

Senegal Democracy and Governance Assessment

FINAL DRAFT

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Written by:

Sheldon Gellar (MSI)
Robert Charlick (MSI)
Ibrahima Thioub (Cheikh Anta Diop University)

The views expressed in the following assessment are those of the authors and do not necessarily reflect the opinions or policies of the U.S. Government.

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EXECUTIVE SUMMARY

The scope of work for this democracy and governance strategic assessment for Senegal calls for two inter-connected tasks: (1) an assessment of political change and democratization in Senegal; and (2) the development of recommendations for a USAID/Senegal strategy to address major barriers to the transition and consolidation of democracy in Senegal. In addition, the USAID/Senegal mission asked the DG team¹ to consider the impact that Senegal's receiving MCA funding might have on democratization in Senegal and on the mission's DG strategy.

In many regards democracy is making significant progress in Senegal. One has seen peaceful regime change through the ballot box, the emergence of a vigorous free press, respect for human rights, and a blossoming of associational life. Nevertheless, Senegal remains a highly centralized state where patrimonial norms and values and clientelism still drive the behavior of Senegal's leading political actors, making it difficult for them to play by the rules of transparency and public accountability. This fact limits Senegal's current and future potential for economic development and must be addressed not only by institutional reforms but also by efforts to address the prevalence of patrimonial norms and values undermining good governance practices. The U.S. Government has a significant stake in fostering good governance in Senegal, particularly if Senegal becomes a MCA country. Building on its traditional strengths, an optimal USAID/Senegal DG strategy would focus on enabling citizens to generate real demand for good governance from below at both the national and local levels.

For the Senegal DG assessment, the team adopted the methodology developed by USAID/Washington's Center for Democracy and Governance. This methodology looks at five key elements of democracy -- consensus, competition, inclusion, rule of law, and good governance -- to define the DG problem. It then identifies key actors, their interests, resources, and alliances and the diverse political arenas in which they operate; and distills a country-specific DG strategy based on the political analysis. The team identified rule of law and good governance issues as the key arenas upon which to focus USAID's efforts.

While disputes concerning the fairness of electoral rules remain a source of division among political leaders and a concern of civil society, there is a general **consensus** on the basic rules of the game. Senegalese public opinion clearly supports democratic norms, fair elections and a multiparty regime. A strong sense of Senegalese national identity in a predominantly Muslim society, traditions of ethnic and religious tolerance, and the desire to maintain social peace and resolve conflicts through dialogue are shared by most Senegalese and have contributed to Senegal's remarkable political stability. Senegal is the only West African country not to have experienced a military coup.

Despite occasional setbacks, freedom and political and economic competition have made steady progress over the past thirty years as Senegal has moved from a closed one-party state regime to a more open democratic society. Abdoulaye Wade's defeat of Abdou Diouf, the incumbent president, in the March 19, 2000 presidential elections ushered in a regime change for the first time since independence.

The state no longer controls and dominates the media and associational life the way it did during the Senghor era (1960-1980). The private sector is expanding. Civil society, both at the national and grassroots level, has become relatively more autonomous and is asserting its right to participate in public affairs. The independent media has become a potent force informing and forming public opinion and

¹ The DG team consisted of three members: Sheldon Gellar, Team Leader and political scientist who has worked on democracy and development issues in Senegal since 1962; Bob Charlick, a political scientist and specialist in democracy and governance issues with extensive experience in francophone Africa; and Ibrahima Thioub, Chairman of the History Department at Cheikh Anta Diop University and specialist in the development of the informal sector and Islam in Senegal. The team worked together in Senegal from January 4-23, 2004.

serving as a watchdog in exposing corruption. Public opinion has become an increasingly powerful force in influencing government policy.

Less progress has been made in the area of **competition** among government institutions. The executive branch remains the dominant institution; the National Assembly still exercises little initiative and control over the executive, the judiciary remains weak and subordinated to the executive branch of government; and local government receives only a tiny fraction of the state budget.

Unlike many other African countries, Senegal is not plagued by issues of **inclusion**. Although lingering on, the insurrection in the Casamance seems to be winding down and headed towards a definitive solution. Groups in society previously excluded from participation in political life – e.g. people of caste and slave status, women, and youth—are becoming more active in public affairs.

Gaps in the **rule of law** and the lack of **good governance** practices constitute the weakest parts of Senegalese democracy. In addition to undermining the credibility of government institutions, this phenomenon may also discourage foreign investors from coming to Senegal and could lead to Senegal's receiving less foreign aid.

The courts are weak and corruption wide-spread. Many laws and regulations on the books are impractical, not applied, and contradict customary and Islamic law. However, in recent years, the government has become more responsive to the views of different sectors of the public in elaborating policy and legislation affecting them.

The persistence of neopatrimonial norms and clientelism undermines **good governance** practices. Many civil servants and other government officials still see themselves as patrons and/or guardians of the people rather than public servants. The need to reward one's political allies and clients often determines the allocation of public resources and positions. Although generally condemned, corruption has not become a priority issue for most Senegalese. On the other hand, pressures for good governance are mounting; some government operations are becoming more transparent, and it is becoming increasingly difficult to keep basic information concerning government operations secret, thanks to the vigilance of the press.

The main institutional arenas capable of putting checks on abuses of presidential power and putting pressure on the regime and political class for good governance practices are the **independent media** and certain segments of **national civil society** that have been promoting human rights, fair electoral laws, good governance and citizenship. The latter can take the lead in creating a broad coalition of national-level organizations—employers associations, trade unions, liberal profession organizations, and religious associations—to analyze and evaluate government policies and practices and to lobby for good governance. The press and private and community radio stations can also be used to disseminate information in these areas to the general public.

Grassroots associations constituting **local civil society** are important arenas for promoting good governance at the **local government** level. Although local government itself remains weak, it is becoming more responsive and accountable to its constituents, especially in areas where citizens at the local level are more aware of their rights and how local government is supposed to function. Strengthening local government requires empowering local civil society not only to monitor good governance practices at home but also to bring pressure to bear from below on the national level institutions to transfer more state resources to local government and to use state resources more wisely.

To improve the **rule of law**, the participation of representatives of all sectors of society is needed to elaborate policies and rules that are intelligible, practical, and not in sharp contradiction to customary and Islamic laws still deemed legitimate by the public.

Notwithstanding the persistence of patrimonial norms and clientelism, the concentration of power in the hands of the presidency, and the present domination of Senegal's major political institutions by the PDS-led coalition, Senegal seems to be well on the road to consolidating democracy, especially at the grassroots levels. The commitment of the Senegalese people to democratic norms and institutions, the development of an increasingly vibrant media, public opinion, and civil society serve as important checks on the authoritarian tendencies of the Wade regime that will make it very difficult for Senegal to revert back to an authoritarian one party system.

The recommendations of the DG team concerning future USAID/Senegal strategies flow from the conclusions derived after applying the DG methodology to Senegal. The DG team's analysis regards Senegal's political class and national level political institutions as unlikely to take the lead in making reforms in the areas of rule of law and good governance. Rather than encouraging reforms from the top, the recommendations focus on the role to be played by the media, national level civil society organizations, and local level civil society in generating pressures for reform from below.

This study recommends an optimal DG strategy for USAID/Senegal that addresses not only the symptoms, but the underlying or "deeper" determinants impeding good governance and economic growth. Under this strategy USAID would work simultaneously with civil society at the national level and at the level of local government and associations in ways that not only put pressure to improve formal institutions, but which begin to transform values and attitudes to support the proper functioning of these institutions. This strategy would improve the perceptions of private sector investors, stimulate growth, and strive to change the political culture from one of permissive patrimonialism to one of participation and accountability. The recommended strategy seeks to change the way Senegalese officials at all levels deal with institutional rules in the management of public resources and to support the growing number of ordinary Senegalese citizens who want and demand more honest and responsive government.

The report argues that working only on institutional fixes at the national level will not produce results that make a difference. On the other hand, working only at the local level or with civil society will not produce sufficiently powerful motivations for national policymakers and implementers to change their behavior. The DG strategy proposed here thus focuses on improving public governance by enhancing financial management at both the national and decentralized governance levels.

The national level component would seek to strengthen the capacity of national civil society to monitor public financial management and to begin creating a culture of accountability. Various kinds of support would be offered to civil society actors whose own programs encompass issues of transparency and more open, honest and transparent use of public resources. Rather than formally stressing its anti-corruption aspects, the strategy would focus on linking concrete citizen interests to the manner in which government at all levels uses public resources, and the need for greater participation in that process.

One could thus work with representative national level organizations like the *Conseil National de Concertation des Ruraux* (CNCR) to focus on financial aspects of concrete problems confronting the rural world—e.g., how public land is appropriated and sold, or how access to water, grazing rights and forestry resources are assigned. In addition to disseminating knowledge of national laws and regulations governing urban and rural life, interventions under this strategy would also assist interested citizen groups to gain the skills to monitor state and local government transactions and to demand that severe legal sanctions be imposed on those convicted of malfeasance. In the process, the strategy would enhance the capacity of citizen's groups, business associations, and the media to lobby for and defend their interests. It would also provide support to the development of commercial dispute resolution institutions by strengthening the demand for judicial processes whereby private sector firms could get more rapid and fairer resolution of their commercial and contractual disputes.

At the decentralized level, the strategy would act to improve local financial management, the capacity of citizens to monitor budgets and expenditures, and the attitudes and values

of public officials and citizens towards good governance. The strength of this approach is that it addresses the sustainability issues of local government by getting citizens involved enough in the activities and investments of local government that they will be increasingly willing to support local government with taxes and other financial resources. By focusing on local financial management issues, this strategy can begin to create a culture in which local officials grow increasingly apprehensive about ignoring or violating institutional rules and in which citizens grow increasingly confident that principles like financial integrity and institutional responsibility count for something.

The decentralized component of the strategy would build upon USAID/Senegal's comparative advantage and experience in working with local grassroots associations and local government. New activities would be added that focus more directly on financial monitoring and training on the premise that budget and expense monitoring works best where citizens are involved with local government in addressing concrete local problems and where some of their own resources are at stake. These activities would eventually create a demand from the grassroots level that would support national level demands for and pressures on the government to improve its governance practices.

Two feasible but less optimal alternative strategies include: (1) working through existing sectoral programs to improve public governance at the national and decentralized governance levels; and (2) supporting only national level civil society and private sector pro-transparency programs.

In considering the impact of a potential MCA grant to Senegal, the report concludes that the potential choice of Senegal as an MCA country and the acceptance and funding of its plan makes it critical that additional resources be invested in the kind of DG activities outlined in the optimal strategy. In addition it argues that the U.S. Government needs to be acutely and realistically aware of what its capability and comparative advantage are to encourage the Government of Senegal to improve its performance on governance indicators and to use the MCA funding effectively to promote broad-based economic growth. Based on past experience and a review of other donor activities, the report concludes USAID's comparative advantage is to build public demand for better governance at every level of the system, particularly at the national level, and in the process to begin shifting mass and elite values. With significantly more resources associated with MCA funding, USAID and MCC together should be able to extend the excellent work USAID has initiated in the area of decentralized financial management as well as make a significant contribution to building national level demand and monitoring capacity on the part of civil society actors.

SENEGAL DEMOCRATIC GOVERNANCE ASSESSMENT

I. INTRODUCTION

This report is based on a review of the literature and interviews with a broad spectrum of Senegalese society--politicians, government officials, journalists, private sector figures, and representatives of national NGOs, grassroots urban and rural associations, and other civil society organizations. Extensive consultations were also held with the USAID/Senegal staff as well as with US Embassy officials. The team also met with international donor officials to discuss donor DG activities.

