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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Report of the Secretary General

Contribution from the International Centre for Human Rights and Democratic Development

1. The attention of the Preparatory Committee is drawn to the attached study entitled "Human Rights, Democracy and Development" by Mr. Clarence J. Dias and Mr. David Gillies, submitted by the International Centre for Human Rights and Democratic Development (Canada).

2. The theme of the study corresponds to the second objective of the World Conference on Human Rights set out in paragraph 1(b) of General Assembly resolution 45/155, as follows:

> "To examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on Human Rights".

3. The study defines the key concepts of human rights, development, democracy, popular participation and good governance. It describes where and how civil society can be strengthened and suggests some directions for action by non-governmental organizations and official aid agencies. Concrete examples drawn from the Asian region are provided to illustrate how to rebuild civil society, with an emphasis on the fact the

initiatives must come from citizens and not from external sources. It is also noted that without the active participation of women there can be no development. The authors urge official aid agencies to reinforce the need to mainstream women in national developmental policies. They also suggests ways in which relations between non-governmental organizations, Governments and official donors can be improved. Finally, proposals are made regarding "good practice" in the design and delivery of programmes for human rights, democratic institution-building and gender justice.

HUMAN RIGHTS, DEMOCRACY, AND DEVELOPMENT

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THE INTERNATIONAL CENTRE FOR HUMAN RIGHTS
AND DEMOCRATIC DEVELOPMENT,
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PART I: CONCEPTS AND LINKAGES

1. Introduction. Today, governments are more challenged than ever by voices calling for greater democracy and human rights. Democracy and the related issues of human rights, popular participation and good governance are now widely seen as essential pillars of durable development.

This study[1] draws out some of the linkages among human rights, democracy, gender, and development as they have emerged from the activities of non-governmental organizations (NGOs), popular organizations (POs), international NGOs (INGOs), and official aid agencies. Our primary focus is to examine these linkages as they affect the developing world. The study defines key concepts, describes where and how civil society can be strengthened, and suggests some directions for action by NGOs and official aid agencies.

Gender justice is an essential component of human rights and democratic development. Women must move into the mainstream of the human rights movement by advocating strategies which address the systemic sources of their inequality. Compared to men, women face persistent inequalities of material resources and political power. Equality between women and men is fundamental to a just and democratic society. Talk of 'building civil society', achieving 'democratic development' and 'realizing human rights' will be meaningless unless the structures and practices that diminish women's power are abolished through the efforts of women and men working together. NGOs have tended to neglect gender issues, limiting the success of their struggles for social justice. There is thus a vital need to add gender equity to the institutions of development and democracy to enable the fullest participation of women therein.

The activities of NGOs, POs and official aid agencies point to a global agenda for human development premised on these key principles:

(1) Human rights are the bedrock of legitimate governance.
(2) Sovereignty is no longer sacrosanct and is abused when it is invoked to shield massive human suffering or malevolent governance.
(3) Civil society is resurgent in many parts of the world. The international community has an obligation to help strengthen this global movement for human rights and democracy, particularly those elements of a grassroots development paradigm that are emerging from social movements, people's organizations, and indigenous NGOs in the South.

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[1] Commissioned by the UN Centre for Human Rights as a background document for the World Human Rights Conference "to examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on human rights" UN General Assembly, A/CONF.157/PC/20. The authors are grateful to the following external reviewers for their helpful comments: Florence Butegwa, Nelia Sancho and Charlotte Bunch.

(5) People must be at the centre of the development process because sustainable development is only possible through popular participation.

(6) Gender justice should be a priority for governments, the human rights movement, and the development community. Development and democracy are for all and not just half of the human race. There can be no development or democracy without the full and effective participation of women.

(7) Genuine human development and participatory democracy is impossible unless both democracy and development are brought under a human rights regime.

(8) Poverty and powerlessness are among the most deep-seated roots of human rights violations. Democracy and participatory development are essential for significant progress in removing these structural causes of human rights abuses.

2. Human Rights. By human rights we refer to the entire range of rights (economic, social, civil, political and cultural) both individual and collective, contained in international and regional human rights instruments. In the 1990s, the International Bill of Human Rights must be re-read to ensure that women's rights occupy a central place within them. Such principles as "life, liberty and security of the person" need to be understood by closer attention to how women are affected by their abuse through violence against them on the street and in the home.[2]

The international instruments emphasize that human rights are indivisible and interdependent. Their specious division into artificial "generations" has rationalized the suppression of civil and political rights for economic growth without human development. In fact, as the UNDP Human Development and Human Freedom indexes underline, there is a remarkable correlation between high levels of human freedom (civil and political rights) and high levels of human development (physical and material well being).[3] A generational approach also runs counter to the pressing need to mainstream women's rights as fully human rights. By the same token, seeing social, economic and cultural rights as second class rights weakens the obligation of states and aid agencies to ensure their progressive realization. Moreover, the stability of democratic systems may be threatened if political elites ignore socio-economic rights or fail to redress the extreme material inequalities that may accompany economic growth.[4]

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[2] "Women's Rights as Human Rights" Notes for an Address by the Honourable Ed Broadbent, President, International Centre for Human Rights and Democratic Development to the Linking Hands for Changing Laws Conference, Toronto, 2 September, 1992.

[3] This is not to deny the methodological hurdles in measuring both human freedom and human development.

[4] For compelling empirical evidence, see Zehra Arat, Democracy and Human Rights in Developing Countries, Boulder and London: Lynne Rienner Publishers, 1991.

3. Development. The concept of development is gradually being rethought. Human rights are being added to a longstanding concern with economic growth, poverty alleviation and basic material human needs. There is some convergence of outlook in the recent statements of official donors, the language of human rights, and grassroots development blueprints. The UNDP Human Development Report says "people are the real wealth of the nation". The UN Declaration on the Right to Development says "the human person is the central subject of development". The Arusha Charter on Popular Participation is in "no doubt that at the heart of Africa's development objectives must lie the ultimate and overriding goal of human-centered development ...." The Manila Declaration on People's Participation and Sustainable Development also speaks of a "people-centered development" which "seeks to broaden political participation, building from a base of strong people's organizations and participatory local government. Political and economic democracy are its cornerstone".

This more holistic understanding of development has several implications for the principles that should govern all development activities at the national and international level. Realizing the potential of the human person in harmony with the community should be seen as the central purpose of development. Development requires the satisfaction of both material and non-material human needs. Individuals must be able to participate fully in becoming self-reliant and shaping their own destinies. Development planning must be premised on respect for the principles of equality and non-discrimination.

4. Democracy. Democracy is best understood in terms of achieving the complete range of human rights. It is a political system in which the "will of the people shall be the basis of the authority of government". Article 21 of the Universal Declaration of Human Rights goes on to affirm that "everyone has the right to take part in the government" of his or her country "directly or through freely chosen representatives." International human rights instruments thus envisage not only representative democracy in political institutions, but participatory democracy in civil society as well.

The Universal Declaration enumerates several other essential principles for evaluating the democratic nature of governments. Of these, the **Rule of Law** is vital. Judicial independence and state laws which nurture, rather than prohibit, political participation and human development are essential safeguards for democratic development.

Legally guaranteed freedom of expression, assembly and association safeguard democratic participation. Also vital are equality before the law and equal protection of laws; security of the person against arbitrary arrest, detention, torture, violence, disappearances, and extrajudicial killings; the right to due process, fair hearing and effective remedies, and to protection against arbitrary, motivated and summary judgments.

For many women, however, law has been used to diminish their lives not empower them. In some societies a complex mix of common, customary, and

religious laws discriminate against women in property, inheritance, marriage, divorce, and the custody and maintenance of children.

