



LINKS BETWEEN DEMOCRATIC GOVERNANCE AND ENVIRONMENTAL POLICY IN AFRICA

Guidance for NGOs and Donors

Governance systems influence how societies and economies progress and prosper. Governance is more than government, more than the competence of governments to formulate policies and deliver services. It defines the ground rules for interaction between government, civil society, and the private sector. Democratic governance, one form of governance, includes how all sectors of society, interact "to coordinate the aggregation of diverging interests and thus promote policy that can credibly be taken to represent the public interest" (Frischtak, 1994, p. vii). It encompasses the legitimacy of government among the governed; accountability of political and official elements of government (media freedom and openness of information, transparent decision-making, accountability mechanisms); responsiveness to citizens (participation), incorporating the views of a range of people in decision-making; and establishment and respect for human rights and the rule of law.

For most of the world's people, direct experience with governance occurs locally through interactions with extension agents, forest guards, public health providers, teachers and educational system officials, mayors and local council members, and so on. For many people in developing countries, movement towards democratic governance happens through sectoral reforms. This policy brief examines the linkages in Africa between democratic governance and environmental policy reform.¹ The connections between these two areas are worth exploring because progress in one can be enhanced by attention to the other. Although the relations between governance and environmental issues are complex and difficult to generalize, evidence increasingly suggests links between democratic governance and sound natural resource management, and between centralized, authoritarian regimes and environmental degradation. The brief concludes with some suggestions for donor agencies and NGOs on how to capitalize on

these linkages and thus increase the effective use and impact of their resources.

SOME CRITICAL ELEMENTS OF DEMOCRATIC GOVERNANCE

In general, strengthening democratic governance for environmental policy reform and implementation involves three overlapping areas: realigning government, private sector, and civil society roles and responsibilities; nurturing synergies and partnerships; and ensuring accountability and legal recourse.

Regarding the first area, building a democratic system of governance means a fundamental realignment and redistribution of societal roles and responsibilities, needed authority, and associated capacity. Such a redistribution must specify and recognize the comparative advantages of central government, local administration, the business community, NGOs, and



private citizens. In Africa, the focus of governance reforms has been on decentralizing, privatizing, and downsizing government. As an example, environmental management responsibilities across the continent are beginning to be decentralized and authority devolved. But, because natural resources are valuable and are a significant source of wealth, shifts in ownership, use, and benefit-sharing have proved to be politically contentious and conflictual.

Second, in the process of realigning governance responsibilities, local government, the private sector, and civil society will take on important new roles in partnership with central government and each other. In addition to technical environmental and natural resources management knowledge, skills in communication, conflict resolution, consensus-building, negotiation, and collaboration are also necessary. In some cases, the partnerships will bring together groups with mutual distrust and opposing views and objectives, who now must work together. With such challenges, progress in forming effective partnerships has not always been smooth or easy, and government has some responsibility to create a framework with the incentives, mechanisms, guidelines, and procedures to help the partnerships succeed.

Third, establishing structures, procedures, and approaches to ensure accountability is key to effective environmental management. Checks and balances need to include shared decision-making, transparent audits, and independent monitoring. Efforts to ensure compliance with government authority have focussed especially on strengthening govern-

ment's ability to enforce laws that regulate the behavior and actions of private citizens. Equally important is the need to empower civil society to monitor government and private sector actions, and to provide concerned groups with the legal recourse to ensure effective public scrutiny, performance, transparency, and compliance.

LINKAGES BETWEEN DEMOCRATIC GOVERNANCE AND ENVIRONMENTAL POLICY REFORMS

Efforts to improve democratic governance can have a strong impact on sectoral reforms, including how they are implemented, who participates at various stages, and what outcomes are achieved. On the other hand, sectoral policy reforms and program interventions can promote democratic governance. The discussion below illustrates these linkages with environment and natural resource examples.

The Influence of Democratic Governance on Environmental Reforms

There are two ways that improved democratic governance can influence sectoral reforms. First, and most comprehensively, democratic governance can create a positive, enabling environment. Second, it can increase the efficiency and effectiveness of reform outcomes and results.

