

# **REPORT OF THE EXPERT GROUP MEETING**

## **Lessons Learned in Post-Conflict State Capacity: Reconstructing Governance and Public Administration Capacities in Post Conflict Countries**



United Nations  
New York, 2009

**United Nations**  
**Department of Economic and Social Affairs**

**REPORT OF THE EXPERT GROUP MEETING**

**Lessons Learned in**  
**Post-Conflict State Capacity:**  
**Reconstructing Governance and**  
**Public Administration Capacities**  
**in Post Conflict Countries**

## **DESA MISSION STATEMENT**

The Department of Economic and Social Affairs of the United Nations Secretariat is a vital interface between global policies in the economic, social and environment spheres and national action. The Department works in three main interlinked areas: (i) it compiles, generates and analyses a wide range of economic, social and environmental data and information on which Member States of the United Nations draw to review common problems and to take stock of policy options; (ii) it facilitates the negotiations of Member States in many intergovernmental bodies on joint courses of action to address ongoing or emerging global challenges; and (iii) it advises interested governments on the ways and means of translating policy frameworks developed in United Nations conferences and summits into programs at the country level and, through technical assistance, helps build national capacities.

## **NOTE**

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

The designations “developed” and “developing” economies are intended for statistical convenience and do not necessarily imply a judgment about the stage reached by a particular country or area in the development process. The term “country” as used in the text of this publication also refers, as appropriate, to territories or areas. The term “dollar” normally refers to the United States dollar (\$).

The views expressed are those of the individual authors and do not imply any expression of opinion on the part of the United Nations.

United Nations Publication

Publication No.: ST/ESA/PAD/SER.E/129

2009

Copyright © United Nations, 2009

All rights reserved

## Preface

For almost 60 years, the United Nations has assisted Member States in their efforts to strengthen, improve and reform their governance and public administration systems and institutions. The Division of Public Administration and Development Management (DPADM) of the UN Department of Economic and Social Affairs (DESA) has engaged in analytical research and technical assistance for re-constructing governance and public administration in post-conflict situations in ways that can help avoid relapse into conflict and lead to peaceful, sustainable development. Unfortunately conflict in the world has not ended. Likewise the need for supporting the rebuilding of governance and public administration capacities in countries that suffer break-down caused by violent conflict is still very strong. Consequently DPADM/DESA is doubling its efforts in searching for more effective ways of rebuilding governance and public administration capacities in post conflict situations. The Ad Hoc Expert Group Meeting we organized in Accra, Ghana in October 2008 which produced the materials in this on-line publication was part of our efforts to galvanize expertise and strategic thinking around the challenges of Reconstructing Governance and Public Administration Capacities for Conflict Prevention, Recovery, and Development.

The approach of the Ad Hoc Expert Meeting was based on the realization that knowledge and experience in reconstructing governance and public administration after conflict does not reside in one individual or institution, or even country. The challenges faced in reconstructing governance and public administration (including how to develop leadership capacity and human resources to effectively deliver the needed services, engage the entire population in the difficult tasks of reconstruction and confidence building, find new ways including technology of service delivery, ensure transparency and accountability in the utilization of meager resources, and develop strong and durable public sector institutions that can fore see and prevent violent conflict) are enormous and vary from country to country. Therefore searching for ways and means of facing such challenges needs a networked and highly collaborative strategic approach.

While this publication cannot provide complete answers to the search for effective ways of reconstructing governance and public administration in post conflict countries, it is hoped that at least it gives some pathways through the labyrinth of the many ways through which, over the passage of time, different countries have confronted the challenges. It points to some tips in the lessons learned it puts together that successful reconstruction of governance and public administration after conflict requires committed leadership. What ever the context, successful reconstruction of the capacity of governance and public administration after conflict is engineered by, and depends to a great extent on, the political leadership that emerges after the conflict. It is the leadership that will spearhead and support the development of human and institutional capacity for effective government and delivery of public services. It is the leadership that will push and energize the population to participate in the reconstruction of the country, mobilize internal and external resources and support. It is also the leadership that will motivate the search for innovative ways of managing public affairs including the application of information and communication technologies in governance and public administration. It is the leadership that will enforce and adhere to strict transparency and accountability to build trust in government from all partners including the population itself. It is also the leadership that will realize the potential in the post-conflict situation to start afresh and adopt the most up to date innovations (for example the potential offered by the application of ICT in public administration) and leap flog the country from conflict to speedy development. Therefore, in a way the experts that gathered in Accra Ghana to deliberate on these issues are challenging the leadership of post-conflict countries that the onus is on them to mobilize and lead their people to better life.

Haiyan Qian

Director of the Division for Public Administration and Development Management  
United Nations Department of Economic and Social Affairs

## **Acknowledgements**

The publication would not have been possible without the support from various individuals and institutions whose contributions proved invaluable at various stages of its preparation. We are grateful in particular to the Resource Persons who prepared papers and participated in the Ad Hoc Expert Group Meeting despite their busy schedules. Their contributions constitute the bulk of the publication. The contributions made by the Governance and Public Administration Branch in the Division for Public Administration and Development Management (United Nations Department of Economic and Social Affairs) are also acknowledged. As Chief of Branch, Mr. John-Mary Kauzya was not only involved in the preliminary negotiations and the drafting of the aide-memoir, but was instrumental in mobilizing the Branch's resources to ensure the success of the Expert Group Meeting. He was assisted by Ms Gay Rosenblum-Kumar and Ms. Anita Ernstorfer who were then members of staff of the Division and of the Branch. Benedicte Niviere worked hard to arrange the materials of the publications.

# Contents

<i>Chapter</i>		<i>Page</i>
	Preface	4
	Acknowledgements	5
	Contents	6
	Executive Summary	7-11
	Introduction	12
1	Overview	13-15
2	<b>The Role of Political Leadership in Reconstructing Capacities for Public Service after Conflict</b> (By Dr. John Mary Kauzya)	16-30
3	<b>Reconstruction of Public Service and Governance Systems in Post Conflict Situations</b> (By Prof. James Katorobo)	31-46
4	<b>The Challenges of Reconstructing the Public Service after Conflict: the Case of the Republic of South Africa</b> (By Ms. Odette R. Ramsingh)	47-65
5	<b>The Crucial Role of Conflict Transformation in Overcoming the Psycho-Social Challenges to Reconstructing Post-Conflict Governance: A Review and Lessons from Northern Ireland</b> (By Mr. Nevin T. Aiken)	66-94
6	<b>Making Governance System compatible with the Changing Paradigms of Conflict in Nepal</b> (By Mr. Janak Raj Joshi)	95-109
7	<b>Burundi Leadership Training Program: A case of “How to” in Leadership Training during Conflict</b> (By Mr. Wolpe Howard)	110-114
8	<b>Local Peace-building Forums: Rationale and Methodological Hypotheses</b> (By Mr. Andries Odendaal)	115-121
9	<b>Reconstruction, Governance and Public Administration Capacities in Post-Conflict Societies: The Case of Southern Sudan</b> (By Dr. Riak Gok Majok)	122-128
10	<b>Governance, Development and Security: Three Sides of the same “Coin”?: Some Reflections on Post-Conflict Afghanistan</b> (By Mr. Paul Lundberg)	129-135

## **Executive Summary**

While there is a large amount of research and literature on reconstructing governance and public administration structures after conflict, it has proven difficult to distill the concrete lessons learnt and best practices for useful adaptation and replication. It is particularly important to look both at the role and responsibilities of internal state and non-state actors, as well as the influence of external actors such as regional and international organizations in the sustainable reconstruction of governance and public administration capacities after conflict. The Ad Hoc Expert Group Meeting looked at the challenges in public administration in post-conflict settings out of a broader governance perspective, included a variety of factors that are crucial for the reconstruction of ‘governance’ structures, processes and institutions. The AEGM highlighted some existing ‘success stories’ and ‘success cases’ and attempted to identify factors and aspects that are crucial for success. It also focused on the ‘How to’ – on the strategies that can be identified out of national, regional and international experiences in post-conflict reconstruction.

For a sound, long-term reconstruction of governance and public administration, the creation of capacities of societies to mediate conflict is decisive. Most post-conflict activities are based on a previous peace agreement or other agreement to settle the disputes. However, without existing capacities and mechanisms within the society that provides alternative mechanisms to resolve conflicts, any future conflicts will necessarily lead to an eruption of violence again.

Most research and literature on post-conflict reconstruction not only focuses on general policy recommendations for the reconstruction of governance in post-conflict reconstruction, but also on the ‘hard’ factors in reconstruction, such as the rebuilding of institutions, security sector reform, disarmament and reintegration, or economic recovery. However, the basis for successful reconstruction in these areas seems to be rooted in human psychology, tackling questions of attitudes and mindsets.

While there are a large number of issues to be considered in the reconstruction of governance and public administration in post-conflict situations, the EGM in particular focused on the the challenges most post-conflict countries face and the lessons learned in undertaking the hard tasks of post-conflict reconstruction.

### ***Challenges***

The challenges faced by countries in crises and post-conflict situations are complex, multifaceted and vary due to the variety of different historical root causes of conflict and the different political, social and geographical contexts. The strategies to address these challenges and effectively support a country on a path of recovery, development and durable peace are therefore diverse. What works in one country does not necessarily work in another. However, there are some universally shared values, principles and key elements that have been found across many cases studies to be sine qua non for the development of sustainable peace. These comprise, amongst others, legitimacy of and trust in state institutions; political will and committed leadership, security, a capable public service, effective delivery of basic services, rule of law, transparency and accountability, access to information, sound dialogue between the government and civil society, national mediation capacities and community and civil society participation.

## **Legitimacy Trust and Authority of the State**

Government institutions often lose their legitimacy long before violence erupts. In fact, this can be one of the main causes of violent breakdown which is epitomized by political, societal and economic disintegration on a national and even regional level. The main task of governments in post-conflict situations is to rebuild and regain legitimacy and the trust of the population.

## **Political Will for Transparency and Accountability**

The fragility of post-conflict situations allows multiple openings for corruption, illicit activity and compromised behavior. Further, the institutional vacuum which violence creates or exacerbates, destroys a common ethos of governance and undermines the political will for transparency and accountability, thus impeding the creation of robust mechanisms to deal with it. The absence of a shared political vision and ethos of governance, in particular when its members are drawn from former warring parties or divided ethnic groups, often induces factionalism that makes different groups in government work at cross-purposes rather than for the national good.

## **Rule of Law and Justice**

Absence of rule of law, accompanied by a culture of impunity, affects many post-conflict situations and severely undermines the legitimacy of the State. It is likely that weak rule of law existed prior to violent conflict and was characterized by ineffective or corrupt institutions. The fall out from this circumstance is especially evident in the judiciary and in the police, where dysfunctional institutions have over time eroded confidence in the formal mechanisms for dispute resolution and grievance management and induces citizens to resort to illicit means. There is a need to re-build the judicial infrastructure from the highest to the lowest levels, with the most severe challenges being to rebuild the physical infrastructure and capacities of the staff, and to establish and promulgate an enforceable legal and regulatory framework that will be accepted by the population.

## **Social Cohesion**

Post-conflict public policies are particularly vulnerable to distortion by sectarian behavior towards particular groups, sectors or communities overriding national interests. The loss of human and social capital, a continued exclusion of targeted groups in society, and absent participatory mechanisms in public policy formulation, all perpetuate a lack of trust in government and challenge the revival of legitimate local and national governance structures. Internally displaced people (IDPs), returning refugees, and unsupported youth and (former) child soldiers/ex-combatants are particularly vulnerable to being co-opted into unproductive or illicit activities that are counterproductive to the effective functioning of the state. The State must organize specific, demonstrable initiatives to regenerate social cohesion through policies and programs that promote participation, equity and inclusion.

## **Reconciliation**

Reconciliation processes, which are ignored, overlooked or delayed in the press of urgent humanitarian or political and economic conditions can create longer-term problems and aggravate unresolved issues that make people resistant to overt attempts at enforcing social cohesion. In many post-conflict societies, **peace accords and truth and reconciliation commissions** are being set up, but are ineffective and sometimes counterproductive as they lack



adequate implementation, follow-up or sincere commitment. The lack of coherence between the peace consolidation process as a medium term action on the one hand, short-term peacekeeping actions and long-term development efforts on the other, may further destabilize efforts to achieve sustainable peace and development.

### **Socio-Economic Reconstruction**

Another major challenge is the need to simultaneously sustain ongoing governance reform and economic reconstruction. With regards to economic reconstruction, the short-term economic orientation of local actors, which is focused mostly on private immediate gain, often prevails in post-conflict settings. This exacerbates a credibility and legitimacy deficit for the new political actors, and limits the compliance of citizens with their obligations. War economies and parallel economies continue to thrive particularly during situations of ceasefire. Unless concerted action to retake regulatory control of the State accompanies the cessation of violence, these parallel economies deny the state access to substantial revenues and the beneficiaries undermine and destabilize attempts to rectify the situation. Within this context, the **exploitation and abuse of mineral and natural resources and land** by illicit national and/or foreign actors, coupled with worsening terms of economic exchange, is another crucial challenge that needs to be addressed in order to ensure a sustainable economic reconstruction.

### **Security Sector**

Continuing insecurity and violence affect the provision of basic services, and reestablishment of government authority and public administration at the national and local level. A lack of institutional authorities and failure in the security sector, in particular the police forces, lead to continuing mistrust of the population in public authorities and, at best, a State lacking legitimacy, and at worst, a breeding ground for the re-eruption of unresolved conflicts and violence. **Conflicts spilling across borders** represent an additional source of continued post-conflict disintegration, on both a national and regional level. Such cross-border conflict issues include the illegal traffic of small arms, light weapons and anti-personnel mines. The fundamental question here is how to regulate movements across borders in order to discourage illicit traffic while promoting legal and safe movements and advancing more cohesion and integration among countries.

### ***Some lessons learned***

**Lessons Learned on the specific requirements of Leadership Development in post-conflict settings:** Leadership is crucial to usher a process that will generate consensus on development in all societies, but particularly in developing countries. The fragility of post-conflict situations poses particular challenges to the emerging leadership. “Leadership is not a once-in-a-time activity. Leaders who emerge after conflict must understand that good leadership will not start and end with them and that whatever capacities will be reconstructed for public service, they cannot be sustained without continuous supportive development-oriented leadership.”<sup>1</sup> Leadership capacity development is an imperative for successful reconstruction of governance and public administration in a post-conflict situation.

---

<sup>1</sup> See John-Mary Kauzya’s presentation further below on, “The role of political leadership in reconstructing capacities for public service after conflict, in: *Building Capacities for Public Service in Post-Conflict Countries*”

**Lessons learned in strengthening the public service as the heartbeat of government:** it is imperative that the government after conflict is immediately able to provide public services including security, law and order, education, health, etc. To do this it needs at its disposal a capable public service. Therefore efforts of rebuilding governance and public administration after conflict must include primarily the strengthening of the capacity of the public service.

**Lessons Learned in Local Governance as one key policy area in post-conflict settings:** Local governance provides a structural arrangement for orderly negotiation and shared exercise of power and facilitates the involvement of people on the local level in national policy decisions. Local governance provides effective resource allocation and improved service delivery. Thus, the design and development of local representative structures is a key element of peace-building efforts in conflict and post-conflict situations. However, experience shows that decentralization cannot by itself resolve the intractable problems that led to violence or the post-war challenges. When decentralized governance is not well managed, it can lead to instability and conflict rather than peace. This is because a successful decentralization process - since it entails a division of power, authority, responsibilities and resources between the center and the local governments - requires consultations and participatory actions. These processes are unlikely to develop in the immediate aftermath of war or conflict without concerted actions. Therefore, supporting capacity building for decentralization, especially the delivery of basic services in an inclusive and participatory manner, is a critical element. Also effective local governance structures and institutional arrangements provide a training ground for leadership in the country.

**Lessons learned in building an Infrastructure for Peace<sup>2</sup> and in creating a sustainable Culture of Prevention:** A broad range of actors must be involved in the elaboration and implementation of practical prevention policies and mechanisms, which should address the root causes of conflict in particular situations. This calls for a new spirit of collaboration among national and international actors and involves the development of common tools and institutional mechanisms for addressing potential crisis, which take account of the perspectives of the parties to the conflict.

Complex processes of political and social consultation are expressions of and tools for re-establishing the social inclusion, political participation and social cohesion necessary to sustain peace. Various forms of sharing power among groups with different ethnic or religious identities have been tried with varying degrees of sustainability. However, constituting a government along these lines, especially in societies where such identities have previously not been sharply drawn, or where different groups have suffered from relatively unequal access to opportunity, can heighten division among groups, and lay the basis for tensions in socio-political interactions and ultimately lead to future conflict.

Therefore, lessons learned in decision-making based on participation and consensus need to be analyzed. For example, peace agreements and new or revised constitutions may need to be designed but, above all, implemented. The process of drafting a new constitution needs to engage the participation of the majority of the population instilling a sense of ownership among/across different ethnic and religious groups. The need for consensus building processes that reinforces

---

<sup>2</sup> Like e.g. the example of the 'National Architecture for Peace' in Ghana

trust between government and people cannot be compromised even by the need for political institutions to act as quickly as possible.

**Taking into consideration the socio-politico-economic history and context of the country:**

The break down of a country's governance and public administration institutional capacity through violent conflict needs to be understood from the stand point of the history of the country in question. Like wise the reconstruction of its governance and public administration capacity has to be done based o its socio-politico-economic history and context.

## Introduction

As part of the efforts to prepare the World Public Sector Report on “Reconstructing Public Administration in Post-Conflict Countries: Challenges, Practices and Lessons Learned”, DPADM organized (in Accra, Ghana in October 2008) an Ad Hoc Expert Group Meeting (AEGM) to gather and analyze existing lessons learned and successful practices in this domain. This on-line Publication is a collection of some of the materials presented and discussed during the Expert Group Meeting. The materials have been kept, as much as possible in the form in which their authors prepared and presented them to guard the authenticity of the thinking. However, the executive summary is a synthesis of all of them made by the Division for Public Administration and Development Management (DPADM) of UNDESA to assist those that may not have time to read all the contribution to get the major messages that emanated from the AEGM.

Before the contributions presented during the AEGM are lined up, a brief historical overview of conflict in the world since the end of the two World wars is given. The first contribution in the publication is on the “Role of Political leadership in Reconstructing Capacities for Public Service after Conflict”. Second contribution by Prof. James Katorobo on “Reconstruction of Public Service and Governance Systems in Post Conflict situations” sort of summarizes the content of the work of reconstructing governance and public administration after conflict in that the author touches in an introductory manner on each of the contents of the publications. The third contribution by Ms. Odette Ramsingh documents the post conflict reconstruction of the South African Public Service and captures the role and pace of transformation, and how this was successfully navigated by a political leadership with a vision for a people-centered Public Service which delivered services fairly and equitably to all the citizens of South Africa. In the fourth presentation on “the Crucial Role of Conflict Transformation in Overcoming the Psycho-Social Challenges to Reconstructing Post-Conflict Governance: A Review and Lessons from Northern Ireland”, Nevin Aiken focuses on the case of Northern Island and discusses how conflict transformation is necessary in preparing the society to sustain governance and public administration reforms after conflict. In the fifth contribution by Janak Raj Joshi on “Making Governance System Compatible with the Changing Paradigms of Conflict in Nepal” the case presents a convincing argument for making governance systems and institutions flexible to make them cope with changing parameters of conflict. The experience of the Burundi Leadership training program presented in the sixth contribution by Wolpe Howard, illustrates strategies, for leadership training which created an environment in which Burundian leaders learned to work together to rebuild their own government, practice communication, negotiation, and conflict resolution skills, enhancing their ability to interact with others of different or even opposing political interests. The seventh contribution by Andries Adendaal is essential an argument for emphasizing peace-building using among other instruments “Local Peace-building Forums” during national reconstruction processes. In the Case of Southern Sudan as the eighth contribution, Dr. Riak Gok Majok gives some insights on the impact of the political history, civil wars, and the Comprehensive Peace Agreement on Governance and Public Administration of Southern Sudan. The last contribution by Paul Lundberg is a reflection on Afghanistan linking governance, development and security as inseparable preoccupations of post-conflict reconstruction.

# 1. Overview

Of the countries emerging from war, nearly 50% percent face relapse into conflict within a decade. The re-establishment of credible governance and public administration institutions and systems after violent conflict is arguably the most critical determinant of sustainable recovery and peace.

The nature and character of conflicts and, consequently, the challenges and issues linked to post-conflict reconstruction, have changed significantly since the end of World War II and in particular since the end of the Cold War. The number of conflicts within and across states (intra-state) versus conflicts between states (inter-state) has been significantly increasing within the last decades. Intra-state conflicts become manifest through civil wars, armed insurrections, violent secessionist movements and other domestic warfare. The root causes for intra-state conflicts vary significantly from country to country and traditional mechanisms for conflict prevention and transformation that were developed more for inter-state conflicts, very often fall short. Even though the issues at stake within intra-state conflicts are, in many cases, of national character, they may imply severe cross-boundary and regional consequences in most cases, like e.g. cross-boundary refugee movements or conflicts around the distribution and use of natural resources across borders.

Out of a historic perspective, the Marshall Plan (officially called the European Recovery Program, ERP) was a unique plan of the United States to support the post- World War II reconstruction in Western Europe. The United States, from 1948 – 1951, provided aid to restore the destroyed Western European countries as quickly as possible, and to begin economic reconstruction. The plan had two major aims: to prevent the spread of communism in Western Europe and to stabilize the international order in a way favorable to the development of political democracy and free-market economies. Therefore, external assistance to post-conflict reconstruction in the immediate aftermath of the 2nd World War was primarily a unilateral undertaking. *“From 1948 to 1952, one donor, the United States, financed the \$13 billion (approximately \$70–\$80 billion in today’s dollars) Marshall Plan for the reconstruction of post-war Europe, and provided for its security through the creation of the North Atlantic Treaty Organization (NATO).”*<sup>3</sup>

Today, post-conflict countries do not always have the very good fortune to count on a multi-year attention of the international community with the clear objective of long-term development, beyond the immediate assistance in the immediate aftermath of a (intra-state) conflict. The foreign policy interests of possible donor states vary significantly as well as, consequently, the attribution of financial aid and international attention for reconstruction. Post-conflict countries very often not only need to struggle with their own internal chaos on all levels (including devastated governance and public administration institutions and processes), but also with the heterogeneous and numerous donors willing to engage and support reconstruction efforts. This

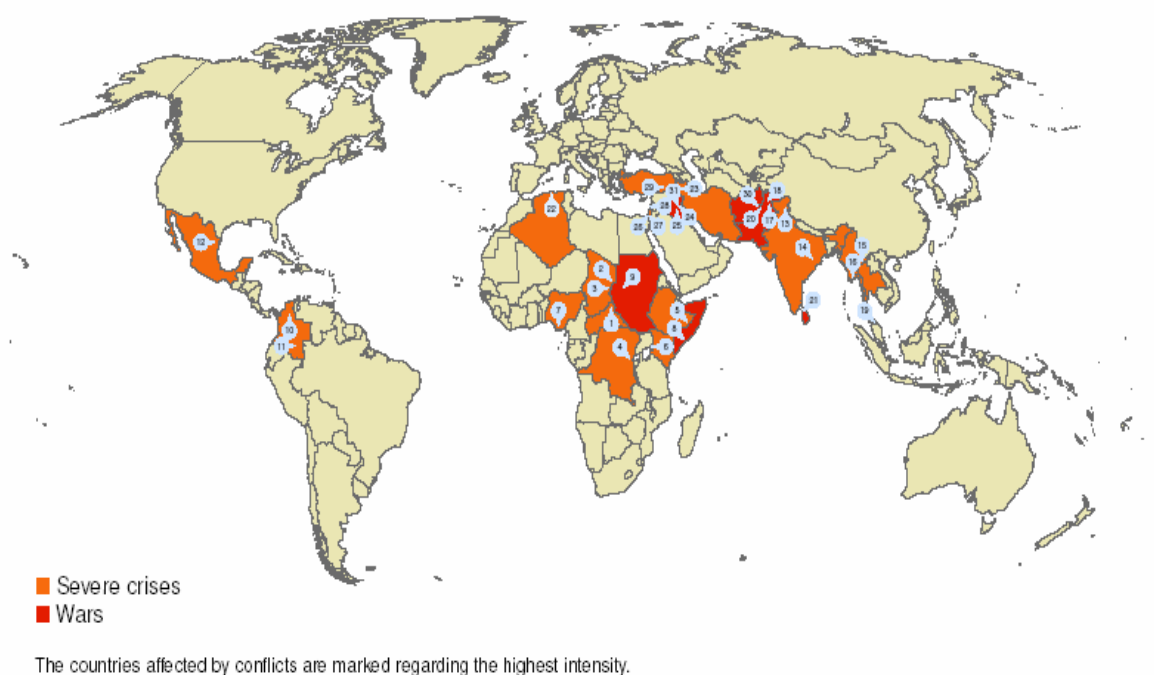
---

<sup>3</sup> Aid Coordination and Post-Conflict Reconstruction: the West Bank and Gaza Experience, World Bank Operations Evaluation Department, 1999/185

implies huge efforts for coordination and harmonization for both the national post-conflict governments and amongst the donor community. One of the major challenges in this regard is to maintain continued attention and financial assistance within the ‘humanitarian – development’ continuum, meaning a continued support and smooth transition from humanitarian assistance (in order to alleviate consequences of violent war) to a long-term vision for development.

The worst intra-state conflicts and intra-state wars over the past decades (since the 2<sup>nd</sup> World War and in particular since the end of the Cold War 1989) have taken place in Sub-Sahara Africa, Asia and Oceania, the Middle East and Maghreb, and, to a lesser extent, in the Americas. Even though it is a difficult task to ‘categorize’ conflicts and wars due to their varied character, the following chart tries to give an overview:

**Worldmap: Violent conflicts of high intensity in 2007**



Source: Heidelberg Institute for International Conflict Research, Conflict Barometer 2007, [http://www.hiik.de/konfliktbarometer/pdf/ConflictBarometer\\_2007.pdf](http://www.hiik.de/konfliktbarometer/pdf/ConflictBarometer_2007.pdf)

Weak and recovering governments need the support of strong and perceived impartial partners to get support in their reconstruction efforts on a national, regional and international level. Regional organizations such as –just to name a few - the African Union (AU), the Organizations of American States (OAS), the Economic Community of West African States (ECOWAS), the Association of Southeast Asian Nations (ASEAN), the Organization for Security and Cooperation in Europe (OSCE), or the European Union (EU) have played a crucial role in the past to support countries on their way from conflict to sustainable development.

In addition to regional organizations, international organizations such as the United Nations or the World Bank are crucial players to support countries in post-conflict reconstruction efforts. Furthermore, over the last decade, civil society actors have obtained an increasingly important role in Peace-building, even though their role – just as for regional and international organizations – is praised by some and contested by others. Public participation and inclusive decision making are among the critical elements of good governance, and are especially fundamental for the recovery of countries emerging from conflict situations. Citizen engagement in policy making provides space for diverse societal values and interests to interact<sup>4</sup>.

---

<sup>4</sup> See also “Building Capacities for Public Service in Post-Conflict Countries”, DESA/DPADM Publication, 2007, <http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN028646.pdf>

## **2. The Role of Political Leadership in Reconstructing Capacities for Public Service after Conflict**

(By Dr. John-Mary Kauzya)<sup>5</sup>

### **Introduction:**

All post conflict countries are in a complex development situation in which they are pushed by very many forces including two strong socio-politico-economic waves. The first one which is the strongest wave is the desperate need to restore peace, security, develop their people and get them out of the claws of abject poverty associated with consequences of violent conflict. The other one is to become effective players in global governance, tap the benefits of globalization for their people and avert the threats it poses in their development process so as to be counted among legitimate and viable nations. One critical prerequisite for success in this regard is adequate capacities for public services – exactly the very capacities that the violent conflict destroyed! Provision of public services (understood in broader terms to include, security of life and property, justice, education, health, roads and other physical infrastructures, etc) is the basis for people’s trust in a post-conflict government. All efforts of developing capacities for public services need to be premised on some level of trust. Just like one would trust an architect to design a new house after fire has destroyed one’s home, people need to have some level of trust in a leadership that emerges after violent conflict to lead the country into designing a new government and governance system. Therefore, discussing the role of political leadership in reconstructing capacities for public services is pertinent.

For purposes of simplicity and brevity the paper will not dwell on discussing the semantics associated with the term “trust”. Trust will simply be understood to refer to the faith which a citizen or a development player/actor/stakeholder puts in government as a whole or its agents (political leadership, Public servants including local government officials, public enterprise managers etc.) to act on their behalf, make fair decisions, and provide services in a predictable and equitable manner. Trust in government must be regarded as, on one hand, internal trust among the various institutions and employees of government and on the other hand as external trust between the government and the people it serves. But also trust within the context of global governance needs to be perceived in terms of the trust the international community, whether bilateral, multilateral, international civil society organizations or private sector multinational corporations have in the government in question. In a post conflict situation, where in most cases trust in government is among the casualties of violence, all these perspectives of trust are critical in the performance and legitimacy of public sector institutions. In short, trust from the people is one intangible but critical element of capacities required for public servants to perform. Therefore, one of the initial roles of political leadership in reconstructing capacities for public service is to cultivate and sustain trust which is critically required in the difficult task of rebuilding a country after violent conflict.

---

<sup>5</sup> Dr. John-Mary Kauzya (PhD) is Chief of Governance and Public Administration Branch, United Nations Department of Economic and Social Affairs, New York. However, the views and opinions in this paper do not represent those of the United Nations.



However, trust in political leadership is a double edged sword. On one hand it is important that the people and indeed all stake holders and key players in the reconstruction of a country after violent conflict trust the leadership that emerges. But on the other hand putting all the trust in only the political leadership, especially in one person (e.g. the Head of State as is often the case) is very risky specifically because it is impossible for one person or only the political leadership to have solutions to all the problems confronting a post conflict country. In addition we need to bear in mind that not every post conflict political leadership comes with a problem of lack of or inadequate trust from the people, stakeholders or key players. It always depends on the situation in context. There are post conflict situations where the leadership starts with a clean plate of trust whereby they are taken as liberators and have sufficient trust capital. But depending on the way they spend this trust capital (e.g. by quickly consolidating peace and security of person and property, re-establishing effective delivery of public services, respecting and protecting human rights, democracy and rule of law, accountability etc) they may gain more trust or lose all of it. There are other post conflict situations where the political leadership is trusted by some sections of the people and by others and they have the task of winning the trust of those who do not trust them without losing the trust of those who trust them. This is not a simple balancing act. There may also be situations where the political leadership that takes power after violent conflict is not trusted at all and it has the difficult task of convincing everyone that they have good intentions and win their trust. The point to bear in mind is that if the political leadership that emerges after violent conflict does not cultivate a minimum of trust it becomes difficult to succeed in the reconstruction of capacities for public services.

Trusting government can be perceived in various ways. When we say people trust government we may be talking about trust in the sense that the institutions of government are working well and in a predictable way. We may be talking about trust in the sense that people trust the employees of government. We may also be talking about trust in the sense that people trust government because services rendered by the government are well appreciated and equitable. The bottom line is that a government that cannot provide the basic services to its population cannot win the trust of the people. And government services are always provided by the human resources of government. Which ever way trust in government is looked at, the role of the human resources is determinant. However, “the human resource” is a wide encompassing term especially when one considers the variety of knowledge and skills required to successfully undertake technical, managerial, administrative, entrepreneurial, technological, political and integrative activities of government. Even if it is true that all Public servants or government agents have an influence on the way people trust government, the most influential part of the human resource in engineering trust in government after conflict are the top political, managerial and technical leaders in the public sector. In this paper we will focus on the role that political leadership plays in reconstructing capacities for public services after conflict. Our argument is that the quality and outlook of the political leadership at national and local levels that emerges after conflict will make or break the success of reconstructing capacities for public services. The paper underscores the critical role played by human resources in the Public Sector. “Relying on our peoples, we can take giant steps towards reform and pave the road for human perfection”<sup>6</sup>. “What we need to develop is people, not things, and people can only develop themselves”<sup>7</sup> But

---

<sup>6</sup> Iranian President, Mahmoud Ahmadinejad, in his speech at the United Nations General Assembly, September 2006 (quoted in Time magazine , October 9, 2006 page 58)

<sup>7</sup> Julius Nyerere, Former President of Tanzania see [www.infed.org/thinkers/et-nye.htm](http://www.infed.org/thinkers/et-nye.htm)

the emphasis is on political leadership as one aspect of the critical human resource requirement for successful post conflict reconstruction.

**Ensure a shared understands of the reality, hard tasks and the challenges confronting the nation and the hardship that must be faced in order for these challenges to be overcome.**

Post-conflict situations are challenging and cannot be treated as normal public management situations. If a country is to overcome the risk of sliding back into violence, there has to be fundamental change that demonstrates to all stakeholders and key players, especially the people of the country that the path the country is taking will lead to positive response to the aspirations of the people, which aspirations are diverse. Post conflict situations require that leaders challenge the people to ask hard questions and expose the socio-politico-economic realities of the country. Successful post-conflict leaders ensure that they do not give people false assurance that the end of violence is the end of poverty and misery and that the leadership alone will find solutions to every one's problem. In a post-conflict situation leaders are not shepherds leading the people (sheep) to calm clean waters and green pastures. If they pretend to be, then the reality will hit every one very quickly, disillusionment will set in and most likely violence will erupt again. While it is true that people will be looking up to their leaders for comfort, peace, security and stability and all sorts of solutions to all sorts of problems, leaders should not fall into the temptation of making unattainable promises. It needs to be clear that the work of leadership in a post conflict situation cannot be equated to baby sitting.<sup>8</sup>

If a new world has to be created, the old one must be shaken profoundly, deep beliefs must be challenged, old values must be questioned, old behaviors unlearned, certain characters changed, competing perspectives must be exposed and debated, hopes must be questioned, and everyone must be challenged to recast their outlook in light of the new aspirations. In other words, one of the critical roles leaders have to play in reconstructing capacities for public services after conflict is to ensure that every one understands the hard tasks and the challenges confronting the nation and the hardship that must be faced in order for these challenges to be overcome. People must be mobilized to deploy their collective intelligence and not to rely on the individual cleverness of the leaders or public servants. Leaders have to mobilize the people and the public servants to withstand the uncertainty, anguish, and often frustration that accompany the slow and often painful pace of change in a difficult post conflict situation which can easily derail the otherwise good plans of reconstructing capacities for public service. The role of political leadership here is to mobilize people to be hopeful but not blindly so and to motivate people to trust in their potential rather than in some external or divine intervention for their development. In order for this to happen, people must be led to assess the reality of the situation that faces them and, hard as it may look, resolve to deploy their collective effort to face all the challenges it entails.

**Mobilize people's voice and mind to design and agree a national vision and strategy that provides a guiding framework and rationale for reconstructing capacities for public service**

Reconstructing capacities for public service in a post conflict situation requires that these capacities be mapped against what the country intends to achieve in the immediate, short term, and long term. However, the leadership and the public service itself should not design these alone. Therefore, one of the roles of leadership in this regard is to mobilize the voice of the

people to contribute to the determination of the vision and strategy of the country. At least one of the questions that would be answered concerns what kind of public service the country should have. The temptation to put back the public service that existed before violence should be resisted. It may look to be the simpler task but as we indicated above challenges of post conflict situations cannot be addressed by undertaking simple tasks and the hard solutions of the problems of the future cannot be found in the simple tasks of yesterday. Determining and agreeing a national vision and strategy that provides an appropriate answer to the question of the public service the country needs for the future must be based on a hard, harsh, and brutal diagnostic analysis of the reality of the situation, not only as it presents itself currently, but also as it presented itself in the past and as it will present itself in the future. Mobilizing the population to put their voice and mind into finding today the solutions of the problems of tomorrow is one of the critical roles of leadership after conflict. People must be led to scan the past and future environment, scratch through the ashes and ruins left behind by the violence, and examine the painful socio-politico-economic wounds and scars to determine what kind of country they want to live in, what needs to be done to create that country, and what type of public service the country should have and how capacities of such a country can be constructed. Put in these terms, collective visioning sounds simple. But it is not simple both in concept and in practice. Designing and agreeing a national vision and strategy in post conflict situations often means cutting open some people's secret ambitions and persuading them to abandon all or some of them, abandoning socio-politico-economic comfort zones for some people, questioning values and beliefs of others, and creating compromises along the way. Leadership needs to do this to provide a platform and a framework to guide the reconstruction of the capacities for public service. When this is missing it is most likely that the capacities that are reconstructed are not in line with the aspirations of the country and the hopes and aspirations that emerge after violence are likely to be shattered and the country thrown into another round of violence.

### **Sustain development-oriented leadership and nurture future leaders for the country<sup>9</sup>**

Leadership is not a once-in-a-time activity. Leaders who emerge after conflict must understand that good leadership will not start and end with them and that whatever capacities will be reconstructed for public service, they cannot be sustained without continuous supportive development-oriented leadership. Developing leaders that will ensure that the country will remain on the path of capacity development for public services and indeed play a leading role in the world is an important role for political leaders in a post conflict country. We must add that developing leaders for the future is a function and role of any leader anywhere. But it becomes a

---

<sup>9</sup> The following understanding of leadership which was developed by the United Nations Ad Hoc Expert Group Meeting on New Challenges for Senior Leadership Enhancement for Improved Public Management in a Globalizing World held in Turin (Italy), from 19 to 20 September 2002, has informed the discussion of leadership in this paper: "Leadership is a concept that encompasses personal or group attributes, organizational structural arrangements, positions, functions, responsibilities, knowledge, skills, actions and attitudes that are shaped by the past and current socio-politico-economic and cultural conditions in pursuing a shared common vision/ goal/ purpose/ objectives. Thus it's a road and a vehicle leading from the past through the present into the future. Leadership needs to be conceived as something people do and not only in terms of what people are. We also need to bear in mind that leadership as a function happens at various levels of society. We have to be careful of the concept of leadership as the "Lone Hero at the Top". In order for the whole government administration to function many people have to exercise leadership skills at many levels.

critical one in a post conflict situation. The focus in this should be on developing motivated, effective and responsible young leaders in the public, private, and civil society sectors that are capable of guiding their countries as they struggle to align the post-conflict demands with development visions and strategies. The first aspect of this challenge concerns succession planning which in effect is preparation for leadership relay in the affairs of managing a country. Every leader at any level, in any sector, or any institution has the cardinal duty of ensuring that capable, effective and trusted leadership does not end with him or her. “In the leadership relay, it makes no difference how fast you run, if you drop the baton.”<sup>10</sup> The capacity to develop future leaders and ensure effective succession planning at all levels needs to be developed. Political leaders who emerge after violent conflict tend to adopt the attitude of conquerors and take themselves as invincible and imperishable. This attitude needs to be resisted. Physically leaders come and go. A political leader who truly wishes to leave positive prints on the history of the development of his/her country needs to embark on an ambitious program of developing an inexhaustible pool of capable leaders for the country. In this way the reconstruction of capacities for public services will be premised on sure ground of sustained supportive political leadership.

“Succession is one of the key responsibilities of leadership. Achievement comes to someone when he is able to do great things for himself. Success comes when he empowers followers to do great things with him. Significance comes when he develops leaders to do great things for him. But a legacy is created only when a person puts his organization into the position to do great things without him.”<sup>11</sup> Looking closely at the leadership situation in a number of post conflict countries, especially at the apex of political leadership the critical issue of developing leadership for smooth succession has not been priority.

It needs to be emphasized that leadership as an aspect of energizing the human potential for performance and trust is critical. Leadership is not a personal isolated activity done by one greatly endowed person. It is an endeavor of collective community action that leaders and followers who trust enough to jointly achieve mutual goals undertake. The task of creating a culture conducive to interactive trust is perhaps the preeminent leadership task<sup>12</sup>. In this respect leadership is probably the greatest aspect of the human resource in government and it occupies the best position for engineering and sustaining trust in the institutions of government. Causing confusion in leadership succession at the apex of a country’s leadership causes mistrust to cascade through all the levels of government and mix up the plans for reconstructing capacities for public service. In other words, in a post conflict situation, if the political leadership is not in order the public service cannot be in order either.