The concept of democracy encompasses both political and developmental democracy. In political democracy, the emphasis is on formal democratic processes (elections, parties, legislatures, elites). In developmental democracy, civil and political rights are seen as vehicles to advance equality of condition, not simply
opportunity. Building civil society, the expansion of democratic space, popular participation, effective public control of the policy agenda, just distribution of resources, and civilian control of the military: these are the real markers of democracy.[5]

Neither political nor developmental democracy is sufficient in itself. Both are needed to realize **all** human rights: social, economic, cultural, civil, and political. Progress towards achieving all human rights **is** democratic development.

The ultimate purpose of democratic governance is to build a just social order and to maximize human potential through the active participation of citizens in controlling their own destinies. What 'develops' in democratic development is the capacity of ordinary people to improve their material circumstances, strengthen their political voice, hold governments accountable, and develop their talents and interests relatively unrestrained by state control.

5. Popular Participation. Popular participation is key to realizing the right to development and in promoting democracy. As an aspect of political action, participation is the organized efforts of powerless groups, communities and movements to win more control of material resources and access to policy-making structures.

In the context of development projects, participation involves the intended beneficiaries in project design and implementation. At the level of local government, participation is implicit in the principle of subsidiarity: that decisions should be taken at the lowest level at which they can be made effective. At the level of the organization, participation fosters democracy within NGOs and popular organizations the poor have themselves created.

Participation is valuable as an end in itself and as a means to make development aid more effective. Projects are more likely to be sustainable when the beneficiaries are involved in their design and implementation because participation creates a sense of ownership.

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[5] Gerald J. Schmitz and David Gillies, The Challenge of Democratic Development (Ottawa: North-South Institute, 1992). For a synthesis of state obligations drawn from human rights, sustainable market development, and democratic principles see the Charter of Paris and Moscow Meeting on the Human Dimension of the Conference on Security and Cooperation in Europe.

6. Good Governance and Political Institutions. The emphasis in this paper is on civil society. But development aid can also help strengthen the independence and effectiveness of formal political institutions, such as the judiciary, and the electoral and political party system. Official donors and international financial institutions are increasingly promoting more accountable, transparent and efficient government as the "enabling environment" within which democratic development is achieved. Good governance is the responsible use of political authority to manage a nation's affairs. It requires a professionally competent, honest and merit-based civil service, sound fiscal management and public financial accountability, effective state institutions to formulate and implement national development policies, and a just and predictable legal framework. The challenge of good governance is to build an efficient, democratic culture within the machinery of government; one which respects human rights and is accountable to the civic culture in society at large.

Our discussion of key concepts define ideals to strive for. But as the Minimata Declaration cautions:

> *Both development and democracy have become dirty words for the oppressed because, in reality, they have come to mean impoverishment and disempowerment. For the poor in the Third World, democracy has meant the rule of the powerful, a very small elite. For indigenous people and minorities, democracy has meant the tyranny of the majority.*

Just as citizens in many parts of the North struggle to rejuvenate the institutions of liberal democracy, so too democracy has clearly not triumphed for many in the South, a fact which underscores the arduous journey ahead to build lasting civic cultures.

PART II: (RE) BUILDING CIVIL SOCIETY

An independent, tolerant civil society is the cornerstone of a durable, participatory democracy. Civil society may exist without democracy, but democracy cannot exist without civil society. A defining feature of democratic development is thus the extent to which people and organizations within civil society are empowered and political equality is increased. A strong, democratic civil society is one in which independent associations are capable of significantly influencing public policy. In countries like the Philippines, Nepal and Bangladesh where mass-based peoples' movements have restored democracy after long periods of authoritarian rule, the task is one of rebuilding the institutions of civil society destroyed by repressive rule.

Asia-Pacific NGOs have identified the following priorities for rebuilding civic institutions in restored democracies:

(i) Ratification of international human rights instruments[6].
(ii) Legal and constitutional reform to dismantle the authoritarian structures of the past[7].
(iii) Eradication of the culture of fear: by sanctioning those guilty of gross human rights violations and by providing effective relief to the victims of such violations[8].
(iv) Controlling the violence of state and non-state actors[9].
(v) Fostering pluralism through programs of education, decentralization and protection of minority rights[10].
(vi) Eradication of the culture of poverty through genuine human development[11].
(vii) Empowerment of the people through human rights awareness and assertion programs and through participatory institution building[12].
(viii) Accountability of government of government officials, armed forces, police and law enforcement officials[13].
(ix) Selective restoration of institutions key to civil society[14].

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[6] Both in the Philippines and in Nepal overthrow of dictatorship was followed by ratification of key human rights instruments such as the Covenants, the Women's Convention and the Child Convention.

[7] Nepal's Constitution-making process and the Constitution that resulted is a model attempt to dismantle the authoritarian structures of governance of the past. Bangladesh also attempted a national effort (transcending party lines) at reforming its constitution.

[8] This was a priority task in South Korea and the Philippines. It remains a major issue in Thailand and Nepal today.

[9] In the Philippines and in Colombia, serious attempts were made to bring insurgent groups back into the constitutional process.

[10] Sri-Lanka's attempts at devolution and decentralization came too late to avert the ethnic conflict. But NGOs clearly saw the importance of decentralization and protection of minority rights in attempts at rebuilding civil society there, even at the earliest stages of the conflict.

[11] In Nepal, especially, the importance of economic rights and human development is recognized as vital to preserving the gains of the mass democracy struggle.

[12] In the Philippines, the departure of Ferdinand Marcos witnessed a flourishing of alternative law groups involved in grassroots and community-level, human rights awareness programs. This is also true for Nepal, Thailand, and Bangladesh.

[13] The International Third World Legal Studies Association (a membership organization) is initiating a number of "case studies" on the human rights accountability of police, military and other security forces.

[14] In South Asia, especially, the press and the legal profession are the targets of NGO programs and projects which recognize their crucial human rights roles.

The transition to democracy is a unique moment to consolidate democratic processes and ensure that civil society creates a multitude of channels to participate in national development. If the innovative possibilities of a democratic transition are not seized early, it may prove hard to do so later. Patterns of politics inimical to developmental democracy (a continuing military role in politics for example) may be established during the transition and then congeal to become semipermanent features of the political landscape. Many NGO efforts to meet their national development priorities usually fail to act on the opportunities democratic transitions provide to redress gender injustices. Those issues tend to get put aside until the tasks of healing and rebuilding civil society are achieved. Unfortunately, such issues also tend to get put aside after civilian rule has been restored when the transition may lose creative possibilities and the opportunities to strengthen civil society become more restricted.

In other countries, there is no sharp rupture of democracy but rather a slow atrophy where the facade and trappings of democracy continue to exist but the rule of law and the institutions of civil society undergo steady erosion. In these circumstances, NGOs have pursued a three-fold strategy of institutional and constitutional renovation.

(i) Selective Renovation

Thus, for example, the judiciary has been a clear focus for NGO activity in South Asia. Several workshops for judges have been organized to raise their awareness of pressing social concerns and issues, and to encourage them to adopt strategies of judicial activism in the protection and promotion of human rights. Reform of the police and military has also been a key focus of NGO activity. In one country, Nepal, Parliament has been focus as well, and shortly after Nepal's first democratic election, a seminar was organized bringing together members of parliament and human rights and environmental NGO's to work towards an agenda on human rights and lawmaking for Nepal's newly elected parliament.[15]

(ii) Selective Strengthening of Non-State Institutions

Here the focus has been on the press and an effort for example, to form a South Asian Journalists Forum on Human Rights. The focus has been also on young professionals with several efforts, for example, to reorient law students in South Asia.[16] The focus has been on people's organizations and ways to

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[15] See the "Report of the Panel on Economic Rights, Environment and the Right to Development" of the First International Conference on Human Rights, Law Making and Transition to Democracy convened by INHURED, July 29-31 1991, Kathmandu.