Of course, basic political rights and civil liberties are essential for popular participation in public policy reform and for ensuring that independent information and ideas are considered

in government decision-making. While most African governments limit freedoms of association, assembly, and expression, there is some progress toward democratization and political liberalism. As a result, some restrictions have been lifted in a number of countries, spawning public

Some political restrictions
have been lifted in a number
of countries, spawning
public interest groups.

interest groups. These include environmental NGOs, such as the Centre for Environmental Policy and Law in Africa in Kenya, the Lawyers' Environmental Action Team in Tanzania, and Greenwatch in Uganda. Progress in creating an enabling environment for full-fledged democratic processes, such as public criticism of government, however, remains constrained. In Kenya, for example, the leaders of the Greenbelt Movement have been beaten and jailed in response to their advocacy of broader civil liberties, political rights, and better environmental management.

Democratic governance is valuable for other reasons. It provides an independent judiciary, supportive legislation, meaningful decentralization, accountability, conflict resolution (including recourse through the courts), access to justice, freedom of assembly and expression, rule of law, freedom of information and the press,

and openness to citizen participation, all of which are vital ingredients for reform. In Tanzania, for example, the court system allowed two smallholder farmers to organize a legal challenge to the constitutionality of a 1992 law that eliminated customary tenure on village land. They won the case and the law was repealed. That ruling, in turn, significantly affected the drafting of new land tenure legislation in Tanzania, an important step, inasmuch as the conflict, political wrangling, and confrontations which often accompany environmental policy reform can be rooted in the sometimes fundamental changes in access to, and control over, land, resources, and their benefits. Another positive example occurred in Mali, where the government has accorded increased legal recognition to traditional moot courts to settle resource disputes locally (Fox, 1996).

Where trends toward democratic governance are opening the policy process, and creating opportunities for popular participation, and the combination of state-led, command-and-control approaches and private incentives is helping environmental policy implementation to be more efficient and effective, new consultative bodies have been created, resulting in increased transparency and accountability. For example, Mali's "journées de réflexion" and "tables rondes" were short-term government-sponsored forums and public hearings to facilitate participation on the forestry code and land tenure law. In Burkina Faso, a Second Chamber, which has consultative and advisory responsibilities, has been formed in the People's Assembly, with provision for one environmental NGO member.

Meanwhile, national and local-level partnerships that expand the role of civil society and the private sector in policy implementation are increasingly common in the environmental sector and are credited with improving the effectiveness of policy outcomes. National-level environmental institutions, including Madagascar's National Office of the Environment, Uganda's National Environment Management Authority, Ghana's Environmental Protection Agency, and The Gambia's National Environment Agency, also have clear responsibilities for engaging the public. Locally, joint resource management arrangements bring together communities, businesses, and government agencies for forestry and wildlife management in a number of African countries (Brinkerhoff with Honadle, 1996). The limited extent of democratic governance in most countries, however, means that participatory policy reform and implementation are far from being the norm. Too often, ministries and departments see participatory processes as a threat, rather than a support, to better policy and environmental management (Veit and Wolfire, 1998).

The Contribution of Environmental Reforms to Improved Democratic Governance

Just as democratic governance can influence environmental policy reforms, sectoral policy reforms can generate changes in a country's governance arrangements. Sectoral policies and programs provide citizens with concrete experience in the processes and mechanisms of democratic governance, which can have positive spillover effects. The structures and frameworks that result can

be building blocks for democratic governance in other sectors. And they can provide a springboard to larger changes in the direction of more democratic governance.

On the first point, environmental programs provide opportunities for people to gain practical experience with democratic governance mechanisms and processes, and for government actors to learn and practice new behaviors associated with good governance. As local groups and NGOs acquire more environmental policy and management experience, governments are increasingly looking to them to play a larger role. In Burkina Faso, for example, the Forestry Department has turned to NGOs with environmental experience to manage forests, including forested protected areas. In East Africa, the governments have established agreements with communities and businesses to manage certain resources in protected areas, including national parks. The successes achieved have encouraged the government agencies responsible for forests, land, and other natural resources to adopt community-based resource management more broadly.

Second, the organizing structures, mechanisms, and processes used to implement environmental policies and programs can serve as models to facilitate the spread and impact of democratic governance. For example, Zimbabwe's CAMPFIRE—Communal Areas Management Programme for Indigenous Resources—devolves authority over resource use and benefits to local governments and communities. It seeks to promote sustainable resource use by assigning management responsibilities to local

communities and by allowing them to benefit directly from the resources they manage. The role of local and national governments is to establish administrative structures to operate the program and provide necessary technical assistance and advice to communities. Implementation has been achieved in partnership with both local and international NGOs and donor support (Hall and Honadle, 1996). CAMPFIRE embodies a basic set of democratic governance principles, such as local empowerment, devolution of authority, responsiveness, accountability, and transparency. Its success has encouraged other sectors in Zimbabwe to experiment with devolutionary partnerships as well as encouraging other countries—especially in southern Africa and more recently in East Africa—to consider decentralizing rights to a variety of natural resources, such as rangelands.