The DG team consisted of three members: Sheldon Gellar, Team Leader and political scientist who has been working on democracy and development issues in Senegal since 1962; Bob Charlick, a political scientist and specialist in democratic governance issues in Africa; and Ibrahima Thioub, head of the History Department at Cheikh Anta Diop University and a specialist on Senegalese social history, Islam, and the development of the informal sector in Senegal.

For the DG assessment, the team adopted the methodology developed by USAID/Washington's Center for Democracy and Governance. The methodology starts by defining the DG problem; looks at five key elements of Democracy--consensus, rule of law, competition, inclusion, and good governance; identifies key actors, their interests, resources, and alliances and the diverse political arenas in which they operate; and distills a country-specific DG strategy based on the political analysis. The team identified rule of law and good governance as the key arenas upon which to focus USAID's efforts.

While following the methodology developed by the Center for Democracy and Governance, the team gave special attention to the concerns of USAID/Senegal concerning issues related to the elaboration of future Mission Democratic Governance Strategies and the implications of Senegal's acquiring MCA funding for the Mission's overall strategy in general and DG strategy in particular. In doing so, the team put together recommendations for an optimal DG policy that emphasized working at both the national and local levels and building upon the experience and comparative advantage that USAID/Senegal has in decentralization programs that brings together local civil society with local government officials to improve governance practices.

II. SENEGAL: A POLITICAL OVERVIEW

A. Modern Political History

Unlike many African countries, Senegal has had a long tradition of democratic institutions dating back to the nineteenth century when France granted the privileges of citizenship to the African inhabitants of the urban settlements known as the Four Communes—Dakar, Goree, Rufisque, and Saint Louis. The citizens of the Four Communes had the right to vote, run for office, organize political parties and other associations, publish newspapers, and join trade unions. The overwhelming majority of Senegalese populations living outside the Four Communes had the status of subjects which deprived them of the rights enjoyed by the citizens, made them subject to the whims of an autocratic colonial administration and prevented their participation in local decision-making bodies and electoral politics.

In 1946, France abolished the distinction between citizens and subjects and granted the rights of citizenship to all of its colonial populations in Black Africa. During the early post-war years, Lamine Gueye, who had been the leader of the opposition during the 1930s, emerged as Senegal's most prominent political leader. Leopold Sedar Senghor and Mamadou Dia broke away from Lamine Gueye's Socialist

party in 1948 to form a new political party, the Bloc Democratique Senegalais (BDS), which emerged as Senegal's majority party in 1951-1952. Lamine Gueye's party had its greatest electoral support in the Four Communes. The BDS became the majority party by winning the support of the heads of the Sufi Brotherhoods, rural notables, and the former subjects in the interior. Thanks to the granting of full political and civil rights, political parties, trade unions, an independent press, and associational life flourished in Senegal during the post-war period (1945-1960).

Following the establishment of an African executive in 1957 which shared power with the French colonial administration, Senegal began moving away from the pluralistic democracy that had begun to emerge during the post-war era. In 1958 Lamine Gueye's Socialists joined forces with Senghor's and Dia's party which became the *Union Progressiste Senegalaise (UPS)*.

During the 1959 national elections, the UPS won all of the seats to the newly created National Assembly, thanks to a winner take all election law. Following the breakup of the Mali Federation in 1960, Senegal became a sovereign independent state and adopted a new constitution, which divided power between the President, who became the chief of state, and the *President du Conseil* who headed the government. The Constitution also gave the National Assembly the power to oust the government through a motion of censure or non-confidence. In December 1962, a political and institutional crisis touched off by tensions between Senghor and Dia and their respective followers eventually led to the end of the Senghor-Dia partnership and their power sharing arrangement. Dia responded to a motion of censure initiated by 39 pro-Senghor deputies by arresting four deputies and preventing the National Assembly from meeting. Senghor sided with the National Assembly. In the showdown between the two men, the army sided with Senghor. Dia was arrested, tried, convicted, and imprisoned for "attempting a coup d'etat."

Major institutional changes followed the resolution of the crisis in Senghor's favor. A new constitution crafted by Senghor concentrated power in the hands of the presidency. The Senegalese people overwhelmingly approved the new constitution in a March 1963 referendum. Senghor quickly purged the party of Dia supporters, suppressed or coopted the political opposition, and opted for a strong centralized government and territorial administration that left little room for autonomous local governments and associational life. By 1966, Senegal had become a de facto one-party state with no legal opposition political parties. However, unlike many African one-party states, Senegal under Senghor generally respected human rights.

Following widespread political and social unrest in 1968 from students, trade unionists, and disgruntled businessmen unhappy with the continued domination of the economy and Senegal's higher education system by the French, Senghor encouraged young Senegalese cadres to form the *Club Nation et Developpement* in 1969 to discuss political reforms. In 1970 Senghor reestablished the post of prime minister and accelerated the Africanization of the state bureaucracy and higher education. During the mid-1970s he began to liberalize the political system by giving his blessing to the establishment of the *Parti Democratique Senegalais (PDS)*, a new political party led by Abdoulaye Wade, freeing Mamadou Dia and other political prisoners, and allowing an opposition press to function. Senghor also changed his party's name to *Parti Socialiste (PS)* when his party joined the Socialist International to reinforce Senegal's image as a democratic nation. By the end of the 1970s, Senghor had revised the Senegalese constitution to permit four political parties representing different political philosophies to function and to insure that Abdou Diouf, his Prime Minister and hand-picked successor would take over.

In 1981, Senghor became the first African president to voluntarily step down from office. Shortly after becoming president, Diouf accelerated the pace of political liberalization by allowing unlimited party competition, negotiating reforms in the educational system with the teachers' trade unions, and bringing non-party technocrats into his government. These developments coupled with Senegal's relatively good human rights record enhanced Senegal's image as one of Africa's most democratic countries. Diouf won the 1983 presidential elections handily. After that, his popularity began to decline and the rest of the decade was marked by frequent student strikes, growing urban unrest, and political violence following the

1988 presidential elections. Opposition charges of fraud and the arrest of political opposition leaders following the 1988 presidential elections tarnished Senegal's image as a model of African democracy.

During the 1980s, structural adjustment programs forced a scaling down of state intervention in the economy, a reduction in the size of the state bureaucracy, and a loosening of the tutelage of the state over associational life. These changes opened up more space for the emergence of relatively autonomous associations at both the national and grassroots levels.

Under pressure from donors, opposition parties, and civil society, the Diouf regime undertook major institutional reforms during the 1990s that contributed to the consolidation of Senegalese democracy. These reforms included the elaboration of a new electoral code acceptable to the opposition (1992), the licensing of private independent radio stations that ended the state's monopoly over the media (1993), a decentralization code that transferred many powers previously exercised by the state to local government bodies and radically reduced the tutelage of the state over local government (1996), and the creation of a credible national electoral body (ONEL) to monitor elections (1998). During this period, opposition parties entered and left the government and won an increasingly larger percentage of the votes as Senegal moved away from the party-state system that had emerged after independence.

During the 1998 national legislative elections, the PS list garnered only 51% of the total vote and little more than one-third of the votes in metropolitan Dakar where urban unrest and unemployment was high. Despite the democratic gains during this decade, many critics claimed that Senegal's democracy was still seriously flawed because the regime would not allow the political opposition to win an election. *Alternance* --regime change through the ballot box--became the litmus test for determining whether Senegal had become a democratic nation.

Abdoulaye Wade's victory in the March 19, 2000 national presidential elections marked the end of 40 years of rule by the PS and a new phase in Senegal's movement towards greater democratization. The political opposition had long cried fraud and expressed little faith that Diouf would permit the opposition to win. They were wrong. The elections were fair and open. After his defeat in the second round of voting, Diouf graciously congratulated Wade and handed over the reins of power to his long-time opponent.

The coming to power of Wade and his allies demonstrated that Senegalese democracy could tolerate a peaceful regime change and convinced Senegalese that they now had the power to oust unpopular leaders. It remained to be seen the extent to which Wade's victory and style of governing would contribute to the consolidation of Senegalese democracy. This report provides an assessment of the state of democratic governance in Senegal after nearly four years of *alternance*.

B. Political Culture and Conceptualization of the State and Power

The importance of Senegalese political culture and traditions in shaping contemporary political behavior cannot be overstated. To understand the forces affecting democratization processes in Senegal, one needs to look at Senegal's precolonial and colonial past as well as to what has transpired since independence. Senegalese attitudes towards the state and power have been shaped by three distinct models: the precolonial monarchies, the French colonial state, and the French Jacobin Republican model.

Precolonial Monarchical Traditions

During the precolonial era, most of Senegal's peoples were organized within monarchies and hierarchical societies.² Power was personalized in the ruler and indivisible. Rulers derived their power on the basis of controlling people rather than territory. Rulers were held responsible for the general well being of their subjects and were expected to be generous. Rulers sought to enhance their prestige by supporting a large entourage drawn from all elements of society—slaves, artisans, spiritual leaders, etc. This meant developing strong patron-client relationships. In exchange for material rewards, access to land and security, clients pledged their allegiance to their patrons and supported them in struggles against rival contenders for power.

The rise of the Atlantic slave trade promoted the centralization of Senegal's precolonial monarchies, increased the percentage of slaves and other dependents in the population, and undermined the position of the free peasantry who were subject to pillaging and raids by rulers and their armies in search of booty and slaves. During the 17th and 18th centuries, Islamic clerics (marabouts) often sided with the free peasantry and criticized rulers for their slaving practices and pillaging, thus setting the foundation for the great influence that Muslim religious leaders, especially those heading the major Sufi Brotherhoods, would later have in Senegalese society.

Although monarchs exercised great power over their people, they could be deposed and replaced by candidates from rival lineages. Popular wisdom, expressed through proverbs, exhibited a strong mistrust of rulers. The peoples of precolonial Senegal also valued local liberties—i.e., the right to govern their own affairs at the local level. Acephalous societies like the Diola and Serer resisted incorporation into centralized monarchies while other groups like the Lebu broke away from the monarchy in Cayor in the 1790s to form their own “republic” in the Cap Vert peninsula.

The most salient aspects of pre-colonial Senegalese political culture that continue to affect Senegalese behavior include the notion that power is personal and indivisible and patron-client relationships. Given the persistence of patrimonial political norms³, it should come as no surprise that many political leaders see criticism as personal attacks, have difficulty delegating power to others, and seek to win support and popularity by generously rewarding their followers with money, jobs and other material benefits. Since power is personal rather than institutional, rulers often treat state resources as their own while many ordinary citizens expect those in power to be generous in distributing state resources to their families, friends, place of origin, and supporters.

The proclivity of Senegalese to freely express their views, ignore state laws and regulations violating their values and inimical to their interests, organize themselves into thousands of self-governing associations, and enthusiastically support the principle of decentralization has much to do with the Senegalese people's mistrust of centralized power and taste for local liberties. These values, which antedate the colonial era and the introduction of modern representative institutions, are increasingly contributing to the consolidation of Senegalese democracy.

Colonial State Traditions

French colonialism imposed an alien, highly centralized and autocratic bureaucracy based on written rules and regulations elaborated in French on Senegal's populations. The French colonial state introduced the

² Acephalous societies like the Serer and Diola had relatively equalitarian social structures and were exceptions to the rule.