[16] See "Proceedings of the Alternative/Developmental Law Workshop", Committee of Alternative Law Groups and Structural Alternative Legal Assistance for Grassroots (SALAG), 1991.

strengthen their organization and provide support services.[17] The focus has been on NGO's and ways to move from networking to more effective coalition-building and alliances for example, between consumer co-operatives in Japan and community banana growers in Negros in the Philippines. Priority is also being given to democratizing the internal structures of NGOs[18] and to strengthening their capacities for resisting co-optation NGOs are also recognizing the need to similarly work on the democratization of the internal structures of political parties as well.[19]

(iii) Interaction between State and Non-State institutions

NGO's are playing intermediary roles between state and non-state institutions in respect of participation, accountability and development. Thus for example, so far as participation is concerned, NGO's have been facilitating community participation in environmental impact assessment hearings, conducted by the state. So far as accountability is concerned, NGO's have been organizing sessions of People's Tribunals to force state action in respect of key issues of public accountability.[20] So far as development is concerned, NGO's are not only helping communities to design and initiate their own development projects but have been helping them bid for and undertake state sponsored development projects, for example, in respect of community reforestation.[21]

But in all of these efforts, NGO's are also having to confront several obstacles and impediments to building civil society: government suspicion and

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[17] The work of PROCESS (a Philippine NGO) is especially noteworthy. Aside from day-to-day support to individual POs in the field, PROCESS also facilitates an annual Congress at which representatives of over 90 popular organizations share problems and achievements, design common strategies, and form coalitions for action. For details see the two monthly publications of PROCESS: Alternatives and Sarilakas.

[18] The Asian NGO Task Force conducts regular training programs from mid-level leadership of Asian NGOs. The scope and thrust of such programs is described in Empowerment, Justice and Social Change: A Shared Struggle, published by ACFOD (Bangkok).

[19] INSEC (a Nepalese NGO) is planning to organize an International Congress on Democratic Alternatives at which political parties will be represented and form their own working group alongside other working groups, such as youth, professional, journalists, and teachers, all striving to contribute more effectively to grassroots participatory democracy.

[20] See, Clarence J. Dias, "Development: A Worm's Eye View", in Report of the Hearings Before the International Panel on Grassroots Democracy and the People's Right to Development, People's Forum, Bangkok 1991; Judgment of The Asia-Pacific People's Tribunal Concerning the Issues of Burma, East Timor and Thailand, Bangkok Session, December 1992; and the Permanent People's Tribunal on Industrial and Environmental Hazards and Human Rights.

[21] The Philippine NGOs PROCESS and SALAG have helped grassroots organizations to initiate state-sponsored projects on community reforestation and watershed reconstruction respectively.

hostility, bureaucratic apathy or corruption, local elites, global actors such as multinational corporations pursuing their own global agenda, and development donor agencies who tend to prefer to deal with governments and large-scale projects rather than with PO's, NGO's and community-based, small-scale projects.

Some Priorities in Building Civil Societies

External aid will not be decisive in building democratic societies. Citizens themselves must take the initiative. Democratic development projects support non-governmental and 'popular' organizations that become politically active in the pursuit of some material interest or socially just cause. The promotion of popular participation distinguishes democratic development projects from conventional aid projects.

The potential arenas for support are diverse and include: the media, trade unions, peasant associations, rural cooperatives, business and professional associations, environmental advocacy groups, human rights monitors, women's organizations, legal aid groups, religious organizations, and urban popular movements.

Reviewing NGO experiences, several groups and themes emerge that must be (and have been) addressed in building civil society:

1. Organizing for Empowerment. Organizing to develop countervailing power is a key strategy for empowerment and democracy.[22] Community forest dwellers in Thailand, subsistence fisherfolk in the Philippines, bonded labour in India, workers on agricultural plantations all over Asia, are forming their own peoples organization with support and assistance from NGO's. The PO's become a vehicle for participation at grassroots level. Associations and coalitions of PO's become a vehicle for negotiations of policy. Thus, for example, the fisher folk organizations of the Philippines have drawn up a Fisheries Code for the Philippines and are now lobbying for its enactment into law.

Women usually receive short shrift in the process of organization. In some situations (forest dwellers, fisher folk) they play such key and essential roles in day-to-day life that they become an integral part of the organizing process.

But this is often because they are too important to be left out. Yet rarely do **their** issues gain priority in organizing demands. Moreover, where they do not play key economic or other leadership roles, organizing becomes a male-dominated activity and in fact women often become the targets of reprisals by those who wish to thwart the organizing process.

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[22] See the work of PROCESS (Philippines) and its publication Law as a Weapon.

Hence it is vital that women be allowed to assume key leadership roles in all organizing activity. Empowerment of women is an essential prerequisite to the successful and effective organizing of **all** disadvantaged groups and communities -- whether urban or rural.

2. Popular Movements. Throughout the Third World broad social and popular movements are gaining strength. These movements for redemocratization, gender justice, peace, disarmament and nuclear exclusion are a social reality and provide a solid foundation for building civil society. Urban popular movements in Latin America, workers' movements in Asia, liberation struggles in Burma and East Timor -- all of these mass-based and popularly led movements have transformed the human rights movement and given it new legitimacy.[23] Professional elites in the Third World, by and large, have yet to come to terms with these popular movements. By the same token, not all such movements are sufficiently gender sensitive. Liberation movements, in particular, need to ask themselves hard questions about abuses of women's rights they condone -- or worse require -- as a sacrifice for the so-called greater good.

3. Gender and Development. After decades of relative neglect, aid donors now recognize that women play a key role in development: in food production, in health care, hygiene and nutrition, in the informal sector as entrepreneurs, and in education.

Women face gross injustices which impede their development. No country can claim immunity from the violations of human rights visited upon women. Violence against women is as prevalent in Canada and the North as it is in the South. Unchecked and systemic violence against women reinforces authoritarianism, violence and exploitation in civil society at large. Efforts to address the issue of violence against women should thus be part and parcel of the challenge to integrate women into development. Development agencies can play a catalytic role in helping change social attitudes towards violence against women, both at the program and advocacy level.[24]

Investing in women's rights, dismantling discriminatory laws, and helping women change social attitudes, gain access to higher education, and control over fertility and reproduction, will pay huge development dividends. It will enhance the fuller participation of half the human race in the development process, by prompting social change, lowering birthrates, improving the prospects for proper child care, and promoting economic growth.

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[23] See Clarence Dias, "The Impact of Social Activism and Movements for Legal Reform in South Asia". Mimeo.

[24] Roxanne Carillo, Battered Dreams: Violence Against Women as an Obstacle to Development, UNIFEM, 1992.

Today, however, national policies seldom recognize or support women in their multiple roles -- as mothers, as providers, as community organizers. In the absence of nationally instituted support for such basic needs as day care or maternity leave, many women have little time to participate in politics, or gain access to credit and other material resources. Women often do not have the property, the recognized formal sector experience or contacts to guarantee a loan. Entrenched cultural codes denying women the right to property, land, employment, education, or political participation are formidable hurdles to women's empowerment. Women are subjected to sexual and other forms of physical violence, forced marriages, genital mutilation, and sexual slavery. Many face serious infringements of their reproductive rights.

Despite the adoption of the UN Convention on the Elimination of All forms of Discrimination Against Women in 1979, the notion that women's rights are fully human rights has not yet taken hold in the global human rights movement. In part, this stems from the artificial distinction between public and private. The effect, particularly in the case of domestic violence, can be to make gender specific abuses invisible internationally.[25] While human rights law rejects the notion that what governments do "within the confines of their nations" is their own business, there is still a widespread belief that what a man does in the "confines of his own home" is his own affair. Altering this unacceptable double-standard by "mainstreaming" women's rights as human rights should be a key item on the agenda of NGOs, governments, and the UN system in the 1990s.

Some development practitioners now call for a shift away from considering women in isolation. Welfare and anti-poverty approaches to women in development are based on some questionable assumptions: that women are passive recipients of development, that motherhood and child rearing are central to women's social role, that households are nuclear and male-led, and that there is a relatively fixed and appropriate sexual division of labour. Government obligations to protect the security of the person as a fundamental human right must also be seen to entail the protection of women from violence within the family.