Uganda provides another example of the modeling effect which environmental policy reform can provide for democratic governance. There, the National Environment Management Authority is playing a strong role in carrying out government decentralization. It is providing conceptual thinking and technical assistance to strengthen local government capacity in sustainable development planning, policy-making, revenue generation, financial accounting, and information systems—all of which are not exclusive to improved natural resource management (Dorn-Adzobu, 1995; Veit, 1993). By working with the Ministry of Local Government and selected local jurisdictions, the Authority is providing an opportunity to experiment with, and learn from, mechanisms, processes, and tools that

promote decentralized governance. This experience has assisted the Ministry of Local Government in implementing Uganda's legislative mandate for decentralization throughout the country. The skills learned by local governments have been used by local authorities to work with other line ministries to improve governance more generally.

Third, environmental policies and programs can catalyze and leverage change towards democratization. This can take place by creating a demonstration effect (showing what is possible), providing a forum for resolving governance issues around a concrete problem (conflict resolution and consensus-building), or mobilizing opinion in support of change (classic demand-making). For example, across the Sahel, pilot projects have demonstrated to governments and donors that local communities can effectively and sustainably manage natural resources. The successful outcomes of these efforts, such as the USAID-supported Forest Land-Use Planning Project in the Guesselbodi National Forest in Niger, and the Swiss-funded forestry projects in the Sikasso Region in Mali, have informed the policy debate on devolution of authority for natural resources among government officials, citizens, and donors. The legislative, policy, and administrative changes that Sahelian governments have made over the past five to ten years are a direct result of these small-scale pilot activities and have gone a long way toward encouraging democratic governance. Zimbabwe's CAMPFIRE, mentioned above, is another example of this leverage via demonstration effect. Indeed, many governments now encourage pilot efforts and exempt them from standing policy

and legislation precisely because existing management systems are ineffective and the governments have been encouraged by the success of other pilot efforts.

As another instance of leveraging impact, the experience of NGOs in resource management partnerships and environmental policy dialogue in several countries has led to an increase in civic activism on a broadening array of issues, and to a new willingness to interact with the state in different and more assertive ways. In Mali, village groups that have managed community forests and woodlots feel more empowered to hold officials accountable, and they apply their experience in resolving disputes over resource issues to other kinds of conflict resolution (Thomson, 1997). Similarly, in Kenya, an NGO (the Loita Naimiya-Enkiyo Conservation Trust) is suing the Narok County Council regarding the ownership of, access to, and use of the Naimiya-Enkiyo forest. The case has reached the constitutional court, as lower courts were unable to interpret the legislation regarding trusteeship and ownership by local people. This much-publicized case has contributed to the call for the appointment of a Presidential Commission to review land and resource tenure policies and laws, and to a debate on constitutional reform and on the role of government in managing trust land (Kamuaro, 1998).

TAKING ADVANTAGE OF THE LINKAGES

This section offers suggestions as to how donors and NGOs can take advantage of the linkages between

democratic governance and environmental policy reforms. Guidance is provided on where, when, and how to intervene, either through investment in programs/projects or through policy dialogue, both to promote democratic governance and to advance environmental policy reforms.

Choice of Intervention Point

A fundamental choice for development assistance agencies is whether or not to work with governments. An exclusive focus on extra-governmental actors is often insufficient, both for democratic governance and environmental reform. Building civil society's demand-making capacity can raise levels of dissatisfaction and disappointment if not matched by government capacity to respond. Working only locally with indigenous NGOs or communities may help a particular resource base, but rarely leads to spread effects and wider impacts. A balanced approach is needed, one that capitalizes on the existing strengths of civil society, the private sector, and government together, and seeks to build capacity when those strengths are absent or insufficient. The approach should also have a balance between the central and local levels. Decentralization is an important mechanism both for democratic governance and for environmental reforms, but one deserving extra investigation and evaluation.

