruption has been such an integral part of the Moroccan political system, reducing or eliminating it will be no easy task.

On the government side, the king has exercised control through the *makhzen* network, through his official role as head of state and through the extensive powers granted to him by the constitution. In his effort to both monitor and orchestrate political developments inside the country, he has relied heavily on his long-serving minister of the interior, Driss Basri, the second most powerful person in Morocco. In the mid-1970s, Basri was put in charge of the entire security and intelligence apparatus. This position enabled him to build a "state within the state"—i.e., a chain of powerful individuals (*walis*, governors, heads of police and security forces, etc.) personally indebted and loyal to

him, and through which he penetrated and controlled the left, the Islamists, the parties, the electoral system, the bureaucracy, and the military, in short any sector of Moroccan society which might pose a threat to the monarchy.

Of course, not everyone was an ally of the palace. Human rights advocates, Berber militants, unconnected businessmen, dissatisfied military, and many others represented a constant pool of discontent that, from time to time, posed an active threat to the subtle balance of interests which the palace had constructed. The current prime minister, Abderrahmane Youssoufi, was one such mal-content. A leftist, a leader in the opposition Socialist Party, and a former prisoner of the king who had spent 15 years in exile, Youssoufi was outspoken in his criticism of the regime. In this context, his appointment as prime minister in March 1998 can be seen either as a watershed in Morocco's reform process—a decision by the king to open a new page in the country's history—or as yet one more manifestation of the monarch's old practice of co-opting opponents. However, there is much evidence to support the former interpretation, from Youssoufi's personal history and integrity to indications that Basri has become more directly subordinate to the prime minister's office than in the past (when he used to report directly to the king and was often seen as undermining the premier's authority).

Both the political and the economic elites are divided depending on their stakes in the status quo and attitudes toward reform. The economic elite falls into two camps. The prominent families have little, if anything, to gain from progress toward the rule of law and more transparent governance. To the contrary, their privileged position rests on special treatment under the law and by the administration. After all, that is how they have prospered—through their close ties to the palace; the monopolies, quasi-monopolies, and privileged loans they have been granted over the years; their exclusive enjoyment of public procurement contracts; and

the protection they have received against competition—in short, the corruption of the state for their benefit. But a new, urban elite, including professionals and business executives in medium-sized firms, knows that it would benefit from greater internal competition, a more level-playing field among economic actors, greater transparency in the awarding of public procurement contracts, an erosion of the unfair advantages granted to those with connections, and greater predictability in the application of rules and procedures by the public administration. These are precisely the policies this new elite needs to compete against the entrenched interests within Morocco and in the global market outside. This new constituency has begun to assert itself, including through the General Confederation of Moroccan Enterprises, which supports both legal and governmental reform.

The unions' attitude toward reform is more ambivalent. On the one hand, they are supportive of increased political freedoms and a more equitable distribution of wealth. On the other hand, they are fearful that greater economic competition and civil service reform might weaken the job security and the wage and benefit guarantees that they seek from the state. Of the three main unions, one (the Union Marocaine du Travail) has already shown itself to be very critical of the Youssoufi government. The other two (the Union Générale des Travailleurs Marocains and the Confédération Démocratique du Travail), though globally supportive of the current political experiment, are expected to assert their independence. Historically, Moroccan unions—the largest and most influential in North Africa and the Middle East—have been more difficult for the regime to control than have the political parties. They are more autonomous from the political game and from institutional constraints, and they need to be more receptive to their rank-and-file. If they feel that their interests and those of their members are threatened, they can easily paralyze the economy, generate much social and political

unrest, and thus derail Morocco's on-going political experiment.

Since independence, the political parties have undergone numerous splits and changes (many of which have been engineered by the palace or the Ministry of Interior). Parties once favored by the king have been displaced by newer parties and newer leaders when they have failed to deliver for the palace. At present, the 19 political parties can be divided among three blocs—the *kutla* (the former opposition of the left and the Istiqlal), the *wifaq* (or conservatives), and the center—although 26 of the Chamber of Representatives' 325 seats are held by members of parliament affiliated with none of these three large blocs. In general, the parties are weak, have little constituent loyalty, perform poorly in articulating and representing interests, and are seen as mere vehicles for the personal ambitions of their leaders. Like many NGOs, they are riddled with individual rivalries that often create paralysis, fragmentation, and disintegration. As in other spheres, divide-and-rule has been the prevailing dynamic. Historically, the king has been able to take advantage of party rivalries and quarrels to orchestrate a limited form of pluralism that helps ensure monarchical dominance. As a result, established parties have lost favor, new parties have been created and encouraged, and alliances have been born and destroyed. Therefore, the present configuration of parties and affiliations is unlikely to be permanent, and the party system is constantly evolving under the prodding of the king himself. Still, each of the three main blocs of parties is characterized by specific policy-orientations and ideological preferences that set it apart from the other two blocs.