Dissatisfaction with these assumptions has led to a model premised on the reality that men have more power and women, not enough. This "gender and development" (GAD) approach seeks to create balance between the genders, but it has not filtered into the mainstream of development planning. Indeed, its policy implications may threaten many national governments and some international donors. As one Sri Lankan lawyer notes:

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[25] Dorothy O. Thomas and Michele E. Beasley, "Domestic Violence as a Human Rights Issue", Human Rights Quarterly, Vol. 15, No. 1, 1993, pp. 36-62.

> In many ways, the issue of women's rights have accentuated the constant tension between tradition and modernity. Women have been classically regarded as the bearers of tradition from one generation to another. The transformation of their role in society is seen as an erosion of the foundations of traditional cultures. When the alternative to tradition is westernization, there is an in-built cultural prejudice which is often the justification of the denial of the equal rights of women.[26]

Official aid agencies can play an important role in reducing such perceptions by constantly reinforcing the need to mainstream women in national development policies, and by developing projects which show how investing in women's rights can lead to more equality in the home, in the community, and in national political life.

Among women's primary material needs are access to land and credit. They also need and have a right to expect an adequate legal framework for redress against male violence and the abuse of reproductive rights. In practical terms, this means donor support for groups working to change discriminatory laws or to convince male-run banks that women can be successful entrepreneurs, wise investors, and reliable borrowers.

An inability to access credit is one of the key obstacles to women's development. Many women are locked into a vicious cycle: cultural and legal norms restrict their ability to inherit land or property. Without these forms of collateral, they cannot access credit. South Asian NGOs, such as the Grameen Bank, the Self Employed Women's Association (SEWA), and the Working Women's Forum, underscore how revolving loan funds can help women bypass the formal money market, and enhance managerial skills, material welfare and personal empowerment. Several of these NGOs combine micro-economic activity with political action. SEWA, for example, began as a movement for poor urban women, but has spread to rural home-based women and agricultural women labourers pressing for the protection and benefits of labour legislation.

Many women's organizations and development NGOs argue that the free-market principles reflected in Structural Adjustment Programs (SAPs) are biased against women.[27] SAPs tend to reduce the amount of credit available and to shrink formal employment opportunities. Women may be crowded out of formal credit markets and forced into more informal but less secure work. They also shoulder a disproportionate share of the burden of adjustment. Pregnant and nursing women, women in poor urban households and female heads of households are especially adversely affected by cuts in food subsidies, and health and

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[26] Cited in Put Our World to Rights, A Report by a Non-Governmental Advisory Group chaired by the Hon. Flora MacDonald (London: Commonwealth Human Rights Initiative, 1991), p. 111.

[27] See also Commonwealth Secretariat, Engendering Adjustment for the 1990s London, 1989.

education services. In short, structural adjustment can imperil women's rights and run counter to the principles of human development.

Women face perhaps their most arduous struggles in the area of political participation. The key issues here include the right to citizenship, suffrage rights, and the right to serve in public office.

The Nairobi Forward-Looking Strategies, adopted in 1985, called on governments to "intensify efforts to ensure equality of participation by women in all national, regional and local legislative bodies and to achieve equity in the appointment of women to high posts in the executive, legislative and judicial posts" (Article 87).

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) calls on:

> States parties <to> take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular ... ensure to women on equal terms with men, the right ... to participate in the formulation of government policy ... and to hold public office ... at all levels of government.

The reality almost nowhere reflects these calls for action. In 1991 there were only 8 female Heads of State. In 1990, only 3.5 per cent of the world's cabinet ministers were women. Women held no ministerial positions in 93 countries. They occupy less than 5 per cent of the top positions in international organizations.[28] Women's representation in parliament also remains very low. Formal democratization does not necessarily translate into better gender equity in political power. In 1991, for example, only 4 of the 96 members of Polish Solidarity's National Committee were women.

In South Africa, women's perception that they were left out of the initial multiparty talks for a democratic constitution (CODESA) galvanized 70 women's organizations to form the Women's National Coalition. The Coalition will formulate a South African Women's Charter which should in turn ensure that any future constitution safeguards women's rights. The Coalition has embarked on an ambitious campaign to tap the views and aspirations of women from all walks of life to ensure that the final Charter is not simply a lawyers' text but reflects grassroots convictions.

The Women's National Coalition underlines the importance of national and regional networking as a vehicle for organized action and the comparison of experiences. Women in the Americas have well established regional networks. They include the *Comision para la Defensa de los derechos Humanas* in Central America, the Feminist Centre of Information and Action (CEFEMINA), and

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[28] United Nations, Women: Challenges to the Year 2000, 1991, p. 52.

CLADEM, which coordinates a network of Latin American NGOs working to defend and promote women's rights. Networks and coalitions have the potential for greater policy impact than individual organizations.

4. Literacy and Democratic Development. Thinkers as different in outlook as J.S. Mill, Antonio Gramsci and Paulo Freire have recognized the profound value of literacy as a vehicle for self-development and political participation. Mill wanted to foster the "social part" of individual nature, those "feelings and capacities which have the good of others for their object". Gramsci and Freire saw how illiteracy blocked political awareness among poor working people. Both men developed ideas to emancipate the powerless by popular education for political action. All three thinkers grappled with the question of what it means to be fully human. Each saw an intimate connection among human development, social action, and political awareness.

What is the connection between literacy and political participation? Literacy is the key to exercising rights. People with little or no literacy may not even be able to exercise their voting rights with complete freedom because they lack sufficient knowledge of the platforms of candidates and parties to make considered choices. It is perhaps no accident that illiteracy rates are commonly highest among the most materially impoverished and politically powerless Third World communities. These include women, rural populations, indigenous peoples, migrant workers, and refugees.

As Freire saw it, literacy is a vehicle, first, for critical self-examination. From this develops new awareness of individual and social oppression, but also a new sense of dignity and willingness to work with others to alter the structures of injustice. People are socially conditioned to serve the interests of their oppressors, but through education people have the potential to overcome this conditioning. The acquisition of literacy may eventually prompt individuals to join popular organizations that are politically active in demanding better housing, health care, land to the tiller, and so on.

In most Western societies, literacy education is seen as the key to political education. But for several Third World societies with a non-literate (verbal) tradition of communication, the challenge is to devise functional equivalents for successful civic education.

In many parts of the developing world the family, local community, and their special ethnic and gender value systems are the essential boundaries of life. The machinery of national and even provincial government appears to have little immediate impact on peoples' lives.

Literacy programs, whether they are organized around the teaching of human rights, popular political education, or the acquisition of skills to support employment or food projects, respond to just those boundaries. They lend themselves to small-scale, grassroots actions that may, over the longer run, lead to community, municipal or provincial political action. Literacy programs mirror the

bottom-up and developmental approach to democratic participation that many donors seek to foster.

5. The Media. Access to information (and indeed the right to know) is crucial to democratizing development. The media plays a key role in sustaining political expression and participation. By criticizing unjust state policies the media can hold governments accountable, help defend civil liberties, protest abuses of power, or publicize demands for greater political pluralism. Supporting independent media organizations can help strengthen Article 19 of the Universal Declaration of Human Rights: the right to freedom of opinion.

6. Trade Unions. The freedom to organize, whether through collective bargaining or by industrial action, requires a politically open society in which conflict is mediated without coercion or violence. Historically, unions have been a central force in providing more economic justice for their members and for the creation of democratic pluralism.

In Europe, the trade union movement played the key institutional role in transforming working class discontent in a democratic direction. Unions are thus potential schools for participation which may, in some circumstances, reinforce democratic institutions, such as the party system. Labour movements were also important catalysts in the development of the welfare state.

In many parts of world, however, union membership is either banned or else corralled into a single, state-run organization. Many countries prohibit industrial action and see freedom of association as a recipe for political instability and economic crisis. By contrast, one of the most reliable signs of a healthy democracy is widespread support for independent trade union activity.