When to Intervene

The question of when to intervene involves assessment both of initial conditions that inform "go/no-go" decisions, and of changing conditions over the life of an intervention. As Rothchild (1994) notes, conditions

A fundamental choice for development assistance agencies is whether or not to work with governments.

are more strongly positive today where African publics no longer support unitary, top-down states. The existence of initial opportunity notwithstanding, some states have opened the door wider than others. In certain countries, the tolerance for independent activity, especially activism, by civil society is quite limited. In others, tolerance may exist, but the political space to play a meaningful role in governance or environmental policy is confined (see Hadenius and Ugglå, 1996). This suggests that investments are more likely to bear fruit when conditions indicate tolerance for autonomous civil society activity and broad citizen participation, as well as an openness to rethinking the role of the state. When these conditions are not in place, specific environmental projects that create leverage for increased democratic governance at a later stage appear to be more appropriate.

The "when" question, which is trickier, has to do with changing conditions over time, most acutely in those situations where democratic setbacks occur; for example, in The Gambia or Niger. Under conditions of change, a strategy following two avenues may be most appropriate: (a) policy dialogue with government to build (or reestablish) commitment to, and progress toward, democratization and democratic governance; and

(b) support to civil society via sectoral projects, which can have the democratic governance spillover effects described previously; or support to advocacy, demand-making, and consensus-building efforts, which can reinforce internal constituencies and pressure for reforms.

What to Do

Programs or projects to promote democratic governance and/or to support environmental policy reform will not succeed if treated as mechanical blueprints. It is not possible simply to apply a technical fix to complex reform issues; success requires paying attention to the implementation process, and to the need to manage policy change. Reforms should incorporate a process perspective, which means developing better understanding of institutional and implementation factors, and then providing capacity-building assistance with process as an explicit component of the intervention (Brinkerhoff, 1996).

In this regard, both governance and environmental reforms require reformers to extend their focus beyond their individual organizations, becoming aware of who and what are out there, and calculating how to respond accordingly, not just on a one-shot basis but as an integral part of ongoing strategy formulation and operations. This includes the ability to identify key stakeholders, create opportunities for participation, and forge partnerships. Reforms also call for matching performance demands with management structures. Democratic governance alters roles and responsibilities as well as power and authority, and management struc-

tures must keep pace. In Africa, the environmental policy agenda is often far ahead of the institutional base necessary to implement the new policies, creating a mismatch between policy goals and institutional capacity to reach them (Brinkerhoff with Honadle, 1996).

Another process consideration is the management of participation. Unstructured and unmanaged involvement leads to cacophony and confusion, rather than good governance or positive environmental impacts. Donors should help reformers identify who should and can play a part, and create arenas and fora that effectively structure and manage the participation. Donor assistance of this kind can be extremely useful in giving people models for, and experience with, participatory and responsive governance, as well as contributing to more effective environmental policy implementation. Viable participatory mechanisms are central to the state-society realignments that characterize improved democratic governance and that are associated with many environmental reform strategies.

An important strategy that donors and NGOs should also follow, and one in which they often have a comparative advantage, is the dissemina-

tion of lessons learned, the demonstration of successes, and the analysis of failures. The ability of donors and NGOs to serve as relatively neutral convenors, or to provide support to other appropriate developing country convenors (e.g., associations, think tanks and research institutes) can facilitate such dissemination efforts.

Dealing with Politics

While participatory policy reform is distinct from politics, it is clear that both improving democratic governance and reforming environmental policies touch upon political issues. Yet some analysts and practitioners appear to ignore or at least downplay the fact that such changes involve significant shifts in access to resources and power, in control and discretion, and in socioeconomic relations among different strata of society. This tendency appears most prevalent among certain proponents of civil society, as exhibited in two frequent assumptions: (a) that civil society groups are by their intrinsic nature democratic and participatory; and (b) that consensus and cooperation are the natural outcomes of any broadly participatory policy process. Experience challenges these assumptions and demonstrates that opening up the policy process to more democ-

cratic governance rarely proceeds smoothly or without serious conflicts, backsliding, and political-bureaucratic maneuvering.