The *kutla* or "democratic bloc" consists of three left-leaning parties (the USFP, the PPS, and the OADP) and, anonymously, the Istiqlal, a traditionalist-nationalist party. The Socialist Union of Popular Forces (USFP) is divided between a pragmatic, social-democratic wing and a more ideologically-driven tendency. It is

the largest party in the chamber and enjoys a solid base of support among public sector employees, service sector workers, intellectuals, and labor union members. The Party of Progress and Socialism (PPS), the former Communist Party and now a social-democratic party, consists primarily of academics, teachers, students, and other intellectuals. It wields greater influence than its small membership might suggest because of its pragmatic approach and the relatively high caliber of its leadership. The Organization for Democratic and Popular Action (OADP), which is to the left of both the USFP and the PPS, is the smallest party in the bloc with only four seats in the chamber. As for the Istiqlal, which emerged in 1943 from the nationalist movement of the 1930s, it is Morocco's oldest party. It draws on four main themes: Moroccan nationalism (especially with respect to the Western Sahara), the preservation of Moroccan traditions (including respect for Islamic values and lifestyles), social justice, and democracy.

The *wifaq* consists of three main parties on the right. The oldest, the Popular Movement (MP), was founded in 1957 by leading Berber families concerned with the rising power of the Arab-dominated Istiqlal. With the support of the palace, which used it as a counterweight to the Istiqlal, the MP came to represent rural Berber constituencies. It continues to be dominated by conservative rural notables, but has been weakened in recent years by internal divisions. The Constitutional Union (UC) was created in 1983 at the behest of the king by then-Prime Minister Bouabid. Like the RNI before it (see below), its implicit mission was to mobilize the young, urban-based professional and business constituencies favorable to the regime's policies, so as to counterbalance the influence of the left within the urban middle class. From its inception, the UC benefited from the support of the administration as it tried to project a modernist, centrist, youthful, and pro-business image. Overall, however, it has failed to articulate a coherent neo-liberal economic

agenda. It has not attracted a significant number of entrepreneurs and businesspeople, remaining instead a party of notables, lawyers, higher civil servants, and technocrats which owes its success to the support of the regime. The smallest and youngest party in the *wifaq*, the National Democratic Party (PND), was born in 1981 through a rural-urban split in the National Rally of Independents (RNI). It represents the RNI's original rural constituency.

Formed in 1997, after the king called for the structuring of the party system in three blocs, the center consists of the RNI and two other small parties (the MNP and the MDS). Its purpose was to balance the other two blocs in the familiar attempt by the palace to create checks and balances which it could manipulate to retain real control. The birth of the RNI in 1977 was directly orchestrated by the palace to create a pro-regime coalition out of the independents who had just won the legislative elections. It was also the palace's first attempt to turn the amorphous pro-government majority into a cohesive political force, capable of appealing to the growing urban population (among which support for the regime was historically weaker than in rural areas). The RNI consists of technocrats, businessmen, and young urban professionals. The Popular National Movement (MNP) was created in 1991 by the founder and former leader of the MP, after mounting discontent with his authoritarian leadership prompted younger leaders to force him out of the MP. It appeals to the same rural Berber constituencies as the MP. The third and smallest party, the Democratic and Social Movement (MDS), is itself a breakaway from the MNP. Whether in terms of ideological preferences, policy orientations, or the constituencies they represent, there is little to distinguish the three "centrist" parties from those in the *wifaq*. Instead, they owe their existence to political calculations by the palace and the Ministry of Interior, and/or to leadership rivalries within other parties.

Why, then, palace-initiated reforms?
Given the obvious benefits of the prevailing system to the palace, why has the king opted for political liberalization? Why is he moving away from the divide-and-rule tactics and subtle balancing game that have kept the monarchy at the center of a system which it dominates, and from which it has derived such critical political and economic advantages?

The answer seems to lie in fundamental shifts in the nature of Moroccan society, which have rendered the old governing strategy obsolete. In particular, like most other societies, Morocco has become younger and more urbanized. The old system is increasingly incapable of representing the interests and aspirations of a rising urban middle class that is no longer so dependent on the palace web and of a growing constituency of young unemployed or under-employed individuals. The co-optation of elites, the playing of individuals and groups against each other, the manipulation of religious symbols, the stirring of nationalist fervor (so evident in the regime's use of the Western Sahara issue), and the selective use of repression and intimidation can no longer, by themselves, ensure political order. In an increasingly urbanized society, the king can no longer rely primarily on rural notables and broad support from the rural masses to act as a counterweight to the more volatile urban arena. The throne now must find ways of integrating more effectively into the policymaking process the institutions that represent the interests of the urban middle and working classes, especially as these strata are pressing for greater influence over the political system.

By providing new, but still controlled, outlets for the expression of social and political grievances, the king may also seek to deflect the potential challenge posed by the Islamists. On the economic side, limited privatization has enabled segments of the urban middle and upper-middle classes to gain access to assets from which they were excluded previously. In this respect,

privatization—though it has moved very slowly—has begun to diversify and broaden the regime's social base, although on balance it favored the loyalists. The old political parties with their interlocking interests and ties could not represent the new urban middle class whose political and economic interests instead found expression in new political forms, especially advocacy groups. Finally, renewed activism by the labor unions in the early 1990s prompted the regime to seek to incorporate them into a tripartite "social partnership" among business, labor, and government, along European lines. More generally, social and economic trends have led decision-makers to rely more heavily than in the past on consultation and dialogue with various interest groups.