### **Provide framework for managing diversity and inclusiveness in the public Service**

One of the causes of violent conflict in many countries is leadership that excludes certain members of the population from participating in the development process at production level as

---

<sup>10</sup> James L. Garlow, The 21 Irrefutable laws of leadership tested by time: Those who followed them...and those who didn't. (Thomas Nelson Publishers, Nashville, 2002, page 175)

<sup>11</sup> John C. Maxwell: Leadership 101: What Every Leader Needs to Know, (Thomas Nelson Publishers, Nashville, 2002, page 104-205)

<sup>12</sup> See Gilbert W. Fairholm; Leadership and the Culture of Trust: (Praeger / Greenwood, Westport Connecticut, USA, 1994)

well as at levels of consumption and livelihood. After violent conflict one of the promises that political leadership needs to give to the people and follow it up with positive supportive action is the inclusion of all members of the population (women, youth, the disabled, all ethnic groups, political groups, religious groups, etc) in all aspects of socio-politico-economic development processes. Since the Public Sector in situation poverty is often the biggest employer, many groups will be vying for positions (jobs) not only in government but in the Public sector in general. This is where political leadership is called up on to live by example in ensuring that there is no feeling of exclusion in employment in the Public service. Managing diversity in the Public Service is critical in post conflict situations. If not well handled, it will disrupt any efforts in reconstructing capacities for Public service. Political leadership needs to take an integrative and strategic stand on this issue providing a political framework as well as a strategic objective of tapping and utilising the full potential and contribution of all segments of the population for development. The way political leadership positions in all levels of government are filled will provide a hint to the public on the way diversity will be managed in the public sector. The political level therefore needs to set example of how diversity should be managed across the board in the Public Service. But most importantly political leadership needs to spearhead the efforts of putting in place a strategic policy and legal framework that will guide the management of diversity in the public service to create a situation of equity, fairness, and predictability instead of always relying on the whims of political leadership. Once the strategic policy and legal framework is put in place it is the role of political leadership to ensure that managing diversity is always according to the legal framework. When political leadership diverts from what is provided in the legal framework, every one else tends to follow suite hence recreating feelings of exclusion once again.

### **Resource mobilization for start up, survival, and sustainability of public service reconstruction**

Reconstructing capacities for public service after violent conflict is a very costly task requiring large amounts of funds as well as dedicated and capable human resources. These are the two things that are not readily available after violent conflict. One of the important roles played by political leadership in reconstructing capacities for public services is mobilising the requisite resources for the task. While mobilising external funding for reconstruction programs is always expected of a leadership that emerges after conflict, this needs to be done without creating a beggar mentality in the population which would perpetuate dependence. The message that needs to come from leadership to the population and indeed to public servants should be of self-reliance and trust in building the country's potential rather than counting on external aid. Here the political leadership may have to play a double game whereby to the external partners the message is "we need help to kick-start the country" while the Public servants and the population, the message is, "we cannot on foreigners to develop our country and each of us must tighten our belts and work hard from scratch to overcome the challenges that we are facing". It is a very important requirement for successful reconstruction after conflict that people develop a feeling of self reliance, a determination to sort out their difficulties, and a confidence to face challenges. It becomes easy to mobilize external support when a country has a population that is prepared to face its future despite the challenges being faced. External aid may be critical for start-up of programs and projects for reconstructing capacities for public service. It may be require for survival of such programs and projects in the short and medium term. But for sustainability of public service capacity reconstruction, there must be a strong internal will for self-reliance and effective programs and projects for mobilizing internal capacity to sustain the provision of public

service. The beginning point is to have a political leadership that puts this challenge to the public all the time to cultivate the necessary internal commitment to self determination.

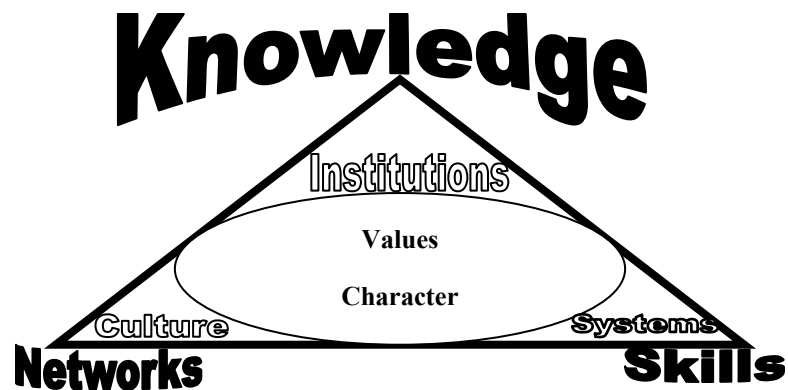
### **Political leadership capacities required in a post conflict situation**

There is need to reflect on the kind of combinations of leadership capacities required to manage a development processes and support the reconstruction of capacities for public service in post conflict situations with their complexities, intricacies, paradoxes and contradictions. When dealing with paradox and contradiction all players/stakeholders and beneficiaries need thorough understanding of the intricate components of the paradoxes and contradictions. Such understanding can be promoted through operating with transparency, information sharing, effective communication, partnerships and collaboration, participatory problem analysis and planning, as well as consistent feed back on achievements and shortfalls. This means political leadership needs to shift to participatory methods to bring the people on board and make them understand the paradoxes and contradictions under which they are operating. The role of political leadership in this regard is to galvanize consensus on such issues. When this is not done the people will put too much pressure and too many contradictory demands on the public services and thus constrain their capacities even further.

In the diagrams below, the paper conceptualises and summarises the capacities and competencies that are required for effective leadership if post conflict countries have to build and sustain trust from the people and successfully reconstruct capacities for public services. To be effective political leaders, people need to have a composite capacity of knowledge, skills, attitudes, character, values, and networks working within a facilitating cultural and governance environment, institutions and systems. Political leadership needs to have deep rooted values of integrity, respect for diversity, service to the public, selflessness, and professionalism. Shortfalls in such values complicate further the difficult task of developing local communities in many post conflict countries and erode the trust people have in government. For example, lack of integrity leads to corruption and lack of accountability thus undermining development projects by diverting resources for them. Lack of respect for diversity in circles of political leadership can cause serious diversity problems in the entire public services, including neglect of women and the disabled. Inadequate respect for the public good among political leaders can lead to wide spread squandering of the public resources including funds that would have other wise gone into making life for the people better.

Moreover when such values are lacking there is no push for creating and sharing knowledge and information, building skills and networks to support the work of serving the public at local level. It is a well established fact that effective leadership is possible only within a framework of institutions, systems, and a conducive policy and cultural environment. Political leaders at all levels need to pay particular attention to building institutions and systems, as well as enhancing their knowledge, skills, and networks in order to be able to operate successfully. The knowledge should not be localised but globalized to enable leadership to look ahead in time and scan the environment for solutions to current and future problems. If one was to study and analyse the leadership capacity requirements one would have to pay particular attention to concerns such as those illustrated in the diagram below.

Figure one: Leadership Capacity Analysis Framework



The task of developing communities that have lived in poverty imposed by violence for long, such as those in post conflict countries is a heavy one especially because poverty is deep and the communities are relatively resigned to it as a matter of fate. Poverty reduction is multi-disciplinary multi-sectoral, and needs a combination of multi-competency approaches. Therefore political leaders in such situations are tasked to adopt a harmonious balance of integrative, entrepreneurial, administrative and operative abilities/powers.<sup>13</sup> Whether in the public sector, private sector, civil society, at local, national, regional, or international levels, those concerned with developing leadership capacity in post conflict situations need to ponder very closely the question of how the leader should look like for the post conflict idealized country. This paper proposes the following abilities that should exist in a leader in a post conflict situation.

**Integrative ability** is required for ironing out conflicts due to diverging interests, competition for resources, cultural and religious differences, and diverging values and outlooks as well as concerns of minority groups. In the context of globalization, integrative power is required to lead a post conflict country to redefine itself and integrate in the global village but without losing itself. In other words, integrative leaders are required to make the post conflict country accepted by the rest of the world as an equal player in globalization and also to accept itself as a proactive participant and beneficiary in the global economy. Without integrative leaders in the public, private and civil society sectors, post conflict countries are likely to be caught in a perpetual situation of conflict and mutual mistrust not only in government but also in all the other sectors. An integrative leadership will see the national interests and galvanize support for pursuing them rather than pursuing parochial localized interests which are divisive and prone to building mistrust. Integrative leadership is most likely to distribute equally the fruits of development across the country thus creating an environment that builds trust. Finally an integrative leadership will ensure inter-generation equity by paying attention to the way resources are utilized today so that the generations of tomorrow do not suffer the consequences of the actions of today. This may be in the way the environment is exploited or preserved, the way the country manages external debt, the way the government invests in education, health, transport infrastructure etc. Future generations will be predisposed to trust government if they enjoy the fruits of

---

<sup>13</sup> An interesting discussion on the structure of powers can be found in Yves Enregle: Du conflit à la Motivation, (Les Éditions d'Organisation, Paris, 1985)

the action of the government of today. On the other hand if they suffer because of the actions of governments of past generations their general outlook to government will be of mistrust. This is how important integrative leaders are in building trust in government. It is not only for the purposes or benefit of today but also for the future generations as well. Without integrative political leadership reconstructing capacities for public service will be operating in a situation of mistrust and therefore cannot succeed.

**Entrepreneurial ability** is required for visioning and strategizing including analysis of the past, current and future environment in order to map out viable and feasible policy alternatives for development. Entrepreneurial leadership is needed desperately by post conflict countries because the countries are mostly lagging behind the rest of the world in development and therefore need not only quick gains in development but also sustained correct directions that find the solutions of the problems of tomorrow today. There is a tendency to take entrepreneurial leadership only in reference to private sector enterprises and the profit motive. This is wrong. There is a bottom line for everything in every sector and organization. Post conflict countries need leaders who can pin-point this bottom line and pursue its realization. It is imperative to realize that within the public sector, as well as civil society also, there is need for foresighted leaders who can discern the horizons of the requirements of the future from the standpoint of today; pragmatic dreamers who realize that development will not be wished. It must be planned and implemented. Such leaders are the ones who will be able to propel development. Entrepreneurial ability is necessary to make people participate in planning for and believe in their future. In other words, people are also likely to trust governments, even in their conditions of poverty, if the leadership is seen to make people have hope in the future through the development policies and strategies the government puts in place. It is these development visions, policies and strategies that can guide and give rationale to programs and projects of reconstructing capacities for public services. But at the same time, it is imperative that people accept that in order for the turbulent development process to be a little bit orderly and cause as little conflict as possible to ensure sustainable positive change; there is strong need for leadership which has administrative ability.

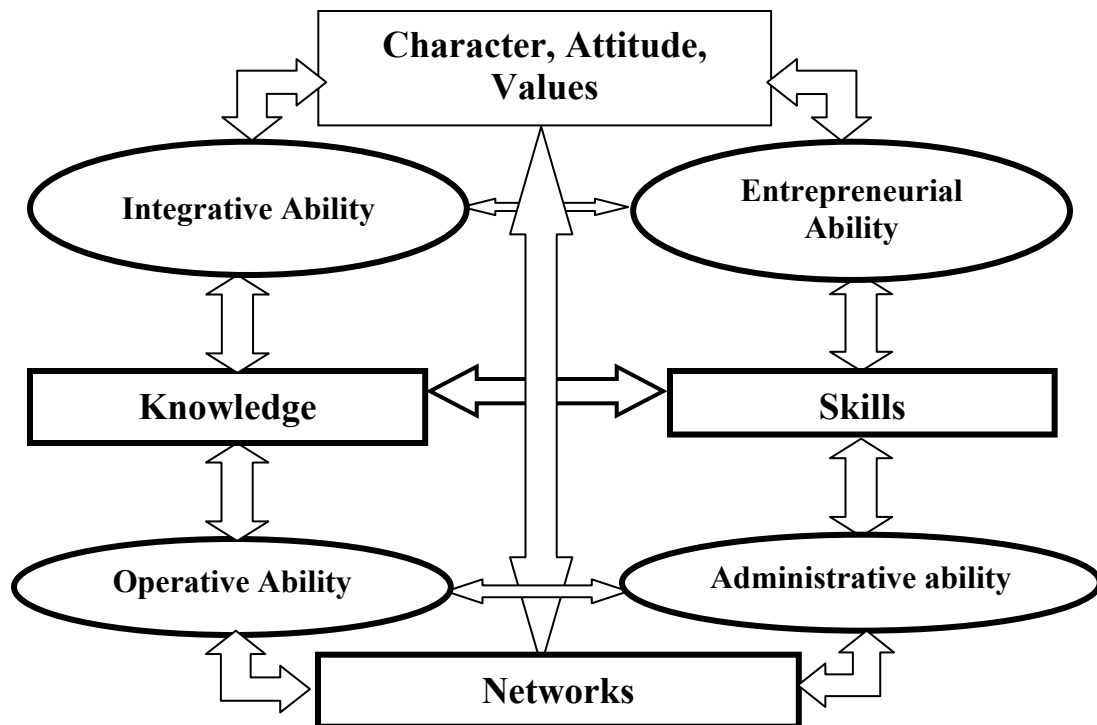
**Administrative ability** is necessary for following and respecting laws, rules, regulations, procedures, due process and prudent utilization of scarce resources especially for accountability purposes as well as orderly productivity. There is acclaimed need for sustained rule of law in post conflict countries. But everyone must accept that rule of law does not descend from heaven tethered on a thunderbolt. It is planned, implemented and sustained by leaders who have the propensity for order, discipline, regulation, acknowledging and accepting limits and boundaries in every relationship and action, as well as belief in controlled power. When administrative ability is weak, as is the case in post conflict countries, it lets lose unlimited use of discretion in bureaucracies, chaotic political competition, corruption, lack of accountability, and a situation of “survival for the fittest” which leaves many individuals in society vulnerable to all sorts of selfish forces and eventually to violence. This is not good for development. When administrative ability is not mastered to ensure effective rule of law, the ugly and negative side of the human factor manifests itself in chaos destroying development achievements and prospects. Administrative ability is therefore very necessary in building trust in government by creating an environment of order and predictability through disciplined and impartial action of public servants including political leaders. Successful political leadership in a post conflict situation needs to put emphasis on administrative ability because without rule of law, discipline, order, and respect for institutions, a post conflict country cannot be reconstructed and capacities for public services cannot be effectively put in place.



Finally **operative ability** is critical for action. Development is not a result of only policy and strategy. It is also a consequence of action or production. Whether it is provision of health services, education, water, roads, electricity, name it, the quantity as well as the quality are a result of some one doing some hands on. “Let us do it” is not only a command, but above all, a gesture to dip one’s hands into the mud of the job. This is the operational side of leadership. It is based on execution. When everything is said and done, what are visions, missions, strategies, action plans without execution? Any leader that can not show execution will show negative results. And it is the action that builds or destroys trust in government. There is the argument that political leaders are not involved in implementation or execution. True. But a political leader that is conscious of the fact that strategies with no implementation are useless, will always insist on and encourage implementation and follow-up to ensure that the plans for reconstructing public service capacities are put into action.

Conceptually, each individual leader has dozens of each of the above mentioned powers in unequal amounts. It is the dominant doze that will make him/her integrative, entrepreneurial, administrative or operative. However, below and working with integrative leaders, because they believe in them and support them, there is a multitude of other leaders in the public, private and civil society sectors with various dozens of integrative, entrepreneurial, administrative and operative powers who accompany and translate the leadership powers of these famous men into sustained action. While Machiavelli thought that the power to change kingdoms and societies rested with the superior talents of great men, the Princes, our view is that the power to transform and develop communities in post conflict countries lies in the leadership provided by simple men and women. In as far as reconstructing capacities for public service in post conflict situations is concerned one of the roles of political leadership is to catalyze and mobilize this power into sustained collective action. The diagram below summarizes the combination of the powers and the capacity analysis framework we presented in the first diagram. Clearly a leadership capacity building effort needs to take all these aspects and many others into consideration. Note that the institutions, culture, and systemic aspects are not included in the framework because the framework below is based on the abilities of individuals.

Figure2: Leadership power harmony framework



From the above framework a well balanced leader will have an appropriate mix of integrative, entrepreneurial, administrative, and operative abilities supported by adequate knowledge, skills, networks, in a character and behavior driven by appropriate values and attitude. There has always been a debate on how socio-politico-economic development can be effected within an environment where there is generalized inadequacy of human capacities. Some times this debate paralyses initiatives in development and puts actors in a perpetual lack of capacity. The truth of the matter is that one of the prerequisites for developing leadership capacity is to put in place institutional arrangements and structures that provide opportunity to the actors to progressively acquire the necessary knowledge and skills in development-oriented leadership through practice and interaction. It is not possible to develop comprehensive development capacity without instituting some form of development oriented structures. It is always possible to find people with integrative leadership power, but for them to fully develop their administrative, entrepreneurial and operative powers they need to be put in institutional structures that provide opportunity for these to be put into action. Management knowledge and skills such as those shown in the framework above cannot be developed in the absence of a supportive institutional infrastructure and a conducive governance and policy environment. In post-conflict situations, therefore, it is the role of political leadership to put in place institutional arrangements that support the reconstruction of capacities for public service.

In short, the task of getting post conflict countries out of their difficult situations within the context of globalization in the twenty first century will continue to be tough and complex and it will require complex leadership at all levels, in all sectors and in all organizations. But the political leadership in the Public sector and especially in government is critical. It is a situation that demands a leadership that is tailored to its exigencies. We cannot model leadership in post conflict countries based on leadership archetypes from the past and from other conditions and expect to meet the countries' challenges in the twenty first century. Such countries need "warriors" who combine the above powers, values and virtues, and who are willing to fight for the achievement of peace, stability, and development with passion, determination, foresight, and versatility in approach, knowledge, skills, and mindset. When the situation demands they will be iron fisted and bark orders and ensure strict discipline, ethics and integrity in the execution of these orders. They will also be able to take responsibility for consequences of these orders. But they will also be adaptable, have people skills, be collaborative, decisive, and very purposeful, innovative and exemplary in behavior and prepared to continuously learn and unlearn while ensuring that the organizations they lead are actually learning organizations. In this way they will engineer and sustain momentum for reconstructing capacities for public services. When such political leadership is lacking, reconstructing capacities for public services gets severely challenged. What remains a teasing problem for many of the post conflict countries is how to develop the requisite leadership capacity for socio-politico-economic development. The paper addresses this issue in the following sections.

### **Leadership Capacity Building Strategies**

Given the diversity of politico-administrative cultures, and the great variety of societal environments, each post conflict country's leadership has to be open-minded and look at all of the potential solutions to their own problems. The key element is to develop a sense of direction for the public service of a given country which takes into account its history, its environment and its position in the global world in a realistic manner. In this sense, the basic guideline on strategies, approaches, techniques and methodologies for leadership capacity development is that each situation, the needs it imposes as well as the composition and nature of the targeted audience, should dictate the approaches, techniques, thematic content and training methods to be adopted. In designing, planning, implementation, monitoring and the evaluation of leadership development programs – whether they be in the

immediate, short term, medium term or long term – organizers should adopt a participative approach involving the beneficiaries and target groups of such programs. Each of the target groups would require a strategy, an approach and methodologies that are congruent with their needs. Even the thematic content for the program would vary depending on the target group. The contents of a leadership development program can be specified only after careful participative analysis of target identification and needs assessment. This is not true only in post conflict situations but in all cases of leadership capacity development efforts.

There are some opinions to the effect that top political leaders (e.g. Ministers, Parliamentarians, top executives etc) can not be trained and are therefore beyond leadership capacity building initiatives. Accepting such opinions is defeatist and borders on arrogance. Both from conceptual and practical considerations, current and future political leaders can have their leadership capacity developed. It is a matter of adopting the appropriate approaches and methodologies. In fact the more the top political leadership in a post conflict situation are ready to undergo capacity building activities the more they are likely to be seen as honest and realistic in accepting their capacity limitations and therefore worth the trust of the people. What are the approaches and methodologies that can be applied in developing the capacities of the current post-conflict government leadership? Below we mention only visioning workshops, coaching and staff exchanges and study visits.

**Visioning workshops/Retreats:** I will use a personal experience to illustrate how powerful visioning workshops can be in developing the capacity of top government leaders in a short time and in a very pragmatic way. I will not mention the country in which this experience took place. I was hired as a consultant by an International Organisation to implement a two weeks training for top civil servants of a country that was emerging from severe internal conflict. It had been realised that the mostly newly recruited top civil servants did not have management knowledge and skills for their jobs and they needed to undergo training in basic management subjects including: organisation theory, administrative communication, accountability, delegation, supervisory management, planning, organisational control, motivation, etc.

I had not been consulted in designing the program and the time table. When I arrived at the venue, I checked the profile of the participants and the topics on the timetable of the training and immediately realised that while it was true that most of the participants had neither knowledge nor skills in basic management, this training would not help them much. First, due to the conflict the country was just emerging from, there was a thick mist of mistrust among the public servant and their leaders who could not talk to each other even during training like this one. Second, again because of what the country was going through (run down institutions, structures, etc) essentially these top leaders did not have what to do because they had not had occasion to plan together what to do. I immediately decided that more than exposing these leaders to basic management knowledge and skills as outlined in the program, the two week training should create a situation where they would learn and practice talking to one another and planning things together as well as making specific plans that would serve as basis for their action once back in office. In other words, I realised that what they needed most was experiential learning in integrative and entrepreneurial leadership.

However, since I had already signed a contract with the International Organisation to conduct this training I could not change the content of the program. I only decided to change the approach and methodology to include brief conceptual presentations on the topics outlined on the time table, group discussions built around specific questions that I designed to make the groups diagnostically analyse the situation they were operating in, and finally planning sessions where I requested the groups to

propose actions that would address the problems they had identified, the centres of responsibility in implementing the actions, the resources that would be required, the indicators that would show success in implementation, and the timelines to guide completion as well as the obstacles they expected to encounter in implementing the proposals. After the first three days of the program, owing to the group work approach, people started talking to each other with confidence. We started witnessing very lively and constructive arguments about the future development of the country, and why things seemed stuck at the time. By the time the program moved into the phase of diagnostic analysis of problems and making plans, the course had shifted drastically from a short course in basic management to a high level visioning and strategic planning workshop. It is about twelve years since, but up to today in the country that training is still being referred to as the turning point in the country's leadership capacity development. The public service development strategies that were outlined during the training are still being implemented albeit in a more refined form.

At the end of the training, the top public servants proposed that the same program should be extended to Ministers and Parliamentarians. Two months later, the Ministers and Parliamentarians undertook a visioning workshop that built from the one attended by the top public servants. The visioning workshop has been now turned into an annual compulsory event where Ministers, Top Civil Servants, Parliamentarians, and Prominent top leaders of civil society and private sector organizations as well as Public enterprise top executives meet to review the achievements of the country and plan for the following years.

Visioning workshops are a very useful tool for training top leadership. When they are done by bringing together sectors (public, private, and civil society), they enhance trust in government through collaboration and information sharing as well as ownership of objectives and understanding of the various obstacles that face government in its work to develop the country. In this particular case and in other many other cases which I know, the planning of these visioning workshops is done by the Ministry responsible for Public service with officers charged with human resource development and personnel administration taking the lead.

**Leadership coaching:** Another approach that could enhance top leadership capacity is coaching. Personal leadership coaching is becoming one of the most rapidly growing approaches to leadership development and organizational change in both the public and the private sector. It can improve self confidence, unlock leadership capabilities and potential and how to apply it in the work place, improve listening ability, enhance teamwork and communication skills, and improve learning of new techniques to manage change in difficult conditions. For top busy government leaders it can provide opportunity to step back and learn to take an objective look at the big picture and at their own abilities and obstacles. We know that for busy top government leaders, it is easy to get caught up in one aspect of the government activity or political engagement demanding most of the time and energy. Being involved in coaching enables such leaders to express plans, thoughts, and ideas in a neutral environment. It is a way to re-evaluate current communication and management methods and look for new ways to approach old issues and problems. Being involved in a leadership coaching program is a sign of strength and dedication and indeed an indicator of a top leader worthy of trust who is able to recognize shortfalls in required skills and bridge the gap through coaching. Coaching programs that are designed following needs that are identified through wide consultation mechanisms such as the 360 degrees assessment can contribute to the trust people have in their leaders because it takes humility to subject oneself to 360 degrees assessment especially when you are a top leader. In a post conflict situation where there is need of lots of capacity building activities in reconstructing

capacity for public service, when top political leaders are involved, they provide example that breaks resistance to change and learning.

The question however, in the context of some of the post conflict countries is who will be the coaches? Is it possible to identify a pool of leadership coaches that can now and then be relied up on to coach leaders and effectively develop their capacity? We believe this should be one of the tasks of those concerned with developing leadership capacity in post conflict situations. Coaching is not only an act based on superior knowledge and skills. It is first and foremost an act that thrives on mutual trust and built reputation. It is like in professional soccer. Most successful coaches have been very successful soccer players. Knowledge, skills, experience, supported by positive reputation, are key to successful coaching.

**Staff exchanges and visits:** Staff exchange and visits can help leaders to develop their capacities through meeting and conferring with their professional counterparts and to experience first hand different ways of doing things. This is another approach that post conflict countries can promote together to share experiences and gain quick learning.

There are many strategies, approaches and methodologies in developing leadership capacity. In this paper we intended only to discuss briefly those targeted at top political leadership as well as top public servants and especially those such as the visioning workshops that enhance trust, integrative and entrepreneurial leadership. We know that there is a lot of effort at national, regional and international levels aimed at developing leadership capacity post conflict countries. These efforts are galvanised at the level of many universities, Management Development Institutes, and other tertiary institutes. We also know that there are many human resource development managers post conflict countries who are engaged in efforts to develop leadership capacity in the public service. These are best placed to discuss this issue. We will therefore not over dwell on it here. We would wish to make three observations in conclusion.

### **Two Historical Faults that Need to be Corrected in the Process of Public Service Reform and Modernization**

In order for some of the proposals we made above for developing leadership capacities in post conflict countries to be put into effect, there are two fundamental historical faults that have been made in reforming the public service in many countries which must be corrected.

First fault: The seriousness with which public Service Reform Programs in many countries were planned and conducted somehow did not consider that Human Resource Managers are the most strategic partners in reforming the Public Service. Neglecting issues related to the undeveloped professional status of Human Resource managers in the Public Sector and relegating the Human resource managers to non core and non strategic functions when they are supposed to be the top advisers and leaders of public service reform and leadership capacity development programs was a huge mistake. It resulted into a ridiculous situation where Public Service Reform programs in some countries are designed by external consultants whose terms of reference are designed by external consultants and consultancy reports and outputs evaluated by external consultants. The end result is perpetual dependency on external consultants for making reforms in the public sector. Yet it is known that reform as a change phenomenon is an on-going process and should consequently be driven and directed from the inside. How could such countries develop public sector leadership capacity by neglecting the planners, implementers, and evaluators of capacity building programs? This situation needs to be immediately reversed by repositioning the function of Human Resource Management as a strategic function. In the whole effort of reconstructing capacities for public service after violent

conflict, Human Resource managers should given top priority in order to create impetus for sustainability of such efforts.

Second fault: The zeal with which public service reforms including civil service reforms aimed at strengthening performance capacities of Public sector institutions were implemented was in many instances not applied to strengthening the institutions that would be responsible for building and sustaining the capacities: Institutes of Public Administration (IPAs), Management Development Institutes (MDIs), and relevant University Faculties should have been given equal if not more attention. Countries have pushed reforms successfully (for example Uganda and Ghana) also managed to raise the profile and capacity of their IPAs (for example the GIMPA and the UMI) which underwent fundamental transformation as capacity building institutes in the Public Sector as reforms took root. In such countries it was possible to sustain human resource capacity development because the reforms had also paid attention to strengthening the capacity of the Capacity builders.

### **3. Reconstruction of Public Service and Governance Systems in Post Conflict Situations**

(By Prof. James Katorobo)

#### **Introduction**

The objective of this analysis is to identify challenges of establishing public services and governance systems in the post conflict situation. Examples are taken from post conflict countries in which the Author has been involved in the re-design of the public services: Uganda, Rwanda, Somalia, East Timor and Southern Sudan. In the cases of Uganda and Rwanda, post conflict redesign of public services has been by and large successful. Somalia is an example of enduring failure. East Timor and Southern Sudan are at the initial starting point and attempts are being made to establish public services at a level that had not been a national state.

The analysis begins with brief descriptions of the nature of conflict and its negative impact on the public services. It then deals with the direct connection between re-establishing security and the rule of law and restoration of delivery of public services in peaceful areas and zones. The importance of transforming divisive politics through power sharing is empathized. Since prolonged conflict decimates human resources, capacity building of individual staffs, and public services institutions, must take centre stage through emphasis on the corporate, rather than individual level. The analysis focuses on the re-establishment of inter institutional arrangements and coordination mechanisms. Lastly, the challenges of supporting and mobilizing the civil society are identified, especially the need for good relations between civil society and the re-emerging state. Best practices are outlined in the conclusion

#### **The Negative Impacts of Prolonged Conflicts on the Public Service and Governance**

In Uganda political and military conflicts stretching across several decades (1966 – 1986) had severe negative impacts on the public service. Many senior civil servants were killed and a large number went into exile. Successive undemocratic autocratic regimes used the public service as a tool for patronage to confer privileges and rewards to supporters and to punish and exclude opponents. There was irrational expansion of public service size in terms of ministries, departments, and staffing. Public service structures and functions became unwieldy, duplicative and overlapping. After the Bazilio Okello coup d'état of 1985. Banking records littered the streets of Kampala and public service records were being used in markets to rap bananas and mangoes.

In Rwanda, as the Rwanda Patriotic Front (RPF) was taking control of Kigali, the entire previous government and the civil servants were on the move heading into exile. They carried away all movable public service office assets, ripped telephones, and destroyed public service assets that they could not carry. As the saying goes nature hates a vacuum. The returnees from exile in a

diversity of foreign cultures (Francophone and Agrophile) helped themselves to vacated public service offices. Most of them had no relevant qualification and experience. Later on removing them and choosing new ones became a major challenge for the new post genocide government. Initially, ministries were distributed to different political parties both at the political and technical level. This was in contrast to the Uganda case, where power sharing was confined to ministries at the political levels but not the technical public service level. While in the Uganda case there was a single co-coordinating agency for recruiting staff in Rwanda the political party owning the ministry recruited staff into the ministry. There was no mechanism for co-coordinating the Ministry of Finance (wage bill) and the Ministry of Public Service (staffing).

In Uganda and Rwanda, there was a national government controlling the state. In Somalia, there was no such government. The state collapsed completely and the public service with it. Several areas emerged in which regional governments claiming statehood were established: Somaliland in the Northwest, Puntland in the Northeast, Baidoa in the South, Mogadishu fell under the control of different warlords. These warlords have been overthrowing each other. In all of these areas, except for internationally unrecognized Somaliland, establishing public services below the instable controlling and shifting authorities has proved impossible. The donors based in Nairobi have been engaged in cross border efforts to re-establish the Somali state and public services without success. The current Somali government with military backing from Ethiopia, and an AU peace keeping force have failed to stabilize and restore peace. Instead war is raging in the streets of Mogadishu. In this context of permanent armed rebellion, establishing public services is out of the question. This has become a Hobbesian state of nature where “life is short, nasty, brutish”.

East Timor is an example of a post conflict situation in which there was no state and no government and therefore no public service institution. The Indonesia colonial power had run East Timor with Indonesian nationals even to the level of nurses and teachers. The departing Indonesian armed forces conducted a scotch to earth policy to deny any in-coming government public assets and facilities. It is important to note the following factors that have complicated post conflict establishment of public services in East Timor.

East Timor leaders and communities were divided between those who collaborated and supported the Indonesia colonial power and those fought the Indonesians. A large number of the collaborators migrated to west Timor and continued to be under the control of Indonesians to hamper and frustrate the set up of new institutions in East Timor. The anti-Indonesian groups were severely divided between the radical nationalistic party, Fretilin, with supporters from the lower classes, and pro western political leaders (reflecting liberal, middle class and Christian values). Unlike in the Uganda and Rwanda cases, no dominant and unified group triumphed over the rest to assert unified authority. East Timor was placed under UN trust-ship to manage the post conflict transition to a new national government.



There are now efforts to establish a sub-national government in Juba as part of the agreement between the leaders of Southern Sudan and the Sudan government based in Khartoum. This is a case of colonial and post colonial neglect and exclusion. Very limited public services had been built in the South. The meagre public services were dominated by Arabs from the North. Arabs from the North dominated and exploited the Christian South, the same way Indonesians dominated East Timor. Whatever meagre public services that had been extended to the South were destroyed during the protracted armed rebellion against the North, and the attempts by Khartoum government to military crush it. Ethnic fire between blacks and Arabs, and religious fire between radical Islam and Christianity account for the ferocity, intensity and destructiveness of the conflict.

As in the case of East Timor, a national government is being set up at a level where it did not exist before. There are no previous government structures and functions to review. In the case of East Timor the previous institutions were located in Jakarta; in the case of Juba, they were run from Khartoum. In both cases, the new leaders are hostile to their former rulers and do not regard them as models of public service to be emulated.

There are several critical challenges to setting up a government and public service at the Government of Southern Sudan (Level) in Juba. The deep challenges are the establishment of ten federal governments reflecting major ethnic groups in the South. They are being set up from zero. They do not have office space from which to run the governments. There is poor communication system (roads and telephone) to link Juba to the ten federal states. While the South is promoting activities anticipating winning the referendum for independence, the North is promoting division to ensure the South votes to stay in the union. Because oil and gas reserves are located in the South, the North is not willing to let go.

### **Re-establishing Service Delivery Systems in Post Conflict Situations Focusing on Security and the Rule of Law**

Re-establishing service delivery systems in the post conflict situation is a direct function of establishing effective security systems. As the case of Somalia demonstrates, when security is established in an area such as Somaliland, Puntaland, and Baidoa, the re-establishment of public services follows. In Somaliland security and the rule of law were restored and have been sustained for the last 15 years, as a result institutions such as parliament, ministries and the judiciary have been re-established and are working. In Puntaland, following re-establishment of peace and security, technical assistance and capacity building begun. Public services were re-equipped with computers and office materials, staff training commenced, members of parliament (MPs) were sent on a field visit to South Africa to learn about the roles of legislation in the post conflict setting. Suddenly warlords started fighting again. The public services being restored were attacked and the computers and equipment stolen.

In Rwanda and Uganda security was first restored in the capital and urban areas and public services began to function. During the first two years large rural areas remained “no go areas”. In the post conflict context, the authorized routes and areas where UN staffs are allowed to go is a barometer of the limits to the delivery of public services. While UN staff may move freely in areas where security has been restored, they may not go into areas of high insecurity. In semi-security areas they may travel under military escorts. Only when security has been secured can development promotion “services begin”. The main actors in the immediate post conflict situation are peace stabilization forces, mopping operations to extend peace zones e.g. security, and relief and resettlement. At this stage the greatest assignment is to determine the needs for re-establishing the public services. It took 2 years to review needs for Rwanda public service reforms.

The expert was based in Kigali and could not go to rural areas. The review of Uganda public service reform was undertaken 3 years after the fall of Kampala in 1986. Even the reviewers could not go to northern areas where armed civil war has ranged for the last twenty years. In order to assess public service needs in Soroti, Teso, the team went by air. East Timor provides a case in which the review of post conflict public services needs was premature. Only the capital, Dili, and a few of up country towns, had been secured. Most areas were no go areas and required military escorts.

In all cases, it became apparent that targeting restoration of public service without focusing on the post conflict security sector had been a strategic mistake. The post conflict security sector extends beyond re-establishing a national army, to the creation of a national police force to maintain the peace, to restoration of judiciaries to dispense accessible and affordable justice. The security sector involves re-establishment of Criminal Investigation Departments (CIDS), and the set up of democratically controlled internal and external security organs (Agencies). It is now recognized that the restoration of the security sector and the building of its capacity must take centre stage in early post conflict governance efforts.

### **Transforming Oppositional Politics in the Post Conflict Situations**

Extreme divisive politics based on monopolization of power and the exclusion of major social forces and political groups in the pre-conflict stage is often responsible for armed rebellion and civil wars. A succession of autocratic leaders in Uganda prompted excluded opponents to take up arms being convinced that the 1980 general elections had been rigged. In Rwanda, since 1958 a succession of Hutu dominated governments expelled and excluded Tutsis. In response to the Tutsi led armed rebellion of Rwanda Patriotic Front (RPF), the Hutu carried out the “final solution” to exterminate the Tutsi in 1994 Rwanda Genocide. In Somalia, Siad Barre monopolized power by favouring his own clan, and excluding other clans through imprisoning and killing opponents. Recently, decades of political exclusion of Raila Odinga in Kenya and Morgan Tsvangirai in Zimbabwe and the rigging of general elections to prevent democratic

transfer of power have triggered violent armed rebellions. Therefore a major priority of post conflict governance is to transform previous patterns of divisive oppositional politics.

In Uganda the approach to transforming opposition politics was power sharing. Although Yoweri Museveni and the National Resistance Army had decisively captured state power in 1986, a winner take all approach was avoided. Instead, leaders of opposition groups and parties were co-opted into what was called “broad based” governments. The national Resistance Movement (NRM) regime has been able to neutralize the opposition and stay in power for the last twenty years. The pre-conflict political parties were banned and a movement (one-party, the NRM) political system was established under the 1995 Constitution.

Several features of the Uganda post conflict power sharing need to be noted. Power sharing was confined to being included as ministers in the government. The government programme remained that of the NRM. Power sharing through inclusion was not extended to the technical levels of the public service. Recruitment of Permanent Secretaries remained non-political based on technocratic and professional merit. In Rwanda power sharing was interpreted as each party “owning” the ministry down the technical level. A review of the disruptions and lack of co-ordination caused by this kind of power sharing during the first two years recommended scrapping the system. The Rwanda government abolished the system and provided for ministers to be rotated in different ministries irrespective of the party affiliations. No party could claim to own a ministry any more.

Power sharing may be based on the President freely choosing ministers of other parties instead of the parties nominating those to be appointed ministers. In Uganda the president picked ministers of the parties without having to consult. This has been described as the principle of “individual merit”, rather than party representation. In a system of “party representation”, the president does not have strong authority and power over the ministers and parties could recall and replace them. This is the emerging power sharing system in Kenya and Zimbabwe. This creates challenges of co-ordination of policies and their implantation.

The level of power sharing (broadbasedness) in Uganda has declined as the country has transitioned from a movement system (one-party) to a multi-party system. The adoption of a multi-party system was approved by a referendum 2000 and the provisions of one-movement system in 1995 Constitution have been repealed and replaced by multi-party provisions.

Similar, power sharing strategies have been followed by the leaders of the Rwanda Patriotic Front. They had militarily defeated opponents and could have pursued a winner take all approach. All the post conflict governments in Rwanda have a majority of ministers being Hutu’s reflecting the ethnic composition in the population (85% Hutu, 13% Tutsi, and 2% Twa). Ethnic exclusion and hatred cannot be used as a basis for opposing the RPF ruling regime.

In Uganda power sharing was extended to the armed forces. All previous armed groups (except, Kony's the Lords Resistance Army) were co-opted. A lot of incentives (money) were used in exchange for being disarmed, demobilized, and re-integrated. This is one way of ensuring and building an effective post conflict security sector. Unless former combatants are successfully resettled and re-integrated, they may resort to criminality and may be recruited into new armed rebellions.

## **Human Resources Development in the Post Conflict Situation**

### ***Shortage of Human Resources***

As has been indicated above, the Uganda post conflict public service was bloated in size with overstaffing, too many square pegs in too many round holes. First, ministries and departments were merged, and redundant positions abolished. The public services were downsized, and right sized. Duties and responsibilities were re-defined. Second, training needs of staff to be retained were identified, appropriate training designed and implemented. In the immediate post war situation only short term remedial human resource development can be undertaken.