Trade union training has sometimes only favoured men, but should increasingly take women into account. Useful materials and training modules for women unionists have been developed by, for example, the Commonwealth Trades Unions Council for the Caribbean and East Africa.

7. Urban Popular Movements. The shift of people from the land to the cities has created a huge Third World population of urban slum dwellers living on the margins of society, often without rights or legal status. By the year 2000, 18 of the world's 21 largest cities will be in the Third World.

Argentine urban planner, Jorge Hardoy, calls these marginalized urban slum dwellers, "the people who do not exist" and their struggles for rights, "the democracy of the people who do not exist". Particularly in Latin America, so-called urban popular movements (UPMs) have sprung up to provide essential services or to pressure local government into supplying them. In Brazil, UPMs have gone one step further and developed formal links with the Workers Party. Together with other social movements representing women, the churches, environmentalists, and human rights activists, the UPMs helped the Workers Party contest and win mayoral elections in nine Brazilian cities, including Sao Paulo.

8. Rural Organizations. Despite rapid urbanization, about six in 10 Third World families (roughly 500 million people) are dependent on the land for their livelihood. In Asia, 73 per cent of the population is rural; in Africa, 75 per cent; in Latin America, 39 per cent. The consolidation of democracy in largely rural societies may be strongly influenced by the capacity of the rural poor to organize and become legitimate participants in the mainstream of national politics.

Landlessness, the exploitation of seasonal labour, or the debt bondage of tenant farmers are major impediments to economic and political development. The economic impact of insecure tenure patterns is reduced incentives for productivity. This in turn is linked to low rural incomes, which acts as brake on national economic growth. Landlessness also accelerates urbanization and contributes to deforestation. Finally, in the political realm, the dominance of land-holding-elites and the grievances of the landless have played a role in most of the great revolutionary upheavals of the twentieth century. Consider Mexico, Russia, China, Bolivia, Cuba, Vietnam, Ethiopia, and Nicaragua.

Land reform is a key mechanism to alter extreme power and income inequalities and for developing participatory rural organizations that strengthen democracy. The land question is today a significant element in the politics of South Africa, Zimbabwe, The Philippines, El Salvador, Bangladesh and Brazil.

Despite the risks, donors should examine the potential of indirect support to agrarian reform movements committed to the democratic process. Regional peasant organizations are a potential link between direct and representative forms of democracy by acting as the intermediary between the peasant base and national political processes. United Nations norms on the right to food and the social justice function of property provide an adequate justification for such assistance.

9. The Cooperative Movement. Official development agencies are increasingly supporting agricultural cooperatives. However, aid donors have often supported cooperatives that are not really independent organizations rooted in civil society, but are instead government controlled bodies which serve as instruments of state policy. There is a need to help cooperatives "de-link" from systems of national control. This would proceed faster if official donors provided more long-term support for the institutional development of Southern cooperatives, and help promote **movement-to-movement** linkages between Northern and Southern cooperatives. In effect, donors need to bypass the bureaucracy and corruption sometimes associated with government-to-government assistance.

10. Indigenous Democratic Traditions. Many Third World NGOs have become aware that we can draw on the past to deal with the present and the future. The Arusha Charter on Popular Participation, for example, calls for the integration of the positive elements of African culture in building democracy. Democratic ideas are not unique to the West. Most peoples can draw on some local traditions to build a democratic society. The democratic possibilities of indigenous cultures take place in local contexts. The village and small municipal community are fertile schools for democracy. Decision-making at these local levels

often incorporate a large proportion of the community and decisions are arrived at through discussion, debate, consultation and sometimes voting. Almost all villages have councils, such as the panchayats of India or the kgotlas of Botswana. The challenge is to revive the best elements of these buried forms of local freedom and graft them onto the democratic governance of large, complex nation-states.

A good example of the participatory possibilities of indigenous tradition is the Sri Lankan Sarvodaya "village awakening" movement. The spiritual values of Thervada Buddhism are at the core of the Sarvodaya movement. Through self-help and the active participation of villagers in running their own schools, farms, health care and credit circles, Sarvodaya has proved a cost-effective vehicle for both material progress and community empowerment. The movement's development philosophy is based on the buddhist code of **dharma,** or right living. The code is a practical guide for personal growth, ecological harmony, and community development. Its precepts cover cultural enrichment, moral action, social and material well being, and political action through fundamental rights. Set against these values, the development community's new thinking on participation and sustainable development, seems to be a rediscovery of ancient truths that have long guided some communities in the South. Reaching more than 3,000 villages, Sarvodaya has become a durable vehicle for grassroots development in a deeply divided society.

It is equally true that some indigenous traditions in the cultural history of all societies have been abused to suppress individual freedom, exclude other cultural groups, or defend and reinforce patriarchy.[29] But guarding against romanticism and the less participatory aspects of "tradition", Southern NGOs should examine how they may tap a wellspring of democratic possibilities from indigenous cultural traditions.

11. Local Government, Devolution and Participation. Effective democratic governments draw their legitimacy and strength from civil society. They seek to share rather than monopolize power. Citizens can participate more effectively in governments committed to the principle of subsidiarity: allowing decisions to be taken at the lowest level at which they can be made effective.

Devolving power to regional, local and municipal levels can promote the democratic virtues of citizen participation and government responsiveness through greater efficiency in the design and delivery of public goods. Key barometers of effective devolution are local governments able: (a) to control a tax base; (b) with autonomy to design and implement public policies; and (c) the capacity to elect their own executive and legislative officers.

Local government can also be democratized from the bottom up through the

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[29] Note here the World Human Rights Conference preparatory African Regional Meeting's adoption of an addendum resolution to combat xenophobia. UN General Assembly A/CONF.157/AFRM/10/Add.4. 6 November, 1992.

advocacy work of local NGOs and people's organizations. In South Africa, black township civic associations were instrumental in organizing mass resistance against the politics of apartheid. As South Africa moves towards a transition to democracy, the "civics" are playing a key role in negotiating with the white-run city councils to reorganize local government and ensure that township residents get better access to services. Political pressure from Johannesburg "civics" led to the creation of a Metropolitan Chamber in September 1990. This remarkable achievement brought together former enemies to plan a non-racial local government run on a single budget.

Despite the potential of decentralization to foster citizen participation in public policy, official donors will need to examine with great care assistance to government-led efforts at devolution. In one example, a central government intent on drawing on indigenous participatory traditions, demarcated new local government districts, called district elections, but then reserved for itself the right to nominate one third of the representatives to the district assemblies.

12. Policy Research and Academic Freedom. In many countries, the intellectual community and institutions of higher learning have been important sites of resistance to repressive rule and generators of ideas that promote democratic development and political restructuring. Official aid donors should recognize that "ideas can in certain circumstances be more important than bread."[30]

Policy relevant research can play a vital role in designing and implementing public policies that respond to citizens' democratic aspirations. Equally, strengthening the research capacity of democratic social movements, opposition parties and democratic "governments-in-waiting" is key to correcting the often serious imbalances in access to information between incumbent governments and civil society.

Some official donors, such as Sweden and Canada, have created semi-independent institutions to strengthen scientific, technological and public policy research in developing countries.

Canada's International Development Research Centre (IDRC), for example, is assisting the African National Congress (ANC) to strengthen its policy development capacity as it prepares for governance in a non-racial and democratic South Africa. The so-called Macro-Economic Research Group (MERG) brings together South African and Canadian researchers to help enhance the ANC's expertise in macro-economic planning.

Through their aid dialogue with governments, official donors can promote

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[30] Goran Hyden, "The Role of Aid and Research in the Political Restructuring of Africa." in R.C. Crook and A.M. Jerve (eds) Government and Participation: Institutional Development, Decentralization and Democracy in the Third World. Bergen: Chr. Michelsen Institute.

and defend the principles of academic freedom enshrined by regional or global professional academic associations. In 1988, the World University Service adopted the Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education.[31] And in 1990, the Council for the Development of Economic and Social Research in Africa (CODESRIA) established the Kampala Declaration on the right to academic freedom.