Two other critical factors contributed to political liberalization: the structural adjustment program (SAP) launched in 1983 and completed a decade later, and Morocco's quest for a new economic partnership with Europe. The SAP forced the state to withdraw from social and economic areas over which it had maintained close control. Consequently, those areas—and the political space surrounding them—were opened to private initiative, entrepreneurship, volunteerism, and associational activity. These changes, for which international financial institutions were pressing, were accompanied by various other forms of external political pressures as well. In 1992, for instance, the European Parliament temporarily froze a $600 million aid package because of human rights considerations and the Western Sahara dispute. Six months later, the European Council declared that Europe's relations with the Maghreb region would take into account respect for international law, human rights, and democratic principles.

In sum, Morocco's political opening was fueled by a combination of domestic and international pressures, and it was driven as much by political and social transformations taking place within the country as by the requirements of competitiveness in the emerging new global economy. Political reforms became for the king a necessity, forced upon him by new conditions and designed to preserve the system, albeit in altered form.

Step 3: Identifying key institutions

Morocco's new political dynamic does not yet amount to full democratization. But it does represent a liberalization, which could gain momentum and would benefit from technical assistance. In a region that has been particularly resilient to the spread of democracy and where small steps toward reform seem like giant leaps, Morocco's ongoing experiment stands out as a rare source of hope and could serve as a model for other countries.

To review, Step 1 identified rule of law and governance as Morocco's dominant DG problems. Step 2 independently identified them as arenas in which political will for reform is manifested by the state itself and in which allies of reform have a structural interest. Because of this uncommon coincidence of problem priority and political, no trade-offs are required between the potential programming priorities identified in the two steps. They are the primary problems for democratization in Morocco, and, happily, they are also the arenas in which significant political will exists to effect reforms.

With respect to the rule of law, the king presides over the judicial system in which all judicial decisions are made and implemented in his name and on his behalf. None of his judicial decisions are subject to review. The Higher Judicial Council, which oversees the career of magistrates (their appointment, promotion, disciplining, retirement, and dismissal) merely forwards recommendations to the king, who then decides. Still, while the constitution places the judiciary under the ultimate authority of the monarch, it also stresses the judiciary's independence from both the executive and legislative branches of government. More importantly, current developments suggest that

independence is growing and that the legal system is changing as a consequence of the domestic and international pressures described above.

The appointment of Youssoufi as prime minister and human rights advocate Azziman as minister of justice clearly signaled the king's support for the reforms on which Youssoufi and Azziman have insisted. Recent changes in commercial law, the new commercial tribunals and courts of appeals, the thorough reorganization of the central administration of the Ministry of Justice, the updating and modernization of the legal curriculum, pressure to harmonize Moroccan and European law, greater protections for the rights of association and guarantees of at least limited due process, and a desire to improve respect for personal freedoms and human rights—all provide openings for assistance. Indeed, the minister of justice himself has requested such help, especially for judicial retraining, code revisions, and procedural modifications. The existence of a particularly strong need for improvements in rule of law, combined with the presence of genuine political will in that same area, suggest that rule of law is where assistance is likely to have the greatest impact.

A change in the nature of governance also will need to accompany the economic reforms that domestic and international actors call for. To date, efforts to improve governance have not matched those in rule of law. Still, the king has indicated that at least some decentralization is needed, both to bring government closer to the people and to improve the delivery of public services. It remains to be seen how far on-going efforts to turn decentralization into a reality will go. So, good governance remains a primary DG problem for Morocco, but political will in this arena lags behind political will for reforming the rule of law. Consequently, investments in governance (including decentralization) should be contingent on specific reform proposals by the government and other stakeholders. Since, at

the moment, governance is witnessing only limited momentum toward reform, assistance should be modest initially, and should be monitored against the government's future performance in that area. Again, the logic of the framework is to draw on Steps 1 and 2 to identify those areas where reform is most needed, and where there is concurrent, strong political will. It is that analysis—rather than individual preferences or ad-hoc guesses by this or that assistance advisor or grantee—which shapes the nature of the assistance to be provided.

Step 4: Distilling the strategy

Of course, donors have interests and constraints as well. As indicated in the framework, a variety of practical considerations—the political or economic interests of the donor, the availability of appropriate human and financial resources, the evolving strategies of other donors, etc.—also affects programming decisions. These are important considerations, and it is not necessary here to show how they play themselves out in Morocco to understand how this strategic assessment framework operates. However, unless those constraints were to warrant a reconsideration of the analytically preferable options (the optimal strategy), rule of law and, possibly, decentralization would be the initial priorities for assistance. Later on, investments in competition might be on the table, but only after conditions in that area become more conducive to such assistance.

And, as always, a keen eye should be kept on the possibility that changing dynamics in Morocco would call for a re-examination of the strategy, which should never become a prisoner of inertia.

APPENDIX A: Notes on Sources

Among the more important works in comparative politics regarding democratic theory and development:

Robert Dahl, *Polyarchy*, New Haven: Yale University Press, 1971.

Guillermo O'Donnell and Philippe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies*, Baltimore: Johns Hopkins University Press, 1986.

Samuel Huntington, *The Third Wave*, Norman: University of Oklahoma Press, 1991.

Michael Bratton and Nicolas van de Walle, *Democratic Experiments in Africa*, Cambridge: Cambridge University Press, 1997.

Juan Linz and Alfred Stepan, *Democratic Consolidation*, Baltimore: Johns Hopkins Press, 1996.
_____
An important foundation in political sociology is found in the work of Max Weber (*Economy and Society*, Berkeley: University of California Press, 1977).