Meeting critical shortages of accountants, economists, and engineers required five through ten to fifteen years in which large numbers of secondary school graduates are pushed through universities and relevant professional colleges. After some of them have worked in the public service for five to ten years, they are sent for masters degrees and promoted to senior management positions as heads of departments.

In Rwanda there was massive exit of the staffs of the outgoing regime at all levels. They were replaced by new staffs without requisite training and without any public service experiences. Thus human resources development was required at all levels. However, it had to be preceded by fresh recruitment. In order to ensure transparency, the interviewing and selection was outsourced to a Canadian firm, and its recommendations approved by parliament. Lower level civil servants could be retrained in Rwanda by rebuilding the university and setting up new training institutions. Higher level civil servants were sent to training centers in neighboring countries (UMI, in Uganda), ESAMI in Arusha Tanzania. Others were sent abroad. The human resources development needs of East Timor were similar to Rwanda situation. There was no existing staff at all levels including teachers, and nurses, positions monopolized by the Indonesians. Unlike Rwanda, there were no local universities or training colleges to improve. It was a situation where you had to start from scratch.

### ***Technical Assistance in Human Resources Development***

In the immediate post conflict situation, the priority is to restore and sustain public service operations. Since there are severe human resources shortages, there is need for technical assistance.

Skilled and professional staff may be acquired under technical assistance programs. The design of technical assistance may provide for counter part staffing. In Uganda in the mid 90s there were shortages of accountants and economists. Foreign specialists were brought into the country to ensure that current operations are restored and maintained. Ideally, national staffs should be attached to ensure that skills are transferred. Such anticipated transfers fail to occur if there are no nationals to be attached and if the counterparts do not have the skills, or the appropriate motives to engage in capacity building.

In the immediate post conflict situation, emphasis is on direct execution to restore and maintain services, as a large supply of local graduates increases, there is shift to national execution so that projects and services are managed by nationals. Human resources development in the immediate post conflict situation cannot be standardized because it depends on the effects of prolonged conflict on the supply and demand of skills and professions and the extent to which training institution were destroyed, if they existed. In Juba for example Khartoum has a list of civil servants supposed to be in office in the South and they are on the payroll, but they are not in post in the South. The challenge now is to design the public services for the South, determine the types of civil servants required, and recruit a new civil service and allow absorption of any suitable ones from the previous civil services.

### ***Need for Human Resources Planning***

In most post conflict situations, there are severe shortages of staff including those with human resources planning skills. A ministry of Finance and Planning may be set up, as well as a ministry of Public Service. These are the key institutions which should determine the demand and supply of human resources and develop strategies and plans to meet them. Sector ministries such as agriculture, education, and health will also not have up to date information now and in the future.

It is generally recognized that increased, access to education and health is a good thing and that Asian Tiger economies invested heavily in the production and provision of human resources. But there are no specific models and formulas to follow.

Uganda launched universal primary and secondary education. In response to increased demand for university enrolment, universities have expanded from 3 to 29 in the last ten years. In the mid 1990s Uganda had severe shortages of professionals (accountants, economists, engineers) now large numbers have been produced and are unemployed.

## **Establishing Accountability of Government Institutions**

### ***Public Expenditure Accountability***

In the Ugandan governance system, the foundation for accountability is the budget. Over the last twenty years Uganda has been following a cash budget system. The government guides ministries, department and agencies to prepare budgets based on budget ceilings reflecting expected revenues (cash inflows) and priority allocations. These expenditure allocations are authorized by parliament. The Auditor Generals report is submitted to parliament showing the extent to which actual expenditures conformed to the budget allocations. Parliamentary Accounts committees call ministries, departments and agencies to explain unauthorized expenditures and losses.

Currently there are five accountability committees. Two of the Committees: the Public Accounts Committee (General) and Local Government Accounts Committee focus on the Auditor Generals reports. The other four committees focus on accountability for programs in the key sectors.

In the post conflict situation, ministries, departments and agencies do not have up to date books of accounts and financial expenditure records and internal audits. In most cases the accounting institutions will have been corrupted and destroyed during protracted conflict. The post conflict government may have an Auditor General office. But it will have no qualified staff, and no experience to conduct audits. In any case, financial records will not exist. There may be parliamentary accounts committees but they will have no audited accounts to inspect.

In Uganda public expenditure without audit reports covering several decades were exempted. The country embarked on training of accounts to ensure that Ministries and Departments had up date financial records which would enable the Auditor General Offices to audit them. Uganda also embarked to the establishment of the institutions of professional bodies to handle the certification and accreditation of the accounting profession. In the immediate post conflict situation, there was severe shortage of accountants, and economists. Twenty years after there is now an oversupply and unemployment.

Even when the large backlog beyond a baseline year was exempted and the baseline considered feasible was set up, the Audited Accounts are still five years out of date. It becomes rather late to recover money lost or diverted five years ago.

The coming into being of a multiparty parliament has boosted the power of parliamentary accountability committees. Rules of procedure now require all accountability committees to be chaired by opposition members of parliament. This minimizes the potential for cover up by pro government Members of Parliament.

### ***The Institution of the Inspector General of Government (IGG)***

Unlike public expenditure accountability that depends on the Auditor General Reports to parliament, Uganda innovated by introducing the office of the Inspector General of Government (IGG) modelled on the Scandinavian institution of Ombudsman. It can monitor and enforce accountability for operations in the current period based on current investigations. Aggrieved citizens can report cases of miss-governance and mis-rule to the IGG and the IGG can initiate investigations. In Uganda the IGG has been effective in investigating cases of corruption. The IGG has had two major weaknesses: firstly, low investigative capacity due to poor staffing, equipment and logistics, and secondly, lack of enforcement powers.

The IGG Act has been amended and the IGG given enforcement powers to take offenders to courts. But the IGG is helpless when the offenders are political heavy weights. The IGG model has been introduced in Rwanda where it appears more effective because of strong support from the Kagame regime (which is more strict and has zero tolerance for corruption).

### ***Inter-agency Enforcement of Accountability***

The IGG is but one of many agencies that enforce accountability including, CID. These are coordinated by the interagency committee allowing share of a data and information and the adoption of co-coordinated common strategies and operations.

### ***The Directorate of Ethics and Integrity***

It was soon realized that in the course of conducting current accountability measures, issues emerge that require decisions at policy levels. This need led to the set up of the Directorate of Ethics and Integrity which can propose new accountability policies, laws and institutions.

## **Inter- institutional Managements and Systems Co-ordination mechanisms**

### ***Elements of Successful Co-Ordination of Macro Economic Stability***

In the immediate post conflict situation in Uganda, activities of Ministry of Finance were not co-ordinated with those of the Ministry of Planning. The Ministry of Finance perceived plans and projects designed by Ministry Planning to be over ambitious, financially exorbitant and, unrealistic to the available resource envelope. Several measures were undertaken. Though a first generation reform, the Ministry of finance was merged with that of planning. The World Bank and IMF trained and equipped a finance and planning team in the new Ministry to use standardized monetary and fiscal tools to control exchange rates, interest rates, single digit inflation. The Uganda Revenue Authority and the Bank of Uganda were integrated into this school of thought. This Ugandan core of Finance and economics specialists has controlled the commanding heights of the economy and ensured a sustained application of these tools and instruments in the last twenty years.

A similar trend took place in Rwanda. It was pointed out that power sharing and ownership of ministries was the main obstacle to effective co-ordination. This share of ministries was abolished 1996. It should be noted that one of the Uganda architects of the macro economic management tools and instruments moved to Rwanda and assisted in its adoption. Similarly, another architect is now in Juba assisting its adoption by Ministry of finance.

### ***Co-Coordinating the Public Expenditure and Budgeting***

The United Uganda Ministry of Finance and planning introduced a new co-coordinated approach to public expenditure and budgeting initially called the “cash budget”. The starting point is determining (estimate) available revenue and limiting the public expenditure within the available revenue resource envelope. Ministries, departments and districts prepare their three year rolling budgets within budget ceilings issued by Ministry of Finance. This budget frame work has come to be known as the medium term expenditure Framework (MTEF). The requested expenditures are based on priorities and programmes prepared in budget expenditure framework papers.

### ***Co-Coordinating Projects and Programmes through Poverty Eradication Action Plan (PEAP)***

Uganda has gone through four PEAPs of 3 years rolling planning. The importance of PEAP as a co-coordinating mechanism is to provide a focus for all ministries and departments to design their projects. There will be variations in projects but there will be common outputs and outcomes. Each planning office is instructed to specify activities which reduce poverty by specified rates. Over the last decade of PEAPs, poverty levels have been reduced from 56% in 1992 to 31% in 2006.

The PEAP planning framework adopted the sector-wide planning approach. It is not enough to coordinate activities within a single ministry such as Education or Health. A sector wide approach to health or education is much wider than each Ministry. By the time the PEAP system is being phased out, there are about fifteen sector/working groups implementing the sector-wide approach to planning and implementation. As the county moves to the National Planning Authority approach, it is essential to build on the sector wide approaches that have been used in the past.

### ***Co-Coordinating Decentralized District Planning and Implementation.***

In several post conflict countries, decentralization has been adopted to effectively bring services to the people. However, there are so many sub-national units for decentralization that it is essential to put in place effective mechanisms of co-coordinating the process. In the case of Uganda, this has been accomplished in three ways; first, is the development of standardized district planning guidelines, which all local government follow and second, the establishment of a co-coordinating unit in the Ministry of Local Government; thirdly, the design and implementing of annual local government performance assessments and the set up a basket fund to finance local government development and capacity building projects and programmes.

### ***Co-Ordination Through Inter Ministerial Committee***

The inter-ministerial committees are set up at two levels; the level of ministers and the level of permanent secretaries (PS). The PS deal with Technical issues and the details, and Minister’s step in to resolve contentious disagreements and debates.



### ***Co-Ordination Through Inter Agency Committees***

In Uganda there are many agencies fighting corruption. The IGG is involved, various security agencies (internal, external) are involved, and the Criminal Investigation Department (CID). Interagency Committee reduces duplication, and cross agency interference, through share of vital information. Similarly an inter-agency task force has been set up to co-ordinate efforts in the security sector.

### ***Co-Ordination through Modern Information Technology (MIT)***

First, MIT's can be used to generate information to facilitate co-ordination in specific ministries and sectors (health, education etc). Secondly the advanced second stage is to interlink sector management information to each other, between health, finance, education, and public personnel records in Ministry of public service and local government. Thirdly, the National Statistical Bureau has to be entrusted with setting up a national information data base for use in the Public service. Uganda is one of the few countries that have set up a Ministry for modern information technology with a mission of establishing the e-governance throughout the public service.

### ***Co-Ordination through the Prime Minister Offices***

Since the offices of Prime Minister are the centers for co-coordinating government business (in some countries it might be the Presidency) there are two critical capacities to be built. The first one is to set up an effective cabinet secretariat to record, monitor and evaluate all policies and programmes. In Uganda, the head of the public service is also the secretary to cabinet. This arrangement provided an institution system for systematic monitoring of policy formulation and policy implementation. There is a standardized format for submission of a new policy and best practice regulations.

The second capacity is technical, the set up of monitoring and evaluation systems utilizing modern information technology. Unless modern information systems are set up in ministries and districts, a national policy monitoring and evaluation system cannot work. These are the co-ordination challenges that Prime Ministries (or Presidencies) encounter.

## **Institution Building for Effective Public Services in the Post Conflict Setting**

### ***Institution Building through Clear Articulation of Vision, Goals and Strategies***

Even after setting up various ministries, departments and agencies in post conflict Rwanda, not much was being done by these public service institutions. One key factor inhibiting performance was lack of institutional vision, goals and strategies. The new public services were spending most time in and hoc responses to crises. Senior staff was focusing on mundane and routine tasks. Most of them had no relevant education and training and no on the top experiences. This example shows the importance of defining institutional goals and objectives and ensuring that they are internalized at all levels.

### ***Institution Building through Outcome and Results Management***

Institutional objectives need to be reduced to required actions over a specified time period. Using log frame logic, outputs are determined and arranged in the form of targets and milestones. The approach enables the institutions to monitor and evaluate the achievements of its goals and targets and carry out timely remedy of identified implementation bottlenecks.

### ***Institutional Building through Transparent Workplans and Assignment of Duties***

Managers in high performing institutions, build teams around clearly spelt out annual, quarterly and monthly work plans. They assign specific duties, and expect, review, and discuss timely progress reports with subordinates.

### ***Institutional Building through the Institution Wide Approach***

The traditional approach in capacity building is to train individual staff in the hope that this will be reflected in improvements at the institutional level. Several organizational factors may hinder trained staff from using new acquired skills. Tools and equipment appropriate for new skills may not be available. If there is autocratic top down management styles, this may inhibit creativity and innovativeness. The pre dominant institutional culture may not accommodate new practices. The newly trained high performing staff may be considered a threat by the average performers.

It is therefore important to look beyond the capacity of individual staffs, and adopt an institution wide approach to analyze factors such as organizational culture and climate. Individual staffs come and go, but the typical institutional rules and norms remain. Most staffs in Somaliland report for duty about 9:00am. The work day ends around 2:00pm and most men go to cue cut (intoxicating leaves). These cultural practices put boundaries and limits to institutional capacity.

Strategic planning for the institution should not start at the individual level. But the corporate level to identify institutional factors similar to those identified above. In Uganda for example, there was a rule that no staff could be paid higher than the Permanent Secretary. This was creating friction with Ugandans working for International bodies earning international salaries working on their Uganda assignments. This rule has long been abandoned.

### ***Institutional Building through Modern Information Technology***

Effective use of the Internet provides access to vital information and tools that would transform public services into high performing institutions.

Several factors are limiting this capacity. Computers are not widely availed to most staff. Computers are still status and power symbols. There is unwillingness to set up open institution-wide net-works and allow most staff access to the internet. There is also a need to train staff on conducting policy research on the internet.

## **Supporting and Mobilizing Civil Society**

### ***State Collapse Creates a Vacuum Filled by Civil Society***

In post conflict situations, the collapse of the state creates a vacuum which is filled by civil society organizations. Such organizations are most often called non-government organizations (NGOs). NGOs can go into areas of conflict and engage in the provision of relief of internally displaced persons (IDPs) camps such relief may involve food, clothing, shelter etc. They may also distribute urgently needed medicines to the sick. They also participate in resettlement and reintegration. It is important to identify factors that facilitate civil society effectiveness and those that impair civil society performance in the post conflict situation.

### ***Too Many Civil Society “Flooding” The Post Conflict Situation***

At a time when most country side were “no-go-areas” for government, there was a large number of NGOs operating in those area. Donors were channeling funds through the NGOs and government resented the fact that there was no reporting framework to know much money was involved. At the moment, large numbers are operating in post conflict Northern Uganda. In a recent statement, the LC5 Chairman of Gulu complained that NGOs are ignoring coordinating with his office about what they are doing in the region. He specifically identified international NGOs for ignoring his office.

### ***A Lot of Zeal and Motivation But Limited Know How***

Most founders of NGOs are motivated to reduce suffering. They want to heal people caught in the scourge of civil war. This is positive social capital. But many NGOs are poorly staffed and do not have appreciate expertise in services they seek to render. Some over zealous individual providing for orphans may set up an NGO for orphans but has no knowledge to run an orphanage especially dealing with trauma, malnutrition and counseling. There are also opportunists who set up NGOs to trap government and donor money. This is a negative social capital. In Rwanda, a pedophile, who set up an NGOs for children complained about being deported and that it was because of his deep love for the children that he had set up the NGO to help them.

### ***Supporting Civil Society through Umbrella NGOs***

The weaknesses of isolated and atomized NGOs can be overcome by creating umbrella organizations. All NGOs in Uganda operate through two main umbrella organizations: the Development Network of Indigenous Voluntary Association (DENIVA), the Uganda National NGO Forum. Attempts to merge them into a single national NGO co-ordination body have not been successful. These umbrella organizations provide a framework for supporting capacity building of their members. Capacity building takes place at the level of both the umbrella and the member level.

### ***Mobilizing Civil Society through Umbrella Networks***

Umbrella NGOs and forums exist to mobilize member NGOs through networking. They also mobilize resources from donors and governments which pass on to the members. Their main motivation is to attract and retain members. If they do not effectively provide these services to their members, the number of member may decline and donor support may be jeopardized. The

umbrellas and forums also protect members from external threats, especially government restrictive regulations.

### ***Government Monitoring and Regulation of Civil Society Organizations***

Good relations between the government and civil society are the best foundation for the effective performance of their respective roles. As the state re-emergences from state collapse, the government begins to monitor civil society activities. Government monitoring and regulations may range from permissiveness to outright restriction. In Uganda the first NGO Act 1989 and the regulations of 1990 were largely permissive. All it required was to register and give basic information about the NGO. The responsible government ministry was the Prime Ministers office.

Several factors have led to the perception that NGOs can be a security threat and therefore should be handled by the ministry of Internal Affairs.

First, thousands of Ugandans were led to fiery death through the messianic Kibwetere apocalyptic promise of being taken to heaven. Most people came to believe that this occurred because of unregulated civil society activities. Second, it is not easy to make a balance between advocacy and opposition to government. Many NGOs involved in advocacy especially political ones, are perceived as opposition to the government.

As a result government has passed a draconian NGO Act 2006 which by and large treats NGOs as an internal security issue. The registration of NGOs was moved from Prime Ministers office to the Ministry of Internal Affairs.

### ***The Case For NGO Self Regulation***

As has been pointed out above, the attempts to merge DENIVA and NGO forum into one national umbrella organization did not succeed. Government monitoring and regulation has not worked. But the civil society stakeholders seeking to limit government involvement have crafted a highly innovative mechanism for NGO self regulation. NGOs will have to meet high standards of NGO organization and performance to be issued with the NGO Quality Assurance Certificate. This has been called the NGO Quality Assurance Mechanism (QUAM). A national council to implement it has been set up.

This will promote NGOs of high quality and performance and eliminate bogus brief case NGOs and this will in turn increase civil society credibility and government trust of civil society.

## Conclusion

This conclusion contains the summary of required actions and best practices in post conflict public service and governance reconstruction.

- Review and assess the public service and governance reconstructions needs.
- Conduct rationalization and streamlining of functions and structures (first generation reforms)
- Conduct diagnostic studies and survey of service delivery. Initially, hire international experts to do this, but take steps to develop national capacity (in Uganda National Bureau of Statistics).
- Initiate macro economic monetary and fiscal instruments and tools to deal with exchange rates, interest rates, and inflation.
- Develop guidelines and standards for co-coordinated and integrated public revenue and expenditure systems. Priorities and investment to be justified in detailed budget expenditure frame work papers.
- Where decentralization by devolution (political) is being implement the set up of a nation local government capacity building unit can co-ordinate the local government planning an evaluation systems so that standardized and harmonized frameworks exist in all local decentralized governments.
- All policies, project and programme designs should be focused on achieving specified outputs and outcomes over a specified period with continuous monitoring and evaluation of targets and outcomes.
- Managers should clearly assign duties and assignments based on annual, quarterly and monthly work plans and targets.
- Special attention should be paid to building capacity at the institution wide level. Institutions have a life of their own beyond individual staff that enter and existing livery behind institutional climates and cultures which shape the next generation of managers and its unique style of performance.
- The NGO Quality Self Assurance Mechanism is vital system that could reduce the need for government intervention.

## BIBLIOGRAPHY

1. Besteman Catherine and Lee V. Cassanelli, The Struggle for Land in South Somalia, London: HAAN Associates, 2000.
2. Clarke, Walter and Jeffrey Herbst, Learning from Somalia, Oxford: Westernview Press, 1997.
3. Dunn James, Timor A People Betrayed, Sydney: ABC Books, 2001.
4. Government of Rwanda, Public Service Reform Programme, Kigali: Ministry of Public Service, April 1997.
5. Hussein Ali Dualeh, Search for a New Somalia Identity, Nairobi: 2002.
6. James Katorobo, Governance and Peace Building in Post Conflict Countries: the case of Somalia, February 2003 (unpublished)
7. James Katorobo, Mission Report on Organizational Analysis of the Structure and Functions in the Rwandese Public Service, Kigali: Ministry of Public Service, March 1996.
8. Kasozi A.B.K., The Social Origins of Violence in Uganda, 1964 – 1985, Kampala: Fountain Publishers, 1994.
9. Kauzya John-Mary, Essentials of the Decentralization Policy of Rwanda, New York: DESA, June 2000.
10. Kyemba Henry, The State of Blood, Kampala: Fountain Edition, 1997.
11. Lesch Ann Mosely, The Sudan-Contested National Identities, Bloomington and Indianapolis: Indiana University Press, 1998.
12. Levy Brian and Sahr Kpundeh, Building State Capacity in Africa, Washington D.C.: World Bank Institute, 2004.
13. Lewis, I.M., Understanding Somalia, London: HAAN Associates, 1993.
14. Mohammed Osman Omar, Somalia: A Nation Driven to Despair, London: HAAN Associates, 1996.
15. Nyaba, P.A, The Politics of Liberation in Southern Sudan. An Insider's View, Kampala: Fountain Publishers, 1997.
16. Okoth, P. Godfrey and Ogot Bethwell A, Conflict: In Contemporary Africa, Nairobi: Jomo Kenyatta Foundation, 2000.
17. Pecos Kutesa, Uganda's Revolution 1979 – 1986, Kampala: Fountain Publishers, 2006.
18. Petterson Donald, Inside Sudan: Political Islam, Conflict and Catastrophe, Oxford: Westernview Press, 1999.
19. Pinto Constancio and Mathew Jardine, East Timor's Unfinished Struggle, Boston: South End Press, 1997.
20. Uganda Governmetn, The Public Service Review and Re-organization Report, 1992.
21. The NGO QuAM Working Group, Our Code of Honour: The NGO Quality Assurance Certification Mechanism (QuAM), Kampala: September 2006.
22. Mugoju Justus (ed.), Uganda's Age of Reforms: A Critical Overview, Kampala: Fountain Publishers, 1996.

## **4. The Challenges of Reconstructing the Public Service after Conflict: the Case of the Republic of South Africa<sup>14</sup>**

(By Ms. Odette R. Ramsingh)

### **Abstract**

The South African Apartheid Public Service was a driving force in the conflict that permeated society at large. The vast majority of South Africa's citizens were traumatized by the consequences of the conflict, and the brutal effects of the Apartheid regime. Their belief in a Public Service to act in their best interest was non-existent. The new political order was faced with the daunting task of reconstructing the Public Service into a vehicle of service delivery for all the people of South Africa. The approach to reconstruction was underpinned by reconciliation, nation building and a clear vision of the Public Service that was required for the democratic South Africa. This paper reflects on the process embarked upon in reconstructing the South African Public Service and highlights lessons that have emerged from this process.

### **Introduction**

Conflict of any kind within a country negatively affects development, especially in terms of economic growth and social justice. This is particularly more profound where the conflict has been sustained for a long period of time. The nature of the conflict, the extent of the violence and the manner in which the conflict ended are significant considerations in building post-conflict societies. Likewise, these factors also have an impact on the lasting value of the peace within a country and the pace of transformation of society as a whole, including the Public Service.

Not surprisingly the Public Service bears the more visible effects of the conflict. Usually it is used as an instrument of patronage, public services are distorted in the interests of certain groups and its institutions are used to punish and exclude. Given these kinds of abuses, logically an immediate priority post conflict is to restore public service operations or at the very least to maintain those meager services that exist.<sup>15</sup> This focus is pertinent given that Public Services represent the intent of government and its dispensing of services to its citizens, and the "bottom line is that a government that cannot provide the basic services to its population cannot win the trust of the people."<sup>16</sup>

---

<sup>14</sup>This paper is an adaptation of a paper presented to the Ad hoc Expert Group meeting in Accra, Ghana, 2-4 October 2008 by the author on "The role of Political Leadership in reconstructing governance and Public Administration after conflict: The case of the Republic of South Africa.

<sup>15</sup> Reconstruction of Public Service and Governance Systems in Post Conflict situations. Prof James Katorobo. 2008.

<sup>16</sup> The Role of Political Leadership in Reconstructing Capacities for Public Administration after conflict: Implications for International Aid. Dr John-Mary Kauzya. 2008

Much can be learned through insights into the challenges and strategies of those countries that have gone through a process of reconstructing their public services. Admittedly not all countries have been successful in reconstruction and in some countries the jury is out in respect of whether the peace is lasting and public sector reform sustaining. A lot depends on whether the conflict ended as a result of negotiated settlement, power sharing, liberation movements and/or internal struggle. Notwithstanding lessons learned, there are no simple answers to reconstructing governance and public administration, and definitely no panaceas to address the issue.

This paper looks at reconstructing governance and public administration after conflict through the lens of the South African experience. It reflects on the journey undertaken during the process and makes reference to experiences and challenges in the post conflict reconstruction discourse.

### **South African Case Study: Context under Apartheid**

Apartheid remains one of the most oppressive political regimes that the World has ever experienced. Society was divided among racial lines and people were discriminated against based on the colour of their skin. Like most regimes the Apartheid Government held power close to its centre and applied the Public Service as its machinery of oppression. Not surprisingly, the Public Service under apartheid was over-centralised, excessively rules bound and dedicated to promoting the interest of the white minority. It was designed to exclude the needs of the vast majority of Black South Africans.

Through its Public Service, the Apartheid Government ensured that its ideals of separate development were implemented and any resistance was severely dealt with. Violence was used to suppress the voice of the majority of South Africans resulting in large scale conflict. In turn, conflict escalated and was marked by a number of key events that deepened the divisions in the South African society. In 1964 Nelson Mandela, together with a number of his political comrades were imprisoned for life. During the 1970's more than 3 million black residents were forcibly relocated to "home lands". On 16 June 1976, the Soweto uprising was set off by pupils protesting against the imposition of Afrikaans as a medium of teaching, and more than 600 persons were killed in the ensuing violence. During the 1980's township revolt against the Apartheid regime reached a peak resulting in the declaration of a state of emergency, and at the same time military action by the liberation movements intensified, targeting government installations and personnel.

Those seeking a democratic alternative for South Africa had no choice but to take up arms in pursuing this ideal. The arms struggle which commenced in 1961 continued for a period of nearly 40 years until the unbanning of the ANC and the release of Nelson Mandela during 1990. Even after 1990 and until the elections of 1994 the country was still in turmoil.

As can be imagined the vast majority of South Africa's citizens were traumatized by the consequences of this conflict, and the brutal effects of the Apartheid regime. Their belief in a Public Service to act in their best interest was non-existent.

*"We of Umkhonto we Sizwe have always sought to achieve liberation without bloodshed and civil clash. We hope, even at this late hour, that our first actions will awaken everyone to a realisation of the dangerous situation to which the Nationalist policy is leading. We hope we will bring the government and its supporters to their senses before it is too late, so that both the government and its policies can be changed before matters reach the desperate stage of civil war."*

*First Manifesto issued by the Command of Umkhonto we Sizwe, 16th December 1961*



## **Role of Political Leadership in Setting the Tone for Public Service Reconstruction**

Countries arrive at the point of post conflict recovery through different paths and experiences, and usually in unique ways. Various these range from the power sharing model of Uganda and Rwanda, the Comprehensive Peace Agreement between the Government of Southern Sudan and the Sudan People's Liberation Movement and/or in the case of South Africa through negotiated settlement. Admittedly the signing of these agreements is not the starting point<sup>17</sup> but they do provide some defining moment as a basis for the discourse. The type of political leadership post conflict is not only critical to setting the tone but also in shaping the outlook of the Public Service. Vision and trust are critical ingredients. Turning to the South African situation, the issue of leadership and trust of that leadership was significant in the tone that was set for the overall reconstruction of the country.

By the late 1980's the Apartheid Regime (National Party) began to buckle under the effects of the escalating conflict and economic sanctions, and was forced to accept that democratic change was inevitable. A number of events occurred paving the way for democratic change. There was a change in the National Party leadership where the State President of Apartheid South Africa moved from PW Botha to FW de Klerk, several ANC leaders were released from prison and talks within the ANC to consider a negotiated settlement began. A defining moment came on 2 February 1990 when De Klerk announced the unbanning of the ANC, the South African Communist Party and other liberation movements, and days later the release of Nelson Mandela, after spending 27 years in prison. After the release of Nelson Mandela and the return of ANC leaders from exile in April 1990, led by Thabo Mbeki, negotiations began and in May 1990 the Groote Schuur Minute was signed<sup>18</sup>, sealing a commitment by the ANC and the NP for peaceful negotiations. In August 1990 the Pretoria Minute was signed by the National Party and the ANC resulting in the release of more political prisoners. The ANC, in turn, agreed to suspend the arms struggle and to talks for a negotiated settlement.

Various consultations were held between the ANC and NP during 1991, culminating in the establishment of the Convention for a Democratic South Africa (CODESA). A non-negotiable of the ANC leadership was the establishment of an interim government and the creation of a new non-racial, non-sexist and democratic South Africa. Notwithstanding the tensions and deadlocks during this period, the outcome of these negotiations culminated in a multi-party planning conference held at the World Trade Center in Kempton Park and through the planning conference a Multiparty Negotiating Forum (MPNF) was established, setting up a Negotiating Council comprising experts rather than party representatives. Based on the work of the Negotiating Council, an agreement was finally reached on the process of a new constitution and in June 1993 it was decided that 27 April 1994 will be the date for South Africa's first non-racial elections.<sup>19</sup>

The negotiated settlement of South Africa was widely applauded and a defining aspect of the

---

<sup>17</sup> Lessons Learned in Post-conflict State Capacity: Reconstructing Governance and Public Administration Capacity in Post-conflict Societies: The role of local governance in post-conflict reconstruction. 2008

<sup>18</sup> Virtual Law Library, History of the Constitution, [www.constitutionalcourt.org.za](http://www.constitutionalcourt.org.za)

<sup>19</sup> Virtual Law Library, History of the Constitution, [www.constitutionalcourt.org.za](http://www.constitutionalcourt.org.za)

post conflict situation is that the ANC leaders started with “a clean plate of trust” and “sufficient trust capital”<sup>20</sup> as they were regarded by the majority as the liberators. Together with this, the moral high ground of leadership and the spirit of reconciliation adopted by the new political leadership is best captured by the words of Nelson Mandela, the first democratically elected President of South Africa in his inauguration speech on 10 May 1994:

“Democracy is based on the majority principle. This is especially true in a country such as ours where the vast majority has been systematically denied their rights. At the same time, democracy also requires that the rights of political and other minorities be safeguarded.”<sup>21</sup>

The transformation of the Public Service mirrored the transformation of society as a whole. Reconciliation and nation-building were foremost in the minds of the political leadership and this underpinned the transformation of the Public Service. However, at the same time change had to be decisive as the expectations of the majority of the citizens were very high, and there was little faith in a Public Service that had delivered services based on skin pigmentation. The newly elected government was faced with the task of establishing a Public Service with public administration practices that would be able to take on the awesome task of reconstruction and development of our battered society<sup>22</sup>.

### **Reconstructing the Public Service**

Unlike countries in East Timor where no Public Service was in place and Somalia where the Public Service had collapsed<sup>23</sup>, Public Service structures were in place in South Africa, albeit serving the interests of a white elite. During this period, the reality was that the Public Service was excessively rules-bound, and its staff comprised of white males who served a white elite, and its structures were designed to this end. Such obstacles had to be addressed by the ANC, while cognizant of its responsibilities towards nation-building and reconciliation. Evidence of the goodwill of the ANC leadership and their reconciliatory tone was best felt by the inclusion of a provision in the Interim Constitution, 1993, which protected the employment of white public servants who were employed by the Apartheid Regime. The relevant provision contained in section 236 of the Constitution became known as the “**sunset clause**” as it effectively provided public servants security of tenure in the new political dispensation<sup>24</sup>.

---

<sup>20</sup>The Role of Political Leadership in Reconstructing Capacities for Public Administration after conflict: Implications for International Aid. Dr John-Mary Kauzya. 2008

<sup>21</sup>Inauguration speech of President Nelson Mandela, 10 May 1994

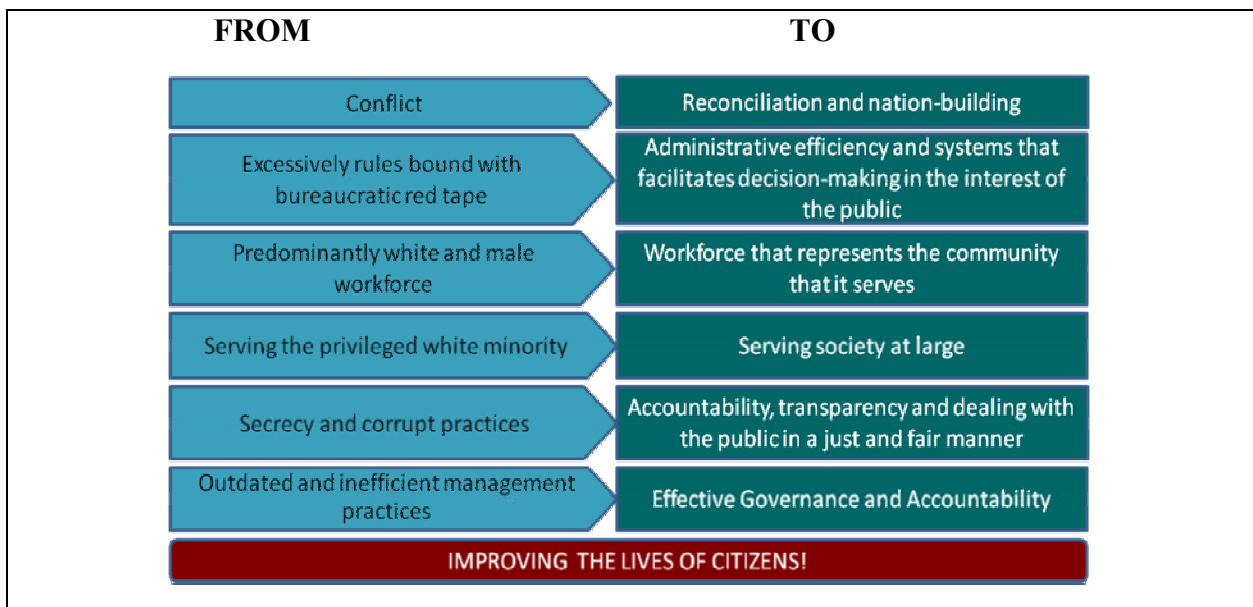
<sup>22</sup>Nelson Mandela, *address to the people of Cape Town, Grand Parade, 9 May 1994*

<sup>23</sup>Reconstruction of Public Service and Governance Systems in Post Conflict situations. Prof James Katorobo. 2008.

<sup>24</sup> Republic of South Africa, Interim Constitution, 1993

- The Public Service was not unified but consisted of 11 disparate administrations or public services that served the needs of the despotic governments of the former “independent states” or home-lands and self-governing territories. The administrative procedures and governance structures of these public services were not aligned and this posed a major challenge for the reconstruction of the Public Service.
- The Public Service was characterized by over-centralized and rules bound administrative practices that hampered service delivery. The service delivery focus of the Public Service was aimed at serving the needs of the white minority and did not address the needs of the poor and marginalized sectors of society.
- The employee profile of the Public Service did not represent the demographics of the South African society as the privileged white minority occupied key positions and were grossly overrepresented.
- There was no equity in the employment conditions of public servants as these were largely determined along racial lines with the white minority receiving the most favourable benefits.
- The Public Service was shrouded in secrecy and corrupt practices with little to no emphasis on accountability and transparency.

However, given this state of Public Services the actual transformation of the Public Service to one that served the needs of society at large had to be addressed urgently. In other words, the system had to be turned on its head if it was to respond to the challenge of improving the lives of all citizens. The change had to be inclusive, representative of the community it serves and had to deliver services in a fair, equitable and transparent manner.



Clearly, to effect the required changes, the ANC as the new political leadership had to create a clear vision of what it had to achieve in terms of transforming the Public Service. This vision of the Public Service was later captured as the constitutional values and principles governing public administration as contained in the Constitution, 1996<sup>25</sup>. The key objectives with the transformation process were to create a Public Service that:

<sup>25</sup> Constitution of the Republic of South Africa, 1996



In order to achieve this vision substantial changes to the environment in which the Public Service operated had to be effected.

### **Unifying the Public Service**

When the ANC as the new political leadership took over power after the first democratic election in 1994, it had done the necessary ground work to ensure that an operational Public Service was in place. Within the broader negotiations for democratic change and in the spirit of nation-building and inclusivity of all sectors of society, a “channel discussion” on negotiations for the transformation of the Public Service commenced between the ANC and the National Party in 1992. The primary objective was to identify the key imperatives for transformation and to embark upon a comprehensive consultation process that would result in a unified Public Service in place for the democratically elected government.

Initially, a new Public Service Act was introduced in 1994 which set the basis for the employment of public servants in a unified Public Service and provided transitional measures to ensure a smooth transition from the old to the new Public Service. Under this Act, the Public Services of the 11 self-governing territories and home lands together with that of the Apartheid State were unified into a single Public Service for South Africa. New national departments and provincial administrations were created into which the organizational components and functions of the former homelands and self-governing territories had to be transferred. The purpose of this Act was mainly to ensure the continued operation of the Public Service in preparation for handover to a democratically elected government. This was a recognition by the new political leadership of the need for the continuation of public administration until they were in a position to assume all the responsibilities associated with the administrative decision-making. Not only did this reflect a high level of political maturity but also informed a mindset that was clear about asserting the gains of the liberation movement without destroying the administrative operations.

Prior to the democratic elections the unification of the Public Service was driven by the “channel discussion” as mentioned earlier. After the elections, the role of driving the unification process in

terms of the new Public Service Act, was primarily assigned to the then Public Service Commission and the unification process involved three related processes, all undertaken with the agreement of the employee organizations represented on the Central Chamber of the Public Service Bargaining Council, namely:

- The transfer of the functions and organizational components of the eleven former administrations to the new national departments and provincial administrations, along with the assignment of powers to administer existing laws.
- The rationalization of conditions of service in order to create uniformity.
- The staffing of the new rationalized structures.<sup>26</sup>

The negotiations in the Central Chamber of the Public Service Bargaining Council on the unification of the Public Service provided parameters within which government could proceed with the process. Based on these parameters, the Public Service Commission developed a regulatory framework in terms of which the unification process was managed. Personnel were transferred in terms of these regulations from the administrations of the former home lands and self-governing territories to the post establishments of the new national departments and provincial administrations that constituted the unified Public Service. An extensive consultation process with the administrative leadership of the former home lands and self-governing territories was also embarked upon to ensure the smooth transfer of functions and organizational components to the unified Public Service. Such organizational components were rationalized into the new structures of departments of the unified Public Service.

As could be expected from such an involved process which also impacted on the careers of public servants, not all involved would have been satisfied with the outcome in terms of their placement and their employment conditions. A special Judicial Commission, known as the Judge White Commission, was established to consider the complaints or grievances of public servants emanating from the unification process. While the unification process was largely completed by 1995, the biggest challenge was yet to be addressed: transforming the Public Service to meet the demands of the society it served.