³ For an analysis of the survival of patrimonial norms in Africa, see Michael Bratton and Nicolas Van de Walle, “Neopatrimonial Regimes and Political Transitions in Africa, *World Politics*, Vol. 46, No. 4, (1994), pp.453-489.

notion of *tutelle* as the dominant concept governing its mode of governing. Until totally assimilating French culture, Africans could not be regarded as equals capable of self-government. As a result, they needed to be treated as minors and wards under the guardianship of the colonial state. Asserting French cultural superiority and denigrating African culture, the French trained a small number of Senegalese as an auxiliary elite whose elite status derived from their knowledge of the French language and integration into the colonial bureaucracy and system. French colonial officials gave orders and expected their African subjects and those working in the colonial bureaucracy to obey without questioning or discussion. Outside the Four communes, local liberties and associational life languished under the heavy-handed paternalism of the colonial administration.

Some of the major legacies of the colonial state system on Senegalese political culture included:

- A high degree of alienation of most Senegalese from formal state and legal structures reinforced by the fact that all of the rules and regulations were in a foreign language;
- A bureaucratic culture that regarded non-western educated Africans as culturally inferior and incapable of making their own decisions; and
- A top-down approach to governing in which decisionmaking was concentrated exclusively in the hands of those heading the highest echelons of the state bureaucracy.

The French Jacobin Republican State Model

The western-educated French-speaking Senegalese elite who inherited the reins of power at independence generally embraced the French model of democracy in which the state incarnated popular sovereignty. Elections bestowed legitimacy on rulers who then governed in the name of the nation. During the colonial era, the Senegalese political elite also accepted the French Revolution's ideals of Liberty, Fraternity and Equality and emphasized the importance of Senegalese having the same political and civil rights as metropolitan Frenchmen. They supported the extension of the suffrage, freedom of the press, religion, and association and opposed efforts of the French colonial state to restrict the electorate or the powers of Senegal's representative assemblies and councils.

Although critical of the colonial state as being autocratic and arbitrary, the Senegalese political elite embraced the Jacobin principle of a strong centralized unitary state when they took power at independence. They also maintained French as the official language of government and retained a political and legal system based on the French Republican model as reflected in the Senegalese constitution and legal codes. The Jacobin state model regarded autonomous institutions and associations and regionalism as potentially dangerous and saw the state as the ultimate authority and arbiter over political and associational life.

Democracy in Senegal: A Hybrid Political System

Senegal's political system today is a hybrid of the different traditions described above. Neo-patrimonial and clientelist politics⁴ continues to persist and prevail in many arenas of Senegalese political life. For example, although himself a democrat asserting Jacobin Republican values, Abdoulaye Wade has often behaved much like a pre-colonial ruler in his highly personalized mode of governing, lavish use of state resources to launch personal projects and reward his supporters, and unwillingness to delegate authority

⁴For a detailed account of Clientelism in Senegal, see Robert Fatton, "Clientelism and Patronage in Senegal," *African Studies Review*, Vol. 29, No. 4 (December 1986), pp. 61-78.

and allow others to share the limelight.⁵ High-ranking civil servants, party leaders, and local political bosses in Senegal often exhibit similar behavior.⁶ Many ordinary citizens still relate to political leaders and government officials as patrons rather than political servants accountable to them and condone the use of state resources by public officials for private gain as part of the prerogatives of power.

The influence of the centralized colonial state model, especially strong during the Senghor regime and the first decade of Diouf's presidency, has waned considerably. The revival of vigorous political competition, structural adjustment policies reducing the scope of state intervention, and decentralization policies transferring power from the state to local government officials have weakened the authority and prestige of the state bureaucracy and territorial administration. Governors, *prefets*, and *sous-prefets* have been forced to surrender much of their control over local government and administration. Despite the weakening of the colonial state model and traditions, forces within the state bureaucracy are resisting efforts to transfer more power to local government and to insert greater transparency in government operations.

The Jacobin Republican model still influences Senegal's political class who remain attached to the notion of a strong centralized unitary state, and the exercise of popular sovereignty by the state in the name of the people. Modern democratic concepts of freedom of the press, social equality, and human rights have also spread to large segments of the population and no longer remain confined to a tiny elite of western-educated Senegalese elites. This phenomenon has been reinforced by the emergence of a free and independent media that provides information about politics and civic matters in French and the national languages to most of Senegal's population. The reduced distance between citizens and the state has been accompanied by more public criticism of the state's shortcomings—e.g., corruption and the failure to provide basic services--and a growing sense of citizenship on the part of Senegal's people

The reduction of the state's tutelage over associational life, decentralization policies, and the failure of the state to provide basic public goods and services and employment to meet popular demands have contributed to reviving a taste for local liberties among the people as reflected in the organization of thousands of self-governing associations at the grassroots level, demands for more local government units, and resistance to state policies and laws in conflict with traditional norms and institutions. These trends are steadily undermining the foundations of neo-patrimonial politics and clientelism.

The Senegalese political system today reflects a hybrid mix of different political norms and institutions—often in conflict with each other. Thus, while decentralization and self-help projects are popular, many Senegalese still look to political patrons, the state, and donor assistance to solve their problems. Though still strong, neo-patrimonial practices and clientelism are being challenged at all levels of society. Public opinion, the media and civil society are becoming increasingly powerful forces in exposing corruption, electoral fraud, abuses of state power, challenging top-down decisionmaking, and consolidating Senegal's democratic gains.

⁵ For example, see Abdou Latif Coulibaly, *Wade, un opposant au pouvoir: l'Alternance piegee?* (Dakar: Les Editions Sentinelles, 2003) for a blistering critique of Wade's style of governance.

⁶ For a detailed discussion of the "Ceddo" political culture underlying this behavior, see Malick NDiaye, *L'Ethique Ceddo et la Societe d'accaparemen ou les conduits Culturelles des Senealais d'Aujourd'hui* (Dakar: Presses Universitaires de Dakar, 1996).

III. DIMENSIONS OF GOVERNANCE

A. Consensus

Democracy and Election Rules

In the past two decades, Senegal has moved a long way from the one-party system and controlled democracy introduced under Senghor. During the 1980s, Abdou Diouf opened up the political system to unlimited multiparty competition but retained electoral rules and government control of the electoral process and access to the media that foreclosed a level playing field. During the 1990s, electoral code reforms, the development of independent media, and the establishment of a credible institution, ONEL, to monitor the electoral process created the conditions that permitted a peaceful change of regime in the 2000 Presidential elections.

Although disputes continue over electoral rules and controls, there is a general consensus concerning the validity of free elections, multiparty competition, regime change through the ballot box, and freedom of the press and association. A recent Afrobarometer public opinion survey indicated that Senegalese overwhelmingly support democratic values and institutions.⁷ Three-quarters of the people surveyed preferred democracy to any other political system, while only four percent thought that a non-democratic system under certain circumstances would be preferable. A strong majority also opposed the establishment of a single party system while supporting a limited mandate for the president and parliamentary control over his actions.

Another important area of consensus widely shared by most Senegalese is the need to preserve peace and a climate of political, ethnic, and religious tolerance. Senegal has been the only West African nation not to have a military coup d'état and has been spared from much of the ethnic and religious conflicts plaguing other African countries. Senegal's political class, the press, religious authorities, and public opinion have all condemned the recent violence and threats directed against political leaders, journalists, trade unions and the Catholic Church. Similarly, public outcries against the apparent increase in any form of arbitrary violence and insecurity have been loud and generally effective.

While most Senegalese support the principles of liberal democracy, many Senegalese feel that the state is responsible for the economic well-being of the country and should play an important role in the economy in promoting economic development and generating employment. Thus, to the extent that employment is protected, the government's reluctance to accelerate the rate of privatization of state enterprises thus has some support in Senegalese public opinion.

The consensus over electoral rules is in some danger of being broken because of measures taken by the Wade regime to reinforce the dominance of his coalition over Senegal's major political institutions. Thus, Wade changed the constitution in 2001 to enable him to dissolve the National Assembly which was still controlled by the PS. The operative election rules for the 2001 legislative elections favored Wade's coalition, which won 89 of the National Assembly's 120 seats despite garnishing somewhat less than 50% of the vote. In fairness to Wade, these rules were essentially the same as those for the 1998 legislative elections which the PS used to its advantage, much to the chagrin of the same opposition that is now in power. Wade also delayed the holding of local government elections, dissolved local government units, and named special delegations to manage local government affairs until the May 2002 local government

⁷ Babably Sall, Zeric Kay Smith and Mady Dansokho, *Liberalisme, Patrimonialisme ou Authoritarianism Attenué: Variations Autour de la Démocratie Senegalaise*. Draft Rapport d'enquêtes Afrobarometre, Serie no. 2, December 2002.

elections. Despite their relatively poor performance in the rural areas, the CAP 21 coalition won a disproportionate share of the seats and control over most local government units.

Wade has also failed to provide ONEL with sufficient resources to function properly and argued that there was little need to have a special monitoring body for the elections. The appointment of Macky Sall, a PDS official as Minister of the Interior in 2003 to replace the man who had headed ONEL in the last years of the Diouf regime reversed a policy of naming an ostensibly non-partisan official responsible for organizing the elections as Interior Minister and raised concerns that the Ministry might not remain neutral.

Opposition political parties, the independent press, and civil society organizations involved with human rights and rule of law issues have criticized the Wade regime's electoral maneuvers. When in power, the PS rejected demands for the establishment of an independent national election commission and crafted electoral rules to increase their numbers in parliament and local government bodies. Now the PS takes the same position as the opposition did in the late 1990s. Conversely, the Wade regime defends its policies on the same grounds as the Diouf regime in arguing that an independent election regime is not necessary because the government respects the rule of law

In January 2004 the government withdrew a bill that would set the rules concerning the voting register and agreed to meet with the political opposition to try to come to a mutually acceptable arrangement concerning the content of the voter register and election rules for the 2006 national legislative elections. Having campaigned and fought for fairer electoral rules and honest elections for so many years while in the opposition, Wade will have a hard time justifying a policy that would undermine the credibility of Senegal's electoral processes and Senegal's international image as a model of democracy.

Casamance and National Unity

Another major area of national consensus that needs to be addressed concerns the conflict in the Casamance. For over twenty years Senegal has been challenged by a secessionist movement, the *Mouvement des Forces Democratiques de la Casamance* (MFDC) that, while it has never really threatened the state of Senegal per se, has constituted an on-going problem of national identity and unity. Dating back to the French colonial era, this dispute involves grievances by the local population against the central government. As a result of its distinct colonial experience Casamance separatists have asserted that their region has a legitimate claim to independence.⁸

Upon independence, President Leopold Senghor attempted to integrate the Casamance into his system of patrimonial politics and centralized power by favoring important local political leaders like Emile Badiane and Assane Seck while imposing a highly centralized bureaucratic order that clashed with the more decentralized social and political patterns of the Diola people, the main ethnic group in the Lower Casamance, as well as other ethnic groups in the region. In addition, the Casamance region, isolated by its separation from northern Senegal by the Gambia, has always perceived itself poorly served and denied its fair share of resources by the central government.

Additional and on-going problems that triggered the insurrection involved Diola resistance to the 1964 land tenure law and the Senegalese government's policy of permitting migrants from northern Senegal to appropriate land in the Casamance. By the late 1970s the propensity of ruling party leaders and government administrators coming from outside the region to control the allocation of land resulted in widespread discontent. When the economic structural adjustment program resulted in decisions by the

⁸ Extracted from Linda Beck, et al. Conflict Prevention and Peace Building Case Study: The Casamance Conflict and Peace Process (1982-2001), Burlington, VT, ARD Inc, for USAID, West Africa Regional Program, December 2001.

GOS to cut funding to high schools in Ziguinchor, the conflict erupted into violence in 1982, escalating into a limited civil war.