13. Reviewing NGO Participatory Development Strategies. The present environment: local, national and global, is favorable (or at least less hostile) for renewed initiatives to promote human rights, gender justice, development and democracy. The forthcoming UN World Conference on Human Rights (the first in 25 years and only the second in UN history) has served to galvanize Third World NGO's into a flurry of preparatory activities. At the local and national levels, NGO efforts are being reinforced and strengthened by grassroots, mass-based human rights movements. At regional level (except in Asia) there is growing concern at the inter-governmental level for strengthening regional human rights mechanisms. In Asia, the indifference (bordering on hostility) of governments to such regional human rights mechanisms is being countered by an enhanced regional NGO effort.

It is thus, opportune here to review some of the activities of NGO's in the Third World, in respect of human rights, development and democracy, and then to assess the implications thereof for Northern NGO's and for development donor agencies.

Third World NGO's even in exceptionally difficult circumstances, have developed strategies for monitoring and documenting human rights violations. This is in respect of not only civil and political rights, but other rights as well. Thus, for example, the human rights of internally displaced persons in the Philippines and the human rights violations on agribusiness transnational plantations in the Philippines have been effectively monitored and documented enabling further actions. A variety of "urgent action" networks have developed both regionally (e.g. - Hotline in Hong Kong) and thematically (e.g. FIAN-the Food Information Action Network).

Third World NGO's have recognized the importance of "learning by listening" to the victims of human rights violations. Thus, NGO's have helped to conduct victims forums (e.g. Forums of the Forgotten People in Asia); have helped document peoples struggles for justice in development (e.g. From Hope to Action: An Alliance of People - a publication produced for the December 1992 gathering of PP21, the People's Plan for the 21st Century); and have started documenting the plight of people (e.g. in the ARENA publication: The State of Asian People Report).

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[31] The World University Service now publishes an annual human rights report on academic freedom. See also the Declaration on Academic Freedom proposed by the UNESCO Conference on Human Rights and Democracy, Montreal, March 1993.

Third World NGO's have participated in international human rights standard-setting activities, such as the Convention on the Rights of the Child, and POs have participated in revising the ILO Convention on Indigenous People and drafting a UN Declaration on Indigenous People.

A variety of solidarity and action campaigns have been launched: on women's rights as human rights; on violence against women; against transnational corporations, such as Union Carbide in the Bhopal disaster; and in solidarity with liberation struggles in Burma, East Timor and South Africa. Forums for public awareness and for accountability have been created through the convening of several sessions of "People Tribunals". Regional Task Forces have been created on such themes as Migrant Workers and the Trafficking of Women in Asia to deal with human rights problems which cut across country borders. Human Rights Commissions (both governmental and non-governmental) have been established at national and regional levels. Regional mechanisms are being developed at the level of people, such as PP21, Asian people forums and congresses, Peoples SAARC. Increasing efforts are being made for South-South cooperation between the regions of Africa, Asia and Latin America. New North-South Alliances are being forged in the context of the Uruguay round of GATT negotiations, World Bank projects and policies, the boycott of products made by bonded child labour. A vigorous and contextual program of grassroots and community-level human rights awareness is being launched by Third World NGO's employing participatory pedagogies.

The challenge now is to forge new alliances among and between NGO's: to address what originated as a Southern priority agenda but is an increasingly common North/South agenda for building and strengthening civil society. That agenda is built around core concepts of: participatory, grassroots democracy; pluralism; economic self-determination and growth at the base; sustainable development and environmental democracy; constitutionalism and the rule of law; and gender justice, the key to seriously addressing all of the above.

Asian NGO's, for example, appear to be adopting two main approaches to gender issues:

1) Action Campaigns - designed and initiated by women's groups e.g. on women rights as human rights, on violence against women.

2) Gender-Sensitivity Training Programs - for NGO workers, designed and implemented jointly by women and men together. These NGO-directed programs are viewed as but a precursor for similar programs directed at national government agencies, and international agencies (including the UN) where sexual discrimination and sexual harassment are rampant.

Third World NGO's appear to be placing emphasis on four main mechanisms in their work: organizing victims fora; organizing accountability fora through peoples tribunals, and people commissions; regional and South/South solidarity; and forging North/South Alliances for self-reliance for action campaigns, and better use of international fora when national fora are not available.

Northern NGO's and official donors may well reflect on how they can support and enhance the above Southern NGO approaches; not only in the Third World, but equally in their countries in the North as well.

14. Improving Relations Among NGOs, Governments and Official Donors. The phenomenal growth of NGOs in all corners of the globe is one of the best markers of the resurgence of civil society. But growth has brought new problems. There are inescapable, but not insurmountable, differences among Southern NGOs, Third World governments and external donors, both official and non-governmental. The difficulties revolve around issues of accountability, participation, co-optation and control, distortion of values, and financial dependency. Some Southern NGOs complain of unequal relations with their Northern NGO partners whom they perceive to be overly bureaucratized. Some Northern NGOs do not in fact reach the poorest or most powerless, but prefer instead to work with stronger or more organized groups. Others keep their decision-making processes secret and are reluctant to be evaluated by their Southern NGO counterparts. Moreover, as more Northern NGOs rely on bilateral donors for large proportions of their budgets, Southern NGOs question whether they are autonomous or simply co-opted and driven by donor government priorities.

By the same token, Southern NGOs are often resented by their own governments as they begin to deliver services once undertaken by the state, when large sums are funnelled to them without government controls, and when they engage in political advocacy. Regrettably, some governments have responded to these developments with legislative controls to register and discipline the NGO sector, outlaw political advocacy groups, and generally restrict NGO participation in public policy.

Smaller Northern NGOs with limited human and financial resources may find the concept of long-term partnership attractive. In this model of NGO cooperation, the Northern NGO replaces ad hoc, short-term funding of a multitude of recipients by multiple-year funding of a few long-term partners. The relationship should extend beyond funding to working partnerships that encourage solidarity in a common cause, the exchange of information, counsel, technical expertise and evaluation, and joint advocacy work.

In sum, there are risks as well as benefits for NGOs as they move towards the centre of the development stage. Instrumental interest in their potential to democratize civil society, deliver local services, or soften the adverse effects of SAPs could make NGOs more accountable to their funding sources than to their own community base. They will need to be vigilant to ensure that in doing so, the values of efficiency and results do not replace those of integrity and participation.

PART III: IMPLICATIONS FOR DEVELOPMENT DONOR AGENCIES

Good governance and participatory development are two components of durable democratic development. Action is needed at both levels. Support for good governance assists states become more efficient, transparent and accountable. Support for participatory development helps empower civil society to hold governments accountable. Support for women's development and the dismantling of structures and practices that diminish women's power are key to building sustainable civil societies.

Action at each level can be mutually reinforcing. For example, efforts to reform the judiciary may be unsustainable without widespread public demand and media support. Hence judicial reforms may need to be accompanied by investments in public awareness and education concerning human rights and the role of the judiciary in protecting these rights, and by strengthening media and advocacy groups to press for reform.

International Financial Institutions (IFIs) whose charters formally prohibit attention to political considerations, are well placed to support the managerial and technical aspects of good governance. The World Bank is extending its focus on "public sector management" reforms to such concerns as corruption and accountability through sound auditing systems and decentralization of government, and those aspects of the rule of law that contribute to economic development by reducing business risks, lowering transaction costs, enforcing contracts, and preventing arbitrary government decisions.

There is some scope to broaden this narrow conception of good governance. The IFIs cannot be immune from the momentous changes in global politics and development thinking. The addition of human rights and democratic principles to the charter of the new European Bank for Reconstruction and Development shows that human rights are now seen as a **sine qua non** of legitimate governance. The emerging governance agenda of the older IFIs is a tacit recognition that economic reforms may not succeed without attention to non-technical phenomena, such as human rights and political pluralism.