### **Envisioning the Public Service**

However, transformation of the Public Service was high on the agenda of the ANC leadership and it made its intentions in this regard known through the White Paper on Reconstruction and Development<sup>27</sup>. In terms of its statement of intent, the “Reconstruction and Development Programme (RDP) is a policy framework for integrated and coherent socio-economic progress. It seeks to mobilize all our people and our country’s resources toward the final eradication of the results of apartheid. Its goal is to build a democratic, non-racial and non-sexist future and it represents a vision for the fundamental transformation of South Africa.” For the first 4 years of democracy a comprehensive legislative and policy framework was developed which formed the legal basis for Public Service transformation. The policy framework was characterized by White

---

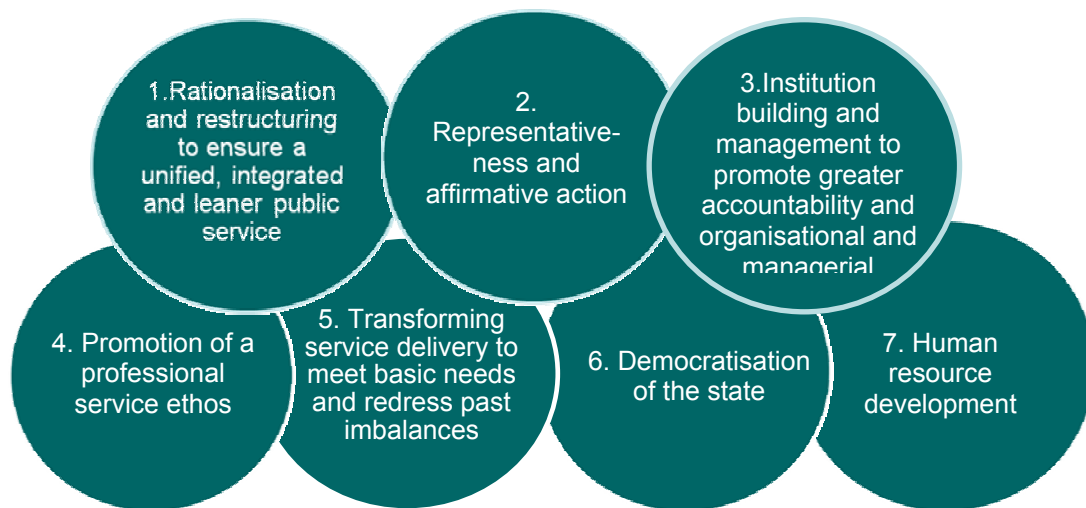
<sup>26</sup> Republic of South Africa, White Paper on the Transformation of the Public Service, 1995

<sup>27</sup> Republic of South Africa, White Paper on Reconstruction and Development, 1994

Papers that clearly articulated government's policy intent and proved an effective mechanism in inviting extensive consultation and ensuring public participation.

In terms of the White Paper on Reconstruction and Development, the new political leadership set out to, amongst others, rebuild a Public Service which is the servant of the people: accessible, transparent, accountable, efficient, free of corruption and providing an excellent quality of service. This White Paper laid the basis for achieving unity in the country. The fragmentation of the Public Service into racial entities, and the many occupational categories, continued to create disparities which were in conflict with the Constitution and it was the intention through the White Paper to lay the basis for achieving unity. The White Paper highlighted the problem of disparity and the need for affirmative action which had to be dealt with urgently and holistically. The White Paper further called for the revision of remuneration and personnel systems into simple systems which allow for clear career paths and lifetime training.<sup>28</sup>

In moving towards its vision of a Public Service which is representative, transparent, efficient, effective, accountable and responsive to the needs of all, the new government identified the following priority areas for the transformation process in the White Paper on the Transformation of the Public Service, 1995<sup>29</sup>:



Each of these priority areas were vigorously pursued by the political leadership through the development of policy frameworks, legislation and public administration practices. Because of obvious constraints, this paper will not deal with all the priority areas but will comment on the transformation areas of human resource management, which includes representativeness and affirmative action, and service delivery given their pivotal role in the Public Service. A brief synopsis of progress made in the other priority areas can, however, be provided as follows:

---

<sup>28</sup> Republic of South Africa, White Paper on Reconstruction and Development, 1994

<sup>29</sup> Republic of South Africa, White Paper on the Transformation of the Public Service, 1995

PRIORITY AREA	PROGRESS
Rationalization and Restructuring to ensure a unified, integrated and leaner public service	<p>The creation of a unified public service in terms of the White Paper on the Transformation of the Public Service involved three related processes, all undertaken with the agreement of the employee organizations represented on the Central Chamber of the Public Service Bargaining Council, namely:</p> <ul style="list-style-type: none"> <li>• The transfer of the functions and organizational components of the eleven former administrations to the new national departments and provincial administrations, along with the assignment of powers to administer existing laws.</li> <li>• The rationalization of conditions of service in order to create uniformity.</li> <li>• The staffing of the new rationalized structures.</li> </ul>
Promoting accountability	<p>Institution building to promote greater accountability and organizational and managerial effectiveness has been addressed through the introduction of performance agreements for senior managers in terms of which they are held accountable for agreed deliverables. A Public Finance Management Act, 1998<sup>30</sup>, was further introduced to ensure greater financial accountability.</p>
Democratizing the State	<p>As far as the democratization of the state is concerned, Government has introduced an array of legislation aimed at promoting transparency and accountability. Institutions supporting democracy were further created through the Constitution, 1996<sup>31</sup> which in particular provided for the establishment of a Public Service Commission with custodial oversight responsibilities for the Public Service. Other institutions established to support democracy included a Human Rights Commission, Gender Commission, Public Protector and Auditor-General.</p> <p>The Constitution established nine principles of public administration which had to be promoted in all spheres of government, as identified in the priority areas listed above. The Public Service Commission was assigned the responsibility of promoting these principles throughout the Public Service and to monitor, investigate and evaluate the application of public administration practices.</p>
Promotion of a professional service ethos	<p>The promotion of a professional service ethos was pursued through a wide range of integrity measures including a Code of Conduct for the Public Service, a Financial Disclosure Framework for senior managers, minimum anti-corruption capacity requirements and the establishment of a National Anti-Corruption Hotline. The Code of Conduct for the Public Service<sup>32</sup>,</p>

<sup>30</sup>Republic of South Africa, Public Finance Management Act, 1998

<sup>31</sup>Republic of South Africa, Constitution of the Republic of South Africa, 1996

<sup>32</sup>Republic of South Africa, Code of Conduct for the Public Service.



PRIORITY AREA	PROGRESS
	<p>began shaping the kind of public servant South Africa should have through the setting of standards for ethical conduct. The primary focus of the Financial Disclosure Framework for senior managers is to manage and prevent real conflicts of interest from occurring.<sup>33</sup> The National Anti-Corruption Hotline was established in 2006 and facilitates the reporting of alleged corruption in the Public Service. The Public Service Commission (PSC) manages the Hotline and refers cases of alleged corruption to departments for investigation. Since its inception the Hotline has received more than 5000 reports of alleged corruption.</p> <p>A National Anti-Corruption Forum (NACF) was launched in June 2001. The forum comprises of civil society, private and public sector, and is chaired by the Minister of Public Service and Administration whilst the PSC is the secretariat. The NACF aims, amongst others to contribute towards the establishment of a national consensus through the co-ordination of sectoral strategies against corruption.</p>

### Focus on Human Resource Management

Post conflict contexts are usually characterized by human resource capacity constraints, if not shortages in human resources they are “bloated in size with overstaffing” (Uganda)<sup>34</sup>, but without the capacity to perform and/or there is an exodus of public servants (Rwanda)<sup>35</sup>. Likewise capacity challenges and lack of qualified staff were evident in East Timor, Southern Sudan and Mozambique. Capacity, composition of public services and diversity is critical for the success of the Public Service, and at an early stage post conflict situations must give priority in to human resource development.

Given its labour intensive nature, it is understandable that human resources are the South African Public Service’s most valuable asset and strategic enablers for ensuring the delivery of effective and efficient public services in response to the needs and aspirations of all the people of South Africa. Managing human resources effectively is regarded as imperative,<sup>36</sup> and its positioning had to be very different from the exclusionary practices of the past where human resource management (HRM) did not exist and public administration merely administered the implementation of the rules. A White Paper on Human Resource Management in the Public

---

<sup>33</sup>Report on the management of conflicts of interest through the Financial Disclosure Framework for Senior Managers, PSC, 1997

<sup>34</sup>Reconstruction of Public Service and Governance Systems in Post Conflict situations. Prof James Katorobo. 2008.

<sup>35</sup> Ibid

<sup>36</sup>Republic of South Africa, White Paper on Human Resource Management in the Public Service, 1997



Service (1997)<sup>37</sup> addressed HRM transformation and promoted a shift from *personnel administration* to *human resource management* as well as the notion of managerial autonomy. This approach signaled a radical departure from the over-centralized, rules-bound approach of the Apartheid Regime and instead devolved authority on HRM to Executing Authorities and Heads of Department. The White Paper provided that organizational structures will need to be far more closely aligned to the strategic service delivery goals of departments, and will have to be flexible enough to adjust, as these goals change, in line with the changing needs and priorities of the public and of government policy.

The various salary scales that existed prior to 1996 were designed in a manner that perpetuated racial inequalities and discriminated to a large extent against occupations that were held by the marginalized sectors of the population at the time. For example, different salary scales applied to educators in white and black schools. The over 300 salary scales were also arbitrarily determined and were not linked to the job weights attached to the relevant posts. A revised salary structure linked to job evaluation was implemented in 1996, reducing the number of salary scales from over 300 to 16. The allowances that were in existence prior to 1994 were also reviewed as these were also designed to perpetuate racial divides. For example, white public servants were paid danger allowances to work in predominantly black areas.

The White Paper emphasized the need for multi-skilled employees, and for their skills to be continuously enhanced to keep pace with new policy demands. Performance Management and Development Systems were introduced for all levels of staff. These systems were linked to the achievement of agreed outputs as opposed to the Apartheid system's subjective assessment of competencies. A Senior Management Service dispensation was further created to professionalize the management cadre of the Public Service and to attract competent managers from the previously disadvantaged communities. Human resource development was addressed through the inclusion of personal development plans in the performance agreements and work plans of staff. These development plans are designed to address the actual developmental needs of staff that are identified through the evaluation of their performance. Sectoral Education and Training Authorities were also established to promote skills development.

Restoring legitimacy and credibility through the development of a broadly representative Public Service was seen as key to the transformation process. The White Paper on Affirmative Action (1998)<sup>38</sup> promoted the employment of previously disadvantaged persons and in particular targeted blacks, females and persons with disabilities. Government departments were obliged to develop Affirmative Action Programmes to achieve representivity. Targets were set to be achieved with specific emphasis on female representivity at senior management level and disability equity. The target for female representivity was originally set at 30% to be achieved in 1999. This target was, however, not met and the deadline was subsequently extended to 2003. During 2005, Government reviewed the target and departments are now required to achieve 50% gender representivity by 2009. The target for disability equity has been maintained at 2%.

A further measure adopted to improve representivity was a Voluntary Severance Package, introduced under the banner of right-sizing the Public Service in 1996, with the objective of

---

<sup>37</sup> Republic of South Africa, White Paper on Human Resource Management in the Public Service, 1997

<sup>38</sup> Republic of South Africa, White Paper on Affirmative Action, 1998

encouraging white public servants to take early retirement in order to address their over representivity in the Public Service. A condition for taking the Package was that such persons would not be able to secure employment in the Public Service again. The Package provided for the early termination of service of senior members of the former Apartheid Public Service and served the purpose of improving representation of the formally disadvantaged sectors of society in the senior management service.

### **Improving Service Delivery**

Post conflict countries are in many instances faced with huge service delivery backlogs affecting the basic needs of its citizens. In reconstructing the Public Service in a post conflict country, improving service delivery must therefore be a major driving force underpinned by strong citizen engagement. Moreover the Public Service must build trust amongst the public in its ability to deliver services fairly and equitably. Post-conflict countries, such as Liberia, have emphasized the importance of citizen consultation “so that citizens feel included in a system that benefits them”<sup>39</sup>. Through Liberia’s Poverty Reduction Strategy, Participatory Rural Appraisal workshops were held and the consultations emanating from these workshops ensured wide public participation in the development of service delivery priorities that affect the will of the people. Likewise, in South Africa there was an early recognition that Public Service reconstruction must have at its end the delivery of services to all citizens. Government has adopted a participatory approach to its endeavors to improve service delivery and has been transparent in communicating its vision for transformation of Public Service delivery. As ruling party, the ANC’s service delivery priorities are clearly communicated through its People’s Contract which sets out its plans to improve delivery in pursuance of the shared goals of all South Africans<sup>40</sup>.

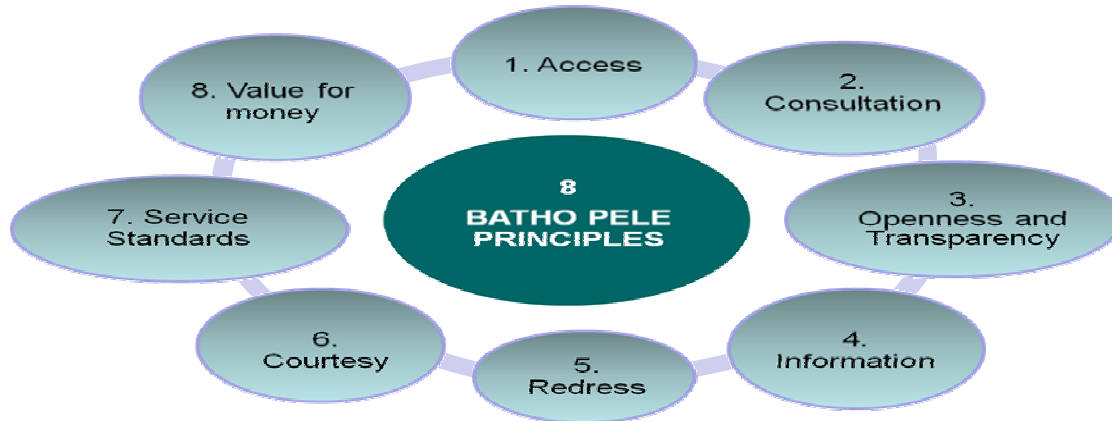
In an attempt to transform service delivery to meet basic needs and redress past imbalances, Government introduced a White Paper on Improving Service Delivery in the Public Service (1997)<sup>41</sup>, popularly known as the Batho Pele (people first) White Paper. The Batho Pele White Paper provided a practical strategy for the transformation of the Public Service, and is anchored on the following eight principles:

---

<sup>39</sup> Reconstructing Governance and Public Administration Capacities in Post-Conflict Societies. Accra. Julia P Duncan-Cassel. 2008

<sup>40</sup> Manifesto on a Peoples Contract to Create Work and Fight Poverty, African National Congress, 2004

<sup>41</sup> Republic of South Africa, White Paper on Improving Service Delivery, 1997



Public Service improvement, apart from political will, demands skills, commitment and dedication of public servants to perform their functions and duties in a practical manner. Public Servants have a contract with the people to dedicate themselves to the eight principles. Citizens should be consulted about the level and quality of the public services they receive and be given a choice. Citizens should therefore be informed of the level and quality of the services they would receive, so they know what to expect. All citizens must have equal access to services and must be treated with courtesy respect and consideration. Citizens are entitled to full and accurate information about the services they receive and should be told how government institutions are run, what they cost and who is in charge, and where the promised standard is not delivered, they should be offered the necessary redress. Public Services should be provided economically and effectively in order to give citizens the best possible value for money.

Supporting these principles is an array of legislation aimed at promoting transparency and accountability and encouraging citizen participation in policy formulation and policy implementation. These Acts promote freedom of access to information, ensures that people have the right to administrative action that is lawful, reasonable and procedurally fair and provides for the strengthening of measures to prevent and combat corruption and corrupt activities [e.g. the Promotion of Access to Information Act (Act No. 2 of 2000)<sup>42</sup>, the Promotion of Administrative Justice Act (Act No. 3 of 2000)<sup>43</sup>, and the Prevention and Combating of Corrupt Activities Act (Act No. 12 of 2004)<sup>44</sup>].

### **Ensuring Integrated Governance in the Public Service**

Public services in post conflict countries are normally fragmented as a consequence of the conflict and ensuring a coordinated approach to governance is a major challenge in

---

<sup>42</sup> Republic of South Africa, Promotion of Access to Information Act (Act No. 2 of 2000)

<sup>43</sup> Republic of South Africa, Promotion of Administrative Justice Act (Act No. 3 of 2000)

<sup>44</sup> Republic of South Africa, Prevention and Combating of Corrupt Activities Act (Act No. 12 of 2004)

reconstructing public services. Cooperation efforts between government components and/or existing services requires active intervention. It cannot rely on an expectation that these will automatically converge based on the belief that a common agenda is being pursued by all. Recognizing this, countries such as Uganda established a cabinet secretariat to record, monitor and evaluate all policies and programmes of government. The head of the Public Service is also the secretary to Cabinet which provides an institution system for systematic monitoring of policy formulation and implementation. On the other hand, in countries such as Rwanda the broad based government approach of allocating ministries to individual political parties, resulted in ministries operating in a silo fashion with no coordination<sup>45</sup>.

The Apartheid South African Public Service, in pursuing its policy of separate development, created disparate administrations to serve the different home lands and self-governing territories, resulting in a total lack of an integrated approach to public service delivery. The new political leadership soon realized that for effective unification their service delivery imperatives required integrated and cooperative governance. This approach was strongly underpinned by a constitutional provision for the principles of cooperative governance and intergovernmental relations<sup>46</sup>. The Constitution in particular required organs of state to cooperate with one another in good faith by assisting and supporting each other and coordinating their actions with one another. Accordingly, a number of intergovernmental structures have been established to promote and facilitate cooperative governance and intergovernmental relations between the respective spheres of government.

- The President's Co-ordinating Council (PCC), comprising the President, the Minister of Provincial and Local Government, and the nine premiers.
- Ministerial clusters, directors-general clusters and the Forum of South African Directors-General (FOSAD), which promote programme integration at national and provincial level.
- Ministerial fora (or MinMecs) between responsible line-function ministers at national level and their respective counterparts at provincial-government level, which normally meet quarterly. These forums are supported by technical committees.
- A number of intergovernmental forums that facilitate cooperative government and intergovernmental relations.

These structures were defined by the Intergovernmental Relations Framework Act, 2005<sup>47</sup>. The Act specifically provides that all spheres of government in conducting their affairs must take into consideration the circumstances of other government institutions, coordinate their actions when implementing policy, avoid unnecessary and wasteful duplication or jurisdictional contests and respond promptly to requests by other organs of state for consultation, cooperation and information sharing. The need for cooperative governance has also been identified by other post-conflict countries such as Mozambique where current activities promote coordination and articulation between government institutions at all levels to address citizens' concerns in an

---

<sup>45</sup> Reconstruction of Public Service and Governance Systems in Post Conflict situations. Prof James Katorobo. 2008.

<sup>46</sup> Republic of South Africa, Constitution, 1996

<sup>47</sup> Republic of South Africa, Intergovernmental Relations Framework Act, 2005

honest and rapid manner<sup>48</sup>.

A key initiative of government that promotes cooperative and integrated governance is its Programme of Action<sup>49</sup> which identifies sector specific priorities which must jointly be pursued by departments through various projects. Government openly reports progress in respect of the Programme of Action and an updated report on activities and milestones are provided on Government's website [www.gov.za](http://www.gov.za), reinforcing the principles of transparency and accountability.

### **Reflecting on the Transformation of the Public Service**

It has been 14 short years since the advent of democracy in South Africa, and the pace of transformation has been impressive. It also illustrates the progress that can be made if you have a committed and driven political leadership.

The apartheid legal apparatus was replaced with policies and laws that, among others, prescribe respect for the rights of all citizens of South Africa and the Public Service has responded to the provision of improved, non-racial service delivery. Conditions for sustainable economic growth have been established by the new political leadership, creating more opportunities for employment, whilst the fight against poverty has been intensified through improving the social security net and expanding the social wage.<sup>50</sup>

The extent of change as discussed in this paper illustrates the political will and what is possible when such commitment and drive exists. Clearly, today, the South African Public Service can be regarded as an impressive machinery, given its past. Not only has it completely transformed its demographics, but it has also made a significant impact on the lives of citizens through the provision of basic services such as water, sanitation and electricity, and in many ways has begun to restore the dignity of the majority of citizens. The table below illustrates some of the successes.

---

<sup>48</sup>Reconstruction Governance and Public Administration Systems in post conflict societies, Eduardo Mussanhan, October 2008

<sup>49</sup>The Programme of Action of government sets out the priorities and programmes arising from the January Cabinet Lekgotla and the President's [State of the Nation Address](#) in February of each year

<sup>50</sup>Address of the President of South Africa, Thabo Mbeki, at the launch of the Public Administration Leadership and Management Academy (Palama), Trevenna Campus, Tshwane, 1 August 2008

In terms of representivity, 87% of the Public Service work force is constituted of the previously disadvantaged sectors of society	37 Multi-Purposes Community Centres that provides access to a multitude of government services have been established
Access to basic amenities has improved <ul style="list-style-type: none"> <li>■ 88% of the population has access to piped water</li> <li>■ 3.5 mil homes were electrified since 1994</li> <li>■ Sanitation increased from 50% in 1994 to</li> </ul>	Unprecedented economic growth of between 2.4% and 5.0% of the GDP has been achieved since 1994
A sound ethics framework has been introduced	Since 1994 there were 12 million social grant beneficiaries (25% of the population)
The matric pass-rate increased from 58% in 1994 to 70.2% in 2004	Promotion of monitoring and evaluation practices and transparent reporting systems
	Frameworks have been put in place to improve the quality of performance information

Introducing a radical departure from a system as closed and oppressive as the Apartheid Public Service was never going to be without its challenges. Recently, former President, Thabo Mbeki, commented on the challenges facing the Public Service and indicated that the rapid economic growth exposed serious bottlenecks. It became evident that the economic growth had not led to as much employment creation as would have been expected. In addition, a particular constraint experienced has been the skills deficit in the public sector which government has targeted through the Joint Initiative for Priority Skills Acquisition (Jipsa) programme<sup>51</sup>. In addition, the Presidency in its Report, Towards a Fifteen Year Review<sup>52</sup> raises the view that the culture and orientation of the Public Service requires further improvement as public servants are too often found falling short in service to the public. Standards in recruitment and promotion are also not always what they should be. Overcoming such aspects are important if the Public Service is to provide compassionate and competent service.

While the economy has grown, poverty, marginalization and inadequate access are still a reality among many South Africans. Criticism has been, for example, leveled at the Health Sector that although it is clear that health services have become more accessible and more affordable for the poor, government is still far from achieving universal access and the desired degree of equity. There are also concerns regarding the quality of services provided by public sector clinics and hospitals. Dissatisfaction has increased and complaints include long waiting times, staff rudeness and problems with the availability of drugs<sup>53</sup>. The challenge is therefore to ensure that

<sup>51</sup> Address of the President of South Africa, Thabo Mbeki, at the launch of the Public Administration Leadership and Management Academy (Palama), Trevenna Campus, Tshwane, 1 August 2008

<sup>52</sup> Republic of South Africa, Towards a fifteen year review, The Presidency, 2008

<sup>53</sup> University of Stellenbosch, Bureau for Economic Research, Ronelle Burger, 2007.

the poor also share in the prosperity of the country. Within the Public Service, although a framework on HIV and AIDS in the workplace have been implemented, a lot still needs to be done to reduce the risk that HIV and AIDS poses to the Public Service and to address the situation of people living with HIV and AIDS<sup>54</sup>.

The functioning of the machinery of government also needs to be strengthened to ensure that it delivers optimally as well as support the growth and development programmes of government. In this regard, government is faced with the challenge of building capable and efficient state institutions which can support delivery. There is also a need to strengthen the criminal justice system as part of the strategy to fight crime and promote a safe and secure environment. Although reports point out that the incidence of certain types of crime is on the decrease, the reality is that the feelings of personal safety among members of the public have also decreased. This means that the perceived levels of crime are still high, thus raising a challenge to ensure that these perceptions are addressed.<sup>55</sup>

While much of the challenges facing the current Public Service have remnants from the past, it is important to focus on the future when dealing with the challenges. The Public Service in addressing these challenges will have to focus on the following:

Halving poverty levels by 2014	Turn the tide against HIV/AIDS and other diseases
Eradicating corruption and building integrity	Improving the skills base required by the economy
Public Service are female by 2009	Provision of compassionate and competent service to the people
Creating capacity for human resource management at all spheres of government	Improve spending and financial management by departments
Heighten citizen engagement	Reduce the number of serious and priority crime

### **Concluding Remarks: Lessons Learned in the Post Conflict Restructuring of the Public Service of South Africa**

The new political leadership of the democratic South Africa was at a distinct disadvantage as they had never been exposed to public administration as a liberation movement. They had to amalgamate 11 public services with more than 1 million public servants to respond to the high service delivery expectations of the society that had elected them into office. This challenge was

<sup>54</sup>An evaluation of the Policy Framework on HIV and Aids in the South African Public Service: The effectiveness of the current guidelines and the ability of the policy framework to absorb the impact of HIV and AIDS within the Public Service. Odette, R Ramsingh, Prof Carel, J van Aardt.

<sup>55</sup>Republic of South Africa, State of the Public Service Report, Public Service Commission, 2007

overcome by the deliberate approach of the newly elected government to create and articulate a clear vision of the Public Service for a democratic South Africa. White Papers served as the road maps for legislative and service delivery reforms in the Public Service and informed the actions of all government departments.

In many post conflict situations there is a natural tendency for liberators to want to totally discard structures and systems put in place by the oppressor. The new political leadership, in overhauling the Apartheid Public Service which was designed to serve the needs of the white minority, was able to use the operational structures that were in place and reconstruct it into a Public Service which is the servant of the people. The new political leadership reconstructed existing structures to meet the transformation imperatives of the democratic South Africa.

Unifying 11 public services into a single cohesive unit was always going to be a daunting task. The many obstacles that were encountered in this process had to be navigated by the new political leadership. The lesson from the South African experience in this regard is that there has to be a structured approach adopted to such a rationalization process which involves consultation and negotiation with all stakeholders and with a sound legal and regulatory framework that informs actions taken to achieve unity.

Addressing the over representivity of the white minority and the importance of a Public Service reflecting the demographic profile of the society it serves could not be underemphasized. Again this was achieved through a structured approach which included setting transparent targets to be achieved and providing a legislative and policy framework within which such targets had to be pursued. Central to this aspect of the restructuring process was the reconciliatory approach adopted by the new political leadership.

Improving fair and equitable service delivery was a major challenge to be confronted and still remains a key priority for improvement. The democratically elected government set about creating a people-centred Public Service with citizen participation as a key driver to improved service delivery, transparency and accountability in government's actions.

In changing the Public Service to meet the demands of the society that it serves, legislative and policy reforms with features of decentralized administrative decision-making were necessary, especially given the over-centralized Apartheid Public Service and the ineffective provision of services to the community at large. However, the process of decentralization was rapid and did not always adequately allow time for administrative capacity to be created to take on the responsibilities of devolved authority in many areas of public administration. An important lesson learned from the South African experience is that such policy reforms, while necessary and important, must be matched with capacity for implementation. Policy reform in some instances happened at a very fast rate and the necessary capacity for implementation was not always in place. The South African experience in this regard has also manifested itself in other post-conflict countries such as East Timor where decentralization was not matched by a concomitant local government capacity development<sup>56</sup>.

This paper has briefly documented the post conflict reconstruction of the South African Public

---

<sup>56</sup> Lessons learned in Post-Conflict State Capacity: Reconstructing Governance and Public Administration Capacities in Post-Conflict Societies, The Role of Local Government in post conflict reconstruction, David Jackson, UNDP, Indonesia



Service. It has tried to capture the role and pace of transformation, and how this was successfully navigated by a political leadership with a vision for a people-centered Public Service which delivered services fairly and equitably to all the citizens of South Africa.

Significant achievements have been made in restructuring the Public Service and improving its modes of delivery. However, the approach adopted in the reconstruction of the Public Service has not been without its challenges. Important lessons have, however, emerged from this process.

## 5. The Crucial Role of Conflict Transformation in Overcoming the Psycho-Social Challenges to Reconstructing Post-Conflict Governance: A Review and Lessons from Northern Ireland

(By Mr. Nevin T. Aiken)

### Executive Summary

The reconstruction of good governance in post-conflict societies requires that the social and psychological divisions underlying past intrastate violence be addressed alongside attempts to rebuild the ‘hard’ structural capacities of government. As this paper will contend, the rebuilding of post-conflict societies must therefore involve targeted efforts of *conflict transformation* to overcome the psycho-social challenges that continue to divide societies even after the formal termination of hostilities and prevent the collaboration necessary for sustainable democratic governance.

The principal psycho-social challenges facing post-conflict societies are identified here in three broad categories. *Social challenges* involve the breakdown of social cohesion and the decline of social capital which are frequent correlates to violence within the state, often causing patterns of communal segregation in the post-conflict environment. *Psychological challenges* include the persistence of negative stereotypes and prejudice in perceptions among former enemies, as well as unsettled grievances over past victimization. *Structural challenges* are the continued presence of discriminatory disparities in social, economic, and political power. Left unaddressed, these divisions will destabilize democratic governance structures and prevent the development of a sustainable peace based on the recognition of equal human rights.

Successfully addressing these challenges will require strategies that promote new forms of *social learning* among former antagonists, including initiatives aimed at transforming the antagonistic mindsets of individuals and altering the hostile nature of social relationships. Such reconciliatory efforts will require long-term and sustained intervention at multiple levels of society including concerted efforts by government, civil society, and local community actors.

A review of the current ‘state of the art’ in best practice suggests three central strands of conflict transformation work that will be vital for any comprehensive strategy designed to overcome the psycho-social challenges of past conflict. These include the *renewal of positive contact and dialogue*, initiatives to *redress structural and material inequalities*, and targeted efforts to *address the legacies of the past* including programs for truth-seeking and transitional justice. While the cultural environment and unique history of violence in each country will necessarily require approaches that are contextually specific, the paper offers a number of concrete guidelines within each strand that may be adapted to the needs of different cases.

An examination of the relatively successful approach to conflict transformation currently underway in Northern Ireland offers further lessons that may be of use for other post-conflict societies. At a macro level, much of Northern Ireland’s success in addressing deep psycho-social division appears to be related to the unusual degree of policy coordination and integration that exists between international funders, central and local government, civil society, and the

community/voluntary sector. This has created a highly effective division of labour for conflict transformation work in which central government has taken on the ‘top-down’ tasks of initiating key structural reforms, setting out an inclusive policy mandate, and providing the leadership and resources to sustain an array of peace building work at other levels of society. In large part, this coordination has been facilitated by an incentivized funding structure driven by the central government and international funders that sustains a broad base of ‘bottom-up’ reconciliation and development work while at the same time rewarding the use of targeted best practices by way of extensive monitoring and evaluation procedures.

At a micro level, Northern Ireland’s extensive experience with strategies designed to improve ‘community relations’ provides insight as to which practices have shown real success in contributing to the rebuilding of social cohesion and transforming hostile mindsets among former antagonists. Several successful projects are considered here in turn, from which analysis broader lessons emerge: the importance of re-integrating ex-combatants and using their influence as community leaders to aid reconciliatory work, as well as the need to structure intercommunity engagement very carefully, ensuring that it is incremental, sustained, and carefully mediated.

### **Introduction: Conflict Transformation and Post-Conflict Reconstruction**

Following the end of the Cold War, intrastate violence – often protracted conflicts fought between communities, usually divided along lines of national, religious, or ‘ethnic’ identity, and over control of weak or failing states – has proved a major threat to the human security of civilian populations. There is also growing recognition of the destabilizing repercussions that domestic insecurity can have at regional and global levels, given processes of interstate contagion of conflict to geographical neighbours, transborder refugee flows, the creation of war economies, and the inability or unwillingness of divided or weak states to adhere to international norms and institutions. In light of these challenges, the development of effective peacebuilding strategies designed to address these societal divisions and re-establish credible systems of good governance and public administration have become vitally important for stabilizing post-conflict environments and preventing recidivist violence.

However, it has become clear that successful strategies for the reconstruction of governance must go beyond simply addressing ‘hard’ institutional and structural issues and tackle directly social and psychological divisions that, if left unaddressed, may otherwise lead to further violence in post-conflict societies. Case study evidence from numerous post-conflict societies reveals that neither the initial termination of hostilities nor the formal peace agreements and constitutions settled upon by political elites will be enough to overcome the bitterness and grievances inherent in protracted conflicts – the social distancing, mistrust, misperceptions, and mutual fears that such violence engenders among former enemies.<sup>57</sup> Accordingly, nowhere are psycho-social efforts more necessary than in the context of post-conflict reconstruction of divided societies, especially if the goal is for former antagonists to be peacefully reintegrated into cooperative governance structures and to coexist together in a shared nation-state.

---

<sup>57</sup> See the various contributions in Yaacov Bar-Siman-Tov, Ed., *From Conflict Resolution to Reconciliation* (Oxford: Oxford University Press, 2004).

Recent consensus in both academic and policy circles holds that the foundation for sustainable systems of governance in post-conflict environments must necessarily involve processes of conflict transformation that move beyond the minimal absence of overt violence and seek deeper changes in the ways in which former enemies perceive one another and in the nature of their relationships.<sup>58</sup> Indeed, it is the ‘thicker’ changes associated with reconciliation at social, psychological, and structural levels that are acknowledged as the path towards more sustainable peace among former enemies, as they create the opportunity for relations of insecurity and animosity to be replaced by those of cooperation, mutual respect, and a commitment to settling future conflicts without recourse to violence. Left untransformed, these entrenched psycho-social divisions challenge directly the spirit of constructive collaboration required for sustainable democratic governance at both local and national levels and are a severe impediment to effective policy-making, power-sharing, development planning, and resource distribution.

### **Psycho-Social Challenges to Post-Conflict Reconstruction**

Intrastate conflict is qualitatively different from wars fought between states in that its violence – called ‘civil’ or ‘intercommunal’ violence – is committed not by professional armies, but rather by state and nonstate actors and between broader civilian populations divided along cleavages of racial, religious, national, or ethnic identity. Accordingly, conflict within the state is often much more immediate and intimate in nature, involving sustained threats to the basic security and livelihood of civilian populations. In addition, the collectivized nature of intrastate violence means that individuals frequently become targets for violence not because of any personal action or characteristic, but because of their perceived inclusion in an identifiable and maligned social category. Such cleavages can, therefore, turn states, cities, and neighbourhoods into contested terrain marked by ‘Us vs. Them’ or ‘Self vs. Other’ mindsets.<sup>59</sup>

These societal divisions tend to be superimposed upon existing historical tensions or ‘faultlines’ in multicomunal societies, and can be driven internally by a past history of hostility, domination, injustice, or the cooption of state structures and resources by one community for their own benefit at the expense of the Other. Alternately, they may be driven by external forces such as ethnically-based nationalist movements occurring in neighbouring states or by the direct imposition of colonial subjugation and ‘divide and rule’ practices. Structural and material threats to the basic human needs of group members and the experience of sustainedly difficult life conditions have been recognized as strong contributors to intercommunal hostility, as has the breakdown of centralized authority structures in ‘weak’ or ‘failed’ states.<sup>60</sup>

---

<sup>58</sup> John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington: United States Institute of Peace, 1997). See also the work of Herbert Kelman, “Transforming the Relationship Between Former Enemies: A Social-Psychological Analysis,” Robert L. Rothstein, ed., *After the Peace: Resistance and Reconciliation* (Boulder: Lynne-Rienner, 1999).

<sup>59</sup> Richard D. Ashmore, Lee Jussim, and David Wilder, eds., *Social Identity, Intergroup Conflict, and Conflict Reduction* (Oxford: Oxford University Press, 2001);

<sup>60</sup> See Edward Azar, *The Management of Protracted Social Conflict: Theory and Cases* (Aldershot: Dartmouth Publishing, 1990); Azar “The Analysis and Management of Protracted Social Conflict,” Vamik D. Volcan, Joseph Montville, and Demetrios A. Julius, eds., *The Psychodynamics of International Relationships* (Toronto: Lexington Books, 1990); Ervin Staub, *The Roots of Evil: The Origins of Genocide and Other Group Violence* (New York: Cambridge University Press, 1989).

However, evidence from recent scholarship indicates that communal divisions within the state are often actively crafted by political elites, community leaders, or ‘ethnic activists’ who seek to band a community together to compete for scarce resources, access to state power, or other instrumental gains.<sup>61</sup> While this can have the positive effect of increasing mutual regard, trust, empathy, and cooperative relations between members of the ‘Self,’ these appeals are also based on defining clear differences of ‘Other’ communities, which tend to be cast in a more negative or ‘ethnocentric’ light. Such negative perceptions are further intensified by group leaders who, in an effort to solidify the boundaries of their own community, frequently engage in active vilification of the others by employing propaganda and negative labeling and by developing discriminatory narratives.

This is not to assert that such communal identities are entirely fictive or that they are easily invented and changed. Indeed, national and ethnic identities can have an inordinately strong pull on the hearts and minds of individuals as they are based on a shared sense of familial kinship or territorial belonging and are often perceived by group members as very real and self-evident ‘truths.’ Further, like the identities of the groups themselves, the nature of the relations that exist between them can take on a seemingly self-fulfilling quality, as mutual mistrust and negative interaction lead to the creation of schemas, stereotypes, and prejudices about the Other that colour all future exchanges with expectations of hostility. Such perceptions can effectively ensure a negative cycle of reciprocal behaviour between antagonists as the adversarial actions of the Other provide allegedly confirming evidence of its hostile intentions.

The onset of overt physical violence serves to further entrench polarizations between hostile communities, frequently resulting in the outbreak of conflicts that are protracted in duration and intractable in their remarkable resilience to peaceful resolution. It is through the lived experience of violence that societies become ‘deeply divided,’ with antagonistic communal identities taking on a monolithic quality and permeating all facets of social, economic, and political life.<sup>62</sup> Most dangerously, as such divisions become deeper and deeper, intrastate conflicts often evolve into ever-worsening cycles of violence, moving along a ‘continuum of destruction’ in which each act of violence makes future aggression more likely. Over time, this can culminate in acts of ‘intergroup mass violence,’ including large-scale killing, genocide, ‘ethnic cleansing,’ or other gross human rights violations carried out by individuals motivated to injure, kill and murder on the basis of group membership.<sup>63</sup> Such acts of mass atrocity represent

---

<sup>61</sup> Donald Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 2000); Paul R. Brass, *Ethnicity and Nationalism* (New Delhi: Sage, 1991); Walker Connor, *Ethnonationalism* (Princeton: Princeton University Press, 1994); Stuart Kaufman, *Modern Hatreds: The Symbolic Politics of Ethnic War* (New York: Cornell University Press, 2001); David A. Lake and Donald Rothchild, “Containing Fear: The Origins and Management of Ethnic Conflict,” *International Society* 21.2 (Fall 1996); Fearon and Laitin, “Violence and the Social Construction of Ethnic Identity,” *International Organization* 54.4 (2000)

<sup>62</sup> Peter T. Coleman, “Polarized Collective Identities: A Review and Synthesis of the Literature,” Draft Manuscript: Columbia University, 2002)

<sup>63</sup> Ervin Staub and Daniel Bar-Tal, “Genocide, Mass Killing, and Intractable Conflict: Roots, Evolution, Prevention, and Reconciliation,” David O. Sears, Leonie Huddy, and Robert Jervis, eds., *Oxford Handbook of Political Psychology* (Oxford: Oxford University Press, 2003).

‘intergroup behaviour at its most horrific extreme,’ with entire segments of the population targeted for violence based on their inclusion in a defined and denigrated communal group.

A legacy of intrastate conflict therefore creates a host of social and psychological challenges to reconstruction and reconciliation in the post-conflict environment, all factors which will need to be directly addressed in a successful program of conflict transformation aimed at building the infrastructure necessary for good governance and sustainable peace. While each of these challenges may be present to a greater or lesser degree in any post-conflict society given the context, duration, and intensity of the violence that took place, they nevertheless provide a basic framework for the psycho-social dimensions of post-conflict peacebuilding. For simplicity’s sake, these challenges can be considered by way of three broad categories: *social*, *psychological*, and *structural*. It should be noted, however, that these elements never exist separately in practice, and that they will usually be interdependent and mutually reinforcing.

### ***Social Challenges***

Antagonism and the experience of violence serve to break down the levels of social cohesion or *social capital* that exist between communal groups within the state, causing the decline of meaningful engagement and communication across group boundaries as well as the destruction of essential networks of trust and generalized reciprocity that enable more cooperative intergroup interactions.<sup>64</sup>

Drawing on Robert Putnam’s seminal work, social capital can be defined as “the features of social organization, such as networks, norms, and trust that facilitate coordination and cooperation for mutual benefit.”<sup>65</sup> Significantly, Putnam emphasizes the distinction between forms of social capital that ‘*bond*’ communities together by means of exclusivity, and more inclusive forms of social capital that ‘*bridge*’ or build ties between groups in any given society. Alternately, social capital can be sub-divided into *horizontal social capital*, those strong social bonds which nurture trust, communication, and positive engagement between societal groups, and *vertical social capital*, that which binds communities, civil society, and the institutions of the state together in equitable and cooperative relationships.