Negotiations during the 1990s led to short-lived agreements in 1991 and 1993 that failed in part because of the internal divisions within the rebellion--the division of the MFDC into an external wing of expatriate Casamançais, an internal political wing with three competing political leaders (Abbe Diamacoune, Jean-Marie Biagui, and Alexandre Djiba), and a military wing ("Atika") divided into a northern and southern front headed respectively by Sidy Badji (northern) and Leopold Sagna until Badji's death in 2003 and Salif Sadio (southern). Relationships among the movement's leaders have not been close and have involved diverse motivations for their willingness, or lack of willingness, to negotiate with the GOS.

During the course of the insurrection, the stance of the government fluctuated because of the lack of a clear-cut consensus as to how to end the conflict. Hard-liners called for crushing the rebellion militarily and refusing to negotiate with the rebels unless they gave up all claims to independence. Others called for a cease-fire and negotiations that would offer the region greater autonomy. Some observers believed that the 1996 decentralization code establishing regional councils was one way of offering Casamançais greater regional autonomy without giving the region a special status.

During the 2000 presidential election campaign, Wade promised to end the insurrection within 100 days after taking office, but offered no concrete plan. Nearly four years later the armed conflict appears to be nearing an end. President Wade's strategy was to scale down military activities in the Casamance, end the use of mass arrest and torture, and then offer to negotiate separately with each faction. For successful negotiations to take place, the MFDC leadership will have to accept the principle of a single nation, which Diamacoune and others have done. In exchange, the government will need to persuade all the MFDC factions that its offer of amnesty is ironclad and will need to be accompanied by an accelerated program to rebuild villages in those areas where peace has been restored. Donors are now gearing up to provide additional support for the reconstruction of the region, village by village, in anticipation of a comprehensive peace accord.

There is a growing national consensus in favor of negotiating a settlement with the MFDC. Religious authorities, national human and civil rights groups, and grassroots organizations in the Casamance have all called for a negotiated peace. The number of Casamançais supporting the insurrection seems to be dwindling, thus putting more pressure on the rebels to stop fighting and negotiate a peace settlement with the government.

Land Tenure and Land Use Regimes

A major area where there is little national consensus is that concerning land tenure and land use regimes.

In 1964, the Senghor regime passed a law (*loi sur le domaine national*) establishing the state as the owner of the land. The law called for usufruct rights to be given to those people working the land (*mise en valeur*), formally ended the compulsion of tenants to pay rent to the traditional owners, and gave the state the right to expropriate and allocate large tracts of land for developmental purposes. The 1964 land tenure law was elaborated with little or no consultation with the people. Several years later, the 1972 decentralization law gave rural councils the power to allocate land within their jurisdiction and to determine how the common pool resources – forests, grazing land, and water resources – should be used.

People in rural areas generally opposed the application of the new land tenure regime because it contradicted customary land tenure regimes. In areas where opposition to the law was strong, the government rarely intervened to enforce the law, and rural councils consulted with the traditional owners before allocating land to strangers or others. Younger peasants tended to be more sympathetic to the new land tenure laws, especially in the Senegal River Valley where those with little or no access to cultivable

land had the opportunity to obtain plots in the newly established irrigated perimeters. The Senegal River Valley also drew the attention of Mouride marabouts and talibes from the overcrowded peanut basin who wanted to engage in irrigated agriculture.

During the late 1990s, donors increased pressure on the government to alter existing land tenure legislation to establish private property rights that would give owners the right to alienate land and the government the right to allocate land to foreign private investors for development purposes. These proposals met with stiff resistance from local government officials and peasant associations in the rural areas. With major national elections coming, Diouf shelved the government's proposals to privatize land holdings.

After Wade came to power, the issue resurfaced once again as the government prepared new land tenure legislation which gave the president sweeping powers to allocate land in the national domain to private investors for developmental purposes and permitted individuals to transform usufruct claims to land into private property rights.

Although Senegal has not yet reached a consensus on land tenure and land use regimes, there is evidence that this time the government is at least consulting with the various actors involved before passing legislation that would radically alter current land tenure systems. Failure to reach consensus may lead to major conflicts over land tenure and land use, especially in urban areas, the Casamance, the Senegal River Valley, and traditional grazing areas. For example, the recent decision of the Grand Khalife of the Mourides to reject a land grant from the government of 50,000 hectares of land encompassing traditional Peul grazing lands helped defuse a potentially explosive situation between Peulh herders and Mouride farmers.

Concerns which need to be addressed in order to reach consensus include:

- Safeguards to insure that government officials don't expropriate land without due process and compensation for the former landholders.
- The need for transparency mechanisms and other safeguards to insure that government officials and politicians don't abuse their power by allocating land to themselves and their followers.
- Mutual agreement concerning the conditions under which "strangers" from other regions may be granted land rights in areas traditionally reserved for the local populations and acceptable compensation for traditional landholders.
- Safeguards to ensure the preservation of family farms.
- Agreements between herders and farmers concerning the use of traditional grazing lands.
- Agreements between the forestry service, rural councils, and local communities concerning the management and exploitation of common pool resources.
- Safeguards to ensure that local communities will be compensated and share some of the benefits accruing from the allocation of large tracts of land to foreign and national private investors and to ensure that the populations in these areas will not be reduced to working exclusively as farm laborers for agro-businesses.

B. Competition

Democracy is not simply a matter of open competition for public offices; it also entails competition of ideas and public policy. Democracy can not flourish in a regime where one party monopolizes political power and control over associational life.

One of the main strengths of Senegalese democracy today is the high degree of political and institutional competition and pluralism. The 2000 presidential elections demonstrated that peaceful regime change through the ballot box was possible and that pluralism was steadily advancing.⁹

Since the mid-1970s, Senegal has steadily moved away from the one party system that monopolized political offices and sought to dominate and control other spheres of Senegalese life—the media, trade unions, women’s and youth organizations, cooperatives, business associations, sports and cultural groups, etc. The following examples support this assertion:

- Senegal now has more than 70 political parties; several political parties are part of the government coalition; opposition political parties have representation in the National Assembly and local government bodies.
- Senegal has a flourishing independent media as reflected by the presence of more than a dozen independent daily newspapers and the introduction and rapid expansion of private and community radio stations since the mid-1990s.
- The party in power now controls only a tiny percentage of Senegal’s trade union movement.
- Although many Senegalese businesses are still heavily dependent upon the government for their livelihoods, autonomous private sector business associations like UNACOIS, UNACOIS-DEF, the CNP, and the CNES have emerged that are increasingly defending the interests of their members and demanding a greater voice for the private sector in government economic policy making.
- The government no longer exercises state tutelage over rural cooperatives and other associations organized by farmers, herders, and fishermen that are now represented at the national level by the CNCR.
- Since the 1980s, Senegal has seen an explosion in the number of national NGOs and autonomous grassroots organizations – *tontines*, village development associations, sports and cultural clubs, women’s economic associations, *Groupement d’Interet Economique (GIEs)*, neighborhood associations, etc.
- Civil and human rights organizations like RADDHO, Forum Civil, the ONDH, and the Senegalese branch of Amnesty International have increased their membership and scope of activities and are becoming increasingly important actors in lobbying for political reform, fighting for civil rights, and heading anti-corruption campaigns.

The evolution of diverse sectors of civil society will be discussed in greater detail in Part IV which deals with players and public arenas. As they grew in strength, some of the civil society organizations referred

⁹ For a detailed analysis of the growing trend towards pluralism in Senegal, see Sheldon Gellar, “Pluralisme ou jacobinisme: quelle democratie pour le Senegal?” in Momar-Coumba Diop, (ed) *Le Senegal Contemporain* (Paris: Karthala,2002), pp. 507-528.

to above became important vehicles for negotiating power sharing arrangements with the government and the political class. The Wade regime will need to take their views into account.

Some of the positive effects of increased competition in the areas described above have been offset by the attempts of Wade and his party to dominate all of Senegal's major political institutions and to control political competition. Since coming to power, with the active support of most of Senegal's political class, Wade altered the constitution in 2001 to increase the powers of the presidency despite the fact that he and his coalition had run on a campaign to reduce the powers of the presidency and increase the powers of the National Assembly. The *Sopi* coalition began to contract after Wade dismissed Moustapha Niasse, his first prime minister and the leader of the *Alliance des Forces du Progres* (AFP) whose support in the second round of voting in the March 2000 presidential elections had been a crucial factor for Wade's victory. Other former allies like Madior Diouf, head of the *Rassemblement National Democratique* (RND), and Ameth Dansonkho, head of the *Parti de l'Independance et du Travail* (PIT), also left the government. Wade used his newly gained constitutional powers to dissolve the National Assembly and then coaxed local leaders of the PS and other opposition parties to join the PDS. In 2001, the PDS became the majority party in the newly-elected National Assembly, and in 2002 the PDS and its allies gained control of most local government bodies. By the end of 2002, Wade had removed many of the ministers recruited from civil society and had replaced them with members from his own political party.

The concentration of political power in the hands of the president, the creation of powerful new institutions within the office of the presidency to formulate economic policy and to launch major projects, Wade's aversion to delegate authority to his prime minister (as well as others), his proclivity to give orders to government ministers and frequent changes of government—five re-shuffles in less than four years—have all contributed to weakening the council of ministers.

Presidential dominance, the weakness of the National Assembly, and the relative non-independence of the judicial branch of government—features characteristic of the Diouf regime—were sustained and reinforced by the concentration and personalization of presidential power in Wade's hands.

While the National Assembly and the newly created *Conseil de la Republique* remain weak legislative institutions, local government institutions are becoming increasingly important and more representative political institutions. Until the 1990s, officials representing the central government dominated local government institutions in rural areas while the state exercised strong financial controls over urban municipalities. A 1990 administrative reform transferred the power to formulate and execute local budgets from state officials to elected officials. However, all local councils remained controlled exclusively by the party in power. The 1996 decentralization reforms marked a major watershed for Senegal by radically reducing state tutelage over local government institutions, transferring many powers from central to local government, establishing regional assemblies, and sharply increasing the number of elected local government officials to 24,000. These reforms were accompanied by greater political competition at the local level and the end of the ruling party's monopoly over all local government councils and seats.

While local governments remain weak because the central government has not yet transferred adequate financial resources to permit local government units to meet their new obligations to provide basic goods and services, they are becoming more representative institutions and serving as schools for democracy.

Wade's efforts to revamp and control local government have met with strong resistance from Senegalese public opinion. Hence, his plans to eliminate regions and *communes d'arrondissements* in Cap Vert and to create provinces had to be shelved. While electoral rules favoring the government coalition enabled parties aligned with Wade to control most local government units, opposition parties nevertheless controlled more local government councils and held more seats following the 2002 local government elections than in the past. Moreover, several localities have rejected Wade's efforts to impose his personal candidate as the head of local government. Wade did, however, succeed in imposing one of his loyal

supporters as mayor of Dakar while assuming much of the responsibility for Dakar's development by elaborating state plans to modernize and beautify the city.

Over the years local government councils have become more representative. Before 1990, rural councils tended to be dominated primarily by local notables. Today, rural and municipal councils have more women, young people, and people with low traditional social status, as well as representatives of local civil society associations participating as elected officials. Our interviews indicated that people were becoming increasingly concerned about governance issues at the local level and more knowledgeable about the workings of local government.

Wade has weakened autonomous institutions like ONEL which was responsible for monitoring the electoral process and reporting violations of the electoral code and voting procedures by withholding sufficient funding to allow it to do its work efficiently and allowing it to languish since the 2002 local government elections. Critics of the *Haut Conseil Audio-V* (HCA), which had been established to insure equitable access of political parties to the public media, have asserted that the HCA has been timid in upholding its mission and allowing the public media to become instruments of the regime.¹⁰ Both institutions place checks on the state's ability to limit public debate in the government controlled media.