A recent example is David Collier and Ruth Berins Collier, *Shaping the Political Arena: Critical Junctures, the Labor Movement, and Regimes in Latin America*, Princeton: Princeton University Press, 1991.

The distinctive works of Seymour Martin Lipset and Barrington Moore generally fit within this framework. See Lipset, *Political Man: The Social Bases of Politics*, Baltimore: Johns Hopkins University Press, 1981; Moore, *Social Origins of Dictatorship and Democracy*, Boston: Beacon Press, 1965.

Also relevant are Dietrich Rueschemeyer, Evelyn Huber Stephens, and John Stephens, *Capitalist Development and Democracy*, Chicago: University of Chicago Press, 1991. We might also include in this area Robert Putnam's *Making Democracy Work*, Princeton: Princeton University Press, 1993.

A contemporary political economy approach is exemplified in Stephan Haggard and Robert Kaufman, *The Political Economy of Democratic Transitions*, Princeton: Princeton University Press, 1995. Jeffrey Frieden has also done important work in this area, see *Debt, Development, and Democracy: Modern Political Economy and Latin America, 1965-1985*, Princeton: Princeton University Press, 1992. An additional source is Adam Przeworski, *Democracy and the Market : Political and Economic Reforms in Eastern Europe and Latin America*, Cambridge: Cambridge University Press, 1991.

In addition to Frieden, op. cit., see Barry Ames, *Political Survival: Politicians and Public Policy in Latin America*, Berkeley: University of California Press, 1987; and Barbara Geddes, *Politician's Dilemma: Building State Capacity in Latin America*, Berkeley: University of California Press, 1994.

Institutional analysis has been spearheaded by Douglass North in the area of economics; see for example, *Institutions, Institutional Change, and Economic Performance*, Cambridge: Cambridge University Press, 1990. In political science, see Elinor Ostrom, *Governing the Commons*, Cambridge: Cambridge University Press, 1990; Barry Weingast, "The Political Foundations of Democracy and the Rule of Law," *American Political Science Review*, Vol. 91, No. 2, January 1997; and Michael Laver and Kenneth Shepsle, *Making and Breaking Governments*, Cambridge: Cambridge University Press, 1996.

NOTE TO USAID DG FIELD OFFICERS: HANDOUTS ABOUT TIPS ON INTERVIEWING AND CONDUCTING AN ASSESSMENT ARE AVAILABLE ON-LINE AT THE DCHA/DG INTRANET <INSIDE.USAID.GOV/G/DG>.

APPENDIX B: Illustrative Scope of Work for DG Strategic Assessment

FOR _____ **[COUNTRY]**

Introduction

This scope of work calls for the completion of two inter-connected tasks: (1) an assessment of political change and democratization in _____ [country]; and (2) the development of recommendations for a USAID strategy to address major barriers to the transition to and consolidation of democratization in _____ [country]. The assessment portion of the work will be conducted using a framework or tool developed by USAID's Office of Democracy and Governance. The strategy recommendations will also follow the guidance laid out in the framework as well as other relevant Agency policy guidance. The strategy recommendations will be articulated as results or outcomes with notional ideas of how best to obtain those outcomes. This scope of work does not call for a full and detailed program design.

Assessment Methodology

The team will apply the assessment framework attached to this scope of work. The assessment portion of that framework is divided into four steps and is designed to help devise a democracy strategy, make choices for programming, and define results. The four steps are analytical; in actual fact, the team conducts a single series of interviews but considers each of the four steps as it conducts its interviews.

In Step 1, the team analyzes the problems, which need to be tackled using five variables: consensus, rule of law, competition, inclusion, and good governance. The analysis should lead the team to a diagnosis of key problems for democratization and a prioritization of those problems. In addition, the analysis should identify the place of the country on a continuum of democratic change as well as the pace and direction of change. The result of Step 1 should be a priority ranking of the problems for the transition to or consolidation of democracy.

In light of Step 1, Step 2 examines how the game of politics is played in _____ [country] and defines the particular contextual dynamics which the country-specific strategy needs to address. In particular, it calls for the analysis of the forces which support democratization, those that oppose it, and their respective interests, objectives, resources, strategies, and alliances. It is designed to help programmers envision possible entry points for addressing the problems identified in Step 1. The team also examines historical, geographic, sectarian, and other factors that influence politics and need to be taken into account in developing a strategy. The result of Step 2 should be a reconsideration of the problems identified in Step 1 in light of the domestic allies and opponents of democratic reform; and a winnowing of the possible institutional arenas in which USAID investments might have the greatest impact—namely, those which address the most important problems adjusted by those in which domestic partners provide at least the prospect of impact.

In light of Step 1 and Step 2 (what are the problems in order of importance and who are the domestic allies and opponents of reforms to resolve those problems), Step 3 examines those institutional arenas in which allies are best placed to push important democratic reforms. It identifies the nature of those institutional arenas, the rules that define them, the way in which those rules establish incentives favoring democracy, and the way in which those rules can be changed to promote more democratic behavior.

On the basis of the analysis, the team will develop recommendations for a strategy. The strategy should in the first instance be an optimal strategy (i.e., what changes should USAID support in this environment to bring about a significant deepening of democratization, regardless of bureaucratic or other constraints). The optimal strategy should be formulated as one or more higher-level results or outcomes, with some notion of the lower-level changes required to reach those outcomes. In articulating this strategy, it is important for the team to explain how the strategy is connected to and does something about the problems defined in the analysis.