Essentially, social cohesion within the state is marked by high levels of bonding, bridging, horizontal, and vertical social capital and is considered vital to strong economic development, civil engagement, and good governance. On the other hand, divided societies emerging from a history of conflict tend to lack social cohesion, being deficient in both horizontal and vertical stocks of social capital. Further, while the experience of past violence may heighten levels of bonding social capital, building solidarity within homogenous community groups, this exists to the virtual exclusion of more collaborative forms of bridging social capital that extend beyond communal bounds.

---

<sup>64</sup> Nat J. Colletta and Michelle L. Cullen, *Violent Conflict and the Transformation of Social Capital: Lessons from Cambodia, Rwanda, Guatemala, and Somalia* (Washington: The World Bank, 2000).

<sup>65</sup> Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000).

A direct correlate to the decline in social capital is the rise of *communal segregation* between antagonists as individuals seek to distance themselves from the real or perceived physical threat posed by the Other and ‘band together’ with members of their own communities for security. Over the course of a protracted conflict, this may take the form of severe *physical segregation* in which the number of ‘shared’ or ‘neutral’ locations within a region, city, or community diminish, concomitant with a sharp rise in residential segregation or ‘enclaving’ based on communal identity.

Physical distancing, in turn, is linked to an increase in *social segregation*, in which forums for social interaction, including workplaces, schools, clubs, restaurants, shopping centres, sports teams, etc. are often limited to a single community and do not allow for frequent encounters between individuals across group boundaries. The lack of opportunity for more positive forms of interaction between former antagonists militates against the renewal of trust and the development of deeper relationships across community lines – elements necessary to rebuilding vital stores of social capital and social cohesion.

### ***Psychological Challenges***

The past experience of violence and the legacies of physical and social separation in the post-conflict environment also limit the potential to transform negative perceptions of the Other which may continue to colour the mindsets of former antagonists. Some of these key psychological challenges include:

- The *persistence of derogatory stereotypes*, or the subsumption of individual traits and characteristics to (negative) assumptions attributed generalizably to a group. Such stereotypes are, in turn, linked to ingrained *prejudices* or *ethnocentrism* among former enemies, by which the Other community’s behaviours are viewed as hostile and its values, beliefs, and culture are treated with contempt. Such perceptions result in communal relations marked by continued mistrust, mutual ignorance, fear, and suspicion.<sup>66</sup>
- The *lack of empathy or meaningful identification* between former antagonists who view one another as responsible for the victimization and suffering of their own group and therefore turn one another into potentially justifiable targets of retaliatory violence. In extreme cases, the Other may be effectively *dehumanized* or excluded from the regular ‘moral universe’ governing norms of acceptable behavior and obligations within a society and pushed outside the purview of basic human rights, a process allowing moral restraints against killing to be easily overcome. Indeed, this process of delegitimization and the associated disruption of the ‘moral order’ between groups have been widely recognized as necessary preconditions for the commission of mass intercommunal violence and repression within the state.<sup>67</sup>

---

<sup>66</sup> See Marilynn B. Brewer and Donald T. Campbell, *Ethnocentrism and Intergroup Attitudes* (New York: Sage Publications, 1976); and Marilynn Brewer, “Intergroup Identification and Intergroup Conflict: When Does Ingroup Love Become Outgroup Hate?” Richard D. Ashmore, Lee Jussim, and David Wilder, eds., *Social Identity, Intergroup Conflict, and Conflict Reduction* (Oxford: Oxford University Press, 2001).

<sup>67</sup> See Ervin Staub, “Genocide and Mass Killing: Origins, Prevention, Healing and Reconciliation.” *Political Psychology* 21.2 (2000); Herbert Kelman, “Violence without Moral Restraint: Reflections on the Dehumanization of Victims and Victimizers,” *Journal of Social Issues* 29.4 (1973).

- The *trauma* faced by large portions of the population in the post-conflict environment. The intimate nature of intrastate violence and the impact of direct, personal loss on the lives of many civilians can lead to the widespread development of psychological conditions such as Post-Traumatic Stress Disorder (PTSD) and related feelings of insecurity, devaluation, and depression. Alternately, unresolved feelings of *victimization* can provide fertile ground for the destabilization of nascent peacebuilding processes by serving as justification for retaliatory or ‘revenge’ attacks against the Other and threatening to prompt further cycles of violence. Finally, perpetrators might feel the need to distance themselves psychologically and emotionally from their victims, devaluing them further in attempts to ‘self-justify’ their own acts of persecution.<sup>68</sup>
- The development of *myths, collective memories, or communal narratives* over the course of protracted conflict which reinforce biased conceptions of the Self as a unwarranted victim of injustice and portray the Other as an intractably evil enemy, often glossing over the complicity of one’s own community in past violence. Such beliefs are actively socialized amongst communities and instantiated through processes of *transgenerational transmission*. These myths serve to further polarize perceptions of antagonism and to solidify hostile relationships, effectively blocking the potential for the development of trust and reinforcing existing fears, prejudices, and stereotypes.<sup>69</sup>

### ***Structural Challenges***

Alongside social and psychological divisions, intrastate violence also often involves division by way of *material disparities* between antagonistic communities. Differences between Self and Other can increasingly justify the discriminatory distribution of social, economic, and political power – all factors which may themselves have been central to the initial development of intercommunal hostility and can continue to preclude more cooperative relations even in the absence of overt violence. Such divisions are further exacerbated when one communal group has employed the apparatus of the state in the past to engage in ***structural violence*** against the Other and entrench severe imbalances in socioeconomic or sociopolitical power for their own gain.<sup>70</sup>

Examples of such structural socioeconomic challenges might include large disparities in levels of relative affluence, educational achievement, employment opportunities, access to good housing, and possibilities for social mobility along communal lines. Structural challenges in the

---

<sup>68</sup> John E. Mack, “The Psychodynamics of Victimization Among National Groups in Conflict,” Volkan, Julius, Montville, eds., *The Psychodynamics of International Relationships, Volume II* (Toronto: Lexington Books, 1990); Nancy Nyquist Potter, ed., *Trauma, Truth, and Reconciliation* (Oxford: Oxford University Press, 2006).

<sup>69</sup> On the role of biased myth, memory, and narrative to reinforce the intractability of intercommunal conflict, see Daniel Bar-Tal, “Collective Memory of Physical Violence: Its Contribution to the Culture of Violence,” Braathen Einar, Morten Boas, and Gjermund Saether, eds., *Ethnicity Kills? The Politics of War, Peace and Ethnicity in SubSaharan Africa* (New York: St. Martin’s Press, 2000); Ed Cairns and Michael D. Roe, eds., *The Role of Memory in Ethnic Conflict* (New York: Palgrave, 2003)

<sup>70</sup> Azar, *The Management of Protracted Social Conflict*. See also Johan Galtung, “Violence, Peace, and Peace Research” *Journal of Peace Research* 6.3 (1969).



sociopolitical realm could include imbalanced suffrage or unequal access to high political office, the absence of legislative protection of equitable rights, or the underrepresentation of a community in security, governmental, or judicial sectors. Additionally, the devastation wrought by civil violence can not only provide another basis for continued antagonism by increasing the difficult life experiences of communal groups, but can also shrink the total ‘resource pie’ available to a society and thereby increase the likelihood of future conflict and competition over diminished supply.

### **Implications for Post-Conflict Governance**

The social and psychological divisions between antagonists and their constituent communities that accompany intrastate violence have profound implications not only in terms of their devastating impact on social cohesion, but also for their very real ability to undermine post-conflict efforts to reconstruct credible systems of good governance and public administration – structures that have themselves been identified as necessary components of sustainable peace. While by no means an exhaustive list, some of the fundamental challenges to effective post-conflict governance that result directly from unresolved psycho-social divisions include:

- The continued existence of a *culture of violence* within society, in which the use of force is viewed as an appropriate and legitimate means for resolving conflict, in place of a universal respect for the rights of others and a shared agreement to settle disputes through the approved mechanisms of the state
- *Lack of a cohesive sense of collective identification* at national, local, and/or community levels that can greatly impede the sense of common purpose and collaboration necessary for functional governance
- A ‘zero-sum’ *perception of governance* and of the democratic political process more generally, by which the gains of one community are perceived as a loss for the other. In deeply divided post-conflict environments, this may lead to insecurity as minority groups fear mistreatment under the governance of a ‘permanent majority.’ In consociational or power-sharing governance arrangements, this can lead to sustained *political deadlock* that prevents effective policy development and implementation
- The continued existence of electoral incentives for leaders to appeal to *political extremism* and ‘*ethnic outbidding*’ that can undermine more moderate and conciliatory political parties
- *Extensive financial costs* to post-conflict governments and a drain on scarce resources given the need for the duplication of investments, services, facilities, functions, and personnel that results from the physical and social segregation of deeply divided societies
- Severe *compliance issues* with governance structures, laws, and policing or other security sectors if they lack credibility or are perceived as illegitimate or unrepresentative by minority communities. In such cases, *adherence to the rule of law* remains tenuous at best, as it is based solely on the fear of punishment or the enforcement capacity of legal and security sectors rather than being internalized across the population as ‘appropriate’ behaviour

### **Conflict Transformation and Social Learning**

In the aftermath of intrastate conflict, building a sustainable infrastructure for peace therefore requires not only reconstructing the physical structures of governance, but also incorporating strategies of *conflict transformation* that seek to address directly the legacies of social and psychological division resulting from past violence. In particular, there is a need for targeted initiatives designed to promote *social learning* among former enemies, including programs

aimed at transforming antagonistic mindsets and altering the hostile relationships that persist between communal groups. Understood in this way, reconciliation is a fundamentally transformative process, one which requires “changing the motivations, goals, beliefs, attitudes, and emotions of the great majority of society members regarding the conflict, the nature of the relationship between the parties, and the parties themselves.”<sup>71</sup>

In brief, the outcomes of a positive program of social learning in the post-conflict environment should likely include:

- A *renewal of mutual trust* among former enemies, replacing past feelings of fear and suspicion with more amicable relations and expectations of continued security and cooperative interaction. While the presence of renewed trust is marked by cognitive and emotional change, it is above all a direct product of social interaction, built up over time through sustained experiences of positive reciprocal engagement and communication with former enemies
- *Reduced levels of discriminatory bias and prejudice*, as well as the *amelioration of negative stereotypes* that reproduce oversimplified, and often hostile, perceptions about the Other’s actions and intentions
- An *extension of the boundaries of moral community* such that former enemies are effectively *rehumanized* and no longer considered legitimate targets for violence.<sup>72</sup> This entails perceptions of a more *equitable moral order* in which all members of society are accorded equal normative and ethical status. This also provides the necessary foundation for the (re)construction of a *culture of human rights* in post-conflict societies entitling all vulnerable minorities to equal protections. Importantly, this must include attention to *gender equality* and recognize the equal rights of women as a very visible and vulnerable segment of the population
- The creation of a *broader sense of collective identification*, in which previous divisions of Self and Other are replaced by a more inclusive sense of national or civic identity. Importantly, this does not entail the elimination of cultural or political difference (which should continue to be respected and valued), but rather their inclusion in a more cohesive sense of identity which can be used as the basis for collaboration and cooperation<sup>73</sup>

---

<sup>71</sup> Daniel Bar-Tal and Gemma H. Bennink. “The Nature of Reconciliation as an Outcome and as a Process” Yacoov Bar-Siman-Tov. Ed., *From Conflict Resolution to Reconciliation*, (Oxford: Oxford University Press, 2004).

<sup>72</sup> On the importance of ‘rehumanization,’ restoring moral order, and empathy to reconciliation, see Jodi Halpern and Harvey M. Weinstein, “Rehumanizing the Other: Empathy and Reconciliation,” *Human Rights Quarterly* 26 (2004).

<sup>73</sup> See, for instance Anthony Oberschall, *Conflict and Peace Building in Divided Societies: Responses to Ethnic Violence*. (New York: Routledge, 2007). See also Samuel L. Gaertner et al, “The Contact Hypothesis: The Role of a Common Ingroup Identity on Reducing Intergroup Bias,” *Small Group Research* 25.2 (May 1994): 224-249; Samuel L. Gaertner and John F. Dovidio, *Reducing Intergroup Bias: The Common Ingroup Identity Model* (Philadelphia: Psychology Press), 2000; Marilyn B. Brewer and Samuel L. Gaertner, “Toward Reduction of Prejudice: Intergroup Contact and Social Categorization,” Rupert Brown and Samuel L. Gaertner, eds., *Blackwell Handbook of Social Psychology: Intergroup Processes* ( Oxford: Blackwell, 2001).

- A perception of the *illegitimacy of violence* as a tool to resolve future conflict and competition. This doesn't involve unrealistic expectations of harmony, but does require the development of sufficient *meditative capacities* within society so that disputes are resolved through appropriate legislative mechanisms and the use of force remains the sole jurisdiction of the state
- Attention to *structural and material inequalities* so that the basic human needs of society members are met and gross disparities in economic well-being or access to social and political rights are alleviated

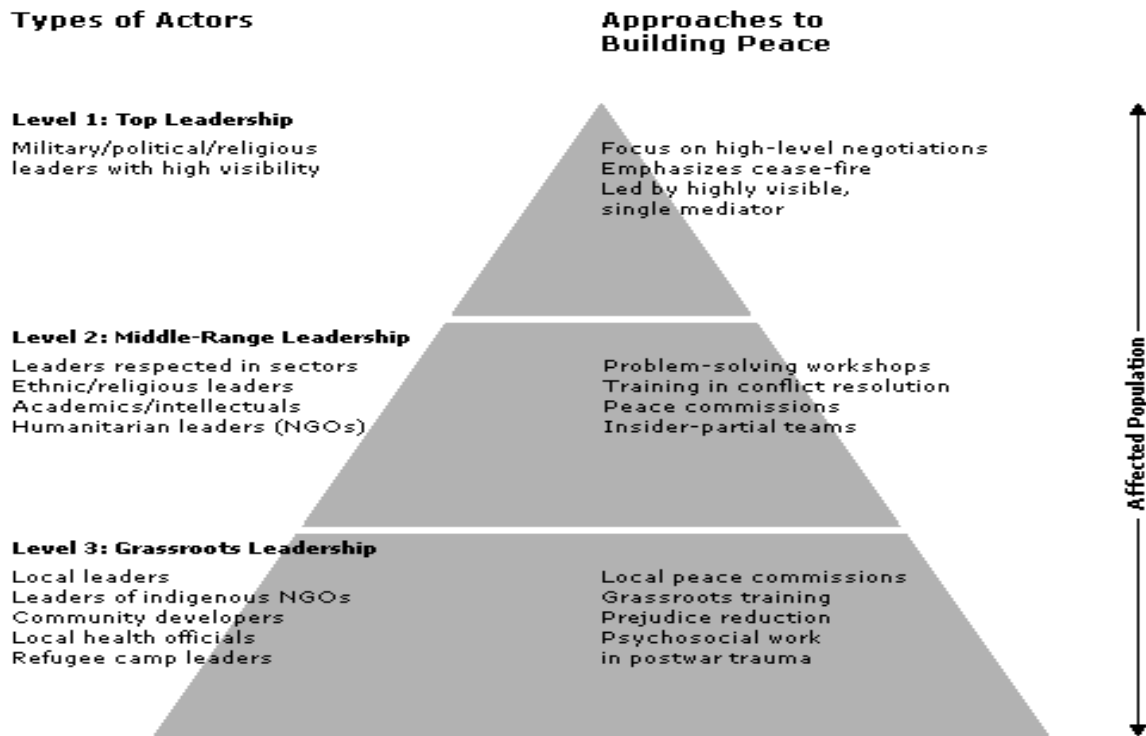
The wide-ranging impact of most intrastate violence on broader civilian populations means that transformative processes must not be limited to political elites alone, but must *include a majority of society members* by way of effecting widespread change. As prominent peace scholar John Paul Lederach has argued, conflict transformation requires a systemic approach to post-conflict peacebuilding that involves changing social and psychological relationships at multiple levels of society, effectively transforming “a *war-system* characterized by deeply divided, hostile, and violent relationships into a *peace-system* characterized by just and interdependent relationships with the capacity to find non-violent mechanisms for expressing and handling conflict.”<sup>74</sup> Conflict transformation, therefore, will necessarily require interventions at the level of state, regional, and local governments, in addition to a strong engagement with civil society and local community actors. While these interventions will need to take different forms at different societal levels dependant on the number and types of actors involved, the central goals of rebuilding relationships and meditative capacities remain the same.

This is not, however, to diminish *the importance of leadership* in such transformations. Credible leaders at each of national, local, and community levels are vitally important both to act as ‘models’ of more positive examples of reconciliatory behaviour for their constituents and to mobilize communities to engage with reconciliation programs and support new governance structures. The most successful programs of conflict transformation will therefore involve concerted efforts to include both *top-down* and *bottom-up* approaches to peacebuilding, as well as the sustained support of influential leadership at ‘top,’ ‘middle,’ and ‘grassroots.’ The need for such an integrated approach to peace is reflected in Lederach’s now-famous ‘conflict transformation triangle’ as illustrated in Figure 1.1.

---

<sup>74</sup> Lederach, *Building Peace*, 84.

**Figure 1.1**



Derived from John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: United States Institute of Peace Press, 1997), 39.

In addition, while the long-term goal of conflict transformation will be a self-sustainable, effective, and locally-owned system of governance, the short-term realities of many post-conflict societies – which often include continued political deadlock, fragile economies, and devastated or corrupt state institutions – may necessitate the involvement of *regional and international actors*. These external actors may provide vital sources of development assistance and physical security by temporarily deploying security forces in peacekeeping capacities. In terms of psycho-social reconciliation, however, such actors can also provide a much-needed initial source of leadership that is perceived as impartial – and therefore legitimate – by all parties to past violence. This legitimacy as a *neutral arbiter* can be a vital resource to draw upon in rebuilding the networks of trust, communication, and cooperation between former antagonists needed to begin conflict transformation processes.

A review of the current ‘state of the art’ in conflict transformation techniques suggests three central ‘stands’ of social learning as vital components of any strategy seeking to overcome the social and psychological divisions of past conflict. While the specific shape of the programs addressing each of these strands will need to be adapted to the particular context of the society in which they are employed, the following guidelines nevertheless provide insight into those best practices that will help to inform multi-level reconciliatory interventions.

***Renewing Cross-Community Contact and Communication***

The *(re)building of positive contact and communication across community boundaries* is the primary, and perhaps most crucial, strategy for promoting the forms of social learning among former antagonists necessary for reconciliation. That increased levels of contact can lead to

improved relations between communities in conflict is the central assertion of the longstanding *Contact Hypothesis* in social psychology. Indeed, a substantial body of experimental and ‘real-world’ evidence indicates that a renewal of positive contact, when combined with meaningful dialogue processes, can have a reliably independent effect on improving intercommunity relations.<sup>75</sup> Such processes can provide initial means of challenging negative stereotypes and misperceptions, reducing prejudice, building empathy, and breaking down rigidified perceptions of the Other community as a monolithic and inherently hostile group. Renewed cross-community engagement therefore provides the necessary building blocks – new networks of trust and communication – for rebuilding social cohesion in post-conflict societies and revitalizing their social capital. Over time, this kind of engagement also provides the necessary foundations upon which a more inclusive sense of collective identification can be built, and within which positive perceptions, equal moral standards, and more cooperative behaviour can prevail.

However, research shows that a simple increase in the quantity of intergroup interactions, while important, does not provide a significant enough challenge to the entrenched animosities formed through past conflict and may even serve to exacerbate existing tensions. What matters most, evidence suggests, is the content and quality of the contact that takes place and the context in which these encounters occur. More specifically, to have the most beneficial impact on improving intercommunity relations, such engagements must:

- Be of a *non-adversarial* quality and occur in a *safe, non-threatening environment*. Initially, when communities remained polarized through mistrust and animosity, this may require the creation of ‘shared’ or ‘neutral’ forums where engagement can take place
- Take place between groups afforded *equal status* in society
- Have a *long term focus*, be *sustainable*, and *occur over an extended period of time*.
- Be undertaken in pursuit of recognized *cooperative goals*
- Take place in a context marked by *supportive institutional structures* and a *social and normative climate conducive to improved intercommunity relations*
- *Actively engage with, rather than ignore, the salience of communal identities* of those in contact. This allows for reductions in prejudices, stereotypes, and mistrust, as well as for the newly-formed positive associations gained through contact to be ‘generalized’ to all members of the Other instead of being limited to the specific and possibly ‘exceptional’ individuals directly engaged in the interaction
- Move beyond superficial contact to engage in deeper forms of *transformative dialogue* that directly address existing biases and misconceptions and any unresolved ‘hard issues’ that

---

<sup>75</sup> Miles Hewstone and Rupert Brown, Eds., *Contact and Conflict in Intergroup Encounters* (Oxford: Oxford University Press, 1986); Marilyn Brewer and Samuel L. Gaertner, “Toward Reduction of Prejudice: Intergroup Contact and Social Categorization,” Rupert Brown and Samuel L. Gaertner, ed. *Blackwell Handbook of Social Psychology: Intergroup Processes* (Oxford: Blackwell, 2001); James L. Gibson, *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* (New York: Russell Sage, 2004); Miles Hewstone et al, “Intergroup Contact in a Divided Society: Challenging Segregation in Northern Ireland,” D. Abrams, J.M. Marques, and M.A. Hogg, Eds., *The Social Psychology of Inclusion and Exclusion* (Philadelphia, PA: Psychology Press, 2005).

continue to provoke intercommunal tension.<sup>76</sup> Initially, such encounters will of necessity need to be carefully mediated and monitored (*‘controlled communication’*) by a ‘neutral’ third party. However, the goal should be to create enduring, self-sustaining dialogue at multiple levels of society that is *institutionally anchored*. This is a crucial step in rebuilding the *meditative capacity* necessary for sustainable peace and good governance

However, the physical and social segregation that continue to divide post-conflict societies, along with existing psychological barriers that colour initial cross-community encounters with feelings of mistrust, threat, and anxiety, greatly reduce the likelihood that such positive interactions will develop unaided. It is therefore of key importance to develop ‘official’ targeted strategies in post-conflict societies that facilitate opportunities for direct and indirect engagement among divided communities under which as many of the contextual conditions as possible for positive contact and transformative communication are met. Such strategies can include:

- The use of *‘multi-track diplomacy,’ ‘dialogue groups,’ or ‘problem solving workshops.’* These programs are facilitated by professionals trained in conflict resolution skills, and they aim to bring together key unofficial leaders from both civil society and government to develop personal relationships, perspectives on the Other’s positions, and joint strategies for addressing contested issues<sup>77</sup>
- The development of voluntary *victim-offender mediation or restorative justice* programs in which perpetrators and victims of past violence are brought into face-to-face dialogue encounters through the careful facilitation of a trained mediator
- The use of *storytelling or narrative forums* in which those victimized by past violence – regardless of their communal affiliation – are brought together in a supportive environment to recount their own experiences and listen to those of others
- *Collaborative youth programs* which bring together young people from different communities in joint activities (such as sport, cultural exchanges, or arts programs) to provide opportunities to build friendships and also engage in discussions of latent prejudices and stereotypes
- *Educational reforms* which provide greater opportunities for *integrated education* as well as alternative *curriculum programming* that engages students in critical discussions about cultural diversity and respect
- *Cross-community development initiatives* in which members of local communities are encouraged to work together to build social and economic development projects which will be of benefit to wider society

---

<sup>76</sup> See Donald G. Ellis, *Transforming Conflict: Communication and Ethnopolitical Conflict* (New York, Rowman & Littlefield, 2006); Ronald J. Fisher, “Social-Psychological Processes in Interactive Conflict Analysis and Reconciliation,” Mohammed Abu-Nimer, Ed., *Reconciliation, Justice, and Coexistence Theory & Practice* (New York: Lexington Books, 2001); Jay Rothman, “Dialogue in Conflict: Past and Future,” Eugene Weiner, Ed., *The Handbook of Interethnic Coexistence* (New York: Continuum Publishing, 1998); Rothman, *Resolving Identity-Based Conflict in Nations, Organizations, and Communities* (San Francisco: Jossey-Bass, 1997); Norbert Ropers, “From Resolution to Transformation: Assessing the Role and Impact of Dialogue Projects,” Andreas Wimmer et al., Eds., *Facing Ethnic Conflicts: Toward a New Realism* (New York: Rowman & Littlefield, 2004).

<sup>77</sup> Ropers, “From Resolution to Transformation.”

- The use of extended *residential* or ‘*get-aways*’ as a component of any of the above programs during the initial stages of conflict transformation to bring participants out of their potentially hostile local environments to interact for a sustained period of time in a more ‘neutral’ setting

### ***Attending to Structural and Material Inequalities***

Evidence from numerous case studies suggests that persistent structural inequalities in the post-conflict environment will continue to reinforce social and psychological divisions unless the related system of dominance, dependence, and inequity that reinforces and reproduces them is also addressed.<sup>78</sup> Even after the cessation of conflict, perceptions of relative deprivation by a marginalized community can serve to rigidify group boundaries, inflame feelings of victimization and insecurity, and provide seemingly ample justification for the use of force. Further, opportunities for meaningful contact and communication will themselves be limited in a society divided by severe structural imbalances, as the places in which community members live, work, and socialize will be heavily mediated by socioeconomic status. Where these interactions do occur, structural divisions may be so wide that encounters remain cursory and superficial or may actually provoke feelings of increased anxiety and threat.

Therefore, while reversing the deep inequalities of the past is certainly a long-term undertaking, changing the mindsets and relationships of former antagonists in the short term will require initiatives which evidence a sustained commitment to reducing structural imbalances and creating new opportunities for all society members. Such strategies can include:

- Targeted *equity and equality legislation* for access to education, housing, and fair employment that brings the promise of greater social mobility and therefore disincentivizes joining armed groups and continuing conflict. In deeply imbalanced societies, this may entail short term provisions for *redistributive policies* such as *affirmative action* legislation
- The creation of *constitutional guarantees*, such as a Bill of Rights, which enshrine the equal rights and protections of minorities and reduce feelings of threat and insecurity. This will include the need to address *gender issues* as women often represent the most disadvantaged and most vulnerable populations in post-conflict societies
- *Increased levels of equality within crucial instruments of governance*, including security forces, the civil service, and the judiciary. This will allow governance structures to be viewed as representative and legitimate and will therefore begin to address crucial *compliance issues* and non-conformism with the *rule of law*
- In severely divided societies, there may also be the need for governance structures which include a *consociational or power-sharing executive* to ensure the inclusion of all former antagonists in decision-making processes and to reduce fear and insecurity by way of legislative provisions such as a *mutual veto*. However, there is evidence to suggest that such

---

<sup>78</sup> See for instance Ervin Staub, “Reconciliation after Genocide, Mass Killing, or Intractable Conflict: Understanding the Roots of Violence, Psychological Recovery, and Steps toward a General Theory,” *Political Psychology* 27.6 (2006). In the case of Northern Ireland in particular, see Joseph Ruane and Jennifer Todd, *The Dynamics of Conflict in Northern Ireland: Power, Conflict, and Emancipation*, (Cambridge: Cambridge University Press, 1996); Pete Shirlow and Brendan Murtagh, *Belfast: Segregation, Violence and the City* (London: Pluto Press, 2006).

structures must be utilized only as a ‘stepping-stone’ to more inclusive forms of democratic governance once greater levels of trust are established to prevent entrenching and institutionalizing communal divides or disenfranchising other minority groups

- The payment of *symbolic reparations and/or material compensation* to disadvantaged communities as a way for the current government to acknowledge the injustice of past disparities and signal a commitment to establishing more equitable relations in the future

### ***Addressing the Legacies of the Past***

While contact, communication, and the amelioration of structural inequalities are all necessary components of building more inclusive intercommunal relations, successful conflict transformation strategies in post-conflict societies will also require initiatives that engage directly with the legacies of past violence among former antagonists. While the specific context of each society’s experience with conflict mitigates against any ‘one-size fits all’ approach to addressing the past, there is nonetheless widespread consensus that, at a minimum, action will need to be taken to *acknowledge the wrongs* committed by the perpetrators of violence and to *repair the injustices* visited upon its victims. There will also be a need to *reintegrate and resocialize* former combatants to prevent their returning to violence or criminal activities. Further, there is a growing recognition of the importance of *uncovering the truth* about the violence that took place in order to limit the ability of former antagonists to appropriate the past in order to fuel biased myths, propaganda, or discriminatory histories which might be used to spark future returns to violence.

The seminal importance of addressing these issues has been reflected in the sudden increase in the number of *transitional justice* mechanisms – those legal, quasi-legal, or community-based institutions set up by national governments or international bodies to provide accountability for past violence – employed in recent decades.<sup>79</sup> While substantial debate exists as to which combinations of justice approaches are best suited to the goals of conflict transformation, in practice the different cultural environments and unique history of violence in each case will require *contextually specific* and individually-tailored approaches. Nonetheless, there is consensus that transitional authorities must avoid strategies of inaction or impunity if future conflict is to be averted. Unresolved grievances have the tendency to fester if left unaddressed, and as transitional justice scholar Nigel Biggar has illustrated, this can “help to infect future generations with an indiscriminate hatred of the perpetrators and their descendants – and also with an endemic mistrust of the state that, having failed in its duty to vindicate victims past, seems ready to tolerate the injury of victims future.”<sup>80</sup>

---

<sup>79</sup> See, for example, Kritz, ed., *Transitional Justice: How Emerging Democracies Reckon With Former Regimes* (Washington: United States Institute of Peace Press, 1995); Mohammed Abu-Nimer, ed., *Reconciliation, Justice, and Coexistence: Theory and Practice* (New York: Lexington Books, 2001); Ruti G. Teitel, *Transitional Justice* (Oxford: Oxford University Press, 2002).

<sup>80</sup> Nigel Biggar, ed., *Burying the Past: Making Peace and Doing Justice After Civil Conflict* (Washington D.C.: Georgetown University Press, 2001).



A number of options exist for post-conflict societies to consider when addressing the legacies of past violence, including both formal justice mechanisms and more informal strategies. A short list of these would include:

- The use of criminal prosecutions in *national trials*, *international tribunals*, or the *International Criminal Court* to punish those responsible for gross human rights violations. Notably, though, research suggests that trials should be used discriminately – perhaps only to prosecute the ‘architects’ or ‘authorities’ of conflict – and in combination with *restorative justice* approaches at lower levels, as they can otherwise serve to retrench psycho-social divides by way of their inherently antagonistic set-up
- Employing culturally available *indigenous justice mechanisms* to facilitate the reintegration of perpetrators and victims at local community levels
- The use of ‘truth-seeking’ or ‘truth-recovery’ mechanisms such as a *truth and reconciliation commission* to gather information about what took place during past violence in order to create an official record of the past
- A combination of two or more of the above processes in *hybrid institutions* that can operate in complementary or sequential arrangements. This may also include the use of *mixed mechanisms* which can involve the contributions of international, national, and community structures and officials
- The use of a *conditional or partial amnesty provision* that limits punishment against perpetrators in exchange for their cooperation in other reconciliatory processes, such as community reparations or truth-seeking. Notably, this differs from the use of a ‘*blanket amnesty*’ in which former perpetrators are simply made immune from punishment without requiring their participation in other reconciliation processes
- *Lustration* or the purging of past officials from positions within key sectors of governance, including the security forces, judiciary, and civil service
- An *official state apology* which acknowledges and condemns past injustices.
- Engaging in acts of *memorialization*, perhaps by way of *national holidays*, *monuments*, or *museums*, to commemorate the victims of past violence
- The provision of *counseling or psychological resources* to aid the healing process of those victimized by past conflict
- Programs providing support through education, skills training, and counseling to aid the *reintegration of ex-combatants*
- The creation of *educational programming* which provides an accurate accounting of past violence, which may include *re-writing biased history textbooks*

### **The Case Study of Northern Ireland**

The case study of Northern Ireland can offer a number of insights for other societies seeking to address the challenges of social and psychological division that may hinder effective governance in the post-conflict environment. For most of the last century, Northern Ireland has been the very archetype of a deeply divided society, with (largely Roman Catholic) communities of Irish ‘nationalists’ locked in a protracted and seemingly intractable territorial conflict with both local (largely Protestant) pro-British ‘unionists’ and the security forces of the British state. This conflict culminated in a period of intense violence between the late 1960’s and the late 1990’s known locally as ‘the Troubles.’ Over 3600 people lost their lives over the course of the

Troubles, the vast majority of whom were civilians killed by the actions of ‘Republican’ or ‘Loyalist’ paramilitary organizations ostensibly fighting on behalf of their constituent communities.<sup>81</sup>

While the scale of violence appears relatively minor, the small geographical size and population (well under 2 million) of the region meant that the overall impact was devastating for societal cohesion in Northern Ireland. The constant threat of violence over the course of 30 years led to patterns of severe residential, educational, and social segregation in the towns and cities of Northern Ireland, creating high-tension ‘interface’ zones between proximate Nationalist and Unionist areas. Numerous ‘peace walls’ – reinforced barrier fences standing up to 25 feet high – were constructed to separate the most violence-prone communities. The protracted nature of the conflict and the personal sense of loss suffered by a large proportion of the population also led to deeply ingrained senses of fear, mistrust, prejudice, or outright hatred marking interactions with all members of the Other community.

Such feelings were compounded by the sense of victimization felt among Nationalist communities at having been historically marginalized under the legislative control of a majority Unionist population and made to suffer gross inequalities within an entrenched system of socioeconomic and political discrimination. As a result, the Nationalist community largely disengaged from the official governance structures of Northern Ireland and came to regard them as illegitimate, most particularly the local Royal Ulster Constabulary (RUC) police services and British security forces, who were viewed as little more than deeply biased enforcement agents for the Unionist majority. Large-scale acts of civil disobedience in Nationalist areas during the early 1970’s, including the now-infamous ‘Battle of the Bogside’ and the ‘Bloody Sunday’ protest, led to the reimposition of Direct Home Rule by the British state which remained in effect until 1999.

An extended peace process carried into the formal signing of the ‘Belfast Agreement’ on April 10<sup>th</sup>, 1998, which included, among other provisions, the return to devolved government under a power-sharing Northern Ireland Executive Assembly. However, the entrenched mistrust and animosity between extreme Nationalist and Unionist political parties and deadlock over key issues of policing reform and arms decommissioning caused the governing Assembly to be suspended from October 2002 to May 2007. While Northern Ireland remains a severely divided society, evidence would suggest that attitudes and mindsets are slowly being transformed – both factors which account, in no small part, for the recent resumption of effective structures of governance and a marked decline in levels of intercommunity violence.<sup>82</sup> Many of these gains can be directly linked to the sustained multi-level strategies of conflict transformation undertaken

---

<sup>81</sup> Mari Fitzduff, *Beyond Violence: Conflict Resolution Process in Northern Ireland*. New York: United Nations University Press, 2002.

<sup>82</sup> On the decreasing number of conflict related deaths, see Malcom Sutton, “Sutton Index of Deaths,” available on the CAIN Internet Conflict Archive Online at <http://cain.ulst.ac.uk/sutton/>. The ‘Community Relations’ module of the Annual Northern Ireland Life and Times Survey for 2007 has also indicated increasingly positive perceptions of relations between communities and in perceptions of future positive relations. See Northern Ireland Life and Times, “Community Relations Module (2007),” available on the ARK Online Archive at [http://www.ark.ac.uk/nilt/2007/Community\\_Relations/index.html](http://www.ark.ac.uk/nilt/2007/Community_Relations/index.html).

in Northern Ireland which have sought both to build better relations between Nationalist and Unionist communities and to increase their capacity to resolve disagreements without recourse to violence.<sup>83</sup> The final section of this paper considers key conflict transformation strategies that have been employed at both macro and micro levels in Northern Ireland and considers what lessons they might provide for other post-conflict societies seeking to overcome the psycho-social challenges to good governance.

### **Transformation at the Macro Level in Northern Ireland**

Much of the relative success of Northern Ireland's conflict transformation program can be attributed to its unique integration of top-down and bottom-up peacebuilding initiatives, as well as its ability to coordinate grassroots, civil society, local government, and central government organizations under a cohesive program of improving 'Community Relations' between Nationalists and Unionists. In large part, this strategy has relied on a highly effective division of labour for addressing existing social and psychological challenges to governance, generally assigning central government the top-down tasks of initiating key structural reform, setting out an inclusive policy mandate, and providing the social and political leadership – as well as the necessary resources – to sustain effective peacebuilding work at other levels of society. The bottom-up 'on the ground' work of improving community relations is thus largely left to local governments and a vibrant community/voluntary sector – those actors often best equipped to identify and adapt peacebuilding work to the needs of local populations. This work, in turn, is aided by the coordination of a highly-trained civil society sector and a stream of targeted funding from international and regional donors.

At a *central governmental level*, in 1987, the Secretary of State for Northern Ireland established the Central Community Relations Unit (CCRU), later renamed the Community Relations Unit (CRU) following its inclusion under the executive Office of the First Minister and Deputy First Minister (OFMDFM) under devolved government in 2000. The CRU was established as a distinct government agency designed to ensure that addressing communal divisions remained a central component of all government initiatives, and in this capacity has served to formulate policy strategies, provide advice to government ministers, and undertake research projects to identify and evaluate areas of particular need. To ensure policy coordination across all programming undertaken by government, a cross-departmental 'Good Relations Panel' was established for carrying out a 'Triennial Action Plan' that outlines specific community relations mandates for key government sectors along with requirements for yearly departmental progress reports.

In addition to creating the CRU, since the early 1990's, the central government in Northern Ireland has assumed an aggressive leadership role in repairing community relations by introducing a number of legislative policies designed to readdress existing structural inequalities and deal with the unresolved legacies of past violence. These initiatives have included:

- The establishment of an extensive array of *equity and equality reforms* including the creation of an Equality Unit, a Gender and Sexual Orientation Equality Unit, and a Racial Equality Unit to coordinate policy and legislation out of the OFMDFM. These complement the

---

<sup>83</sup> Fitzduff, *Beyond Violence*.

establishment of an independent Equality Commission, an independent Human Rights Commission, a draft Bill of Rights, and targeted legislation mandating fair practices in employment and housing – all of which are aimed at promoting awareness and enforcing laws against discrimination on the basis of age, disability, race, sex, sexual orientation, religious belief, or political opinion

- A *reform of the highly contentious police service* based on the recommendations of an Independent Commission on Policing for Northern Ireland. These reforms included a change in the name of the police service to the Police Service of Northern Ireland (PSNI), a policy of ‘positive discrimination’ to recruit aggressively from the Catholic population by way of correcting historical underrepresentation, and the appointment of an independent Police Ombudsman to deal with complaints and allegations of misconduct
- *Educational reforms* including the provision of government funding for ‘Community Relations’ programming in schools that brings youth together across community divides, support for increased cross-community schooling programs and integrated education, and diversity training through the addition of ‘Education for Mutual Understanding’ and ‘Shared Cultural Traditions’ units to curriculum programs
- *Extensive attention and funding directed towards victim’s issues* including the creation of a separate Victim’s Unit in the OFMDFM and the implementation of a government-wide policy strategy to coordinate psychological help and provide other services for victims as outlined in the government’s 2002 *Reshape, Rebuild, Achieve* report.<sup>84</sup> This includes the establishment of an independent Commission for Victims and Survivors to assess and promote victims’ needs, the forthcoming creation of a consultative and ongoing Victims and Survivors Forum, and proposals for a Victims and Survivors Service to coordinate and disburse funding to governmental and non-governmental agencies involved in victim support work
- *A recognition of the need to deal with the historical legacy of past violence.* This has included the re-opening of the ‘Bloody Sunday Inquiry’ in 1998, and the establishment of the independent ‘Consultative Group on the Past’ or ‘Eames-Bradley Commission’ in 2007 tasked to consult with academics, local communities, civil society representatives, and government officials to make recommendations regarding potential truth-recovery or justice options that might be employed to promote reconciliation in Northern Ireland. This process builds on earlier consultative work carried out by the non-governmental ‘Healing Through Remembering’ project submitted to the OFMDFM in 2002.