The strengthening of local government institutions and the participation of local communities and civil society associations in local governance issues are making a major contribution to the consolidation of Senegalese democracy. These developments are creating a powerful force for pressuring the central government to become more responsive to local needs and demands for good governance practices.

The concentration of political power in the hands of Wade and the PDS has led the opposition and important elements of civil society to accuse Wade of Bonapartism and of trying to restore the kind of party-state regime that he had fought so hard against when he was in the opposition.¹¹ The danger to Senegal is less the return of the party-state, but the personalization of presidential power and the downgrading of government institutions and formal rules for running these institutions which adversely affect efforts to insure good governance and the rule of law.

While Wade regards himself as having the people's mandate, he has exaggerated the extent of his popular support and that of his party. His personal popularity and that of his party will be tested in the 2006 national legislative elections.

Given Wade's movement towards greater concentration of power in his hands and efforts to install the PDS as the dominant party in the country, it will be important that the 2006 and 2007 national elections be played on a level playing field. Interestingly enough, our interviews indicated that political leaders felt confident that it was possible to prevent the government from rigging the elections and that it was highly unlikely that Wade and the PDS would be in a position to win the elections without the support of other major political parties.

To maintain the credibility of his regime and to ensure fair and open elections, it will be important for Wade and his government coalition to reach agreement with the political opposition, the independent media and large elements of civil society concerning voting registers, electoral rules and the role to be played by the government, political parties, and other institutions in monitoring the elections. Donors

¹⁰ For example, see Jacques Habib Sy, *Crise de l'audiovisuel au Senegal* (Dakar: Aide Transparence, 2003).

¹¹ For some scholars, Wade's behavior indicated that Senegal, far from being a model of democracy, was in reality a semi-authoritarian regime. For example, see Marina Ottoway, *Democracy Challenged: The rise of semiauthoritarianism* (Washington, D.C.: Carnegie Endowment for International Peace, 2003), pp. 91-108.

could contribute to this process by providing support for public fora and discussions concerning electoral rules, monitoring of voter registration and voting, and the financing of political campaigns.

C. Inclusion

Inclusion implies that neither formal rules nor informal practices exclude segments of the population from being free to participate in governmental and non-governmental arenas.

The January 7, 2001 Constitution places great emphasis on human rights and guarantees protection against discrimination based on race, ethnicity, religion, gender, and inherited social status. It explicitly asserts the equality of men and women before the law, calls for the elimination of all discrimination against women, and affirms the rights of religious communities to function freely without interference from the state.

Since independence, Senegal has experienced a steady decline in biases and discrimination against people identified as being from traditionally low social status groups—griots, artisans, and former slaves. This change, coupled with greater access to formal education, has been accompanied by greater opportunities for people of caste and descendants of slaves to enter politics and hold important party and government positions. This phenomenon is less important in many rural areas where traditional notables still hold sway. But even there, one has seen greater participation of those with low traditional social status in local government.

One has also seen a significant rise in the participation of youth in politics and civic affairs. During the early 1990s, the voting age was lowered from 21 to 18. The decision of disaffected urban youth to vote in the 2000 elections was an important factor in helping Wade's and his Sopi coalition to bring down the Diouf regime. Politicians are making greater appeals to youth and seeking to enlist their support. One of the major arenas in which younger people are exercising greater power and influence is in the rural councils which until the 1996 local government elections were dominated by rural notables and elders. Young people are also very active in civic organizations in urban areas. Urban youth organized the *Set Setal* campaign to clean up Dakar's neighborhoods in 1990. Youth-run sports and cultural associations have become schools for democracy and often work to improve their neighborhoods and villages. Rap and hip hop groups preach democratic values. On the other hand, large numbers of urban youth remain outside the system and suffer from high levels of unemployment, poor education, and addiction to drugs.

Senegalese women have also seen a significant rise in their participation and influence in politics, society, and economic life. In the mid-1960s, Senegal had only one woman deputy and practically no women in the liberal professions. Women working for the government generally held positions as secretaries and mid-wives. This situation changed dramatically during the 1980s when Abdou Diouf made a conscious effort to recruit more women. In the 1983 legislative elections, the number of women deputies climbed to 12. Following the elections, Diouf increased the number of women holding ministerial posts. Following the 1996 local government elections, a woman for the first time became president of a Rural Council while women were elected as mayors in several of the newly created *communes d'arrondissement* in the Dakar region.

During the 1990s, Wade made a strong bid for the support of women voters. After coming to power in 2000, Wade appointed several women to ministerial posts and high ranking civil service positions. In 2001 he chose Mame Madior Boye to become Senegal's first woman prime minister and appointed five other women as ministers, a record number. Women now hold 19 of the 120 seats in the National Assembly while approximately 1,700 women hold seats at the regional, municipal and local government levels. The percentage of women in public office is much lower in the rural areas where cultural inhibitions against taking public leadership roles are still prevalent. It is more difficult for dynamic women in rural areas to express themselves politically, unless they are wives of influential male leaders.

Despite these substantial gains, women are still largely excluded from holding key political posts. All the major Senegalese political parties are dominated by men. As prime minister, Mame Madior Boye wielded little real power and initiative. Much to the embarrassment of Senegalese feminists, Wade has publicly praised his women ministers for always coming to ask him which road to follow before making important decisions affecting their ministry.¹²

Senegal has a long tradition of ethnic and religious tolerance and hospitality towards foreigners. The antiMoor riots in 1989 were one of the few exceptions to this rule of peaceful coexistence. Inter-marriage between ethnic groups is widespread. Most of Senegal's main ethnic groups have enjoyed good working relationships and feel bound by a common culture and history. There is growing acceptance of a national Senegalese identity. This is true even among the Diola. Senegalese governments have promoted multiculturalism and avoided measures to grant Wolof, the country's *lingua franca*, a higher formal status than other Senegalese vernacular languages.

Senegal's religious authorities preach religious tolerance and attend each other's ceremonies. The Sufi Brotherhoods have successfully resisted the rise of intolerant forms of Islamic fundamentalism. One of the most interesting developments is that of citizenship norms among the leaders of Senegal's major brotherhoods and the growing distinction among the talibes between the spiritual and political authority of their marabouts. Although Touba still remains somewhat of a state within a state, the Grand Khalife of the Mourides has exhorted his followers to pay their taxes like good citizens. For its part, the state has introduced some religious instruction into the school curriculum and supported the expansion of private schools managed by the Catholic Church, which are attended by Muslims and Christians alike.

Notwithstanding the generally favorable climate in Senegal for inclusion, some problems still remain. Despite progress in peace talks, the conflict in the Casamance has not yet been fully resolved. The war has greatly damaged the economy in the Casamance and prevented that region from being integrated with the broader national economy. The unwillingness of the Gambia to approve the construction of a bridge across the Gambia River makes communications between northern Senegal and the Casamance more difficult and costly. The sinking of the Joola in 2002 in which more than 1,800 people, mostly from the Casamance, lost their lives led to an outburst of popular sentiment and solidarity with the victims and their families throughout the country. This event led to demands to punish those responsible for the tragedy, compensate the families of the victims, and find a solution to end the conflict.

The perception that Wade favors his own religious group over others in his dealings with Senegal's Sufi Brotherhoods presents a potential danger to peaceful coexistence among the Brotherhoods. Unlike his predecessor, Abdou Diouf, who took great pains to avoid the appearance that he was showing favoritism, Wade wears his Mouride affiliation on his sleeve and has offered all kinds of services for Touba—e.g., the construction of an airport, the offering of 50,000 hectares of land to the Grande Khalife,¹³ and massive investments to insure that Touba would have an adequate water supply for the annual pilgrimage (*Magal*) to the tomb of the founder of the Mourides.

Wade's sharp personal attack on the Catholic hierarchy in December 2003 following an open letter issued by the Church critical of the rise in political violence in the country was followed by anonymous death threats against Church leaders. This combination of events raised the specter that Wade was playing with fire in seeking to muffle the Church. In January 2004, Wade denounced the threats against the church on

¹² *Sud Quotidien*, No. 3084, July 17, 2003.

¹³ Abdou Diouf also gave the Grand Khalife of the Mourides a tract of over 40,000 hectares during the early 1980s for his talibes to cultivate and provided many other government services for Touba without arousing the same kind of fears.

national television and met with Catholic church leaders to reassure them of his support and determination to maintain the state's good relationships with the Catholic minority.

D. Rule of Law

Senegal's constitution lays down the basic rules of law governing Senegal's political system. It provides for extensive human and civil rights and freedoms, defines the powers of the respective branches of government, and the relationships between the different branches of government.

Senegal has a very liberal constitution that vigorously affirms human rights and civil liberties. For the most part, constitutional provisions in this area are largely applied. Senegalese enjoy a very high degree of personal and civil liberties.

On the other hand, general principles affirming the separation of power, checks and balances on presidential authority, and the independence of the judiciary are not always applied. Moreover, the constitution gives the president an excessive amount of power while limiting presidential accountability. Article 101 of the January 7, 2000 Constitution thus declares that the president of the republic is not accountable for acts committed in the exercise of his functions except in the case of high treason. This means that a sitting president cannot be deposed for corruption, violations of the law, or abuse of power. In some ways, this effectively places the president above the law.

Why Ordinary Citizens Don't Follow the Rule of Law

The rule of law implies that laws and rules are not merely prescribed but also invoked, applied, and sanctioned when violated. An assessment of the status of the rule of law in a country requires more than just examining the judicial branch of government and the formal legal system. It also requires examining popular attitudes towards the law, the extent to which ordinary citizens and public officials regard the rules as legitimate and binding on them, and the extent to which sanctions are applied when laws and rules are violated.

When laws and regulations are imposed on people without their consent and approval, they are less likely to be followed unless severe sanctions are taken against those who break the rules. Laws and rules are more likely to be followed when they conform with people's values and norms, when people have a say in either establishing the rules or choosing people whom they trust to make them, and when they clearly understand the content of the rules.

The French colonial state introduced a set of rules and regulations written in a foreign language that introduced alien concepts unknown to the indigenous populations that often clashed with customary practices and Islamic law. In many African countries, two public and two sets of rules exist. The first set of rules concerns those made by the modern state and the western-style legal system. Since these were initially imposed by the colonizer without the consent of the colonized, they often lack full legitimacy. This explains why many Senegalese see little wrong with individuals in government using public resources for private use since they don't regard the state as their public domain. On the other hand, most Senegalese scrupulously follow the rules when participating in organizations and groups of their own making –e.g. *tontines*, hometown associations, mutual aid societies-- and sanction those violating the rules in their public domain.

When looking at the rule of law, the first analytical question to ask is not how to support the rule of law but why has it failed in the first place.¹⁴ In Senegal, one can see many cases where the rule of law is not

¹⁴ Center for Democracy and Governance, *Conducting a DG Assessment: A Framework for Strategy Development* (Washington, D.C: U.S. Agency for International Development, November 2000), p.17.

followed because the rules either violate customary rules and Islamic law, are impractical to follow, or are incomprehensible to most people subject to the law.

Three major examples of important laws on the book that conflict sharply with customary practice or Islamic law in Senegal are:

- The 1964 *loi sur le domaine national*.
- The 1972 family code and features of the 2001 Senegalese constitution affirming the equality of men and women before the law which violates certain principles of Islamic laws concerning marriage, divorce, and inheritance rights.
- Laws and decrees establishing protected forests and national parks and the rules determining access to and use of the resources found within.

These laws are often ignored in many rural areas because the local populations continue to follow their traditional land allocation and land use rules and Islamic family law.