The World Bank has in some instances been drawn into political conditionality, either through pressure from industrialized member states or by default when bilateral donors reduce aid in the Consultative Groups. Beyond the problematic question of political conditionality, there is considerable potential for the World Bank and other IFIs to develop programs to **promote** human rights and democratic participation. A prerequisite for stretching the Bank's mandate on good governance is to develop institutional expertise on these issues.

At the World Bank, the Human Rights Sub-group of the Governance Task Force and the Women in Development Division are examining how social and economic rights can be factored into Bank projects, and how law acts as an institutional barrier to women's development.[32]

Establishing a human rights ombudsman is one way to ensure that the human rights implications of Bank projects and lending policies are carefully scrutinized. As a way to promote better accountability, the ombudsman could be charged with producing an annual report which would be available to the general public and to groups affected by Bank projects and policies.

NGOs have had some success in persuading the Bank to develop new operational directives on indigenous peoples, involuntary resettlement, dam and reservoir projects and environmental assessments. For example, Bank projects must now "(a) ensure that indigenous peoples benefit from development projects, and (b) avoid or mitigate potentially adverse effects caused by Bank assisted projects". The directive requires the Bank to develop a "Strategy for Local Participation" for individual development projects based "on the informed participation of the indigenous peoples themselves."[33]

Continuing points of contention between NGOs and IFIs, such as the World Bank, concern transparency and disclosure, and compensatory programs connected to SAPs. The Bank now claims to be taking a more pro-disclosure approach, particularly on environmental assessment.[34] The Bank's willingness to establish an independent expert group to assess the human and environmental impact of the Sardar Sarovar dam project is testimony to the progress achieved on transparency. However, the subsequent Bank decision not to halt the funding of the project pending further improvements in project design, underlines the limits to transparency and accountability.

NGOs recognize the importance of mitigating the poverty associated with adjustment and are increasingly involved in compensatory programs designed to soften their effect. At the same time, there is concern that NGOs are being used to secure governments assent to politically volatile reform packages, and that their involvement in "reforms" that are neither participatory nor accountable undermines their credibility with their own communities.[35]

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[32] See, for example, "Law as an Institutional Barrier to the Economic Empowerment of Women", Doris M. Martin and Fatuma Omar Hashi, Poverty and Social Policy Division, Technical Department, The World Bank, June 1992.

[33] The World Bank Operational Manual, Operational Directive 4.20, para 2, September 1990.

[34] Ibrahim F.I. Shihata, "The World Bank and Non-Governmental Organizations", Cornell International Law Journal, Vol. 25, 1993.

[35] Paul Nelson, "The World Bank and Non-Governmental Organizations", Church World Service/Lutheran Relief, 1991.

There is an evolving division of labour in the field of democratic development among official aid agencies, Northern and International NGOs, and their Southern partners, based on respective areas of expertise.

Multilateral and bilateral donors are well placed to support projects that strengthen the formal institutions of a democratic society, such as local government, independent judiciaries, the research capacity of legislatures, or the professionalism of state-funded electoral or human rights commissions.

However, official aid agencies are big bureaucracies which work with other governments and move large amounts money. These characteristics can impede their adoption of a more participatory approach to development; one which is administratively time-consuming, requires intensive human resources, long project cycles, and is not susceptible to traditional cost-benefit evaluation criteria.

Closer partnerships with NGOs are thus important. Direct bilateral donor involvement with NGOs in delivering development has grown substantially during the 1980s and 1990s. It is also an area of emerging interest for several IFIs, such as the World Bank. In 1991, NGOs were associated with 44 World Bank projects in Africa, worth 55 percent of Bank's total funding to the region, compared to just seven a year between 1973 and 1987.[36] There is considerable scope for the regional development banks in Africa, the Americas and Asia to develop their direct funding of NGOs.

PRINCIPLES AND PROPOSALS FOR ACTION

Official aid agency policies on human rights and democratic development could have several dimensions: (i) an **internal** aspect relating to the working of the agency, such as operational guidelines on participation and gender; (ii) an **external** aspect directed towards public relations regarding such rules as transparency and the sources of funds and guidelines for consultation and partnership with NGOs; (iii) a set of **internal human rights conditionalities** applicable to activities funded by the donor; and (iv) a **policy statement** of the types of human rights and democratic institution activities funded by the donor.

Below, we first roster and then elaborate upon basic premises underpinning "good practice" in the design and delivery of programs for human rights, democratic institution-building, and gender justice. Donors should:

- Work with groups the poor have themselves created and link human rights, gender justice and democratic development projects to the material struggles of the disadvantaged;

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[36] Pierre Landell-Mills, "Governance, Cultural Change, and Empowerment," The Journal of Modern African Studies, 30, 3 (1992), 23.

- Involve local beneficiaries in the design and implementation of projects and ensure that major aid projects do not put the rights of affected populations at risk;

- Nurture national or regional NGO coalitions in the South;

- Ensure that groups supported are internally democratic;

- Use gender-dissagregated data;

- Assist women competing for political office, support public interest litigation and reforms of gender discriminatory laws and practices;

- Support educational and solidarity work of women's organizations;

- Explore ways to devolve funding for human rights and democratic development to North-South NGO coalitions;

- Increase human and financial resources for building civil society institutions, particularly women's organizations;

- Conduct DAC-supervised 'peer reviews' of official donor support for human rights, gender justice, and democratic development.

1. Focus on Grassroots Organizations. External support for democratic institution building should attempt as far as possible to work with institutions the poor have themselves created. This bottom-up approach is premised on three principles: that the poor best understand their circumstances; that they have the will to improve their lot, and the capacity to organize.

2. Link Support to Material Struggles. One of the lessons of the community work approach to development is that projects do not survive unless they are connected to the material struggles of the disadvantaged. Any grassroots organization that aspires to be mass-based and influence national politics must provide tangible incentives to participate. There is also a frequently unexamined assumption that new social movements committed to human rights and political pluralism are internally democratic. Donors could devote more attention to the internal aspects of participatory institution building.

3. Support Intermediary Networks. One of the dilemmas donors face is that the groups they support may prove to be ephemeral and without political influence beyond a very local level. An organization may be driven by a single issue and collapse when circumstances change or when a charismatic leader departs. Donors could usefully support national intermediary networks or coalitions that try to aggregate the interests of smaller scale NGOs, trade unions, and peasant organizations, so that local aspirations and grievances influence national policies.

4. Internal Donor Conditionalities. Directives on local participation and safeguards against any potentially harmful human and ecological impact of major infrastructure projects should be standard operating procedures for **all** official development agencies.

5. Women's Development. The Women in Development (WID) efforts of the 1980s and early 1990s underscored the economic benefits of investing in women's development. Official agencies should deepen and extend this commitment by larger allocations of human and financial resources, adding new funding for women's political participation and higher education, expanding the advocacy work of women's organizations, and supporting public interest litigation to remove discriminatory barriers to women's empowerment. In several multilateral development agencies, WID projects account for an unacceptably low proportion of total project allocations.

a) Official agencies could consider using performance indicators to evaluate the WID component of all projects and programs. Gender disaggregated data should be used to assess the material, psycho-social, legal and political situation of women as a basis for project planning and policy dialogue. Indicators include wages, unemployment, access to services, literacy, numeracy, morbidity, mortality, and nutrition. Donors should also monitor women's participation in key professions, such as science, law, medicine and politics, and consider how domestic laws (or their lack) affect gender equity in the control and exploitation of resources. Finally, data on violence against women should be central to any assessment of human development, such as the UNDP's Human Development Reports. Explicit use of the Women's Convention (CEDAW) should be a standard procedure for assessing state performance in protecting women's rights and in removing barriers to women's development. Such data are the building blocks of more gender-sensitive development policies.