In fact, donors and NGOs should always keep in mind that in Africa the paths to democratization and participatory environmental management are winding and rocky. The dynamics are highly political, and the slate of winners and losers is invariably rearranged. Not all losers acknowledge defeat and relinquish their claims gracefully; not all winners resist the temptation to take advantage of their victories and entrench themselves in ways that undermine democratic and participatory processes. With few exceptions in Africa, the institutional frameworks that set the rules of the game and the administrative systems intended to enforce those rules are not sufficiently robust to ensure that competitive political processes can avoid the perversities of capture, corruption, and/or repression by elites (see Ottaway, 1997). In many African nations, the natural resource base is the major actual and potential source of wealth, and political competition for access and exploitation is acute and fierce. Donors and NGOs can influence these competitive dynamics to varying degrees, but should remain aware of the limitations of external intervention.

ENDNOTE

1. This policy brief draws upon a larger study by the first author, which also contains an in-depth literature review; see Brinkerhoff (1997) in the bibliography.

BIBLIOGRAPHY

- Brinkerhoff, Derick W. 1996. "Technical Cooperation for Building Strategic Policy Management Capacity in Developing Countries." *International Journal of Technical Cooperation*. Vol. 2, No. 1, pp. 1-18.
- Brinkerhoff, Derick W. 1997. "Democratic Governance and Sectoral Policy Reform: Linkages, Complementarities, and Synergies." Washington, DC: U.S. Agency for International Development, Implementing Policy Change Project, Phase II.
- Brinkerhoff, Derick W., with George Honadle. 1996. "Co-managing Natural Resources in Africa: Implementing Policy and Institutional Changes in Five Countries." Washington, DC: U.S. Agency for International Development, Implementing Policy Change Project, Monograph No. 4.
- Fox, Leslie. 1996. "The Enabling Environment for Community Organizations in Mali." Alexandria, VA: Thunder and Associates, Inc. Paper prepared for USAID/Bamako.
- Frischtak, Leila L. 1994. "Governance Capacity and Economic Reform in Developing Countries." Washington, DC: World Bank, Technical Paper No. 224.
- Hadenius, Axel and Fredrik Ugglå. 1996. "Making Civil Society Work in Promoting Democratic Development: What Can States and Donors Do?" *World Development*. Vol. 24, No. 10, pp. 1621-1639.
- Hall, Robert and George Honadle. 1996. "Fostering Community Resource Management in Zimbabwe: An Assessment of Policy Implementation in the Forestry Commission and the Department of National Parks and Wildlife Management." Washington, DC: U.S. Agency for International Development, Implementing Policy Change Project.
- Kamuro, Ole. 1998. "State and Community Conflicts in Natural Resource Management in Kenya." In Peter G. Veit (ed.). *Africa's Valuable Assets: A Reader in Natural Resource Management*. Washington, DC: World Resources Institute.
- Ottaway, Marina (ed.). 1997. *Democracy in Africa: The Hard Road Ahead*. Boulder, CO: Lynne Rienner Publishers.
- Rothchild, Donald. 1994. "Structuring State-Society Relations in Africa: Toward an Enabling Political Environment." In Jennifer A. Widner (ed.). *Economic Change and Political Liberalization in Sub-Saharan Africa*. Baltimore: Johns Hopkins University Press, pp. 201-229.
- Thomson, James T. 1997. "An Institutional Analysis of Local-Level Common Pool Woodstock Governance and Management: Implications for Environmental Policy." In Derick W. Brinkerhoff (ed.). *Policy Analysis Concepts and Methods: An Institutional and Implementation Focus*. Greenwich, CT: JAI Press, Policy Studies in Developing Nations Series, Vol. 5, pp. 113-141.
- Veit, Peter G. 1993. "Decentralizing Natural Resource Management: Some Issues Regarding Sub-District Environmental Planning and Implementation." Washington, DC: World Resources Institute, Paper prepared for USAID/Kampala.
- Veit, Peter G. and Deanna M. Wolfire. 1998. "Participatory Policymaking and the Role of Local Non-Governmental Organizations." In Peter G. Veit (ed.). *Africa's Valuable Assets: A Reader in Natural Resource Management*. Washington, DC: World Resources Institute.

Derick W. Brinkerhoff (Senior Social Scientist, Abt Associates Inc.) is Research Director for USAID's Implementing Policy Change Project and is an associate member of the PCG. *Peter G. Veit* is Regional Director for Africa in WRI's Institutions and Governance Program. They are grateful for support in the preparation of this PCG Policy Brief from the Center for Democracy and Governance of USAID's Global Bureau through the Implementing Policy Change Project, and from The Africa Bureau through the EPMII Cooperative Agreement.