An example of laws and rules that are impractical are rules that require automobiles, trucks, and *car rapides* to meet safety standards based on modern norms. If rigorously applied and sanctioned, these rules would bring the country to a halt and probably take more than 80% of the vehicles now operating off the road. This kind of law also encourages corruption since policemen are in their rights to stop cars not meeting these standards and can ask for bribes from their victims as their reward for not enforcing the law.

Many laws are not intelligible because they are written in a foreign language not used by the people or written in a highly specialized jargon not understood by the people. Many people also don't follow the law because they don't know of its existence. In some instances, even the people responsible for knowing and applying the law don't have access to the rules. For example, not every forestry agent has a copy of the latest forestry code.

Impunity: Why Politicians and Government Officials Don't Follow the Rule of Law

Although Senghor imposed a one-party system in the country, he was a great believer in the rule of law and in creating a state bureaucracy that would operate according to rules. Senghor sought to create a state bureaucracy based on merit criteria. He preferred to choose competent technocrats to serve in his government over party politicians. Under Senghor, the party languished as did party politics while the state bureaucracy steadily increased its power and tutelage over the country. Senghor expected his ministers to be hard-working, reasonably honest, and to get their work done on time. He spent much of his time in power trying to rationalize the state administration.

Although order and following procedures prevailed at the higher echelons of the bureaucracy, corruption flourished at the middle and lower levels of the bureaucracy. Officials from ONCAD, a state agency charged with overseeing Senegal's peanut cooperatives and peanut marketing, embezzled millions of dollars and left the country with an enormous debt after being dissolved in 1980.

When Diouf came to power in 1981, he launched a highly public anti-corruption campaign and pushed through the famous *loi sur l'enrichissement illicite* which was designed to pursue and punish corrupt government officials. In the end, the law was rarely applied and enforced. Few officials went to jail. Those in high political circles or having the favor and protection of Senegal's leading religious authorities – the “untouchables” — enjoyed impunity from the law and continued in their ways. The absence of an independent judiciary and the politicization of the justice ministry foreclosed taking much initiative

against law-breakers. Within the bureaucracy, merit and performance counted much less than political and religious connections in determining promotions.

During the late 1990s, corruption became a major public issue in Senegal, thanks to donor pressure, the emergence of civil society organizations demanding legal reforms, the rise of an independent press and media exposing examples of government corruption and attacks by the political opposition who promised to clean things up if and when they came to power.

When Wade came to power, he ordered a series of audits of 30 major government institutions and promised to punish the evil-doers. Many welcomed this move as a major step towards ending impunity. However, Wade did not make the findings public and seemed to punish only those officials who had refused to join his party while letting other public officials well-known for their pillaging of public resources off the hook when they joined his party. Other measures taken by Wade to combat corruption are discussed in the section on good governance.

Wade's informal and impulsive style of personal rule also revealed a certain disregard for established procedures and protocols which did not set a good example for the rule of law. In January, 2004 the press revealed that Wade sent envelopes containing thousands of francs each month to supplement the salaries of governors, prefects, and sub-prefects in the territorial administration. Wade made little distinction between his role as president, party leader, and ordinary citizen. As party leader, he held party meetings in the presidential palace. One of his first acts as president was to go to Touba to thank the Grand Khalife for his victory and submit to his spiritual guide, an act that raised doubts about the state's neutrality vis-avis Senegal's different religious orders. He transferred Macky Sall from the Ministry of Energy to be the Minister of the Interior even though his choice had insisted upon voting in the last election without his voting card. After firing some of those public officials responsible for the Joola tragedy, he eventually reappointed them to major positions in state enterprises. Members of a trade union allied with Wade- the CNTS-FD - were indicted for burning down the building of the rival CNTS, which resulted in the death of a CNTS trade unionist. They were acquitted despite considerable evidence pointing to their guilt. It has also taken the government some time to pursue its investigation of the political violence directed against Talla Sylla, the leader of Jef-Jel, a small political party, that nearly cost his life. Sylla claims that his assailants were bodyguards of the president and has implied that the president himself gave the orders to have him beaten up.

Political Violence and Security

Our interviews revealed a high degree of public concern about the level of political violence and insecurity in the country. Members of a local development committee in Mont Rolland identified political violence and threats of violence against political and religious leaders as a major national issue while the director of a community radio station based in Pikine described how more people in the neighborhoods were acquiring guns to protect themselves against armed criminals. Businessmen also expressed their concern about being the targets of criminals. Several areas in the country suffer from cattle rustling organized by armed bands while armed groups terrorize and pillage areas of the Casamance not protected by government forces. Since coming to power, Wade has beefed up the police force and modernized the police's equipment which now includes patrol cars.

Public opinion, the press, and civil and human rights organization are calling upon Wade to tone down his attacks on his critics and to punish those responsible for the political violence. In recent weeks, he seems to have been responsive to these demands, but this may only be cyclical until the next time Wade feels under attack.

Rule of Law and the Need for a Strong Independent Judiciary

Like many Francophone African nations, Senegal has a weak judiciary that is highly subordinate to the president and the Justice Ministry. Even though relatively few Senegalese use the formal court system, the courts are still overwhelmed by the number of court cases due to a paucity of magistrates and clerks.

During the late 1990s, the Diouf regime began to make efforts to strengthen the judiciary by improving working conditions and providing specialized training in economic and commercial matters for magistrates to make them better equipped to handle cases involving the private sector.

The Wade regime seems committed to continuing the reforms begun by his predecessor. An action plan to modernize and reform the legal system was drawn up in 2001 with the following objectives:¹⁵

- Bringing the legal system closer to the public
- Insuring rapid and equitable justice
- Increasing respect for the law
- Improving the training of magistrates and other judicial officials
- Insuring judicial independence
- Adapting the legal system to Senegal's social and cultural environment
- Adapting the legal system to the economic environment
- Adapting the legal system to international norms

In January 2004, a project for judicial reform elaborated to implement some of the above objectives was presented to Wade. The project paper painted a somber picture of the legal system--a dilapidated physical infrastructure: inadequate numbers of judges, lawyers, and legal officials to handle the work load, inadequate and overly generalized training of many judges; low salaries and poor working conditions; a penitentiary system characterized by overcrowded and crumbling prisons often more than a century old, inadequate food rations and rehabilitation services for the prisoners, and large numbers of prisoners held in preventive detention without a trial.

Although this project called for increasing the number of magistrates, rehabilitating and expanding the number of courts, improving prison conditions, and providing better training and higher salaries for judges and other legal officials, it did not have a plan to increase the independence of judges vis-a-vis the executive branch or to provide safeguards against corruption.

E. Good Governance

Good governance entails transparency, accountability, and efficiency. It is also closely related to the rule of law described above. Good governance leads to relatively low levels of corruption, the provision of at least a minimum level of public goods and services and responsiveness to public opinion and public needs. Good governance is not simply a government problem: it is also needed by private sector, national civil society organizations and grassroots associations whose efficiency and credibility are enhanced by good governance practices.

Good governance has become an increasingly important public issue in Senegal since the late 1980s within government, the media, political parties, civil society, and the private sector. During the 1990s, Diouf created a ministry to modernize the civil service and to introduce good governance practices. In

¹⁵ Republique du Senegal, Presidence de la Republique, Delegation au Management Public, *Programme Integre de Reforme du Secteur Public(PIRSP): Approfondissement de la Reforme du Systeme Judiciaire* (Dakar: Comite Technique sectoriel No. 5, October 2001).

November 1999 the *Concertation nationale sur le service public et la bonne gouvernance* issued a report that identified political and cultural issues adversely affecting good governance. These included the prevalence of partisan politics and the politicization of the administration; the domination of the judiciary by the executive branch; and the influence of powerful lobbies and religious authorities on the administration. The report called for greater transparency in government operations, and the passage of a law that would compel those holding high political office to make a financial statement concerning their wealth both before and after holding office.

After coming to power, the Wade government, supported and encouraged by the World Bank and UNDP, engaged in a consultative process to identify key governance problems. These consultations organized by sectoral groups, produced a unified plan in June 2002. In April 2003, the GOS published the “Synthesis Document” laying out the problems and proposing a National Program for Good Governance (PNBG) in all branches of government. The plan identified the following as obstacles to good governance:

- Technical and personnel issues in the public administration;
- Technical issues leading to a weak capacity for economic management;
- Structural and organizational problems with the National Assembly; and
- The poorly functioning judiciary resulting in long delays, overly complex procedures, unfair judgments, non-transparent decisions not grounded in law, and the lack of progress in dealing with corruption.

In each case the problems and proposed solutions were framed in technical terms, to be resolved by adding more resources, better qualified personnel, new organizational structures, and improved information systems. The only hint of the underlying issues of lack of transparency and corruption came with the proposals to improve procedures for managing public expenditures, and improving the Public Market Procurement Code which were acknowledged to be at the initiative of the CPAR (the World Bank led initiative for assessing public procurement). This approach focused primarily on strengthening managerial skills, resources, and organizational structures as the essence of good governance while neglecting political and cultural factors affecting good governance.

Efficient Management

While efficient management is necessary for good governance, knowledge of better management techniques will not necessarily lead to good governance. At the higher echelons of the state bureaucracy, the problem is not that Senegalese officials have not mastered good managerial techniques but that they have had little chance to apply them because of political and cultural constraints rooted in the political system and society. Senegalese managers have often performed extraordinarily well in other more neutral bureaucratic structures abroad.

Some of the ills undermining the efficiency of state institutions under Wade include:

- The politicization of personnel decisions. This phenomenon has increased in the past two years with Wade’s naming more PDS politicians to head ministries and important government agencies than at the start of his presidency.
- The reluctance of Wade to delegate authority to government ministers. Since becoming president, Wade has made it clear that ministers are to follow his instructions and to consult with him before taking the appropriate action to implement government policy. Ministers have been fired and chastised publicly for not clearing statements or taking action not personally approved by the president. This pattern slowed down decision-making processes and discouraged policy debates within the government and the expression of views not held by the president. A wide range of political party and civil society leaders familiar with the operation of both the Diouf and Wade

regimes indicated that Diouf was more willing to delegate authority to ministers to execute policy and more respectful than Wade of bureaucratic norms.

- Government instability. Senegal has had five different governments since Wade became president. Each new government has been characterized by the creation and dismantling of new and old ministries and frequent shifts in attributes and powers of government services. The rapid turnover in personnel means that many ministers don't stay in office long enough to learn their job. Moreover, the instability makes medium and long-range planning difficult.
- The inexperience of many of his appointees. To his credit, Wade brought in much new talent into his administration, including many Senegalese with MBAs and other impressive credentials who had been working in Europe and North America. However, most of these new appointees had little experience working in a bureaucratic system based on the French model and found it difficult to work with colleagues who had been trained as *administrateurs civils* and had different perspectives as to how the government institutions should function. Having been in the opposition for so long, most of Wade's political appointees also had little experience working in government.

Efficient management remains a major problem at the local government level because of the lack of experience and managerial skills of most rural council and municipal council elected officials. Following the 2002 local government elections, newcomers constituted more than 80% of local government officials. Many of the newly elected officials need training concerning how local government is supposed to function as well as training in formulating budgets, elaborating projects, and understanding various government laws and regulations affecting their communities. On the other hand, a change in the eligibility rules for local government has raised the educational profile and professional competency levels of mayors and rural council presidents in many areas by making it possible for civil servants to hold public office.