These structural reforms undertaken by government have been complemented by the introduction of policy designed to outline a *cohesive strategic vision for conflict transformation* which has been used to inform a *shared set of goals and initiatives across government, civil society, and the local community and voluntary sector.* In 2000, the government in Northern Ireland initiated a major review of existing community relations policy to address existing problems of intercommunal division. While extensive community relations work was already underway at all levels of society to support the nascent peace process of the 1990s, much of this had been taking place in an ad hoc and relatively uncoordinated fashion. After a period of extensive consultation with academics, civil society representatives, and local communities, in 2005 the CRU launched a new ‘Policy and Strategic Framework for Good Relations’ entitled *A*

---

<sup>84</sup> Victims Unit, Office of the First Minister and Deputy First Minister (Northern Ireland), “Reshape, Rebuild, Achieve,” available online at <http://www.ofmdfmi.gov.uk/victimsbrochure-3.pdf>.

*Shared Future*. This document sets out a series of “practical steps and actions, based on common fundamental principles” which were to be “coordinated across government and throughout civic society to ensure an effective and coherent response to sectarian and racial intimidation with the aim of rebuilding relationships rooted in mutual recognition and trust.”<sup>85</sup> In particular, *A Shared Future* sets out a common mandate in support of programs which:

- Reduce sectarianism, promote mutual understanding, and develop a sense of shared community by increasing the opportunities for intercommunity contact and dialogue.
- Promote a culture of tolerance in which all individuals are considered equal and where different backgrounds and cultural traditions are respected.
- Give voice to the victims of violence and promote victim-centered reconciliation events.
- Promote an agenda of equity and equality among all communities and work to reduce unfairness and inequalities in people’s life chances.

This mandate set out to create a strengthened and streamlined relationship between central government, local government, and broader civil society and to unite these sectors of society under a common strategy framework for improving community relations. In large part, as will be discussed in greater detail below, adoption of a shared policy strategy has historically been incentivized for other levels of society by tying it to the provision of grant funding which awards best practices in community relations work while overseeing these practices through extensive monitoring and evaluation procedures – an approach which continues under *A Shared Future*. One small component of this is the direct administration of a ‘small capital’ program by the CRU itself to support projects demonstrating a “worthwhile and cost-effective contribution to increasing cross-community contact and co-operation and enhancing mutual respect, understanding, and appreciation of cultural diversity.”

At the *local government level*, in July 1989, all 26 of Northern Ireland’s ‘District Councils’ were invited to engage in a Community Relations Programme (DCCRP) and receive core funding from the CRU for local projects designed to increase cross-community contact and understanding, promote mutual understanding, and improve appreciation of different cultural traditions. To be eligible for this funding, Councils had to agree on a cross-party basis to take part in the CRP and draft a comprehensive policy statement including proposals of specific projects designed to improve community relations in their locality. Councils also had to agree to appoint one or more Community Relations Officers whose mandate would be to ensure both that the program was properly administered and that a broader sensitivity to improved community relations was reflected in all local government policy. While these funding arrangements are renewable over three-year terms, they remain contingent on approval through strict monitoring and evaluation arrangements carried out by the CRU including an annual progress report detailing appropriate expenditures. Importantly, these District Council programs include small ‘grant aid’ or ‘seed grant’ initiatives that redistribute portions of this funding to local community and voluntary organizations engaged in community relations work – organizations that are then

---

<sup>85</sup> Community Relations Unit, Office of the First Minister and Deputy First Minister (Northern Ireland), “A Shared Future: Policy and Strategic Framework for Good Relations in Northern Ireland,” available online at <http://www.ofmdfini.gov.uk/policy-strategic-framework-good-relations.pdf>.

themselves carefully selected and monitored through yearly grant applications and progress reports.

At the *level of civil society*, the CRU also recognized that the effective promotion of community relations in Northern Ireland would also have to include an organization at ‘arm’s-length’ from government both to avoid alienating any segments of society and to lend legitimacy and independence to its work. The Community Relations Council (CRC) was therefore formed in 1990 as an independent company and registered charity organization, serving as a unified regional body that supports efforts by organizations operating at a local level to improve community relations. In this capacity, the CRC provides a number of small grants to voluntary and community groups, provides these groups with resources in the form of training, research, and publications about ‘best practices’ in challenging sectarianism, and serves as an advisory body for other agencies and institutions – including government bodies and the commercial sector – on dealing with issues of community division. Most recently, the CRC has also begun to work closely on a sub-regional basis with District Council CROs to ensure a more unified program of policy implementation and to reduce any unnecessary ‘overlap’ of funding to grassroots organizations. While legally an independent organization with its own executive board and mandate, the CRC might more accurately be categorized as a ‘quango’ or quasi-NGO, as the majority of its funding is provided directly by the CRU and the OFMDFM (totaling over 3.5 million British pounds in 2004). This includes core funding distributed in the form of small grants to local community and voluntary organizations involved in community relations work as well as specifically targeted monies from the Victims Unit of the CRU to projects providing support services to victims and survivors (which totaled approximately 1.4 million GBP in 2004). In many ways, the CRC therefore acts as a ‘mezzo-level’ or intermediary organization between government and the community/voluntary sector and operates as a ‘gatekeeper’ for government funding by evaluating grant applications and providing oversight on existing projects.

At the *grassroots and community/voluntary level*, over the course of the Troubles and the ensuing peace process, Northern Ireland has developed a wide range of small local organizations engaged in mediation, peacebuilding, and socio-economic development work. Broadly speaking, these have taken the form both of programs operated primarily within and on behalf of a single community (referred to as *single identity* work) and of other non-partisan initiatives involving both communities in addressing issues of common concern (*cross-community* work). These include groups engaged in providing victim and ex-paramilitary prisoner support services, independent research organizations seeking to identify and propose targeted policies that address key issues for reconciliation, development projects aimed at regenerating local communities, and a variety of organizations undertaking projects designed to encourage cross-community contact and dialogue. In 2001, there were over 130 organizations engaged in various kinds of cross-community initiatives, a number which has only increased in recent years as opportunities for grant funding have multiplied through the CRU, CRC, and DCCRP. In addition, the number of ‘joint projects’ involving multiple organizations has increased thanks to the development of strong working relationships with the CROs of local district councils and to targeted grant incentives from funders encouraging joint initiatives, particularly for projects including organizations representing both communities. This has led to the formation of fairly cohesive ‘peacebuilding partnership’ networks in localities such as

Derry/Londonderry and Belfast that have greatly increased opportunities to share resources, strategies, and best practices for effective community relations work.

Northern Ireland has also benefitted from a wealth of external *regional funding* to support economic development and reconciliation initiatives. The most extensive of this has come through the European Union, which since 1995 has operated a special Programme for Peace and Reconciliation (PEACE) in four distinct stages, PEACE I (1995-1999), PEACE II (2000-2004), PEACE II extension (2005-2006) and PEACE III (2007-2013), with an overall support package totaling over 1.5 billion euro.<sup>86</sup> Although PEACE I originally aimed at promoting structural socioeconomic development projects, later PEACE programs have instead given greater emphasis to complementing the government of Northern Ireland's strategy to support bottom-up local community initiatives aimed at improving community reconciliation, acknowledging and dealing with the past, and developing the institutional capacities for a shared society. While a small fraction of this funding has taken the form of direct grants to local community organizations, in large part the EU has chosen to work through Intermediary Funding Bodies (IFBs) to distribute, administer, and monitor monies through a grant application process. These bodies have included the CRU, CRC, and DCCRP, but have also been extended to a range of civil society organizations that have both particular expertise in a given issue area and a history of good fiscal and corporate responsibility.

In addition to EU PEACE contributions, *international funding* – both public and private – has contributed substantially to the peacebuilding process in Northern Ireland. While these funds occasionally take the form of direct sponsorship for one particular program, most often they involve the creation of independent 'mezzo-level' civil society IFB organizations operating alongside the CRC to support 'bottom-up' peacebuilding initiatives through the distribution, monitoring, and evaluation of small grants to the community and voluntary sector. These include, most notably, the longstanding Community Foundation for Northern Ireland and the International Fund for Ireland. While operating as independent bodies with distinct mandates, the goals of these organizations have nevertheless tended to run in parallel with those of the Northern Ireland government, including the targeting of socioeconomic development programs, the promotion of mutual understanding and reconciliation between communities, and the creation of a shared society through increased cross-community engagement. In practice these aims have tended to complement, rather than compete with, programs sponsored through the EU, CRU, CRC, and DCCP, with the result that local community organizations have often been able to 'cobble together' funding from a variety of these sources.

### ***Lessons Learned from Macro Level Transformation in Northern Ireland***

A number of tangible benefits for post-conflict reconstruction have accrued from the approach to peacebuilding adopted in Northern Ireland which might serve as instructive lessons for other societies seeking to overcome deep social and psychological divides. Many of these benefits are derived from the targeted redistribution of financial resources and peacebuilding policy mandates from the 'top' (central government, regional and international funding agencies) to the 'middle' (local government, mezzo-level civil society organizations) and through to the 'bottom' of society (grassroots, community and voluntary sector). These include:

---

<sup>86</sup> Available online at [http://ec.europa.eu/regional\\_policy/themes/peace\\_en.htm](http://ec.europa.eu/regional_policy/themes/peace_en.htm).



- *Incentivizing the creation of a broad-based 'bottom-up' approach to conflict transformation* that complements the 'top-down' structural and legislative reforms undertaken at a governmental levels
- *Building the foundation for a sustainable peace architecture* by addressing the social relationships and mindsets of broader civilian populations with projects responsive to local needs and concerns
- *Allowing government and external funders to build on the existing resources of civil society and the community/voluntary sector* such as skill sets and knowledge of best practices from previous experience in community relations work
- *Initiating a 'trickle down' of models of good leadership practices and cross-community cooperation* by 'modeling' examples of equity and inter-community cooperation in government practice and incentivizing these as basic requirements for successful grant funding for programs at the community/voluntary level
- *Ensuring a cohesive approach to community relations work* by providing real financial incentive to comply with the broader strategic mandate for reconciliation of the central government
- *Creating new knowledge bases of good practice* in community relations work and ensuring the future use of such good practice by *incorporating multiple levels of evaluation, monitoring, and review*
- *Establishing a synergistic relationship between funder and fundee and providing opportunities for reciprocal sharing of resources, skills, and programming* by placing the primary responsibility for grant oversight at the level of civil society and local government.
- *Building a well trained and professionalized 'mid-level' resource for research, training, and knowledge* which can be drawn upon in future by government, local communities, and interested external funders
- *Engaging actors and organizations with high levels of legitimacy among local communities* by assigning the 'on the ground' work of reconciliation and development to civil society and the community/voluntary sector
- *Helping to build a strong meditative capacity at local levels* through training in skill sets such as conflict mediation and resolution and constructive dialogue for a broader grassroots peacebuilding constituency

However, while the macro approach to peacebuilding in Northern Ireland may suggest several possible lessons for other post-conflict societies, it also brings with it potential caveats which require further consideration. For instance, the Northern Ireland model is predicated on a relative wealth of funding – both internally and externally – for peacebuilding work that may be unavailable in other post-conflict societies. Also, the relatively small size of Northern Ireland's population and geography may allow for a high degree of integration and cohesion in conflict transformation work across multiple levels of society that might not otherwise be possible.

Further, the reliance on high levels of governmental, regional, and international funding to sustain peacebuilding work could potentially lead to a 'culture of dependency' on external funding among the community and voluntary sector that is ultimately unsustainable. In addition, the large number of funding sources and evaluatory procedures, while certainly beneficial, does also mean that small community organizations spend a significant amount of their time and focus on applying for and maintaining grants. As Northern Ireland moves forward, greater focus on



ensuring self-sustainability among grassroots programs may be needed, particularly given current indications that the current phase of EU funding under PEACE III is likely to be the last of its kind.

Nonetheless, with these caveats in mind, the benefits derived from policy coordination, incentivized funding, and a system of multi-level accountability and integration can be usefully exported to other conflict transformation strategies. Ultimately, a ‘united front’ in approaching reconciliation and reconstruction and a system of fiscal checks and balances can ensure that even the smallest amount of funding is put to productive use.

### **Transformation at the Micro-Level in Northern Ireland**

Having examined possible lessons from the macro peacebuilding strategy employed in Northern Ireland, this paper concludes by considering the specific structures and methodologies of several ‘micro’ projects that have shown real success in contributing to the rebuilding of social cohesion and transforming mindsets among former antagonists.

#### ***Ex-Combatants and Bottom-Up Leadership***

Alongside the goals of demobilization and disarmament, a need for the successful reintegration and resocialization of former combatants has increasingly been recognized as an integral component of any successful post-conflict peacebuilding agenda. Without reintegration into their communities and the country at large, ex-combatants may be relegated to society’s margins and may feel compelled to use the considerable influence they may have gained during past violence in their communities to challenge the leadership of new democratic governance structures. Without proper resocialization, many former combatants will also lack the skills and education needed to secure gainful employment after the end of conflict and will therefore be forced to use their unique skill sets to engage in criminal activity or continued violence. In Northern Ireland, this is further complicated by the fact that a widespread perception of the state policing forces as illegitimate during the Troubles (with many Nationalist areas emerging as virtual ‘no-go’ areas for the police) meant that paramilitary organizations traditionally adopted internal policing roles as a service to their communities, meting out ‘informal justice’ for criminal activity in the form of severe beatings or ‘knee-cappings.’

Under the provisions of the Belfast Agreement of 1998, over 450 political prisoners – largely ex-combatants from Republican and Loyalist paramilitary organizations – were to be released within two years of its signing. The decision to release political prisoners was highly controversial, particularly among those directly or indirectly victimized by past paramilitary violence, but it was an action nevertheless supported by all parties to the Agreement as an element necessary to move Northern Ireland’s peace process forward out of deadlock. While the release under the Agreement did serve to significantly cut short the term of incarceration for many prisoners, it was distinct from a ‘blanket amnesty process,’ as its provisions extended only to ‘political’ prisoners, only included members of paramilitary organizations engaged in ceasefires at the time, did not expunge the record of conviction, and released prisoners on conditional licenses that could be revoked if an individual reengaged in criminal activity. This early release did, however, create challenges as to how these ex-combatants could be successfully reintegrated to prevent them from returning to violence.

A specific clause in the Agreement put the onus on the government to provide support for aiding their reintegration into communities, including assistance for employment training and further education. To date, the reintegration of political prisoners has largely been funded through various EU PEACE funding grants administered through the Community Foundation for Northern Ireland, grants which totaled over 9.2 million GBP between 1995 and 2003. In large part, support organizations emerged on a 'self-help' basis, with the ex-prisoners themselves applying for funding and arranging for the management and delivery of services, resulting in over 26 reintegration projects based loosely along the fractional lines of different paramilitary organizations being put in place by 1999.<sup>87</sup> This number has since expanded to 61 community groups and a further 29 distinct projects working with politically motivated prisoners and their families to secure provisions of education, skills training, financial and welfare advice, housing and accommodation, and counseling services. These projects are led by the work of the independent Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) that acts as an 'umbrella' organization and advocacy group for these issues. The majority of these programs are highly regarded and appear to be meeting with a good deal of success, with the result that only 20 of the released political prisoners have had their licenses revoked for reengaging in violence or criminal activity in the 10 years to date since the Agreement.<sup>88</sup>

However, Northern Ireland's greatest gains may have come from bringing former combatants 'onside' as an unexpected source of grassroots leadership in the conflict transformation process. While many former combatants have found it difficult to secure regular employment due to a lack of higher education and their prior conviction status, through re-training in conflict resolution, mediation, and dialogue skills, they have found new work with grassroots community relations organizations. This has provided many ex-combatants with a new sense of purpose and a means to secure an income outside of criminal activity, but just as importantly, it has also allowed community organizations to draw upon the huge amount of legitimacy and credibility that paramilitaries have carried in their own communities and to channel this towards further reconciliation and development work. This has proven particularly important in engagements with youth in divided working-class areas most affected by the Troubles, youth who tend to look up to ex-combatants as heroes or as 'hard men' whose words and actions carry significant weight. The incorporation of ex-combatants into peacebuilding has also served a strong symbolic function for changing perceptions about the future use of violence to secure political ends, as people have been able to witness those who had proven their willingness to fight and die for a cause put down their weapons and instead become proponents for nonviolence, reconciliation, and a respect for the rule of law.

Perhaps the greatest example of this leadership is evidenced in the recent creation of 'Community Restorative Justice Programs' in both Nationalist and Unionist communities, which have sought to limit the use of violent 'informal justice' mechanisms by paramilitaries in favour of non-violent conflict resolution and a greater collaboration with the PSNI. Based on initiatives

---

<sup>87</sup> Kieran McEvoy, *Prisoners, The Agreement, and the Political Character of the Northern Ireland Conflict*, *Fordham Law Review* 22 (1998-1999): 1572.

<sup>88</sup> Pete Shirlow and Kieran McEvoy, *Beyond the Wire: Former Prisoners and Conflict Transformation in Northern Ireland* (Michigan: University of Michigan Press, 2008).

funded largely by NIACRO and Atlantic Philanthropies (an international grant-making endowment), and working with ex-combatants from both Republican and Loyalist paramilitary organizations, restorative justice programs have been set up since 1998 in both Nationalist (the ‘Community Restorative Justice Initiative’) and Unionist (‘Greater Shankill Alternatives’) communities. In essence, these programs provide ex-combatants a role in resolving petty crimes or ‘anti-social behaviour’ in their communities through consensual victim/offender mediation programs while also building a better engagement with police services to facilitate their ability to deal with cases of more severe crime. Most often, interventions for perpetrators of minor crime include apologies and agreements to desist, compensation for damages, or an agreement to participate in community service or personal development programs. Evidence suggests that these programs have enjoyed a good deal of success to date, being widely accepted among local populations, serving as efficient checks on paramilitary ‘punishment’ violence, and leading to an overall decline in violent criminal activity in the neighbourhoods these restorative justice projects serve.<sup>89</sup> In the transition to a post-conflict society, the liaisons established with the PSNI by these restorative justice processes have also played an important role in helping to rebuild public perceptions of the legitimacy of the police services, particularly among Nationalist communities.

### ***Best Practice in Contact, Dialogue, and Mediation***

Much of the community relations work undertaken in Northern Ireland is predicated on the assumption that an increase in intercommunity contact and dialogue is necessary for reconciliation and so must be a central component of all funded programming – a position clearly underscored in the government’s *Shared Future* policy. While this has led to a plethora of intercommunity initiatives at the grassroots level, evaluations of grant-funded programs’ ‘best practices’ undertaken by the CRU, CRC, and DCCRP have highlighted several key lessons for contact and dialogue work which may be of use to other post-conflict societies.<sup>90</sup>

---

<sup>89</sup> Ibid. See also Colin Knox and Rachel Monaghan, *Informal Justice in Divided Societies: Northern Ireland and South Africa* (New York: Palgrave Macmillan, 2002).

<sup>90</sup> See, for example, the 2006 Report from the Good Relations Unit of the Belfast City Council, “Community Engagement, Good Relations, and Good Practice,” available online at [www.belfastcity.gov.uk/goodrelations](http://www.belfastcity.gov.uk/goodrelations). See also Miles Hewstone et al., “Can Contact Promote Better Relations? Evidence from Mixed and Segregated Areas of Belfast,” available online through the CRU/OFMDFM at [http://www.ofmfinni.gov.uk/can\\_contact\\_promote\\_better\\_relations\\_evidence\\_from\\_mixed\\_and\\_segregated\\_areas\\_of\\_belfast\\_-\\_summary\\_report.pdf](http://www.ofmfinni.gov.uk/can_contact_promote_better_relations_evidence_from_mixed_and_segregated_areas_of_belfast_-_summary_report.pdf).

See also earlier research such as Colin Knox and Joanne Hughes, “Crossing the Divide: Community Relations in Northern Ireland.” *Journal of Peace Research* 33.1 (February 1996); Joanne Hughes and Colin Knox “For Better or Worse? Community Relations Initiatives in Northern Ireland” *Peace & Change* 22.3 (July 1997); Colin Knox “Conflict Resolution at the Microlevel: Community Relations in Northern Ireland,” *Journal of Conflict Resolution* 38 (1994); Colin Knox and Padraic Quirk. *Peacebuilding in Northern Ireland, Israel and South Africa: Transition, Transformation and Reconciliation* (New York: St Martin’s Press, 2000).

These evaluations have shown that the programs least effective in reducing prejudice and increasing mutual trust and understanding are ‘one-off’ programs which bring people together to engage in a brief period of shared activity with little or no follow-up. Also ineffective are ‘talking shop’ programs that succeed in bringing large numbers of Nationalists and Unionists together but where no real issues of consequence are discussed and divisive topics are avoided. Such programs have included well-intentioned initiatives such as ‘Intercultural Excursions,’ where youths from hardline Nationalist and Unionist neighbourhoods are taken on holiday together abroad, and other ‘high profile’ community relations events such as dramas, fairs, or concerts designed to create enjoyable venues for intercommunity interaction. While these programs do provide the opportunity for brief moments of positive encounter and may even produce a small number of interpersonal friendships, ultimately they have been shown to provide little in the way of lasting attitudinal change as participants are simply reintroduced to existing divisions and prejudices upon returning to their separate communities.

Conversely, those programs with the greatest record in improving community relations in Northern Ireland appear to be those that include opportunities for ongoing and sustained intercommunity interaction. These programs have included either efforts to address relational issues and prejudice ‘head-on’ through targeted ‘transformative dialogue forums’ or long-term collaborative projects bringing together members from both communities to address shared development issues and specific needs. Further, evidence would also suggest that programs with the greatest sustainable impact have also been those which have extended to include leadership figures – whether political, paramilitary, civil society, or community – who are in a position to influence and involve a wider segment of society in reconciliatory work.

Tangible examples of transformative dialogue practices can be drawn from the work of the *Glencree Centre for Peace and Reconciliation* (Glencree), funded by contributions from OFMDFM, EU PEACE monies, IFI, and a range of other agencies both private and public. Founded in 1974, Glencree has been committed to finding non-violent solutions to encourage reconciliation within and between communities, and has operated through a small core of highly trained staff and volunteers to provide the space for carefully mediated cross-community dialogue encounters. These have included work with political elites in its ‘Political Dialogue Workshops,’ with former paramilitaries, police, and British security forces in its ‘Ex-Combatants Programme,’ and also with victims/survivors of violence from Britain, the Republic of Ireland, and Northern Ireland in its ‘LIVE Programme’. The central aim of all of these initiatives is to provide an inclusive forum where members of different communities are able to meet, exchange views, build relationships, and address issues over a series of repeated encounters. These encounters, each of which extends over several sessions, have taken the form of recurring conferences, workshops, and extended residential stays at Glencree’s Conference Centre located in the relatively ‘neutral’ venue across the border in County Wicklow in the Irish Republic. In addition to these encounter programmes, Glencree also operates a series of certified training workshops aimed at teaching civil society and the grassroots community skills in negotiation, mediation, conflict transformation, and reconciliation to help them in their own work. The example of Glencree also highlights the potential benefits of ‘mainstreaming’ community relations work and setting up sustainable institutional structures in which long-term interaction, dialogue, and cooperation can take place.

The *Belfast Interface Project* (BIP) also provides a powerful example of how renewed networks of interaction, trust, and dialogue – the building blocks of social cohesion – might be formed by bringing divided community members together through development projects in areas of common need. The BIP was originally established in 1995 with a small professional staff and a mandate to identify the major issues of concern to ‘interface’ communities – those ‘border’ communities of Nationalists and Protestants perhaps most directly impacted by the violence in Northern Ireland – and to consult with civil society and the local community and voluntary sector to facilitate processes to address these issues. As of 2008, the BIP now works with an executive membership committee made up of 45 community organizations engaged in development and reconciliation work in interface areas and over 600 individual members drawn from both Nationalist and Unionist communities. With this network, BIP helps to facilitate exploratory contact and dialogue between interface communities and to facilitate the transfer of good practices between organizations working at interface areas through intercommunity conferences and small grant programs. Beyond these roles, the BIP has also contributed to a number of practical interventions that have helped to significantly reduce interface tensions and increase the meditative capacity of local communities. One of the most successful of these has been the creation of a mobile phone ‘calling network’ (its lines paid for by the BIP) between local community leaders on both sides of an interface area that has been used to effectively defuse potential tensions and prevent their spilling over into violence.

### ***The Importance of a Staged Approach to Conflict Transformation***

Notably, while the promotion of intercommunity contact and dialogue is the ultimate aim of community relations policy in Northern Ireland, evidence has suggested that this is a goal which needs to be worked towards over time in a sequential and incremental fashion.<sup>91</sup> In ‘gearing up’ for specific projects such as those pioneered by Glenree and the BIP, the following general guidelines should be observed.

First, in cases where communities have little or no past experience of positive relations with one another, there may be a need for *single identity work* in which members engage in *intracommunity* programs to build trust and confidence among themselves before a transformative engagement with the Other can begin. This has been recognized as a necessary first step to reduce existing feelings of fear, insecurity, or anxiety that may otherwise prevent cross-community contact from being meaningful and valuable. For instance, this might include the need for psychological counseling and the opportunity for some degree of personal healing among victims before they are prepared to engage with perpetrators. Importantly, however, single identity work is not sufficient to enable groups to overcome relational divisions and feelings of prejudice and should therefore only be used as a helpful prerequisite for more extensive intercommunity engagement.

---

<sup>91</sup> Good Relations Unit, Belfast City Council, “Community Engagement, Good Relations, and Good Practice.” See also Fitzduff, *Beyond Violence*.

Further, while transformative forms of cross-community contact will necessarily have to engage with the controversial and ‘hard’ issues underlying communal division, evidence from community relations programming in Northern Ireland suggests it might be important to build towards this through *incremental levels of engagement*. This might be thought of as a continuum along which both the quantity of contact and the quality of the interaction (in terms of being able to deal successfully with increasingly difficult issues) increases over time, with each new engagement building on the positive experience of the last. In practice, this might begin with basic exploratory contact, move on to discussion of issues of common concern, then finally address the most divisive or controversial issues when sufficient trust, respect, and confidence has developed.

Finally, the need for an *impartial or neutral third-party mediator* will also diminish over time as levels of confidence and trust mature and groups in dialogue begin to develop their own self-sustaining capacities to resolve conflicts that arise. However, mediation remains invaluable during the early stages of cross-community engagement to facilitate positive interaction and dialogue by acting as a ‘bridge’ between community members in the absence of trust. Indeed, even at the level of political leadership in Northern Ireland, all of the most divisive issues which have threatened to undermine the Belfast Agreement, including arms decommissioning, policing reform, and high tensions around ‘parading,’ have been resolved by appointing independent commissions led by international figures to effectively mediate between political parties caught in deadlock. At a local level, this has underscored the importance of *creating a broad base of highly trained facilitators* in Northern Ireland who are able to engage in community relations work at multiple levels of society.

### ***Lessons Learned from Micro Level Transformation in Northern Ireland***

Conflict transformation through the targeted use of intercommunity contact and dialogue has formed a central component of Northern Ireland’s community relations agenda. Several lessons can be taken from programs undertaken at the micro level in Northern Ireland’s that may be informative for policy in other post conflict societies. These include:

- The importance of *engaging ex-combatants and bringing them ‘on side’* with the transformation process to utilize their legitimacy in local communities and prevent them from becoming ‘spoilers’
- That in order to effect lasting changes in social relations and mindsets *engagement will have to be of a sustained duration and deal with the ‘hard’ issues dividing former antagonists*
- The *importance of skilled mediators and structured intermediary organizations* who can provide ‘neutral’ forums for sustained engagements
- The related *need for training in negotiation, mediation, and conflict resolution to build a broad base of capable facilitators*
- The importance of *sequential and incremental engagement* that builds over a period of time on previous positive encounters

## 6. Making Governance System Compatible with the Changing Paradigms of Conflict in Nepal

(By Mr. Janak Raj Joshi)

### The context

History can often be interpreted in relation to time dimension. Competing and conflicting ideologies tend to seek synergy at times when an effort to thwart the value of multiplicity of ideas reaches its yielding point. Monolithic rulers since last almost two and half century often tried to make Nepalese people subservient to the value of “pseudo” unilateralism to quell the pluralistic values to propagate their family rule which was persistently resisted by the proponents of freedom seekers either in organized or unorganized form. Freedom restored from the shackles of despotic rulers in Nepal unfortunately remained short lived. Peoples movements in 1947 and 1990 ushered a way to greater democratic freedom in Nepal which were derailed by the autocratic dynastical rulers in their favor. Freedom restored after movements, though challenging to gain momentum, was often aborted at its formative stage. The country so far, sad to say, has ever gained sustained freedom and democracy.

Often it is true with every nation that they all pass through a stage of turbulence to gain freedom. Nepal is not an exception to this; however, we are passing through this turbulence over and over again. It is true with every unsuccessful movement that the despotic rulers further tighten the basic fundamental, human and political rights. Naturally, every successive people’s movement becomes more complex and makes the country further vulnerable. This is a proven fact in Nepal.

Every attempt was made to weaken the democratic values restored after the 1990 movement in Nepal. Though there were many shortcomings in the business of governance, perhaps by ignorance, after the restoration of multi-party democracy in 1990. We could have added value to redress the shortcomings of the Constitution and introduce incremental changes. The then regime was working to institutionalize the democratic values in the State organs, unfortunately, ignorance turned into weaknesses of the political parties in the eyes of the King which paved the way for him to usurp the power from the people and introduce a direct rule. The direct rule of the King was not acceptable to the political parties. The democratic forces were faced with two-fold challenges of freeing the Nation from the tyrannical rule of the King and bring the Maoists into the mainstream political forces.

In the past the State opted for use of forces to quell the power of the armed rebel forces, the Maoists. Hardly are there any instances across the globe where the use of force has been able to win over the armed anti-establishment movement. If there are any examples, they do not last long. Unless and until these rebel forces are brought into the mainstream politics and are inculcated with the core values of multiparty democracy, the victory is often short lived.

After the King’s direct rule, an alliance of the seven political parties (SPA) was formed to protest against the atrocities of the King. The movement got further momentum once the Maoists joined the alliance with the SPA thorough the historic 12-point agreement though which the Maoists who once believed in the establishment of the “*dictatorship of the proletariat regime*” agreed to

enter into “*competitive multi-party democracy*”. This paradigmatic shift created conducive environment for the SPA to work together with the Maoists in the Peoples Movement in April 2006. Nepalese people once again became sovereign on April 23, 2006. Thanks to the sagacity of the seven party alliances that restored the sovereignty of the people and brought the Maoists into the democratic movement.

Challenges are enormous before the SPA today. The basic tenets of the 12-point agreement between the SPA and Maoists are reinstatement of the once dissolved parliament, formation of an interim legislature, promulgation of an interim constitution, formation of an interim government and holding the election of the Constituent Assembly to pave a way for “New Nepal”.

Astonishing accomplishments have been made to this effect. We have signed a Comprehensive Peace Accord to bring an end to a decade long armed conflict. Interim Legislature-Parliament with the Maoists is already in place. Interim Constitution is promulgated and the Interim Government with the participation of the Maoists is already formed. We have signed a Tripartite Agreement amongst the Government, Maoists and the UN on the Management and Monitoring of the Arms and Armies of the Maoists. They are already confined in 28 variously located main and the satellite cantonment areas.

Peace is hard to earn so is even harder to maintain it. We are faced with the challenges of framing and promulgating the Constitution of the Federal Democratic Republic of Nepal from the newly elected Constituent Assembly, initiate the process of State Restructuring based on federal system of governance, inculcate the value of Truth and Reconciliation, ensure inclusiveness in the business of governance, properly manage the internally displaced people, implement the provisions of the Comprehensive Peace Accord, introduce Security Sector Reforms including the management of the Maoists army combatants in the cantonment areas, create a legal regime conforming to the provisions of the Interim Constitution, reconstructions of the damaged infrastructures so on and so forth.

Once Nepalese people were made free from the tyrannical rule and were made aware of their rights, many minority voices, which were subdued in the past, have now begun to surface out. Oppressed groups, indigenous people, ethnic groups, backward class, women etc have been demanding for their judicious representation in the election of the constituent assembly. These groups of people have been asking for self-rule and autonomy of their geographical regions. Reprisals of these ever-increasing aspirations of the people need to be handled properly.

There are still some groups of people especially in the plain regions of Nepal who seem to be dissatisfied with the present agreement and understandings. These groups include the breakaway splinter groups of the Maoist rebel group. Retrospectively speaking, SPA's assumption that the resolution of Maoist problem, as a single biggest conflict factor, would bring the country back to social normalcy was perhaps too limited. With a view to address the demands of those splinter groups and others in plain land, the government has formed a new talk team to initiate the process of negotiation.

It appears that we have already made far-reaching political decisions. The challenges are now in its implementation. Our priority begins with holding the election of the Constituent Assembly, the implementation of the provisions of the Comprehensive Peace Accord, establishment of the



peace making institutions such as Truth and Reconciliation Commission, State Restructuring Commission, reconstruction and rehabilitation of damaged infrastructures, management of internally displaced persons, institutionalization of newly established Peace and Reconstruction Ministry.

Through the 12-point agreement we have already achieved success in bringing the Maoists who once used to hold the belief of establishing the dictatorship of the proletariat have now agreed to accept the concept of competitive multiparty democratic system. With a view to adjust all the ideas and the groups into the system we have We will be forming the State Restructuring Commission to suggest ways and means to include them in all the organs of the State.

Demands after demands are being put forward both by the Maoists and the newly emerging political groups. Articulation of interests of divergent groups seems far from reality. Unless this happens, the peace process would be at turbulence. Both academia and the politicians are at confusion. What works best for Nepal in a situation where the paradigms of the nature of conflict are ever changing?

Nepal is vying for change. Modern Nepal has witnessed a number of political upheavals since 1947. Political interest articulation of the activist groups has yet to find a way for the national interest articulation. In majority of the instances we have witnessed that striking a balance between the “feudal” elements of the nation and mainstreaming the democratic elements has been a challenge for Nepal.

Movements in the past in whatsoever forms—either peaceful or armed-- has culminated in the form of change in the regime. Regime change, though meant for the betterment, is yet to bring about a change in the country. Political movement in the year 1947 aimed at restoring democracy was aborted due to extreme rivalry for power amongst the different competing groups in the country. Likewise, the movement in the year 1990 also tried to usher a path to new democratic Nepal. However, either by chance or choice the outcomes of the movement could not last long. Many competing forces in the country aborted the spirit of the movement.

One can notice that the hard earned achievements of the movements thus far could not last long. Each time some groups of people in the country felt “left out” from the benefits. Whatsoever little achievements the movement was able to bring about, failed to cater the needs of the majority of the groups of the people.

The complexity of the social dimensions of the country demanded a different outlook. Incremental changes in the system failed to address the complex social structures. The nature of the problem demanded a complete overhaul of the system, be it social, political or economic. People got very impatient with this imbalance. The voices of the marginalized and oppressed groups were always unheard of. This created tremendous tensions and conflict amongst the different groups of people in the society.

Those who claimed themselves as oppressed and marginalized began to organize themselves in the early 1990s as strong “anti-establishment” elements in the society. They wanted to see a rapid change in the system. They staged war against the “pro-establishment” forces in the country. These forces were able to bring the country to a situation of ‘strategic equilibrium’. The political forces in the country were left with no choice but to compromise with the voices of these forces. Consequently, a 12-point agreement was signed between the seven political party

alliances and the Communist Party (Maoists). Since then many political upheavals have been noticed in the country beginning from the signing of the Comprehensive Peace Accord to that of the initiation of management of the Maoists army combatants to that of their integration.

The political actors wrongly hold the belief that the challenge lies only with the CPN (Maoists). However, they realized only when the Madheshi, Janajatis, Chure-Bhavar groups and many others revolted against the agreements between the two parties and the Interim Constitution itself. These factional and warring groups felt that the Interim Constitution and the agreements between the Seven Political Party Alliances and the Maoists alone could not cater the needs of these groups of people. The political actors and the parties are now seriously concerned on how to find a balance amongst the different political and communal groups in the country who have their own unique features.

Despite some elements of differences amongst the different groups, there are some commonalities with them. All are agreeing to the features that the country would have federated structures, though the basis of federation is yet to be agreed upon. The state would adopt inclusion principle; all the groups would get a fair chance of participation in the business of governance. New institutions would be created or bring about a substantial change in the existing institutions so as to make it more compatible with the democratic principles and values. These common binding values are driving the nation at the moment.

A strong intervention is felt imperative so as to keep these values intact. A slight deviation in these values would jeopardize the whole spirit of creating New Nepal. We are left with no luxury of affording hit and trial on these premises. A minor mistake in this delicate balance might bring us back to square one. Enough lessons have been learnt in the past since 1947 up until today on the matter what happens if we fail to streamline the process.

There is “bigger” political dimension of the challenge. Bigger challenges could be supplemented with minor interventions which would in the long run help us to maximize the broader political values that we are aspiring.

Business of governance needs a different outlook from the past. Existing practices and the institutions can not complement the values of the “New Nepal”. A serious thought and intervention is felt urgent so as to make the regime compatible to the values we want to maximize.

In a democratic set up transparency, accountability and integrity are the hallmarks of success. Every organized institution in the country need to ensure these values. Political parties, civil society, executive, judiciary, legislative, media and so on need to inculcate these values. These elements are not new for us. We have been trying hard to ensure these elements. Almost every organization is vying for these elements. It has almost been rhetoric, but in practice we are far from reality. These are the elements that can replace “feudal” elements from the system. If we fail to ensure these values in the system, the chances are very likely that we might again fail to streamline the democratic values in the system. The challenges before the government are enormous. We are in a serious transition phase, which need to be handled with care.

We are committed to create a New Nepal where people are sovereign with full access to their democratic rights in order to make Nepal a peaceful and prosperous nation in the days to come.

## **Governance Reforms and Corruption Control**

### ***The Setting***

A pioneering work by two American scholars David Osborne and Ted Gaebler on “Reinventing Government” published in 1992 has revolutionized the conventional precepts of conducting the business of governance. The authors have challenged the Weberian model of bureaucracy, and suggested paradigmatic shifts like entrepreneurial government, public-private governance nexus, transparency, accountability, value for quality, and so on.

The national effort to redefine government gradually began to get global recognition when the Management Development and Governance Division of the UNDP in its first discussion paper on, “Public Sector Management, Governance and Sustainable Human Development” elaborated on the nature and relationships between governance and sustainable human development. The paper defines the term “governance” as “*the exercise of political, economic and administrative authority to manage a nation’s affairs*”. The first ever acceptance that “governance is not the sole province of the state” has made it possible to extend the scope of the work to the private sector and civil society. Governance is often understood in its limited scope. However, with the adoption of the UNDP’s definition of governance, its dimension has broadened. The state is a matter of collective responsibility of its citizens; hence all the actors within the state will have a role to play. The realization on the part of state actors that the business of governance is a collective responsibility has made it possible for state agencies to transfer the responsibility of national development to the private sector and civil society.

Since 1980s a vast majority of the Asian countries have undergone changes in the political front. Countries with controlled economies have started to leap towards market economy. Dimensions of development have shifted towards sustainability. High priority has been accorded to the initiation of self-entrepreneurship to address the challenges of unemployment and poverty. Feeling of collectivism and group harmony is being replaced by individualism. In a similar vein in the civil service, conventional precepts are substituted by contemporary practices. It seems that, in every sphere, new methods have been put in place to cope with the ever-increasing challenges of time.

After the change in political system in 1990 in favor of democratic pluralism, Nepal adopted a policy of economic liberalization, market economy, and privatization. In the line with the more open and competitive political regime, The Interim Constitution of Nepal 2007 foresees an inclusive social polity.