Strategy Development

Once the optimal strategy is articulated, it needs to be filtered through Step 4, a series of bureaucratic screens: U.S. Embassy preferences and foreign policy concerns; resource availability (staff and money); USAID policy; the existing USAID portfolio; USAID's comparative advantage and what other donors are doing; etc. These bureaucratic filters will affect the shape of the final strategy and program recommendations, but it is important for the Agency to be clear about the trade-offs between the optimal strategy and the practical strategy. In the end, how much can be done about the primary barriers to democratization, given USAID's limitations and strengths?

Because USAID is in the best position to make these determinations, Step 4 is primarily the responsibility of USAID, not the team. Nevertheless, the mission or bureau may want to discuss these screens or constraints with the team and solicit its advice.

[NB: The following paragraph is optional. In general the team is not likely to be able to produce a full results package (SOs, IRs, and indicators) as well as an assessment and program recommendations in a three-week period. More important, the mission will no doubt want to review the team's analysis and recommendations before agreeing to implement them. Until that review is completed, work spent on detailing the results package will be wasted since the particulars of the package are likely to change. Finally, if the mission does want a full results package, it will need to add additional level of effort, to be very much engaged in the team's work so that it can discuss the results package meaningfully and with authority, and to include on the team personnel capable of constructing a USAID results package.]

The team is not expected to produce a full blown strategy or USAID results framework detailing a series of inter-locking cause-and-effect relationships or formal strategic objectives or intermediate results. The team is expected to recommend higher level outcomes or desired changes, although with some tentative notions of how those outcomes might be achieved. For example, if the desired outcome is enhanced civilian control over the military, whose control needs to be increased and in what specific domains? What are the best ways of increasing civilian control? Does it make more sense to aim for greater professionalization of the military (joining NATO, joining peace-keeping forces, improving training and equipment) or is it better to improve the capacity of the legislature and the media to deal with military and security issues (increased understanding of budgetary issues, opportunities for dialogue, improved knowledge of weapons systems)?

Proposed Level of Effort

Implementation of a strategic assessment calls for a team of three specialists, two expatriates and one local (or any combination thereof), for the following level of effort:

Team Leader (expat) - 18 days work in country
2-4 days travel
3 days U.S. preparation
5 days follow up and report finalization

Team Member (expat) - 18 days work in country
2-4 days travel
3 days U.S. preparation
3 days follow up and report finalization

Team Member (local) - 19 days work in country

If debriefings in Washington are desired, it might be appropriate to allocate an additional day to the team leader.

Team Member Experience

Team Leader: A social scientist or historian with an advanced degree in a relevant discipline. At least five years experience in DG research and/or programming is required. Experience in assessing political change, barriers to democratization, and strategy development is critical. A knowledge of DG transition literature would be useful. Regional experience and/or country knowledge is required. Ability to conduct interviews and discussions in _____ [language] and to write in _____ [language] is desired/required. A knowledge of USAID and particularly of DG policy guidance and reengineering principles would be helpful.

Team Member (expatriate): A social scientist or historian, preferably with some graduate level training. At least three years experience in DG research and programming required. Experience in conducting assessments and developing strategies is desirable/required. Regional experience and/or country knowledge is required. Ability to conduct interviews and discussions in _____ [language] and to write in _____ [language] is desired/ required. A knowledge of USAID and particularly of DG policy guidance and reengineering principles would be helpful.

Team Member (local): A social scientist, historian, public sector management specialist, or researcher. Minimum degree BA/BS. Good understanding of political dynamics and political actors in _____ [country] essential. Links into the research community would be useful. At least five years' work experience required. Knowledge of USAID and other donors in _____ [country] would be helpful.

Time Line

The work called for in this scope will start o/a _____ and will be completed approximately eight weeks later. The two expatriate team members will stop in Washington for interviews with key USAID officials and other organizations. The team will debrief the mission at least twice (once midway through the analysis and again prior to departure). The mission will give oral comments at the debriefing and may submit written comments after the return of the two expatriate team members. Once the team receives all written comments, it has three weeks to finalize and submit the final report. The final report will be submitted to the mission of its final review and dissemination. The report belongs to USAID, not to the consultants or contractors, and any use of the material in the report shall require the prior written approval of USAID.

Detailed Scope

1. Preparatory Phase - Washington, DC and/or Contractor HQ

The two expatriate team members will pass through Washington, DC on their way to _____ [country]. They will be introduced to the assessment framework by DCHA/DG staff and/or contractor personnel. They will interview relevant USAID, multi-lateral donor, and NGO staff on their perceptions of democratization in _____ [country]. They will collect and begin to review key documents, such as the last USAID country strategy, the R4 for the past two years, and any other relevant materials. They will have a team planning meeting to begin the process of organizing their work.

2. Field Work

The two expatriate team members will meet with the third, local expert and will integrate her/him into the process, briefing her/him on what they learned in Washington and sharing documents. The mission will brief the team on their perceptions of political dynamics and will discuss any special parameters for the field work (e.g., there may be concerns about who the team interviews). The team will divide up its work and will submit a work plan on day three in-country. The team will meet with a broad array of host-country politicians, activists, reformers, researchers, journalists, community groups, etc. The team will also met with embassy staff, other donors, and NGOs knowledgeable about political life.