Managing budgets and in particular expenditures constitutes one of the major governance issues for local government. Local governments nominally have important budget prerogatives. In councils where parties of both major coalitions are represented, the likelihood that plans and actual spending for areas in the competence of urban communes and rural councils would be subject to careful monitoring may be enhanced. However, a number of real constraints on their ability to exercise this authority are present. First, the level of education and numeracy of elected local officials is often low, which makes it easier for mayors and council presidents who are better educated and officials in the national government to dominate the budget process and give little opportunity for others to play any role. Second, many donors, sensitive to this issue, don't allow local governments to actually expend the funds, contracting instead with an intermediary, such as AGETIP¹⁶ and private firms. Third, the current system of local government financing limits the capacity of many local governments to engage in any discretionary spending or even to be able to pay for basic services transferred to local government but very poorly funded by national government transfers. Efforts over the past five years on the part of the Canadians and other donors to bring this issue to a head through careful studies of the fiscal situation of local governments have been very disappointing. The Wade government has been very slow to take up the detailed reforms proposed, and as recently as December 2003, reneged on its promise to submit legislation to the National Assembly to address this issue. The resistance of the Ministry of Finance to transfer control over local finances to local government is not new. Finance ministers during the Diouf regime also opposed fiscal reform.

¹⁶ AGETIP is the Agence d'execution des travaux d'interet public contre la sous-emploi. This is notably the approach of the major donors for infrastructure, the World Bank, and the French Agence Francaise de Developpement, as well as the German's in their PRO-CR local government project.

Transparency

Transparency is essential to good governance. Transparency provides the public with information needed to evaluate the performance of government and non-governmental institutions and to hold these institutions accountable. It is also a major weapon in the fight against corruption.

There is little doubt that at one level the transparency of government has improved over the last decade. This is due in part to the constant pressure placed on the regime by donors, the growing watchdog role of the media and civil society groups like the Forum Civil, and the presence of more than one political party in governmental institutions, especially at the local government level.

The areas where transparency is still most problematic are in the procurement process and in government practices that limit the capacity of parliament to examine and debate legislation -- including the national budget-proposed by the government. Parliament’s role in policy making or even in policy monitoring is thus very limited.

New rules and institutions have been established during the past few years that have increased transparency. These include the creation of the *Cours des Comptes* in February 1999 that reports on irregularities in government spending and the revision of the Public Market Procurement Code. The report of the *Cours des Comptes* is a public document and available to the public for scrutiny after being presented to the President. The new Public Market Procurement Code approved in 2002 establishes rules for making bidding on public contracts more transparent.

Table I below gives a summary picture of the efforts to improve transparency both prior to and after the change of regimes in 2000. What it reveals is that the Wade government, under considerable pressure from the World Bank and other donors, has moved to create a whole series of new control agencies to deal with financial matters. It has been very reluctant, however, to give these agencies much legal authority, or to allow them to operate with a degree of credible autonomy from the Executive (President and Prime Minister). It has also demonstrated a pattern of very slow implementation of the action plans associated with these new structures. In part, that can be explained in terms of the limited capacity of the regime. In Senegal, however, the issue is not usually one of absence of skilled people, but of political will and authority.

The most troubling issue of transparency remains the problems of public sector procurement. Although new regulations have been put in place, these are not yet operational, and the exceptions to them are so significant that they pose troublesome questions about the commitment of the regime to more transparent processes. In terms of actors, it is still the Chief Executive who dominates every aspect of this process. In this particular area, we see the pattern of over-centralization and personal power clearly displayed. Motivations are difficult to attribute, but the pattern of movement toward transparency, combined with the very tentative steps illustrated below to curb corruption and to alter the motivations and incentives of public actors to engage in corrupt forms of behavior raise serious questions about the degree to which the Wade Administration is less influenced by the logic of neo-patrimonialism and patronage than its predecessors.

TABLE I: Positive and Negative Developments in Senegal’s Movement toward greater Public Sector Transparency

POSITIVE	NEGATIVE
1980: Creation of the State Inspector Generals Office (IGE)	Placed under the direct authority of the President and severely limited in its operation by the laws.
Creation of the CCVCEP (<i>Commission de controle CCVCEP</i> was under the direct authority of the <i>Conseil d’Etat</i>)	

POSITIVE	NEGATIVE
<i>et de Verification des comptes des établissements publics)</i>	and made most of its reports in secret.
Establishment of the CNCA (<i>Commission nationale des contrats de l'administration</i>) designed to reduce waste in contracting through the enforcement of bidding procedures	60-70% of the value of contracts submitted to the CNCA are awarded on a non-competitive (<i>gré-a-gré</i>) basis.
1997: Decree on Public Procurement sets maximum figure for non-competitive bidding	There are exemptions in nearly every sector, including the PCRPE authorizing non-competitive contracts up to 150 million cfa.
1999: <i>Concertation Nationale sur le Service Public et la bonne gouvernance</i> held	No concrete steps taken to remedy broadly shared perceptions of lack of transparency.
February 1999: The <i>Cours des Comptes</i> is created to monitor public expenditures	It has no judicial authority and the government is under no obligation to act on its reports.
June 2000: President Wade stops construction of the <i>Palais de Justice</i> for irregularities in contracting	These contracts were issued without going through PCRPE. The principle of exemption is not questioned. This project and the Municipal Swimming Pool Project are continued by Wade under the PCRPE.
2000: CCVCEP is attached to the <i>Cour des Comptes</i> and given more nominal autonomy.	In practice the agency operates independently of the <i>Cour des Comptes</i> and is close to the President and Prime Minister.
2000: The new Administration authorizes audits of 30 Public Enterprises	Audits are broadly seen as political, precipitating switching of parties of those responsible and the subsequent failure to indict them.
May 2002: New Public Sector Procurement Code (CPM) is established by decree. The new code raises limits for non-competitive contracts, but expands coverage and tightens some provisions, particularly in construction. CNCA loses its prerogative to issue exemptions.	The new code does not reverse the PCRPE (urgency) or secrecy exemptions. Government is slow to implement the CPM. Government fails to staff the reconstituted CNCA and to establish internal controls in the Ministries.
January 2003: A Government Commission is established to implement the CPM.	Commission delays implementation for legal reasons.
June 2002: Seminar on PNBG (<i>Programme National de Bonne Gouvernance</i>) and adoption of the program following broad consultation of civil society, private sector, and Partners in Development.	
April, 2003- Publication of PNBG	As of 2004, the plan is barely under way. Members of the CNCA are only named in September 2003.
November, 2003- Development of the Action Plan for the Improvement of Public Procurement CPAR	As of the end of 2003, the implementation of the plan is barely under way. Generally, nothing has happened on sharing information to lower levels of government on budgets.
2003: The CFAA Plan for Improving Public Financial Management is issued. Plan has a "good governance" program to be more transparent and diffuse information on budgets and legal codes	

POSITIVE	NEGATIVE
January 2004: The <i>Cours des Compte</i> issues its report, which is extensively covered in the print media, exposing the regime to increased demands for accountability and transparency. ¹⁷ It finds that many public bodies continue to issue noncompetitive contracts and to attempt to disguise purchases that are not relevant to this public mission, and that public agencies engage in practices designed to reduce competition, such as charging for bidding dossiers. ¹⁸	Although it is unclear how the Wade government will react to these reports, at least now there is one additional vehicle that the media can refer to in their quest for information and in their self-appointed role as promoters of good governance.

Corruption

Corruption is closely related to a lack of public transparency, but it is also a fundamental dynamic of a patrimonial regime. Efforts to deal with corruption in Senegal go back to the Senghor era when Senghor openly chastised ministers who took their 10% cut on public contracts and civil servants who took their *pots de vin*. Table II traces efforts to combat corruption during the Diouf and Wade regimes.

TABLE II: Positive and Negative Developments in Senegal's Struggle Against Corruption

POSITIVE	NEGATIVE
1981: Passage of the law against illicit enrichment, and establishment of a special court for the suppression of illicit enrichment	Very few cases ever came before the court, with only two accused found guilty. The court ceased to function in the late 1980s. In 2002 the Report of the Government's PNBG found this process to be "inoperant".
1964-1990: <i>Cour de Discipline Budgetaire</i>	After 1983 this court had few cases that resulted in only 30 convictions from 1985 to 1994 with light sentences for major cases of embezzlement. Few if any bureaucrats were dismissed.
1997: OFNAC (Office <i>National de lutte contre la corruption</i>) created to deal with corruption.	Wade repudiates this institution when he is sworn in. Thus far judges have not been named to this Court and the new law has not been passed.
1999: Civic Forum (FC/TI) Seminar on Corruption calls for reinstating the Court on illicit enrichment. In 2000 it calls on the new government to pass a law on declaration of wealth by public officials.	
1999: TI issues their annual report ranking Senegal 158 th on corruption.	
2000: New Prime Minister creates a Commission of Inquiry.	Commission is never activated.
2000: President Wade emphasizes fight against corruption in his inaugural address	Few meaningful concrete steps are taken.

¹⁷ Mounirou Fall, « Cour des comptes du Senegal : le rapport qui epingle les derives de gestion, » *Sud Quotidien* (Dakar), 8 Janvier, 2004.

¹⁸ Mohamed Gueye, "La Cour des comptes devoile le racket," *Le Quotidien*, 306, 10 janvier, 2004, 4. The articles offers a quote by one member of a commission managing procurement for the Ministry of Education to the effect that the purchase price assures that "a bidder, fearing the loss of his money, will think twice about bidding on the contract that he isn't sure to win."

POSITIVE	NEGATIVE
2000: FC/TI Annual report continues to show Senegal as <i>very</i> corrupt.	
2001: UNDP issues its National Report on Human Development in Senegal quoting Transparency International 1999 Index of Perceived Corruption.	President Wade is furious, and rightly points out that this is subjective data from the previous administration. International
2001: Publication of the Joint Franco-Swiss University Project detailing corruption in daily life in Senegal. Corruption is portrayed as routine and systematic.	
2001: Publication of the FC Cabinet ORGATECH studies on Corruption in Senegal reveals how widespread the perception of public sector corruption is by businesspeople and householders.	
2001: Wade Administration establishes APIX Wade pledges to reverse the PCRPE exemption for major (<i>Agence Nationale chargee de la Promotion de public works projects</i> , but does not keep this promise in the <i>l'Investissement et des Grands Travaux</i>).	new CPM.
2002: One of its working groups recommends the establishment of a <i>Conseil de Surveillance de la Bonne Gouvernance et de Lutte contre la corruption</i> .	
March 2003: Proposal for a decree to establish a CNLNTCC (<i>Commission Nationale de lutte contre la non transparence la corruption et la concussion</i>), open to public input.	
November 2003: the CNLNTCC is established by a law of Parliament.	
December 2004: The CNLNTCC is cited as a model for setting up an autonomous anti-corruption commission at the Conference in Mexico City on the Corruption Convention	January 2004: FC Press Conference is critical of the newly created CNLNTCC as lacking enforcement power, its members are volunteers, it is a step back from the UN and AU charters on Corruption, and a step back legally from OFNAC.

The Wade government is sensitive to the issue and makes a major show of its commitment to deal with the problem. Its approach, however, is mainly rhetorical and lacks conviction at the level of concrete legal actions. Certainly, there has been a sharp increase in the public dialogue about corruption, even if Wade has at times expressed his frustration and even anger that Senegal is portrayed so negatively in this regard. But no new effective steps have been taken in the public sector to curb corruption, and the message to the potentially corrupt can be read as one of continued “impunity” or protection if their political coloration is correct or if they are seen to be important to the consolidation of Wade’s power.

Most of the donor focus and that of the independent media and civil society organizations like *Forum Civil* and *Aide Transparence* is on corruption at the higher levels of government. Donors and the private sector, in particular, see corruption as a major obstacle to economic development and a waste of scarce resources.