Shortly after the assumption of the power by the first ever democratically elected government, a high-level Administrative Reforms Commission (ARC-1990) was formed, which reflected the commitment of the government to make the civil service more responsive to the needs of the people, and in line with the democratic set up. The ARC, for the first time in Nepal's administrative history, went beyond the traditional understanding of administrative reform and was bold enough in defining the scope of work of the government. It borrowed a number of precepts from the “Reinventing Government”, and suggested ways and means to make the civil service more responsive, effective, efficient and cost-conscious.

The status of recommendations of the ARC was not different from that of previous Commissions. Once the ARC completed its task, the report was submitted to the government for implementation. The government made a decision on the report that, “the recommendations of the ARC are agreed in principle, and the government would implement the recommendations upon necessary scrutiny based on the rationality and practicability of the suggested recommendations”. Consequently, the ARC report has remained, this time also, a “good reference note”. Perhaps, this is the only ARC report that has been liberally quoted and referred to in academic works.

Regardless of implementation of the ARC report, it may be considered as a major shift from the past ARCs in the sense that it has incorporated the concept of good governance in its report. As defined earlier, governance entails the exercise of political, economic and administrative authority. However, exercise of authority alone would not suffice to address the need of the time. It has to be "good governance". In other words, the system should guarantee rule of law, ensure participation of the citizenry, display transparency in its conduct, be accountable to its stakeholders, make sure that equity is maintained, and service is provided in a more responsive manner. Above all, the civil service should be effective and efficient and its leaders need to have a strategic vision. Perhaps not all attributes of good governance are reflected in the ARC's report. However, it was much closer in its way to good governance. Sadly enough, the efforts at reforming the civil service were aborted when political masters opted for an ad-hoc approach to shaping and reshaping the civil service.

Whether we like it or not, we are still pledging support to the rule of law. Demands from different corners of the society are coming that the voice of the public needs to be heard and the government should be made more accountable. Improvement in institutional capability is still a prime need in different sectors, and it has been realized that corruption should be controlled. Though in some sporadic instances, the case of public-private partnership is exemplified, it is yet to be realized that the private sector can be influential in shaping the agenda of public governance.

One of the attributes of good governance is control of corruption and corrupt practices. In an unpublished discussion note on Rethinking Governance, Daniel Kaufmann adheres to the notion that corruption and mis-governance are virtually synonymous. Hence, no matter whatever noble initiatives we take on good governance, it remains elusive unless corruption and corrupt practices are arrested.

### ***The context of governance reforms***

In the past 14 years of multiparty democratic practices, not much progress has been attained. Only a handful of groups of elites closer to power centers were able to reap the benefits of democratic change. An overwhelming majority of the people felt either unrepresented or under-represented. The outnumbering growth in ethno-centralism is perhaps the fallout of social exclusion. Some political activists were able to capture the rejected sentiments of those unrepresented or neglected, and consequently, the Nepali society is now highly differentiated into lives of various ideologues, including ethnic. Social diversity in itself is a welcome

phenomenon. However, if this diversity develops into ethnocentrism and violence of any sort, it invites social unrest, which is not, by any standard, the manifestation of good governance.

Nepal's recent political history is characterized by instability and unusual coalitions. During the period from 1990 - 2002, there were about a dozen governments of different political parties with differing combinations. The frequent change in political power was interpreted, as a smooth transition to power, which, in the eyes of politicians, was the beauty of the multi-party democracy. The point that such changes invite instability in the regime was barely realized. Assumption of power was more prevalent than maintaining stability. Myopic vision of political leaders made them feel that power is an opportunity to maximize one's own benefits. In other words political majority was abused for gaining power. Politics was centered on "*afno manchhe*" (one's own associate), and brooding over power centers.

In the economic front, the country witnessed major structural transformations. The period from 1990 to 1992 was a phase of policy moot. Majority of the sectoral policies such as Tourism, Industry, Irrigation, Hydropower, Housing, and Communications were initiated. The country pursued economic liberalization policy whereby many regulatory restrictions on export and import were done away with. The economic regime was made more open and less regulatory (deregulation). The decision of the government to be a party to the World Trade Organization is its major departure to neo-liberalism (globalization). The domestic economic regime was made more of a neo-classical one (market-based). Despite these paradigmatic policy changes, the economic condition of the country has not changed much.

In a multi-party democracy where the choice of the people prevails, governments of differing political parties will assume power. Given this reality, it is considered unfair on the part of the government in power to direct the civil service to its liking. The government deserves all assistance from the civil service. In this regard, the government can, of course, mobilize and motivate the civil service in the implementation of its policies, plans and programmes without interfering in micro-management, including placement, transfer, deputation, appointment, promotion etc. of the civil service staff.

On some occasions, it has been seen that civil servants either explicitly (rarely) or implicitly (sometimes) tried to show their tilt to political beliefs of this kind or that. However, the civil servants have generally preferred to remain as "non-partisan democrats" (modern version of political neutrality). With the growing complexities of organization, the civil service management has to legally recognize organized bodies. The duly registered public sector unions are the outcomes of such changes. However, such associations in Nepal could not detach themselves from political party influence. Political party affiliation at one point in time remained to be the criterion for employee utilization and mobilization. Such dispensation often resulted in politicization of the civil service.

A bureaucrat who wants to mobilize the vicious circle with a view to gain satisfaction of his/her preference had to indulge in all sorts of schemes to grease their way to the actors of the vicious circle. Attachment could be attained through negotiation, collective bargaining, ideology synchronization and the development of a business-bureaucracy-political nexus. These aberrations in the civil service undermined the growth of professionalisation in the civil service.

In the past, it was observed that erring politicians and civil servants were rarely put on trial. It was so until the Commission for Investigation of Abuse of Authority Act was put in place. The Act gives the Commission the right to investigate into the abuse of authority by higher-level politicians as well. The results of the investigations by the CIAA indicate how serious the frequency and magnitude of corruption and corrupt practices were prevalent in the civil service. Thus the rent-seeking behavior of politicians, civil servants, and the economic community with the intent of accumulating power and wealth left the non-profit sectors vulnerable, dejected, and apathetic about government.

### ***Rectification Initiatives***

Though the regime did not reflect a bright picture during these past 15 years, the government continued its reforms initiatives for the cause of good governance. Such initiatives were, to a large extent, guided by three factors. Firstly, successive governments wanted to bring about a change during their regime and establish their credibility amongst the public at large. Secondly, contemporary global developments such as movement towards global economy, revolution in information technology and its continued influence on change motivated the government to initiate reform activities. Thirdly, the growing demand of the country for external assistance made the government comply with conditionalities of the donors, which, to a great extent, are pro-reform.

In the early years of democracy, the rectification process was initiated to keep the regime free from the remnants of the past (Panchayat) regime. In an extreme instance, it was exemplified by the introduction of 20-year service rule and 58 years of age for retirement down from 60. The primordial rationale behind such initiatives was to rectify the civil service in terms of the legacy of the past regime. However, the court rejected such political sentiments.

A less corrupt regime is the precursor to good governance. The passage of an Act in 1996 on Commission for Investigation of Abuse of Authority (CIAA) has empowered the CIAA to investigate and prosecute cases of abuse of authority against people holding public offices. Institutional strengthening and capability building measures for the CIAA are in progress.

### ***Control of Corruption***

Corruption is perhaps the oldest terminology used in public management. In the absence of accountability, strong motivation for power corruption and corrupt practices gets a fertile ground. In a society where rent-seeking behavior is common, corruption and corrupt practices often become the hallmark for getting things done. In a regime where there are less transparent rules, the business of governance takes place secretly, and the mechanisms for public voices being heard are poor or non-existent, corruption would usually be prevalent. Greed has no limit. However, when the salary of public officials is very low, they are often allured to corruption and corrupt practices. Corrupt practices are considered deadly when they get social recognition and become business as usual. When corrupt practices go unnoticed and are not considered as punishable offense, corruption becomes the greatest ailment in society and the nation at large.

In Nepal it is often experienced that, despite legal provisions to prevent corruption and corrupt practices, politicians as well as civil servants were aggressively involved in corruption. Institutional set up has been in place since long time back. However, the institutions have

remained too weak to take assertive actions against corruption. Corruption and misgovernance are complementary to each other. The public-private nexus in maximizing the petty interests of both sides is seen as an organized form of corruption. This may involve donation, bribe, influence, capture (illicit purchase of laws and regulations), extortion, and so on. These are the issues, which need to be taken more seriously in Nepal.

In order to prevent corruption and corrupt practices in public offices, Prevention of Corruption Act was promulgated for the first time in 1953. In 1960, a separate department - Special Police Department - was established to prevent corruption and corrupt practices. The second amendment to the Constitution in 1978 established a Constitutional body named Commission for Prevention of Abuse of Authority.

The Constitution of the Kingdom of Nepal 1990 has also made a provision on the establishment of the Commission for Investigation of Abuse of Authority (CIAA). The Commission is expected to work as advisor, investigator, decision-maker and prosecutor for the prevention of corruption and corrupt practices. The CIAA was not so assertive during its formative years as it is now. It was only in 1996 that the CIAA began to make its presence felt when the CIAA Act empowered the Commission to investigate and prosecute the cases on abuse of authority against public officials.

The CIAA Act has defined corruption as abuse of authority, which entails two important aspects of corruption—improper conduct and corruption. Those erring public officials, including politicians, who are found involved in improper conduct are penalized with warning notice, calling attention and admonishment. Those who are found guilty in corruption are liable to prosecution in the court.

The CIAA Act has empowered the CIAA to get access to all kinds of information pertaining to private assets, including bank accounts. The CIAA may ask for bail or, with permission from the court, put the accused officials in custody up to six months during investigation. The CIAA is working both as investigator as well as preventor of corruption and corrupt practices. The CIAA can issue directives to the concerned agencies to prevent corruption and can ask government departments for departmental actions against the accused. Thus CIAA is equipped with a stronger mandate. It can now investigate corruption and corrupt practices against politicians, including the Prime Minister.

In the year 2002-2003, the government constituted a Commission namely the Property Investigation Judicial Commission. The Commission has already submitted its report. Based on the recommendations of the Commission, the CIAA is conducting investigation on politicians and civil servants, who held public offices in the past. Several ex-ministers and retired civil servants were detained in public custody during the investigation.

The efforts of the CIAA in curbing down the scale and magnitude of corruption have been very significant. It needs to be supported and complemented by all the sectors in society including the press and the media. Though several sectoral legal documents (Civil Service Act and Regulation, Financial Administration Regulation, Anti-corruption Act etc.) have mandated the public institutions to take necessary actions against erring officials, the exercise of these regulations and

trial against the erring officials by the concerned agency has been very low. In the absence of these initiatives by the concerned departments, CIAA has been over-burdened.

Nepal has shown its global commitment to the UN Convention against Corruption by being a party to the convention. The Convention mandates the party countries to establish criminal and other offenses to cover a wide range of acts of corruption. This includes not only the basic forms of corruption such as bribery and embezzlement of public funds but also, as mentioned earlier, trading in influence, capture, concealment and the laundering of the proceeds of corruption.

Likewise, the government established in early 2003 National Vigilance Center and placed it under the Office of the Prime Minister and Council of Ministers to give support to the governmental agencies in its anti-corruption drive. The center has been entrusted with activities such as construction works audit so that corrupt practices can be checked at the source. The basic rationale behind the establishment of this Center is to prevent corrupt practices before they happen.

One of the notable achievements of the government in the anti-corruption move is the establishment of the Special Court to look into the cases filed by the CIAA on corruption and corrupt practices. The court is specialized, and it can be expected that it would be able to give its verdict in a shorter span of time.

### ***Challenges confronting governance reforms and corruption control***

The contemporary world is confronted with continual change. Technological innovations, especially in information technology, are constantly requiring us to be ready for adopting new methodologies such as E-governance, E-business etc. People no longer hold on to the conventional wisdom on running the business of governance and its assumptions. Incrementalism has ceased to operate; instead people are looking for substantive innovations.

In Nepal efforts have been made since 1990 to bring about real changes but in a discrete manner. It has been noticed that, after every political change, an attempt is made to bring about changes in the administrative system preferably through the formation of an Administrative Reforms Commission. Reforms Commissions in 2013 (1956), 2024 (1968), 2032 (1975) and 2048 (1992) all have their connections with the political changes. These incidents indicate that administrative change is inevitable after every political change in the country.

The need of the hour is a set of systemic and comprehensive structural transformations in traditional institutions, social values, norms, beliefs and attitudes. However, we are still trying to redress the situation in a rather discrete fashion. Of course, reform efforts in the civil service are required. It is equally important to note that the assumption that other sectors such as society and economy are mature enough seems to have proved wrong.

Competing political ideologies constitute the beauty of the multi-party democracy. The recent political developments indicate that extreme political rivalry for power is seen to be counter-productive. Political forces need to revisit theories and approaches of the past and redefine their roles in the context of what worked best and what did not.



Efforts are made to design and develop measurable indices for good governance. Accountability needs to be ensured both internally and externally. Governments usually ensure internal accountability through rules, regulations, programs, process and institutions. External accountability can only be maintained when governments are prepared to be externally accountable through citizen feedback, democratic institutions and competitive press. The attributes of good governance are political stability, lack of violence, crime and terrorism. Finally, the control of corruption is another attribute of good governance. If Nepal's case is tested against these attributes, one cannot find a bright picture. This demands heightened efforts in undertaking steps towards good governance.

## **Actions to be Taken Immediately for Ensuring Good Governance**

### ***Improvement in the Law and order situations of the country***

- Manage freedom in excess
- Give a feeling that the government is committed to punish the wrong doers
- Bring about positional changes in the security agencies including the Home Ministry

### ***Successful implementation of Governance Reforms:***

- Form a high-level Governance Reforms ( NOT THE ADMINISTRATIVE REFORMS COMMISSION) Commission chaired by the Prime Minister
- Introduce a concept so that Secretary can be appointed from outside the civil service also
- Establish an office of the Ombudsman in the office of the Prime Minister to control corruption and corrupt practices which may demand changes in the existing organizational set up such as National Vigilance Center
- Review the number of Ministries and Departments and rationalize its number.
- Do away with redundancies

### ***Improvement in the service delivery:***

- Design a package for expedited method of service delivery, this is what people want the most
- Declare that government offices work on the principle of “zero tolerance to corruption and corrupt practices”

### ***Implementation of the recommendations of the Country Financial Accountability Assessment***

A transparent and accountable financial system is one of the pre-requisites of governance reforms. Attempts were made to make the financial administration rules and regulations more pragmatic. Still, the Financial Regulation needs to be made more transparent and open. The annual report of the Financial Comptroller General has indicated that huge sum of financial irregularities are noticed partly due to improper administration of financial regulations. To give further impetus to analyze and regularize the financial irregularities, GON has constituted a body called Financial Irregularities Performance Commission. The Commission has set an annual target for each ministry and department to regularize such irregularities. The Country Financial Accountability Assessment has indicated that there is a need to update the skills and methods in

assessing financial irregularities. A uniform standard in analyzing them is yet to be established in the civil service.

There has been a growing concern among donor agencies on financial administration of donor-funded projects. In majority of the instances, the donors prefer their financial procedures to be followed. One of the reasons for this is that Nepalese financial management is not up to the international standards, and the employees involved in financial administration do not have the required capability and skills to operationalise norms of the international financial administration system. Sound financial accountability assessment is the hallmark of corruption control. It is therefore important for the government to implement the recommendations of the CFAA.

### ***Implementing Anti-corruption strategy and anti-money laundering law***

As the activities of the CIAA are gaining momentum, it is felt that there is a need to intensify its activities both in terms of its scope and coverage. In the Year 2003, the CIAA has made public its five-year strategy. The strategy envisions a society that respects social norms and values. This vision would be achieved by consolidating good governance through the establishment of a state apparatus, which is free of abuse of authority. The major highlights of the 20-point strategy are as follows:

- Adequate legal provisions
- Development of institutional mechanisms for the control of corruption and their reforms at central and local level
- Focus on policy matters to redress the loopholes in corruption
- Termination of complaints timely and efficiently
- Review and redesign of target based on impact follow up
- Enforce code-of-conduct at political, professionals including business community
- Mobilization, capacity enhancement and empowerment of sectoral ministries and district offices for investigation of abuse of authority and corruption
- Take into notice the activities of the decision makers holding public offices
- Conduct investigation on the basis of selection of strategic cases pertaining to the sectors such as revenue, construction, huge procurement, service delivery, law and order

### ***Focus on external accountability***

Mechanisms are in place to ensure internal accountability in the civil service. There are relevant rules and regulations (legal accountability), assigning role and responsibility through authority delegation and job description to particular official in the civil service (programme accountability), designing specified way of doing things (process accountability) in discharging accountability in the civil service. However, with the growing need for public-private partnership and, client-oriented approach and effective service delivery responsibility concerns have been raised that there should be a mechanism for external accountability. The mechanism to establish external accountability could be through better involvement of the private sector in decision-making, decentralization, privatization, grievance handling, citizens' charter and so on. Some efforts have been made in this regard. However, they are discrete in nature.

### ***Launching of leadership development programme***

It is assumed in the civil service that those at the higher level are considered as leaders. As mentioned earlier, the promotion system has some non-meritorious elements in it, and consequently, there are chances that incompetent people might be assigned to take higher responsibilities in the civil service. The challenges of the civil service are growing since the organizations are growing and becoming more complex. New methods are being tested and applied, and the civil service is driven by technology. The civil service is under pressure and is demanding creativity. It appears that there is a gap between the demand of the leading organizations and the value the civil service leadership holds. Daniel Kaufmann has recommended that, in these constantly changing situations, the core competence of the leadership should be “extra-ordinary level of perception and insight into the realities of the world”. The civil service leaders are not bred according to this philosophy. Hence, it is imperative to initiate leadership development programmes to breed future leaders who would be able to assimilate the new concepts into the civil service.

### ***Role delineation between political actors and civil servants***

In a number of instances up until now there has been confusion on where the role of the political actors ends and where the role of the civil servants starts. Unless the political actors delegate authority, the civil servants remain too squeezed. The civil servants have to depend on their political masters to get the required authority to carry on the business of government. In extreme instances in the past, it has been noticed that the political actors (Ministers) did not delegate authority to their Secretaries.

There is no uniformity and standard practice in the delegation of authority. It entirely depends on the discretion of the political actors. The vulnerability of the civil servants is so high that unless they get authority from the political actors, they are helpless in discharging their responsibilities. It has also been observed in the past that the political actors seem to be overtly interested in the internal affairs of the civil service such as transfer, posting, deputation, and promotion etc. Political actors keep on changing, and every change in the government is almost invariably followed by a change in the internal management of the civil service. This is perhaps the reason why the civil service becomes politicized.

In order to ensure professionalism in the civil service and make it more business-oriented and thereby keeping it free from political interference, it has been suggested that a Governance Act be enacted with a provision on role delineation between political actors and civil servants.

### ***Replace the Peace and Reconstruction Ministry with the Peace Commission***

- Form the Truth and Reconciliation Commission
- Commission on Missing
- Commission on Inclusion
- State Restructuring Commission
- Adhere and be firm on the provisions of the Interim Constitution, Arms and Cantonment management agreement on the management of the Maoists Army Combatants. One may want to work on the formation of the Cabinet Committee as mandated by the Interim Constitution.
- Implement the provisions of the Comprehensive Peace Accord.

- Form a commission on land reforms.
- Introduce Local Peace Committees

### **References**

1. UNDP, “ Corruption and Good Governance”, Discussion Paper 3 1997, Management Development and Governance Division, UNDP
2. HMG- “ Theoretical Agenda on Forward-looking Reforms in the State System” 2003, Department of Printing, Kathmandu, Nepal
3. United Nations Convention Against Corruption
4. HMG- The World Bank, Poverty Reduction Support Credit, 2003
5. World Development Report, 1997. “ The State in a Challenging World”
6. The World Bank, “ Nepal Country Assistance Strategy 2004-2007.
7. NPC- The 10<sup>th</sup> Plan 2002-02007
8. UNDP, Nepal Human Development Report on Poverty Reduction and Governance, 2001.
9. Arun Agrawal, et.al., “Decentralization in Nepal”1999. A publication of the International Center for Self Governance, California, U.S.A.
10. HMG, “ Governance Reforms Program”
11. CIAA, “ Strategy of the Commission on Abuse of Authority Investigation, 2003.
12. The Gorkhapatra, November 5, 2003 issue
13. NPC, “ Poverty Monitoring and Analysis Framework Document” 2003.
14. UNDP, “Reconceptualising Governance” Discussion paper 2, 1997. Management Development and Governance Division, UNDP
15. Suzanne T., and Jose Edgardo, “ Building Government-Citizen-Business partnerships” 1997. Institute of Governance, Canada
16. HMG, Action Plan on Anti-corruption Policy and Strategy, 2003, An undertaking of the Office of the Prime Minister and Council of Ministers

17. Surya Nath Upadhyaya, “Nepal’s Efforts to Control Corruption”, 2003. A speech delivered by the CIAA Chief at the 4<sup>th</sup> Asia-Pacific Conference on Anti-corruption, Malaysia.
18. Danida, “Draft Mission Report- Technical Assistance on Fiscal Decentralization and Devolution in Nepal, 2002
19. The World Bank, “Nepal Country Procurement Assessment Report, 2002
20. UNDP, “Human Development Report, 2002. Oxford University Press UNDP
21. Policy Document, “Decentralization in Nepal: Prospects and Challenges, 2002. Findings and Recommendations of Joint HMGN-Donor Review.
22. The World Bank, “three Year arrangement Under the Poverty Reduction and Growth Facility”, 2003
23. Daniel Kaufmann, “Discussion draft on Rethinking Governance, Empirical Lessons Challenge Orthodoxy”, 2003. The World Bank.
24. HMG-The World Bank, “Immediate Action Plan I and II, 2002 and 2003 respectively.
25. Ministry of Finance, “The Economic Survey” 2003.
26. The Ministry of Finance, “Budget Speech” 2003-2004.
27. Pertinent Cabinet Decisions on policy Matters.
28. One in Nepali on Corruption (to be added later on)
29. UNDP, “Governance and Sustainable Growth and Equity”, 1997. Report of the International Conference, United Nations, New Delhi.
30. Donald F. Kettl, “Reinventing Government”, 1998. The Brookings Institution, Washington, D.C., U.S.A.
31. Dev Raj Dahal, et.al., “Good Governance and Decentralization in Nepal”, 2002. Center for governance and Development Studies and Friedrich-Ebert Stiftung, Kathmandu, Nepal
32. UNDP, “Governance for Sustainable Development”, 1997. A UNDP Policy Document.
33. Hans D. Kammeier and et.al (Ed), “Decentralization Local Governance and Rural Development”, 2002. Asian Institute of Technology, Bangkok
34. HMG, “Local Authorities Fiscal Commission Report”, 2002. Local Authorities Fiscal Commission, Pulchok, Nepal
35. Annual Reports, “Commission on Abuse of Authority Investigation”, 2001, 2002.
36. Budget Speech of the Government for the Fiscal Year 2008/09
37. Agreements and Understandings between the Seven Political Parties and the CPN (Maoists)
38. Interim Constitution

## **7. Burundi Leadership Training Program: A case of “How To” in Leadership training during Conflict**

(By Mr. Wolpe Howard)

### **Introduction**

Since its first training workshop in 2003, the Burundi Leadership Training Program (BLTP) has transformed the once-fragile peace and relationships between insular leaders into strong networks of leadership partners. Like other post-conflict training programs, the BLTP rebuilds participants’ communication and negotiating skills, teaching them through simulations and interactive experiences that collaboration is not only a form of altruism by also an effective tool to advance their own interests. Cooperation amongst diverse leaders and populations is as fundamental to peace- and democracy-building as competition. While multiparty representation can promote effective governance, post-conflict and crisis situations often require that conflicting parties first develop a sense of “nationhood” that transcends their mutual distrust.

To build a sustainable network of Burundian leaders capable of working across ethnic and political lines, BLTP organized a series of workshops in Ngozi. After the initial six-day leadership retreat, selected leader-participants met again every two or three months over a period

of eighteen months. Each workshop group initially consisted of 30-35 leaders, composed of a roughly equal proportion of political and/or military leaders and members of the civil society. Six of seven rebel groups were represented, with the seventh willing to participate in future events; gender and ethnic balance were ensured as well. Training these dissimilar actors to work together, the workshops focused on interest-based negotiations, communications, mediation, conflict analysis, strategic planning, and management of organizational change. By reinforcing these essential leadership skills, BLTP facilitated leaders' implementation of the peace process, not only generating momentum for security sector reform but enabling political leaders to collaborate to ensure orderly national elections.

The success of the BLTP can be attributed to careful planning and consistent funding. Six organizing principles guided the process: securing a Burundian “buy-in,” selecting leaders strategically, framing the workshop as a venue for leaders to strengthen technical skills in an individual rather than an institutional capacity, securing regional support, ensuring programme sustainability, and ensuring concrete results. During the workshops themselves, interaction and simulation – arguably best exemplified by the Simulated Society (SIMSOC) exercise – allowed the diverse leaders to build both working relationships and personal friendships across ethnic and political lines as well as between government leaders and civil society.

### **Organizing principles**

In order to maximize the impact of the BLTP, organizers followed several guidelines when both organizing and implementing their program. These principles serve as a “how to” guide for designing effective leadership training programs.

### ***Securing Burundian support***

The BLTP was careful to gain the support and “buy-in” of all sectors of Burundian society. During the planning phase, over 100 consultative meetings were held with leaders from government, civil society, military, and rebel groups. The project managers were thus able to glean insights and obtain endorsements from across the societal spectra. Six out of the seven rebel groups participated, while the last one indicated willingness to participate in the future. In addition, stakeholders' support was also reinforced by the presence of two well-respected Burundians on the project management team. These elites, both public servants with extensive experience, were regarded as honest and trusted by Burundians across ethnic divides and therefore held significant political influence with all factional leaders. With input from the many consultative meetings as well as the guidance of these two esteemed Burundian nationals, the BLTP was able to gain legitimacy from its inception.

### ***Selecting leaders strategically***

Given strong ethnic and political divisions and a polarized society, BLTP organizers were careful to select leaders from all societal sectors. To do so, they had stakeholders in the peace process nominate 35 leaders with the influence and/or position to shape Burundi's future. Each stakeholder's submissions were treated confidentially and were used as important guides as to who Burundians themselves believed to be best capable of leading the country through the transitional peacebuilding process. From their combined lists, organizers selected 50 "political" leaders (individuals in the government and political parties, the Army, and all rebel organizations) and 50 "civil society" leaders (churches, women's organizations, academia, media, youth, labour unions and the business community.) They ensured balanced representation of leaders across political, ethnic, sectoral, and gender divides.

### ***Framing participants' expectations***

When inviting leader-participants, the BLTP was careful to emphasize the participants' selection on the basis of their influence and stature, the leaders' invitation to participate in their personal capacities, and the training workshops' technical nature. These three factors imbued participants with a sense of responsibility, freedom from having to represent their organizations, and focus on strengthening skills in a depoliticized project rather than negotiating forum.

### ***Securing a regional "buy-in"***

Just as they had met with diverse national and sub-national actors in Burundi, so the BLTP organizers also consulted with several regional leaders. These meetings allowed influential regional actors to not only share their own analyses of the evolving peace process dynamics but also understand the objectives of the BLTP. Recognizing that the program did not seek to be an alternative negotiating forum but rather, an opportunity to improve Burundians' capacity for collaboration, representatives from Tanzania, Uganda, and South Africa gave the BLTP their full support. The BLTP should be seen as complementary to rather than a diversion from the peacebuilding efforts already in progress.

### ***Ensuring programme sustainability***

Project managers emphasized that the program was designed to develop a sustainable network of Burundian leaders and would therefore require participants' presence at an eighteen-month series of continuous workshops rather than just one or two self-selected sessions. They stressed this point to donors as well, obtaining funding from the World Bank's Post Conflict Fund for the entire 18-month period. BLTP organizers also received assurances of additional funding from other sources of future support.

### ***Ensuring concrete en-results in Burundi***

In order to link newly-reinforced skills to practical governance collaboration, leader-participants performed joint tasks such as activities related to economic reconstruction. Cooperation in these exercises made clear that peacebuilding is not a zero-sum game but that instead, all stakeholders can benefit from working together.

Applying each of these six “how to” strategies, the BLTP created an environment in which Burundian leaders learned to work together to rebuild their own government. Interactive activities and simulations allowed participants to practice communication, negotiation, and conflict resolution skills, enhancing their ability to interact with others of different or even opposing political interests. Arguably the most influential and paradigmatic of these exercises was an activity known as SIMSOC, a simulated society exercise that allowed leaders to rebuild society without putting their own (Burundian) interests at stake.

## **SIMSOC**

When implementing BLTP program exercises, organizers met resistance from leaders who considered them outsiders to the conflict. To address this situation, trainers clearly communicated their sources of funding and affiliations. They also learned, from experience, that they should emphasize whatever components of their identities could contribute to the success of the training process. Having a deep understanding of the background culture, conflict, and issues also gained legitimacy for the group. Finally, they approached the training program from a “what do the participants want from us” attitude rather than a “what can we teach them” mindset. This allowed them to place greater value on participants’ inputs rather than any pre-determined answers to conflict-resolution. Creating an inclusive environment, demonstrating respect for participants’ strengths, and exhibiting willingness to cooperate all facilitated the BLTP.

In the SIMSOC exercise, leader-participants gain insight into dynamic of social and political conflict as well as the underlying complexities of governance. The “society” consists of four regions: Green, Yellow, Blue, and Red, listed in order of decreasing resource distribution. Regions are assigned different industries and/or political parties that represent their interests. Other conditions of the simulation include extreme inequality between individuals and groups, a lack of subsistence for individuals in the poor region, major communication barriers between regions, a lack of shared experience and expectations and a diversity of personal goals. To combat these difficulties, leader-participants must figure out how to survive as individuals, as regions, and as an overarching society.

A politically, ethnically, and socially balanced group of participants is assigned to each region. Therefore, participants must work across ethnic and political divides as they complete this exercise. In their assigned roles, they can invest in industry, public welfare programmes, create police forces, or even riot. Decisions made in the aggregate determine the national indicators and level of income available to society’s basic institutions.

Acting on behalf of their regional interests, leader-participants made decisions that might not necessarily reflect choices they make in their real-life leadership positions. However, they continue to act on behalf of regional interests, reinforcing socioeconomic cleavages even in the simulated society. The impoverished Red region typically becomes the most cohesive, while the relatively well-endowed Green, Blue, and Yellow regions focus more on generation of wealth



than solving the problems (e.g., high unemployment and death rates) plaguing the Red region. The SIMSOC, in both its set-up and results, presented a fairly representative portrayal of society.

Drawing lessons learned from this activity, leader-participants discussed key issues such as the importance of inclusive decision-making processes in building trust and resolving conflict, the impact of uneven resource distribution on inter-group perceptions and conflict, the tendency to focus on parochial interests at the expense of the broader societal cohesiveness, and the fact that messages are not always received as intended either due to lack of clarity or differences in perception and experience. The SIMSOC experience and lessons learned reinforced leader-participants' collaboration, negotiation, and other leadership skills, strengthening their ability to better understand and communicate with not just their own co-ethnics and/or constituents but with leaders of divergent viewpoint as well. Follow-up helped clearly identify the mission and objectives of the training program while linking it to real-world interactions. Further efforts should also address how trained leaders can interact with those who have not participated in the intensive process.

## **Conclusion**

Through strategic planning and carefully designed interactive exercises, the BLTP demonstrates that reinforcing the skills of cooperation can prove to be at least as effective at rebuilding functional governance institutions as simply instituting a multiparty system. By gaining national support, choosing a balanced group of influential leaders, ensuring their participation as individuals rather than organizational representatives, cooperating with regional actors, ensuring sufficient funding, and linking exercises to real-world cooperative initiatives, the program gained legitimacy to both the national and international community. Carefully designed simulation activities and the efforts of the trainers to demonstrate neutrality and respect for national leaders also led to the success of the program.

Within six months of the initial workshop, military and rebel leader-participants requested a separate series of training workshops for the army and rebel military commanders to prepare for the upcoming ceasefire. Soon after, the BLTP extended to other groups as well. It has extended beyond the political, military, and civil society elites trained in the original session, transforming leadership at all levels. Twenty Burundian "master trainers," in fact, have trained over four thousand of these local leaders, facilitating the re-integration of refugees, internally displaced persons, and ex-combatants as well as meeting other post-conflict needs.

The "how to" strategies that guided the Burundian Leadership Training Program suggest that improved cooperation and leadership skills can not only influence peace negotiations at the leadership level but transform societal cohesion as well. Efforts to build leadership capacity, whether by following these guidelines or other learning from other successful case studies, can potentially bring about post-conflict stability and sustainable development.

## **References:**

Petrosky, Georgina, ed. 2005. *Leadership and Building State Capacity: Combining the Skills of Diplomats and Trainers*. Washington, D.C.: Woodrow Wilson International Center for Scholars.

Wolpe, Howard, et al. 2004. "Rebuilding Peace and State Capacity in War-torn Burundi." *The Round Table*, Vol. 93, No. 375 (July), p. 457-467.

Wolpe, Howard, and Steve McDonald. 2008. "Democracy and Peace-building: Re-thinking the Conventional Wisdom." *The Round Table*, Vol. 97, No. 394 (February), p. 137-145.

---. 2006. "Training Leaders for Peace." *Journal of Democracy*, Vol. 17, No. 1 (January), p. 132-138.

## **8. Local Peace-Building Forums: Rationale and Methodological Hypotheses.**

(By Mr. Andries Odendaal)

The paper argues that local peace-building should receive more attention during national peace and reconstruction processes. Specific attention is paid to Local Peace-building Forums, which are particular mechanisms to promote local peace-building. Following a brief typology, a number of hypotheses regarding their methodology are outlined. The aim with the paper is to encourage more rigorous attention to the effectiveness of Local Peace-building Forums in light of the fact that their use is increasing worldwide.

### **Why local peace-building?**

Paul Risley and Timothy Sisk (2005) have produced an important document titled "Democracy and United Nations Peace-building at the Local Level: Lessons Learned". They convincingly argued the case for conceiving careful strategies for local peace-building - against the background of a disconcerting lack of attention to this matter. They quoted Tschirgi (2003): "Despite lip service being paid to the centrality of local ownership of peace-building, it is not clear that international actors have developed effective strategies for assessing local needs, setting priorities, allocating resources, or establishing accountability." Risley and Sisk continued (2005: 11): "This deficit in international engagement has been especially true at the municipal or city level, where in fact many of the wars of the recent years have been waged."

The reasons for paying serious attention to local peace-building are compelling. We should consider, on the one hand, the challenges faced by local communities in post-violence conditions

and, on the other hand, the constructive contributions that local peace-building may make towards the sustainability of peace. Regarding the first, let us consider the following somewhat generalized, but not unrealistic scenario.

When national peace breaks out, the collective leadership of local communities are called to deal with the following tasks:

- They have to overcome the effects of their brutalization and deal with their trauma. In today's wars local communities bear the brunt of violence and destruction. Their experience of violent conflict is direct, personal and personalized (in that the enemy is not an abstraction, but known community members).
- They have to make peace with the peace process itself and deal with their internal psychological resistance to reconciliation. The decision to make peace was not necessarily theirs. Their ownership of peace could be as weak as their ownership has been of the violent confrontation. The very same persons who have exhorted them to use violence against the enemy, are now instructing them to collaborate with the enemy. These are very significant mind-shifts that have to take place. Furthermore, the psychological stumbling-blocks to reconciliation are at times more intense in small scale communities than at the macro or at the elite level (where there is less personalization of conflict). At the same time, however, the need for reconciliation is stronger at local level because of high levels of interdependence.
- They have to implement transitional local governance processes that are new to them, and have to do so *with* fellow community members whom they distrust and resent deeply.
- They have to deal with the urgent humanitarian and development needs of the community – needs that are at times contradictory – and do so in a manner that, as a minimum, does not deepen distrust and anger. In addition they have to manage the general social restiveness that characterizes such transition periods. This refers to all the public protest and lobbying activities in the form of strikes, boycotts, public rallies, marches, etc. It is an almost impossible task that they have to accomplish with less physical and administrative infrastructure available than before violence broke out and with insufficient financial resources.
- They have to deal with political instructions that come from the top and ongoing efforts to manipulate them by national politicians, spoiler groups and - it must be said – national and international NGOs that come with the temptation of resources, but only in so far as it serves their agendas. At the same time, though, they lack the political clout to get their own issues prioritized on the national agenda.
- They are called to do all of the above, but often they lack the fairly sophisticated skills needed to manage such complex political, administrative and emotional processes.

It is hard to escape the impression that local communities in post-violence situations are left alone on the margins of the national process to lift themselves up by their own meager bootstraps. If only for this reason, local peace-building deserves our fullest attention. But local peace-building is also important because of its potential to make significant contributions to national peace-building. There are four considerations in this respect. Firstly, local successes in reducing violence and solving problems relieve stress on the national process. “‘Disruptions from below’ ... increase insecurities, exacerbate differences, challenge capacities for security

and reinforce intolerance” (Risley and Sisk 2005: 10). It therefore seems logical that the capacity to deal with the threat of violence at its source benefits a national peace process.

Secondly, local ownership of a peace process counters the exclusive nature of elite pacts. Peace agreements that follow periods of intra-state war or violence are almost by nature an elite pact. There are very few examples of a peace agreement that was thoroughly discussed and endorsed at the grassroots level before it was signed. Elite pacts, however, have obvious disadvantages, including the vulnerability of the peace process to the fluctuating movements of elite interests; weak buy-in or ownership of peace at the district level; and the inattention to root causes of the conflict, specifically as they affect the non-elite. Local peace-building strategies, if done well, have the potential to anchor the peace process locally. They enable local communities to engage with those problems or issues uppermost in their minds and to inform the national process.

Thirdly, local capacity to manage conflict in inclusive and constructive manners has an impact on democratization. It locates the responsibility for conflict management with the collective local leadership, holding them jointly accountable for peace, which is inherently democratic. Furthermore, joint problem-solving processes are, by their nature, contrary to authoritarian decision-making. The very fact of including all relevant stakeholders in a problem-solving exercise and holding them jointly accountable for implementation strengthens a democratic culture.

Fourthly, local peace-building capacity has important implications for sustainable development. In a context of severe stress on humanitarian and development resources and acute needs, the capacity to facilitate joint problem-solving processes is highly important. Furthermore, the experience of dealing successfully with such competing demands contributes substantially to the collective confidence of a community that they can take charge of their future. Local peace-building, therefore, should be a necessary component of national peace-building strategies.

### **Local Peace-building Forums: a rough typology.**

In what follows, a particular local peace-building mechanism will be discussed. I shall make use of a generic name “Local Peace-building Forums” (LPFs) to refer to this mechanism.

LPFs usually consist of representatives of local political stakeholders, government officials and civil society and have a mandate to secure peace locally and prevent further violence. LPFs are increasingly used across the world as primary local peace-building mechanisms. They have a proven capacity to enhance mutual tolerance, reduce violence and resolve disputes. They have substantial potential to impact on post-conflict stability and development because they promote joint local ownership of peace-building. However, their potential is not fully realized because of a lack of scrutiny and rigorous assessment of appropriate methodology. Their contribution to peace-building is not being considered sufficiently in serious literature, with the result that little collective learning is taking place.

A working definition of a LPF is that it is a body formed at the level of a district, municipality, town or village with the mandate to encourage and facilitate joint, inclusive peace-building processes. A LPF is by its nature *inclusive* of all stakeholders, including protagonists. It has the task to promote peace *within its own context*. A LPF’s strategy is characterized by its emphasis on dialogue, promotion of mutual understanding, trust-building, constructive and inclusive

solutions to disputes, and joint action that is inclusive of all sides of the conflict and that is aimed at reconciliation.

For the purpose of our discussion here I shall only discuss those LPFs that have formal status in the sense that they have been established by virtue of a national peace accord or an inclusive formal decision at national level. There is an array of LPFs established by civil society that lack such a national mandate. Though they are by no means ineffective or unimportant (see Van Tongeren, Brenk et al. 2005), the emphasis of this paper is on local peace-building as a formal aspect of a national peace process.