The team will deliver a draft report at the start of the third week in country. It will debrief the mission on its findings, conclusions, and recommendations toward the end of the third week. The mission will give oral feedback and may later send written comments. The team may give debriefings for others (embassy, donor consortia, NGO consortia).

3. Follow Up

The two expatriate team members will finalize the report, incorporating and responding to comments from the mission and other stakeholders. While the report can be organized in whatever manner best suits _____[country]'s circumstances, the major questions and concerns laid out in the assessment framework must be addressed. The report should include an executive summary that can be detached and used separately, whenever a briefer document is required. The team leader has responsibility for ensuring that the final report is complete and reads in a holistic manner. The team leader may give a debriefing in Washington to personnel in DCHA/ DG, PPC, the regional bureau and elsewhere upon his return.

Explanatory Notes

1. This scope calls for team members who are primarily social science generalists rather than DG sub-sectoral specialists, such as municipal development experts or court management specialists. Sub-sectoral specialists may be too narrow for the broad diagnostic work called for in the assessment tool and might be more appropriately used at the program design stage. For example, once a decision has been made to improve the work of the judicial system, then a sub-sectoral specialist could make a critical contribution in designing an appropriate set of interventions. It is our experience that sub-sectoral specialists tend to recommend programs in areas that they themselves understand best (e.g., corruption experts want to tackle corruption and so on), so we believe that the assessment is best carried out by those who do not have a stake in any one DG sector.

2. Skills among the three team members can to some extent be traded off. For example, even if all three need language skills perhaps only one needs an understanding of USAID reengineering or prior experience in _____ [country]. At least one of the three members should have a good theoretical understanding of democratic change processes in the region at hand. The optimal mix of skills will differ on a country by country basis.

3. The framework can be applied by missions using their own staff or some combination of their own staff and external local or expatriate personnel. It does not require external assistance. Indeed, the greater the mission's involvement in the process, the better. This scope of work assumes that outside assistance is valuable. We have found that it often takes three people three weeks to do the research and prepare a draft. Finalizing the report will take a little longer. Some assessments have been done with fewer team members. If an external team is used, the close involvement of key mission personnel in the assessment is highly recommended. While the burden of work in small missions may make such participation difficult, we think the advantages to the mission in terms of a closer understanding of political change and how the main lines of the strategy interact to affect change in a positive manner may out weigh the disadvantages of a staff person's absence from regular mission work for three weeks.

4. From the standpoint of efficiency, it is very helpful if the mission can schedule at least the initial appointments for the team. If no scheduling is done prior to the team's arrival, a few days may be lost while team members try to find knowledgeable citizens and schedule meetings. While sometimes this period can usefully be devoted to document review and internal discussions within the mission, there may be some wasted down time as well.

5. The mission should be clear whether it wants the strategic assessment report to be written in English, a foreign language, or both. The level of effort needs to be adjusted accordingly.

6. It is unlikely that the team can do any work on indicators within the timeframe allowed.

Step 1: Defining the DG Problem

<u>Look at Five (5) Variables</u>
- consensus
- rule of law
- competition
- inclusion
- good governance
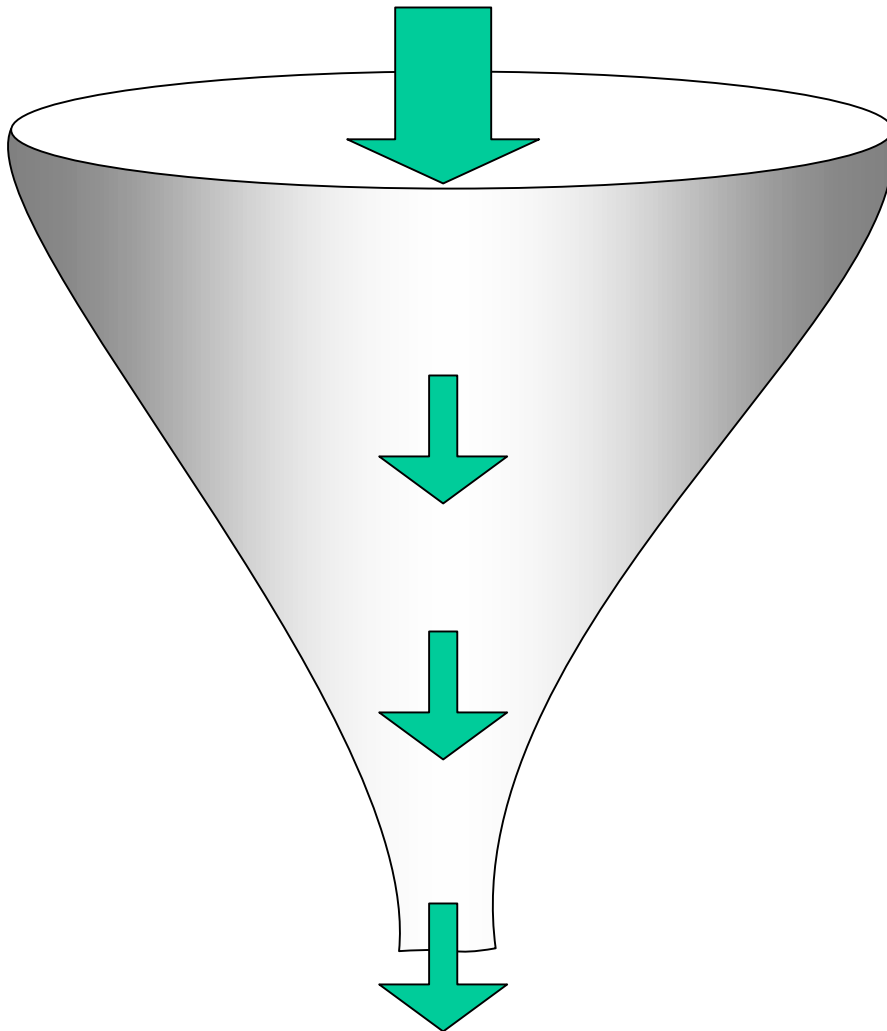
1) character of the regime
2) political trends
3) problems for democracy *(rank-ordered)*