b) Even in societies where women have legally conferred rights, they may lack society's approval or the group confidence to exercise them. Women's organizations need to influence national development strategies, educate the public about the plight of women in difficult circumstances, and nurture gender-sensitive cultural attitudes. Official donors should support the educational and solidarity work of women's organizations in creating a national constituency for women's equality and development. This would require increased resources to enhance the professionalism, human resources, educational and lobbying work of women's organizations.

c) Electing more women to national and provincial legislatures is an effective pressure point for advancing gender-sensitive policies. Official donors could fund training workshops for women contesting elections. Governments could be encouraged to set aside a proportion of seats for women. Political parties could set aside a quota for women candidates at elections or in positions of policy-making power within parties. Official donors, through aid policy dialogue and technical assistance, could work with national governments seeking to establish women's development ministries, develop gender-sensitive school curricula, or training curricula for civil servants. UNIFEM, for example, assisted the Government of Honduras in establishing a national policy for women.

d) Donors should actively seek out projects which respond to the consequences of violence against women, particularly those which involve new approaches or challenge governments to introduce new services.[37] These might include rape crisis centres, shelters for battered women, and the training of police, magistrates and hospital staff. In formulating and implementing projects, donors need to be sensitive to situations where changes of women's status make them vulnerable to violence. Women's development projects could thus benefit from activities which strengthen women's self-confidence. Project staff may need to work with husbands and the community when violence or conflict emerges as a result of the project's enhancing of women's status.

6. Develop Long-range Strategies. In emerging democracies official donors could formulate long-range, democratic development strategies through collaboration with INGOs, indigenous NGOs and governments, as appropriate. In the absence of such a strategy, donors will find it difficult to determine whether ad hoc civil society or good governance projects are really contributing to strategic change and are therefore a wise investment. Such long-range action plans could be established through and monitored by permanent coordinating structures, such as a Donors Democratic Development Group, or by the use of governance advisors for individual donors.

Donor countries should assist recipient governments to develop a sense of ownership regarding any proposals donors may have for strengthening civil society. Positive incentives to promote human rights based on dialogue, persuasion and partnership are ultimately more sustainable than confrontation.

Official aid donors should consider the proposal of the African Regional Meeting preparatory to the World Human Rights Conference that a sustainable strategy include the conversion of public debt into a national fund to promote

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[37] Carillo, 1992.

human rights and democratic development.[38] The proposed fund would be linked to a national democratic development plan supplemented by an international monitoring committee. The fund could be jointly managed through representation by official aid agencies, host governments and domestic NGOs.

7. Multilateralism. A multilateral approach to democratic development can help reduce host government concerns regarding sovereignty or the perceived import of alien values. This can best be achieved in forums or institutions that have representation from both the North and South or "East" and "West". While a number of multilateral organizations are expanding their funding of participatory development, none has an exclusive focus on building civil society institutions.

There are several potential ways of enhancing multilateral policy coordination and delivery capacity. (1) Governments could strengthen the role and expertise of the UN Human Rights Centre within the UN system by adding a substantial funding and human resources for projects that promote civil society and the International Bill of Human Rights. (2) More resources could be committed to 'Units for the Promotion of Democracy' in the Organization of American States, La Francophonie, the Commonwealth, and the Conference on Security and Cooperation in Europe. The relevance and impact of such units would be enhanced if they were given a role in building civil society institutions in addition to support for elections or formal democratic institutions. (3) Regionally focused initiatives, such as the Global Coalition for Africa and the Partnership for Democracy and Development (PDD), could be explored particularly for parts of Asia.

PDD is a cooperative effort to support the democratization of Central America by 24 OECD countries, five Central American states, and Mexico, Venezuela and Colombia.

8. Bilateral Donors. The Development Assistance Committee (DAC) of the OECD donors should undertake periodic independent or 'peer reviews' of the participatory development and good governance initiatives of donor countries. Such reviews should also assess the human rights impact of major infrastructure aid projects. Evaluations of participatory projects should be widely disseminated so that official agencies and NGOs may draw lessons and refine their expertise in participatory development.

The WID experience underscores the importance of creating a positive institutional environment for human rights and democratic development. Some official donors are now undertaking regular training courses for their aid staff and foreign service officers. Others have established human rights or good governance units to monitor these issues in recipient countries and to prepare policy guidelines for the agency. Women's rights should be an integral component of such training courses.

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[38] UN General Assembly Draft Resolution A/CONF.157/AFRM/L.2. 4 November 1992, Tunis. See also, Susan George "Uses and Abuses of African Debt" Dissent, Summer, 1992.

9. Consultative Groups. In Consultative Group meetings and bilateral policy dialogue, official donors should **consistently** defend human rights and encourage policies that facilitate the building of a dynamic and independent voluntary sector with fewer restrictions on registration, access to funds and participation in public policy.

10. Delivery Mechanisms. OECD donors could follow the examples of Canada, the United States, Germany, and the United Kingdom with quasi-independent delivery mechanisms for democratic institution building. Canada's International Centre for Human Rights and Democratic Development was created by a Royal Act of Parliament to which it is accountable. The Centre uses Canadian ODA to foster grassroots organizations and promote the International Bill of Human Rights. Germany has stiftungen, or foundations, connected to the principal political parties to foster party and trade union development abroad. The stiftungen rely increasingly on German ODA. In the 1980s, the United States Congress approved the creation and ODA-funding of the National Endowment for Democracy, which consists of four delivery mechanisms connected to key institutions of American society: business, trade unions, and political parties. And in 1992, the government of the United Kingdom established the Westminster Foundation for Democracy to support projects "aimed at building pluralist democratic institutions abroad".

Bilateral donors might also explore the prospects for devolving planning and implementation of participatory development projects to coalitions of Northern and Southern NGOs. Canada, for example, has established quasi-independent NGO delivery mechanisms for individual countries, such as the Philippines-Canada Human Resources Development, and on a regional basis, such as Partnership-Africa Canada and the South Asia Partnership. Such mechanisms can be helpful in polarized societies by building bridges across conflicting points of the political spectrum.[39]

11. International Financial Institutions. As UN affiliate institutions IFIs, such as the World Bank and regional development banks, have an obligation to ensure that their activities do not contribute to human rights violations. Crafting a sound human rights policy to defend and promote **all** human rights will serve to further rather than undermine the development mandates of the international financial institutions.

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[39] David Wurfel, "Canadian Aid, Social Change, and Political Conflict in the Philippines" in R.Miller, ed., Aid as Peacemaker, Ottawa: Carleton University Press, 1992.

The World Bank should respond to the August 1992 recommendations of the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities that the Bank incorporate human rights criteria into its lending operations; initiate studies to identify proper methodologies for this; and deepen the participation of local groups and NGOs in the Bank's project cycles. Regional development banks should also be encouraged to develop human rights criteria in their lending operations.

12. United Nations Fora. The Human Rights Commission should, through its Sub-Commission on Discrimination, examine the human rights impact of IFI development projects, the human impact of structural adjustment programs, and the prospects for greater IFI involvement in the promotion and defence of human rights and democratic institutions. The Committee on Economic, Social and Cultural Rights should also examine the role of the IFIs in promoting human rights through regular consultations with IFI senior officials.

The Declaration on the Right to Development is a set of principles applicable to the development activities of both governments and international development agencies. Progress towards implementation of the Declaration could be achieved by: (a) ensuring that UN monitoring bodies, such as CEDAW and UNCHR, require reporting states to document steps taken to ensure how rights are promoted and protected in different kinds of development activity; (b) multilateral agencies, such as FAO and WHO, could follow the UNDP example of monitoring indices pertinent to their fields of expertise (food, health, housing etc); (c) official development agencies have a basic obligation to establish and use human rights standards in their lending and project activity.[40]

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[40] James C.N. Paul "The Human Right to Development: Its Meaning and Importance" The John Marshall Law Review, Vol. 25, 1992, pp. 235-265.