LPFs can be categorized either according to their mandating authority or their main focus areas or objectives. These typologies (that include civil society initiatives) are work in progress and therefore incomplete.

*Table 1: LPFs according to Mandating Authority:*

<b>Mandating Authority</b>	<b>Country Examples</b>	<b>Comments</b>
National Peace Accord	South Africa, Northern Ireland Macedonia Nepal	National Peace Accord Good Friday Agreement Ohrid Framework Agreement Comprehensive Peace Agreement
Cabinet	Ghana	Cabinet
National Statutory Bodies	Sierra Leone Malawi	Political Parties Registration Commission Electoral Commission
Civil Society	Kenya, DRC, Liberia, Sri Lanka, etc.	NGOs or INGOs. No national mandate or linkage system.

*Table 2: LPFs according to Main Focus Areas:*

<b>Main Focus Area</b>	<b>Country Examples</b>	<b>Comments</b>
Peace and Reconciliation	Nepal	LPFs to promote peace-building, conflict management, reconciliation and trust-building.
Violence prevention	South Africa	LPFs to prevent violence and intimidation through monitoring and dispute resolution
Problem-solving	Ghana	LPFs to promote cooperative problem-solving in communities.
Ethnic relations	Macedonia	LPFs to solve ethnic disputes and improve relations.
Elections	Sierra Leone Malawi	LPFs to monitor Code of Conduct and deal with inter-party disputes.

Security	Northern Ireland	LPFs to facilitate police accountability to community and enhance trust.
Governance/Justice	Kenya	LPFs to deal with cattle-rustling.

**Methodological hypotheses:**

There are many factors that inhibit the successful implementation of LPFs, most important of these the lack of political will amongst some or all of the main protagonists. Methodology, however, also plays an important part. The general lack of rigorous research and academic discussion regarding methodology is inhibiting the successful implementation of LPFs. For the purpose of our discussion here I want to state the following methodological hypotheses:

1. It is preferable that a formal national mandate for LPFs should be in place. The dilemma, of course, is that ‘local ownership’ and ‘national mandate’ are in a sense contradictions. The ideal of peace-building should at all times be to promote local ownership (Bush 2004). There are indeed many examples of civil society initiated local peace-building projects that have been very successful precisely because they have promoted local ownership. A national mandate is therefore not a necessary condition for successful LPFs. In fact, a ‘national mandate’ may render LPFs ineffective because it translates into national coercion and political manipulation, leaving very little if any space for local ownership. Yet, nationally mandated LPFs have the advantage that they operate in a coordinated manner; that they have access to national resources and support (both political and financial); that they have greater clout because of their mandate and are therefore able to engage all local actors with greater effectiveness; and that there are well established lines of communication and accountability between local and national levels. These are significant advantages. The challenge, therefore, is to frame the national mandate in such a way that it confers legitimacy and credibility to LPFs; formalizes lines of communication and establishes feedback loops between LPFs and national leadership; provides access to national leadership and resources; but establishes sufficient space for local leadership to take ownership of their own LPF and to determine their own priorities regarding its composition and functioning.
2. The composition of a LPF is a critical condition of its success. The ideal is to have a good mix of ‘hawks’ and ‘doves’ on the LPF. It is important that local political leaders participate in the LPF even though they sometimes adopt hard-line positions and embark on disruptive actions. It is not possible to build sustainable peace without engaging them. It is at the same time necessary to have people on the LPF who are committed to peace and who may establish a middle-ground. Wehr and Lederach (1991) have called such people ‘insider partials’, describing persons who mediate conflict in their communities from a position of connectedness and belonging to the community. Their defining characteristic is therefore not

impartiality, but rather the trust that they enjoy because of their integrity and character. Their presence on the LPF should create a sufficient middle-ground to make problem-solving and trust-building possible.

3. LPFs should not have the power of arbitration, but rely exclusively on the ‘soft’ approaches to dispute resolution such as dialogue, confidence-building, facilitation or mediation. The danger of granting decision-making power to LPFs is that it will thereby become just another platform for continuing the power struggle. The unique contribution of a LPF is that it allows inclusive dialogue in a non-threatening space. At most it should be allowed to make recommendations to decision-making bodies.
4. LPFs should receive sustained, professional support. Given the background of challenges faced by local communities, it is unrealistic to expect of them to achieve peacebuilding all by themselves. They need support in at least the following three areas:
  - LPFs need access to a fairly professional level of facilitation that is located outside the local community. The processes that lead to the formation of the LPF should best be facilitated by an outside, professional body. In addition, at times the LPF may need professional facilitation or mediation support to work through specifically divisive issues.
  - LPFs need sufficient orientation regarding the roles expected of them and some skill in performing those roles.
  - LPFs need a logistical support structure that should include links to the national level. They should be able to access funding, feed information to the national level, request information from the national level and seek support where necessary from higher profile actors. LPCs cannot by themselves create such a support structure. It has to be established as part of the national peace infrastructure.

### **What LPFs cannot do:**

There are specific limitations to what LPFs can do. LPFs have been criticized for failing to achieve outcomes that were never in their power to achieve. LPFs have, as it is, a very difficult task and they are not helped by overburdening them with naïve expectations.

Firstly, LPFs cannot enforce peace. They are effective in reducing violence, but cannot forcibly prevent violence. They are only successful in so far as the ‘soft approaches’ to peacemaking are effective.

Secondly, LPFs would find it difficult to implement peace agreements if, at national level, there is a lack of political will to do so. If either key political players or security/rebel forces lack commitment to a national peace agreement, it cannot be expected of LPFs to be successful (Ball 1998).

Thirdly, LPFs cannot address the root causes of a conflict if those causes are located in the national constitution, laws and policies. LPFs have been accused that they facilitate ‘negative peace’; that they address symptoms and not causes (International Alert 1993; Adan and Pkalya 2006). LPFs, however, cannot control the national debate on the nature of peace and what policies need to be implemented. LPFs, at most, allow local leaders to negotiate measures that

would minimize damage to their community and maximize collaboration in dealing with their specific challenges.

Fourthly, LPFs cannot substitute for local government or local policing. Their task is not to govern, but to strengthen the necessary social cohesion that makes governance possible. LPFs could facilitate more effective local governance by mediating disputes and building consensus, but they cannot assume political and financial responsibilities for which they have no mandate. They can facilitate better community-police relationships, but they cannot and may not form an alternative command centre for the police.

### **In conclusion:**

In order to unlock the potential of LPFs, much further research is necessary to validate the above hypotheses and to enhance the particular methodology that is used. Stedman (2001), in a study that analyzed 16 case studies to better understand the determinants of successful peace implementation, identified the strengthening of local peace-building capacity as one of the two most important contributions that, at relatively low cost, could have large payoffs for longer-term peace-building. (The other is reform of civilian police and judiciaries). The consideration of LPFs as a useful instrument for local peace-building is therefore necessary and urgent.

### **References:**

- Adan, M. and R. Pkalya (2006). The Concept Peace Committee. A Snapshot Analysis of the Concept Peace Committee in Relation to Peacebuilding Initiatives in Kenya. Practical Action.
- Ball, N. (1998). Managing Conflict. Lessons from the South African Peace Committees. USAID Evaluation Special Study Report, Center for Development Information and Evaluation.
- Bush, K. (2004). Commodification, Compartmentalization, and Militarization of Peacebuilding. Building Sustainable Peace. T. Keating and W. A. Knight. Tokyo, United Nations University Press: 23-45.
- International Alert (1993). Mission to Evaluate the National Peace Accord and Its Peace Structures Report. London.
- Odendaal, A. and R. Olivier (2008). Local Peace Committees: some reflections and lessons learned. Kathmandu, Academy for Educational Development.
- Risley, P. and T. D. Sisk (2005). Democracy and United Nations Peace-building at the Local Level: Lessons Learned. Policy Options on Democratic Reform. Stockholm, International IDEA.
- Tongeren, P. v., M. Brenk, et al. (2005). People Building Peace II. Successful Stories of Civil Society. Boulder, Lynne Rienner.
- Tschirgi, N. (2003). Peace-building as the Link between Security and Development: Is the Window of Opportunity Closing? New York, International Peace Academy.
- Wehr, P. and J. P. Lederach (1991). "Mediating Conflict in Central America." Journal of Peace Research **28**(1): 85-98.



## **9. Reconstruction, Governance and Public Administration Capacities in Post- Conflict Societies: The Case of Southern Sudan**

(By Dr. Riak Gok Majok)

### **Historical Background of Administration in Sudan**

The current Sudan administrative structure was established when Mohamed Ali Pasha invaded it in 1820. The country was then divided into 9 provinces, North, East, Khartoum, Blue Nile, El oubied, West, Upper Nile, Equatoria and Bahr el Ghazal. This was the first time that Southern Sudan became politically and administratively an integral part of the Sudan. The Anglo-Egyptian Condominium administration, put in place after the defeat of the Mahdist regime in 1898 did not make substantive administrative changes. It instead declared the South, Southern Blue Nile and the Nuba Mountains closed Districts in 1920 and were separately ruled from the rest of the Sudan. Sudanese Arab Muslims were prevented from going to these regions to work or set up private businesses.

Soon after the completion of the conquest of the Sudan, socio- economic development projects kicked off in the North earnestly, while the South, the Nuba Mountains and Southern Blue Nile were kept closed to the outside world and progress. The historical events that occurred through out these periods, such as slavery, political and economic apartheid constitute a major hindering to the nation building until today. When the British Colonial Administrator finally handed over the whole country to Northern Sudanese Intelligentsia in 1956, it was erroneously believed in the peripheries, particularly in the South that the new rulers would instantly embark on power and resources sharing arrangement.

Such an evolution would have fundamentally past through devolution of power and resources from the center to the peripheral areas, which are currently popularly known as ‘marginalized regions.’ That would have entailed an immediate engagement in a profound restructuring of such a highly centralized administrative system to bring the center of decision-making closer to the vast majority of the Sudanese people. It could have created harmonious, coherent, peaceful and united Sudan because conflict in this country is essentially about power and resources sharing. However, Northern Intelligentsia that assumed political and economic powers in 1956 acted in a manner that consolidated the unjust system established by external powers that had ruled the Sudan over a century.

For example, when the process of Sudanization of administration started in 1954, Southerners were only given 6 junior posts out of 800. Brazenly, Northerners occupied all senior posts including in Southern Sudan. Instead of tackling underdevelopment issues inherited from Anglo-Egyptian Condominium period in the South and other periphery areas, the new northern Sudanese ruling class audaciously begun the process of Arabization and Islamization. They certainly did wrongly conceive that it would be easy to Arabize and Islamize unsophisticated and poor folks, a process that was intended to perpetuate and reinforce their grip on political and economic powers.

Southern Sudanese members of transitional parliament in 1954, though underdeveloped intellectually, did critically evaluate the kind of political system that the new masters had wanted to build in the country. Therefore, they had to link their support for the motion of independent parliament with the establishment of a federal system in the Sudan. Southerners were then promised that their demand for the establishment of the federal system of governance 'would be given due consideration' after decolonization. In the aftermath of independence, the promise of creating a more equitable and representative political structure turned out to be a nightmare, as the new regime embarked on unparalleled scale of oppression, Southern MPs arbitrary arrested and illegally detained, Christian Missionaries expelled from the country, few schools, which were functioning closed down and forced spiritual and racial remanufacturing aimed at undoing even God's work.

Historical marginalization manifested in form of injustice and inequality was what compelled people of southern Sudan to take up the arms against different regimes in Khartoum from 1955 to 1972 and from 1983 to 2005. Southern Sudanese people engaged in these protracted, bloody and destructive civil wars in order to install a new progressive system of governance that takes into account political, economic and social interests of all ethnic components of the country, a country in which each individual, regardless of gender, race and religious affiliation gets equal opportunities. The South always keeps the option of going its own way if the concept of political pluralism based on democratic transformation; ethnic and cultural diversities, equitable power and resources sharing principles are not accepted by the Northern ruling elites.

### **Impact of Civil wars on Administration**

Southern Sudan had never been fully integrated into administrative mainstream of what was derogatively called in the SPLM/A political jargon 'Old Sudan'. The center of power based in Khartoum from Southern Sudanese people's prospective has been regarded as a symbol of oppression, illegitimacy and occupation. However, the rudimentary administrative structure that had existed prior to the 1983 rebellion, which resulted to large-scale hostilities, was destroyed. The impact of civil war had resulted to total subjugation and dehumanization of Southern Sudanese political class. This process had severed administration and developmental programmes in the region.

The new Islamic military regime, immediately after grabbing power illegally in 1989, narrowed the breathing space for Southern Sudan politicians to maneuver; no other midway was possible for them to operate and participate in the government institutions rather than adhering to pan Arab and Islamic ideology willingly or unwillingly. Therefore, the new ruling class in the South emerged and as many of them had then fully embraced the Islamic values, they were tasked to administer the region, which did not have a functional administration due to war effects. Those politicians who were not witty enough to take a quick chameleon u- turn were starved to death, though they were the legitimate historical leaders of Southern Sudanese people.

After the split of SPLM/A in 1991, the Torit faction under the Leadership of late Dr. John Garang De Mabior established New Sudan Civil Administration (CNAS) in the liberated areas in 1994. Based on the Chukudum SPLM First Convention resolutions, New Sudan Civil Authority institutions were put in place. The most prominent military Commanders headed the five regions created then, Bahr el Ghazal, Equatoria, Upper Nile, the Nuba Mountains and Southern Blue

Nile. Considerable numbers of Counties (provinces) and Payams (Districts) were established, Commissioners and Payam Administrators appointed to lead these institutions. All the arms of a functioning government got established, including National Liberation Councils at all levels, National, Regional, County, Payam and Boma, New Sudan Judicial Administration and legal Affairs. These institutions were only raising resources for war efforts.

As it has early been mentioned, the highly centralized Sudan administration was inherited from the colonial eras. Some important reforms were, however, undertaken during General Nimeri's military regime in the beginning of the 1970s, when former 9 provinces were divided into more provincial entities. Nimeri, in order to weaken the South, decided to split the Sudan into many regions in 1983. Each region had Executive body and regional Assembly. The division of the South into three regions against the will of Southern Sudanese people was one of the main factors that had triggered off the civil war.

Federalism was the preferred political system in Southern Sudan before independence in 1956. The federal arrangement could have indeed provided the best option for the Sudan, considering the fact that it was and still continuing to be a highly polarized country on racial, ethnic and religious grounds. However, its introduction in the early 1990s in the country was merely meant to split Southern Sudan on ethnic lines. The National Islamic Front military junta divided the country into 26 States out of which 10 were instituted in the South. It would have been viable economically to establish one State in the South and create more Counties. The new created jobs in form of States were intended to achieve multi-prong objectives; primarily to deepen the division among Southern Sudanese politicians and prevent them to join SPLM/A. Southern Sudan Coordinating Council was the highest Institution operating in GoS controlled areas, though it was not delivering services to citizens.

The SPLM leadership did also recognize the vital role that vibrant local Civil Society organizations could play. The support for setting up a strong New Sudan civil society groups was clearly manifested in the Movement's leadership determination to provide an unlimited support by creating sufficient space for them to freely operate. They could positively contribute in peace building, conflicts management, democratic transformation and other emerging societal problems.

The merging of CANS and Southern Sudan Coordinating Council (SSCC) administrations after the signing of the Comprehensive Peace Agreement was one of the most challenging endeavours for the Government of Southern Sudan, for every body and everything, including the names of the trees were on the (SSCC) payrolls. CANS staff, though, less experienced and often without proper academic credentials would have wished to lead GOSS institutions, by virtue of being former freedom fighters. The reorganization of all government machinery was a daunting undertaking that on many occasions had nearly caused major insecurity in the States where attempts were made to conduct screening of the manpower inherited from SSCC.

### **Comprehensive Peace Agreement, CPA**

The Comprehensive Peace Agreement signed in 2005 ended more than two decades civil war in Southern Sudan. It brought about peace, created an enabling environment for democratic

transformation, building responsive institutions, initiating economic recovery programmes and planning for the development of post conflict Southern Sudan. It provides an overall vision and broad strategies to sustain peace and stability, good governance; uphold human right principles with specific emphasis and care for the interest of more vulnerable groups, children, women, elderly and persons of special needs.

The signing of the comprehensive Peace Agreement, CPA in 2005 between the government of Sudan (GoS) and Sudan People's Liberation Movement, SPLM/A has ended the war and provided a framework for the former foes to undertake genuine, progressive and irreversible political and socio-economic reforms. Unlike the Addis Ababa agreement signed in 1972 between Southern Sudan liberation Movement (SSLM) and General Jafar Nimeri's military regime, the CPA has serious provisions with international and internal guarantees that will make it harder for anybody to temper with at whim. However, there is a genuine reason to be alarmed, as some protocols and other provisions of the CPA have not yet been implemented. The Oil rich Abyei area protocol is not fully implemented, South-North borders not demarcated. Non-implementation of these provisions, among others may indeed slip back the country into war.

It has equally created two distinctive political systems in the Sudan, a largely autonomous and secular Government of Southern Sudan, GoSS, under the control of SPLM by 70%. It is also critical to highlight the fact that the political transformation brought about by the signing of the CPA made it possible for the first time ever that a Southern Sudanese is seated in the Palace in Khartoum as the First Vice President of the Republic, only 9 foot steps from the center of power. The level of participation of the South in the Government of National unity is now quite significant, both quantity and quality. We are not trying to paint only a rosy picture about the CPA out puts, which are indeed real, key challenges facing the two partners in the implementation phase have been underlined in the previous paragraphs.

### **Institutional Building in post War Southern Sudan**

The Comprehensive Peace Agreement has recognized the political and administrative autonomy of Southern Sudan. It has equally confirmed the decentralized system of governance initiated by Islamic military regime in 1992, during which ten States were created in the South. The administrative set up in post war Southern Sudan is therefore structured in a pyramidal shape, Government of Southern Sudan (GOSS), governments of ten States and the Local Government (Counties). The Government of National Unity, based in Khartoum is the highest-level of government in the Sudan.

Each layer of government has an Assembly, an Executive, and Judicial Administration and very weak Civil Services. The introduction of democratic institutions in the post conflict Southern Sudan should not be construed to mean that the concept has been understood or fully adhered to. Southern Sudan administration is still highly militarized and still suffering from teething problems. Many people view their military backgrounds to be more important than being an MP or a Minister. The above underlined levels of government have wide range of powers clearly defined in various Interim Constitutions. Media and Civil Society groups are strongly rising, as the Government of Southern Sudan has opened up a space for freedom of expression. Unlike NCP, SPLM Leadership does tolerate criticism from the Media and Civil society organizations.

There are immense challenges affecting basic services delivery and even the implementation of the CPA. Although the local Government is the closest level of government to the people, it has no necessary capacities to fulfill its mission. Lack of resources, both human and material is incredibly acute; as most of the current leaders were mere students at the time they joined SPLM/A. Building capacities and capabilities of the institutions and developing human resources are desperately required and needed urgently.

However, the international development partners are expected to assist the Government of Southern Sudan to enhance the capacities of different institutions that are engaged in economic recovery and conflict prevention programmes, as the Southern Sudan seems to be getting a raw deal from oil revenues. There is a great possibility that the partners in peace may resume hostilities if basic social services and peace dividends are not provided to the people of Southern Sudan. Ironically, the decentralized system of government as it stands today has created unsustainable, inefficient, expensive and huge government bureaucracy at all levels of GOSS.

More importantly, the communities do not often accept the leaders who were handpicked in 2005 by the leadership of SPLM/A and other political parties in accordance with the CPA provisions to serve them. This is why reshuffling is frequently made at all levels, including the Government of National Unity, creating therefore what appears like political and administrative instability.

Holding the forth-coming elections to allow the people to elect their representatives has become imperative more than ever. Seeking popular mandate from the people in the next phase is crucial for the two parties to consolidate their legitimacy. It has to be recalled both SPLM/A and the National Congress Party were rebel organizations, which drew their legality then through the barrel of guns. The SPLM rebelled against the Old Sudan in which political, social and economic injustices were institutionalized, whereas, the National Islamic Front took power by force in Khartoum to implement its vision based on pan Arab and Islamic ideology.

### **Peace Sustainability.**

The possession of illegal arms in the hands of untrained civilian is a major threat to peace and stability through out South Sudan. Insecurity is in fact an obstacle to a full implementation of the CPA. People in many parts of Southern Sudan cannot enjoy peace dividends due to a widespread of communal feuds. The government of South Sudan is facing many challenges in mobilizing resources to deliver basic social services to the warring communities. For example taxes have not been levied for the last three years in the States, Counties and Payams in which the insecurity persists. It is widely believe that invisible hand might be behind some of intra community fights in the South. The conflict in Darfur and the incursion of armed Arab pastoralist communities into Southern Sudan territory by force, encouraged by some elements in SAF are impediments to peace and stability in the region.

Easy access to weapons and the present of other armed groups among the communities has contributed to an increasingly up surge of communal fights across Southern Sudan. The possible sources of weapons are, Sudan People Liberation Arms (SPLA) when civil war was still striving, Khartoum Government and its armed militia allies and Lord Resistance Arms, which has been

operating in Equatoria region since 1986. The Illicit small arms and light weapon traffickers enter to the South through porous and uncontrolled border with Uganda, Kenya and Ethiopia.

The proliferation and misuse of small arms is a complex problem, which affects a large spectrum of vulnerable people in many ways. In order to tackle this societal phenomenon, a close coordination and concerted collective efforts that involve all relevant government departments, notably Law Enforcement Agencies, regional and international actors are required.

More over, massive availability of mines through out Southern Sudan does not only curb agricultural productivity, but it permanently exposes the communities to danger. In addition, it has created disputes over land. In the CPA and Interim constitutions it is stipulated that land belongs to the communities. Some communities misunderstood this provision; and it has also created unprecedented land disputes, which scared the IDPs and the Refugees to return home. Equally, the fact that Disarmament, Demobilization and Reintegration programme has not been completed is a potential risk to peace.

The Bureau of community and Small Arms control was established as a government body to be in charge for coordinating comprehensive responses to civilian insecurity and supports non-coercive arms control activities in the southern Sudan. Its organizational capacity is yet to be enhanced. The Bureau is currently developing policies and strategies on civil population peaceful disarmament.

Civil society organizations can mobilize the communities through campaign and Civic Education learning programmes to sensitize them on the pervasive effects of small arms ownership. The international community has to provide assistant to GOSS, both material, control of small arms influx to Southern Sudan and expertise, particularly the development of the capabilities of Law Enforcement Agencies to effectively discharge their duties. However, the most viable means of convincing the communities to abandon guns is through basic social services provision and poverty alleviation. Because owning a gun in Southern Sudan context has now a cultural connotation and mean for livelihood.

### **Lessons Learned.**

- Non-implementation of the CPA provisions constitutes an extremely political gambling that may return the country to war.
- There is a lack of confident between SPLM/A and NCP Leaderships.
- NCP leadership behavoiurs is not making unity attractive to Southern Sudanese people.
- The killing of civilians in Abyei in May 2008 by Sudan Arm Force has exposed some UN Peace keepers' inability to protect innocent people, though they are doing the best they could humanely in a very difficult environment.
- Relying solely on SPLA to disarm Civilians can be counterproductive.
- Socio-economic development and services can only be delivered in a peaceful situation.
- Decentralization in Southern Sudan could be a threat to peace, as resources sharing in the common borders cause most of intra communal fights.
- Proliferation of small arms and light weapons aggravate the insecurity among the communities and it therefore requires global solution.

- All institutions in Southern Sudan are still weak to satisfy high expectations of the people.
- Conflict in Darfur is a major threat to the CPA implementation.
- Viable and responsive system of governance can only thrive in a peaceful environment.

Emerging from one of the longest civil war in Africa, Southern Sudan has embarked on institutional building and economic recovery programmes. However, challenges are immense, as the region lacks infrastructures, both soft and hardware. Centuries of economic and political marginalization will not be certainly reverse overnight. The Government of Southern Sudan at all levels is facing a widespread of insecurity caused essentially by intra communal conflicts, proliferation of small arms, the presence of other armed groups among the communities, which refused to be integrated into either SPLA or SAF, as stipulated in the CPA, massive availability of mines, the slowness of DDR to complete disarmament of ex- Combatants, the loom security threat at the flash points on the South- North borders and war in Darfur, most of GOSS resources are therefore used to improve security infrastructures at the detriment of socio-economic development.

## **10. Governance, Development and Security: Three Sides of the Same ‘COIN’?: Some Reflections on Post-Conflict Afghanistan**

(By Mr. Paul Lundberg)

## **Introduction**

Afghanistan is not a post-conflict country. It is currently mired in an insurgency pursued by a network of entities associated with the previous Taliban regime, plus a number of other anti-government elements (AGE). Afghanistan is, however, a fragile state. It is widely agreed that the security situation in the country has been deteriorating for the past two years and will continue to worsen for the foreseeable future. In general, the progress of reform since 2001 has fallen far short of the Afghan public's expectations, with both the government and the international community held to blame. Today in Afghanistan, everything is a challenge: good governance for all, daily sustenance for many, survival for some. But one can find many articles written in 2005/2006 about the success of the Afghan experience, forcing us to acknowledge the complex and non-linear nature of administrative reform in fragile states.

In order to contribute to reform in Afghanistan, it is necessary to appreciate the sources of conflict and instability in the country and their historical antecedents. Three main factors play a role in the continuing conflict: the long history of tribal and family disputes; the lack of good governance for nearly half a century; and the presence of anti-government insurgents operating from bases within and outside the country, who have ample opportunity to advance their agenda through the first two factors.

Insurgents historically choose to operate from within a population and for this reason it is the government/citizen relationship that has the greatest impact on the achievement of their objectives and the objectives of those who attempt to counter them. Each insurgent threat is unique to a time and place, there are few general lessons to be replicated from country to country, making it difficult to apply solutions developed in other locations. For this reason, successful counter-insurgency (COIN) approaches historically are complex and constantly adapting to a changing environment. The nature of the civilian-military coordination (CIMIC) in Afghanistan has an added level of complexity because nearly every province has a unique set of military forces assigned to it. International military troops rotate frequently, staying less than one year, and are fundamentally beholden to their national military chains of command and their civilian political leaderships. The relationship among the Provincial Reconstruction Teams (PRTs), the central government, the Provincial Governors and the international development community has never been adequately clarified.

The Afghanistan Compact<sup>1</sup> and the subsequent Afghanistan National Development Strategy (ANDS)<sup>1</sup> recognized the importance of governance, establishing it as one of the three key pillars of activity for the five years of activity following adoption of the ANDS.<sup>1</sup> The ANDS contends that without concurrent progress on Governance, Development and Security, the vision of the ANDS will not be fulfilled. Following a vicious downward spiral, a lack of progress in one undermines the Government's capacity to advance in others, effectively abetting the continued growth of the narcotics economy, limiting the expansion of regional trade and transit opportunities, and facilitating increased levels of petty corruption.

## **Status of Local Governance in Afghanistan**



Afghanistan faces a number of challenges in the pursuit of a successful and sustainable reform of its democratic governance institutions. In many parts of the country the major constraint is that the state building efforts, particularly in the south, are confronted by a virulent and expanding insurgency. The success of the current counter-insurgency efforts will, in part, be influenced by the quality of governance at the subnational level because this is the level where people have their most direct interaction with government.

However, since the initiation of the stabilization and reconstruction period in 2002, following the American invasion and collapse of the Taliban regime, the international community has focused its attention on the creation of a strong central state. Although many aspects of a modern state had been established in Kabul by 2006, the administrative and service delivery apparatus at the subnational level remained virtually unchanged.

The concept of local governance doesn't exist in Afghanistan as it is known in many other countries. What you find is a complex, polycentric governance framework with many nodes of power competing with one another, but not all of them resorting to lethal force to gain an advantage. Governors are appointed by the President under a law that grants them significant responsibility, but their de facto authority is limited by national programme modalities, the separation of the police from the local administration, public service delivery controlled by central line ministries through large donor-funded projects and the presence of international military PRTs, along with the insurgents and other AGE. The Provincial and District Governors have wide ranging responsibilities covering governance, security and development. However, there is considerable disagreement within government and among the international community regarding the specific role of the Governors in each of these fields. Many matters concerning the implementation of (particularly non-lethal) counter-insurgency measures are discussed with them and their staff is responsible for maintaining sound political relations throughout their respective territories. Unfortunately, many Governors are less enthusiastic about introducing counter-insurgency measures than are the international forces.

The only formally elected representative body at the subnational level is the Provincial Council. Provincial Councils were elected three years ago. Essentially, they were elected because of a constitutional requirement that members of the upper house of Parliament must be selected by members of the local councils. As a result, little has been done to build their capacity to carry out their legal, but limited, functions. An amendment to their founding legislation has granted them additional authority to monitor the work of the government, but they are poorly equipped to carry this out and few in government are interested in acting on their recommendations.

At the center, the Independent Directorate of Local Governance (IDLG)<sup>1</sup> was created one year ago by Presidential Decree. IDLG amalgamated elements of the Ministry of Interior and several other agencies into a single entity with overall responsibility for regulating subnational governance. With assistance from UNDP and other international agencies, IDLG launched its Strategic Workplan in April 2008. The Workplan divided IDLG's functions into policy, organizational development and governance support functions.

## **UNDP's approach to subnational governance capacity development in Afghanistan**

The Afghanistan Subnational Governance Programme (ASGP)<sup>1</sup> was designed by UNDP and launched in June 2006 to address the following challenges: i) the need for central policy-making capacity; ii) the fundamental lack of administrative capacity at the sub-national level; iii) the limited citizen participation in sub-national governance. ASGP focuses on facilitating Afghan ownership in all reform activities, encouraging the development of multi-stakeholder processes, and testing and developing innovative solutions.

The capacity development methodology pursued by ASGP follows a three-tiered approach first outlined by UNDP<sup>1</sup> in 1998. This approach involves addressing capacity issues at institutional, organizational and individual levels. At the institutional level, ASGP supports the IDLG to design a comprehensive policy framework for subnational governance. At the organizational level, ASGP supports IARCSC<sup>1</sup> and IDLG in restructuring of provincial and municipal administrative bodies and the establishment of modern means of operation. At the individual level, ASGP supports the IARCSC to operate a network of 17 provincial training centers, linked to the central Civil Service Institute.

### ***Institutional Capacity Development: Policy Design and Implementation***

The IDLG was tasked in its first year with leading a national process for the development of a new subnational governance policy. In order to accomplish this within the timeframe given by the President, IDLG requested ASGP to assist in organizing a series of 24 working groups involving nearly all the ministries of the government. The draft policy was discussed by the Policy Drafting Committee at the Deputy Minister level prior to submission to Cabinet. The World Bank and UNAMA<sup>1</sup> arranged a discussion series among the international community and submitted a set of comments to IDLG. At the same time, The Asia Foundation has been tasked with organizing a series of regional public consultations to gather public comment on the draft. The draft policy calls for enhanced participation of women, youth and civil society and the development of a planning process that allows a significant percentage of the provincial budget to be programmed through a bottom up, participatory process. Eventually, the final policy could lead to the election of perhaps as many as 300,000 local people to different positions within the subnational bodies at provincial, municipal, district and village levels.

Drafting the policy document is only the first step of major sub-national governance reform. It will be implemented through amendments and new laws, regulations and procedures and revised institutional arrangements that will be enacted during 2009. The policy will be fully implemented during the period 2010-2013. The government will undertake a comprehensive review of the implementation of the policy in the year 2013. In this review, the government will examine whether the policy has achieved its intended objectives and to amend it as needed.

In order to meet the need for reliable implementation feedback, ASGP has supported the IDLG to pilot a provincial governance performance measurement and management tool. This tool has been piloted in two provinces and will be introduced in a total of 10 by early 2009. The PMS tool is also being linked to a new initiative called the "Governor's Performance-based Operational Fund", in which Governors will have access to an annual budget allocation for

addressing a very broad range of operational needs. The level of the fund will be adjusted each year on the basis of the degree to which the use of the fund complies with the principles of good governance.

***Organizational Capacity Development: Focus on Provincial and Municipal administration  
Provincial and District Governors' Offices***

Most of the stakeholders, foreign and domestic, engaged in development and service delivery to the people of Afghanistan have recognized poor governance as a major challenge to achievement of ANDS goals. Provincial and district governors' offices (PGO/DGO) are mandated to ensure good governance at their respective levels, but lack an understanding of how to realize the overall vision of good governance at their respective levels. This, coupled with a lack of modern office management in PGO/DGOs, prevents these entities from providing effective and efficient support to the realization of the ANDS goals at the local level. One aspect of the ASGP approach to improving service delivery, including security, conflict resolution and a public grievance system, is through widespread introduction and application of newly sanctioned provincial and district operating procedures.

Current provincial planning is overly focused on infrastructure. IDLG has requested ASGP to support provincial strategic planning that comprehensively addresses three areas: security, governance and development. Provincial strategic plans will cover a period of five years and will define specific benchmarks and targets to be achieved at the provincial and district level in relation to the IDLG Strategic Framework. Provincial planning can improve the performance of subnational service delivery and, if funded and properly implemented, can strengthen the position of the government, particularly in high-risk areas. ASGP has recently begun supporting restructured Governors' offices to conduct a mid-year review of implementation achievements. Unfortunately, most provincial line departments have little idea about their budget or their implementation targets.

The organizational capacity of local administration is woefully inadequate for the demands placed upon them by the public. Modernization of governor's offices involves the speedy rollout of new functional organizational structures in all provinces and districts of Afghanistan. Likewise, provision of necessary equipment, including information and communication technologies, has increased the ability of local administrations to carry out their functions. About one half of the Governors' offices in Afghanistan are in varying stages of reorganization, to be followed by a merit-based recruitment process. USAID and UNDP are closely collaborating in these areas.

ASGP has pioneered the implementation of a public communication and information management strategy at the provincial level to ensure effective information outreach throughout the province and bridge the existing gap between government and the people. This comprehensive strategy involves delivery of trainings to a variety of local actors and employment of innovative public communication methods and techniques. In the face of aggressive insurgent propaganda, which is likely to intensify over time, this intervention supports subnational institutions to clearly deliver government messages and to counter hostile propaganda.

### ***Improving Municipal Services and Functions***

Basic public services required by citizens for a normal life are often absent in the municipalities of Afghanistan. Until recently, municipal service reform had not been addressed in a systematic manner. In addition, the staff of municipalities had been left out of the reform process because municipal staff are paid from own source revenues rather than directly by the central government. The ASGP approach to municipal renewal has the following action areas: municipal functional analysis, revenue generation and solid waste management.

ASGP designed a method for undertaking a functional analysis of significant municipalities prior to application for restructuring and recruitment approval. In September 2008, IARCSC requested ASGP to support the municipality of Mazar-i-Sharif to undertake a full restructuring exercise and merit-based recruitment for all staff. The IARCSC has obtained sufficient funds from the central government to cover the salary increases in this municipality for one year, after which the municipality will have to increase its revenue to cover the full costs.

In order to afford increased staff salaries and improved municipal services, municipal administrations must make a significant effort to upgrade the capacity of these units to collect the revenue that is legally due. ASGP assisted each municipality in the Northern Region to prepare a Revenue Improvement Action Plan (RIAP). This RIAP has been designed not only to improve the total revenue collection, but to ensure revenue is collected and used in an accountable and equitable manner. The success of this pilot intervention has been significant with most municipalities experiencing a 50-80% increase in the first year.

Two basic services that have been identified for improvement by municipalities are solid waste and market management. Each of these services is supported by a standardized revenue structure, but both have languished for many years due to neglect of both the revenue collection and delivery of the related service. As with revenue enhancement, simple organizational management tools have resulted in visible improvements and public satisfaction.

### ***Provincial Councils***

Work on building the capacity of the local representative bodies, the Provincial Councils, has been slow and incomplete. Neither the national nor provincial executives wish to see a strong Council that is capable of holding local administrators accountable to the people. An amendment to the original PC law in 2007 provided the institution with a clearer sense of purpose by adding the function of government project monitoring. However, Councils have neither the understanding, information nor logistics needed to accomplish this task in an objective manner. As a result, Governors invariably disregard both their complaints and their solutions. ASGP worked in concert with IDLG to produce a set of implementing regulations for the amended Provincial Council Law, but other administrative review bodies in government seriously watered down the provisions, making them nearly useless for improving the Councils' functionality.

### ***IDLG Headquarters***

Finally, the organizational capacity of IDLG itself is a major concern. There are 450 staff at the central office that should support the 10,000 based in the 34 provinces, 365 districts and 152 municipalities around the country. The approach to organizational reform at the subnational level is well underway, but the reform of the IDLG headquarters has been deflected because of intervening priorities. ASGP has made a number of attempts at engaging IDLG in a collaborative capacity assessment, but, with one exception, the leadership has been impervious to the notion that their staff can learn and improve. The exception involves financial management because the Ministry of Finance has mandated that a new program budgeting approach and FMIS software must be implemented by all agencies. ASGP, in collaboration with USAID, has built a level of understanding in the Finance and Admin section of IDLG, but the subjects addressed are only the basics. ASGP has been struggling for 8 months to get IDLG to form an internal audit unit to address systemic corruption.

### ***Individual Capacity Development: Civil Service Training***

Civil servants' individual capacity development is an integral part of a public administrative reform program. Training for individuals is being provided through different packages as general management, IT, English language, and specialized job related courses, which are supplemented with coaching and process workshops in the centre and provinces.

Many training packages are delivered to the civil servants in the centre and provinces by joint efforts of line ministries, donor agencies projects and IARCSC (with support from ASGP) at the national and sub national level. ASGP has assisted the IARCSC to operate provincial training centres (in half of all the provinces) and to build the capacity of its regional offices to oversee both the training and the PAR operations at the local level. ASGP collaborates with World Bank, European Commission and USAID in ensuring that trainings are conducted according to the training standards set by Afghanistan Civil Service Institute (ACSI). ASGP has also assisted in the establishment of two critical databases, one to track the recruitment process in all sectors operating at the provincial level and the second to track all capacity development interventions in each province.

A collaborative approach involving the use of a 'Letter of Agreement' between UNDP and IARCSC has resulted in improvement of direct training delivery and coordination of all training efforts at sub national level. This approach has also resulted in the transfer of management of the training centres to regional offices of IARCSC.

### **Concluding Comments**

The restructuring, reform and modernization of local administrative units are important for the delivery of a number of critical public goods and services. However, the most important reason that ASGP engages in this effort is to foster a more conducive environment for local economic development (LED). IDLG has been mandated by a Presidential Decree to improve governance in order to achieve security and development. The Governor, who chairs the Provincial

Development Committee (PDC) that produce and implement provincial development plans, reports to IDLG. Integration of LED into the provincial planning mechanism will lead to development of provincial plans that address strategically important development needs of the province. However, plans will be undermined if the local administration uses its power to improperly impede entrepreneurial efforts. At this time, IDLG and ASGP are laying the groundwork for this field. A conceptual framework has been established and a small team of national and international economists and business development advisors is being formed. The next step will be creation of a Working Group composed of relevant government agencies and international development projects to advise IDLG on aspects of local economic development. LED is seen as the future driver for administrative reform, particularly in municipalities.

The present Afghan situation is the result of complex, institutionalized patterns of human behavior that can neither be controlled nor designed away. The use of a systems approach to capacity development, addressing institutional, organizational and individual issues in a holistic manner, enables a programme to remain dynamic and adaptable, while operating as a catalyst in an ever evolving environment.

Relationships built with the key government agencies, IDLG and IARCSC, are strong and improving. The decision to use a 'Letter of Agreement' to modify the standard UNDP Direct Implementation Modality has been instrumental in giving government a greater say in what should be done and more responsibility for accomplishing the agreed objectives. However, the level of capacity existing in local administrative units today is far below what is necessary to deliver a level of service that can appreciably impact on the public's perception of their government. Public administrative reform at the sub-national level is important, but it is clearly not sufficient in successfully countering anti-government insurgents and building legitimacy and trust in the state.

Unfortunately, current military counter-insurgency strategies, geared to 4-6 month tactical operations, have little in common with a long-term governance capacity building program. At present, both sides essentially view the other as necessary, but incompatible.