Step 2: Identifying Key Actors and Allies

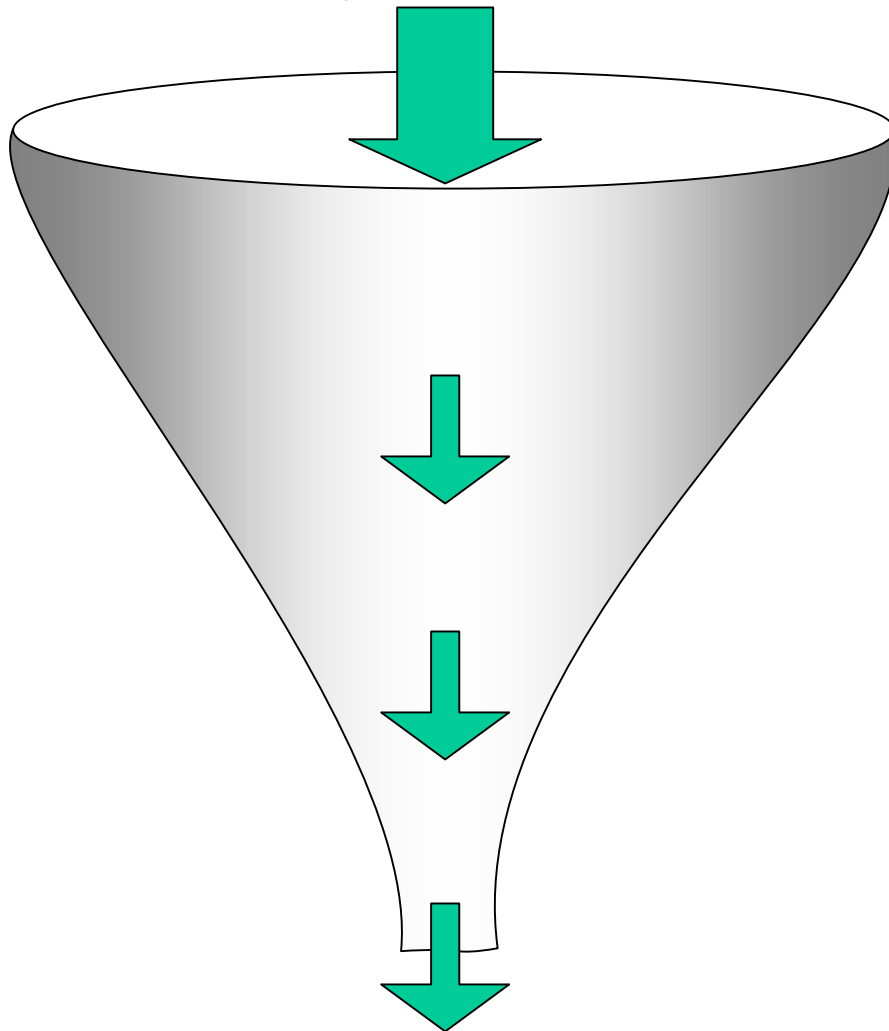**Step 1 Results**

$+$

Contextual Factors
Key Actors
- interests
- resources
- objectives
- strategies
- alignments/alliances

Allies and opponents of DG reform
Re-ordering of DG problems
Identification of priority institutional arenas

Step 3: Analyzing Key Institutional Arenas

Step 2 Results

+

Institutions/Rules/Incentives
- Rule of law arena
- competitive arenas
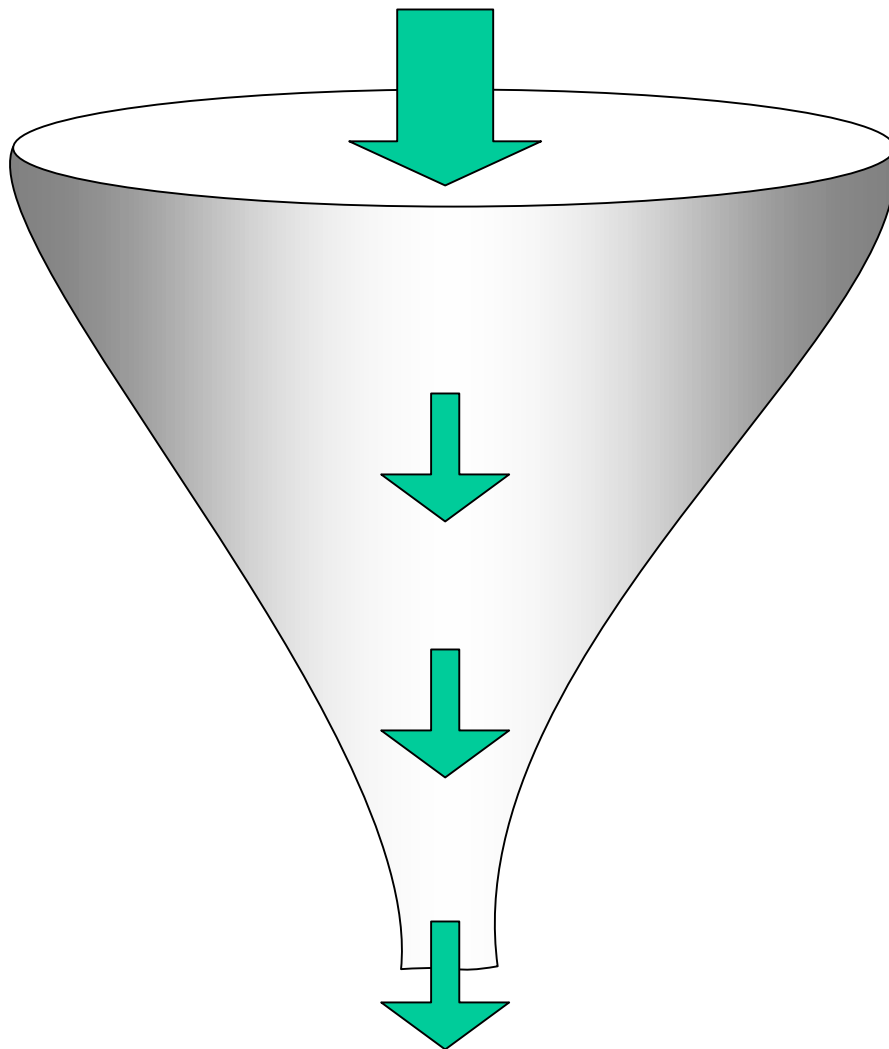- arenas of governance
- civil society arena
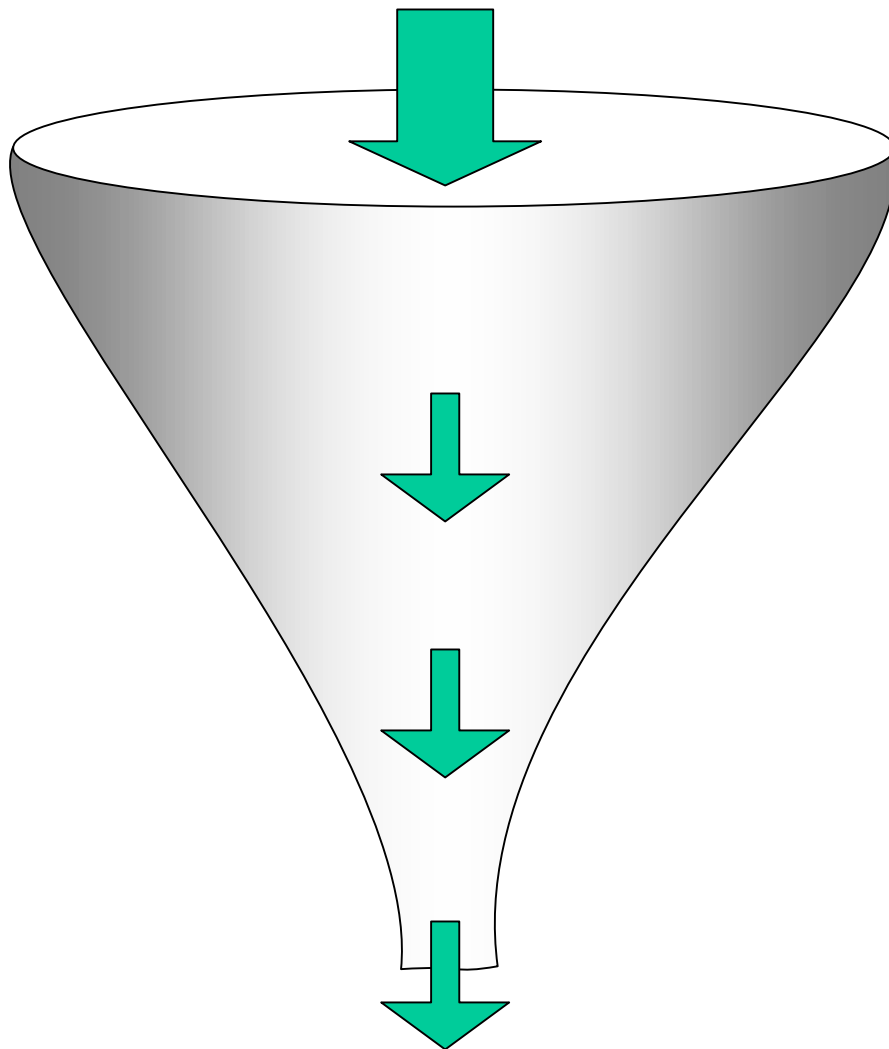
DG strategies
(Rank-ordered)

Step 4: Distilling the Strategy

DG Strategies *(rank ordered)*

+

Donor and context constraints

DG strategies

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