A recent survey of Senegalese undertaken by Forum Civil indicated that more than 90% of the population is aware of corruption in government and that 70-99% of those surveyed in different sectors condemned

corruption as unacceptable behavior.¹⁹ The survey indicated that the public sees the source of corruption in the public sector in the following practices:

- Absence of sanctions against those practicing corruption
- The little interest that the government shows in fighting corruption as reflected in a culture of impunity
- The lack of transparency in state business
- The absence of clear rules and norms governing conduct
- The greed of individual civil servants

On the other hand, 20-25% of those surveyed showed tolerance towards corruption when public resources were diverted to serve “social ends” rather than individual aggrandizement, while less than one percent of those surveyed regarded corruption as a priority issue. The survey also revealed that only a tiny percentage of the population was willing to openly fight against corruption

In contrast with the donors who focus primarily on large-scale government corruption and corruption discouraging foreign and national private investment, the general public is more concerned with corruption that directly affects their daily lives—e.g., the need to pay off policemen and forestry agents to avoid paying fines; paying off officials to acquire licenses, other documents, and access to health facilities, public housing, and other public services; the illegal expropriation and allocation of rural farm land and urban land plots, etc. The public is also becoming increasingly aware of corruption at the local government level, which is more visible than corruption at higher levels.

Greater transparency and less corruption are found in grassroots and community organizations initiated and organized by individuals and different sectors of society to solve concrete problems, provide public goods and services not provided by the government, and to reinforce social solidarity networks. One generally finds greater transparency within these groups and the discovery of corruption results in social sanctions against the offenders.

One of the major challenges confronting Senegalese society in the battle against corruption is getting Senegalese to see that government institutions should also be regulated by the same anti-corruption norms that prevail within small-scale community and grassroots associations and to understand that corruption diverts resources that could be used to provide more public goods and services and that it increases the cost of doing business.

F. Synthesis

Although disputes concerning the fairness of electoral rules remain a source of division among political leaders and concern of civil society, there is a general **consensus** on the basic rules of the game. Senegalese public opinion clearly supports democratic norms, fair elections and a multiparty regime. A strong sense of Senegalese national identity, traditions of religious and ethnic tolerance, and the desire to maintain social peace and resolve conflicts through dialogue are shared by the vast majority of Senegalese.

Despite occasional setbacks, freedom and political and economic **competition** have made steady progress over the past thirty years as Senegal has moved from a one-party state regime to a more open democratic society. In 2000, Senegal changed regimes peacefully through the ballot box. The state no longer controls and dominates associational life nor the media (with the exception of television). Civil society, both at the

¹⁹ See Cabinet Orgatech, *Enquete sur les Manifestations de la Corruption au Senegal, 2001 (Synthese)*, Dakar Forum Civil, 2001) for a detailed analysis of citizen perceptions of corruption in Senegal.

national and grassroots level, has become relatively more autonomous and is asserting its right to manage its own affairs. The independent media have become a potent force in Senegalese society informing and forming public opinion and serving as a watchdog in exposing corruption. The Senegalese private sector is no longer wholly dependent upon the state and is beginning to demand a greater voice in national economic decisionmaking. Public opinion has become an increasingly powerful force in influencing government policy.

Less progress has been made in the area of institutional **competition**. The executive branch remains the dominant institution. The National Assembly still exercises little initiative and control over the executive, and the judiciary remains weak and subordinated to the executive branch. Patrimonialism and clientelism are still very much alive. The PDS has taken control over the executive and legislative branches of government and most local government bodies, while Wade has increased the powers of and personalized the presidency. Wade's personalized and often eccentric style of governance has eroded some of the institutional credibility of the presidency.

Although apparently in the driver's seat and calling the shots, Wade and the PDS don't have the power or apparently the intention to re-establish an authoritarian one-party regime in Senegal. Senegal's major opposition parties are still competitive; Wade's own party is very fragile and not solidly implanted; and national political institutions don't have the same power and authority over Senegalese society as in the past.

Unlike many other African countries, Senegal is not plagued by issues of **inclusion**. Though lingering on, the insurrection in the Casamance seems to be winding down and headed towards a definitive solution. Groups in society previously excluded from participation in political life – e.g., people of caste and slave status, women, and youth—are becoming more active in public affairs. The media, including extensive access to the internet, is reducing the information gap, and greater access to secular and religious education is reducing the educational gap between political and religious elites and the masses. With the distance between the state and society diminishing, one has also seen a rise in the sense of citizenship on the part of Senegalese.

Gaps in the **rule of law** and the lack of **good governance** practices constitute the most fragile parts of Senegalese democracy. In addition to undermining the credibility of government institutions, this phenomenon also discourages foreign investors from coming to Senegal and could eventually threaten Senegal's foreign aid receipts.

The legal system is weak, and corruption is believed to be wide spread. Many laws and regulations on the books are impractical, not applied, contradict customary and Islamic law—e.g., land tenure laws and the family code—and are therefore not followed by large segments of the population, especially in rural areas. Efforts, however, are being made to modernize the legal system and the government has become somewhat more responsive to the views of different sectors of the public in elaborating public policy and legislation affecting them.

The persistence of neopatrimonial norms and clientelism is detrimental to **good governance** practices. Wade's personalization of power is affecting the institutional credibility of the presidency while constant changes in government and the politicization of the administration adversely affect the functioning of many government institutions. Civil servants and other government officials often still see themselves as patrons and/or guardians of the people rather than public servants. On the other hand, pressures for good governance are mounting; some government operations are becoming more transparent; and it is becoming increasingly difficult to keep basic information concerning government operations secret, thanks to the vigilance of the media. It remains to be seen the extent to which the Wade regime will implement the reforms called for in the National Good Governance program.

Despite the persistence of patrimonial norms and clientelism, the concentration of power in the hands of the presidency, and the present domination of Senegal's major political institutions by the PDS-led coalition, Senegal seems to be well on the road to consolidating democracy, especially at the grassroots levels. The commitment of the Senegalese people to democratic norms and institutions, the development of an increasingly vibrant media, public opinion, and civil society serve as important checks on the authoritarian tendencies of the Wade regime that should make it very difficult for Senegal to revert to an authoritarian one-party system.

IV. THE MAIN PLAYERS AND INSTITUTIONAL ARENAS

A. Political Parties and Politics

For the first forty years of independence (1960-2000), Senegalese politics was dominated by a single party that had been originally formed in 1948 by Leopold Sedar Senghor and Mamadou Dia. Its popular support waned considerably in the 1980s and 1990s, especially in the Dakar-Thies metropolitan region, which by the year 2000 encompassed 30% of Senegal's total population.

Politics centered on winning national elections, especially the presidency, since most power was concentrated in the hands of the president. Opposition parties entered the National Assembly for the first time in 1978. Little interest was shown in local government elections until the 1996 decentralization reforms increased the powers of local government and enticed opposition parties to contest these elections.

The ruling party used its control over state resources to maintain a clientelist system that distributed resources and jobs to its supporters and to different areas of the country. Under Senghor the party remained highly centralized and under his personal control. The absence of party competition and the exercise of power through the state bureaucracy sapped the dynamism of the ruling party.

Wade's PDS became and remained the main opposition party in the country after being formed with Senghor's blessings in 1974. It was also the only party to have much of a party organization outside the capital. Various left-wing Marxist parties emerged during the 1980s when Diouf permitted unlimited multiparty competition. The strongest of these parties—LD-MPT, And Jef, and PIT—had their base in Dakar and their greatest strength among students, teachers, trade unionists and NGOs.

The strategy of the PS under Diouf during the 1980s was to fragment the opposition and prevent them from unifying in a single bloc. Wade's efforts during the late 1980s and 1990s to get the opposition to accept him as the leader failed because of ideological and personal conflicts even though it was clear that Wade was the most popular opposition leader, able to rally large numbers of Senegalese, especially in Dakar.

In the 1998 national legislative elections, opposition parties won 49% of the votes. Discussions were held concerning the opposition's strategy in the 2000 presidential elections. First, the opposition continued its demands for rules to insure fair elections. Second, most of the opposition led by the *Pole de Gauche* decided to rally around Wade who was the only candidate that had a chance to defeat the incumbent president. Other opposition candidates agreed to rally around the opposition candidate in the second round who had the most votes in the first round. Third, Djibo Ka in 1998 and Moustapha Niasse in 1999 left the PS and formed their own political parties and ran against Diouf in the 2000 presidential elections. Despite the support of the *Pole de Gauche* and other opposition parties in the first round of voting, Wade obtained only 31% of the vote, about the same score he had obtained in the 1993 presidential elections. Diouf won 41% of the vote in the first round. With the exception of Djibo Ka, all the other presidential

candidates agreed to ask their supporters to support Wade in the second round and formed the *Front pour l'Alternance* (FAL). Wade promised to name Moustapha Niasse, who had won 17% of the vote in the first round, as his prime minister.

In the second round, Wade won a decisive victory and became the president. Wade's victory reflected more the growing unpopularity of the Diouf regime and a strong desire for change after 40 years of PS rule than a vote of confidence in Wade. Three decisive factors contributed to his victory:

- The unity of the opposition around him in the second round;
- The weakening of the PS because the loss of two of its most popular leaders; and
- Diouf's decision to hold fair elections and to abide by the results even if he lost.

Despite their professed ideological differences, most of the political parties in the opposition coalition shared many of the same attributes:

- They tended to be led and dominated by a single leader, usually the founder of the party. One thus rarely saw *alternance* in their parties.
- They generally regarded control of the presidency as the main stake in politics, access to state resources as the main spoils of victory, and positions of minister, and head of state agencies as important sources of revenue for themselves and their party. This attitude, which reflects Senegalese political realities, helps explain the ease with which so many political leaders rally to the president's party and/or coalition after the national presidential elections. It also explained the relative lack of opposition party interest in contesting local government elections before 1996.
- They generally opposed the principle of independent candidates in elections and saw political parties as the only legitimate source of candidates.
- They often suffered from factionalism.

Majority and Minority Coalitions

The FAL coalition fell apart a year after Wade took power when Moustapha Niasse, the leader of the AFP, was ousted as prime minister and took his party out of the coalition and into the opposition. Wade saw Niasse as his most dangerous rival rather than as a partner. Other opposition party leaders like Madior Diouf and Ameth Dansonkho also left the government in protest of Wade's going back on his campaign promises to reduce the powers of the presidency and transfer more power to the National Assembly. Wade may soon lose the support of And Jef and LD-MPT, two of the main parties that supported his candidacy in the first round of the 2000 presidential elections. Their departure from the government coalition could pose serious problems for Wade since these parties have strong ties with Senegal's teacher trade unions whose traditional militancy has been somewhat tempered by And Jef's and LD-MPT's presence in the government.

When he was elected president, Wade's party held only 23 seats in the National Assembly where the PS still had a majority. The January 21, 2001 constitutional changes gave Wade the power to dissolve the National Assembly and to hold legislative elections, which he quickly did. The Sopi coalition presented a list which consisted of Wade's PDS, the LD-MPT, the *Convention Democratique et Patriotique* (CDP), led by Iba Der Thiam, and a host of smaller political parties, while And Jef ran on its own accord. The Sopi coalition argued that the people should give Wade a chance to carry out his program by giving his coalition a massive victory in the National Assembly elections.

Wade's coalition won 89 seats while the AFP and the old PS won 11 and 10 seats respectively, and Djibo Ka's URD won only 3 seats.

After the April 2001 legislative elections, the government organized a new coalition consisting of 28 political parties that became known as CAP 21 (*Convergences autour des Actions du Président*) to preserve the gains made by alternance and to defend the president. Most of the opposition parties joined the CPC (*Cadres Permanents de Concertation*) that launched fierce attacks on Wade. The National Assembly elections dealt a sharp blow to the PS who saw their number of seats drop from 89 to 10 and led to a massive turnover in political personnel as 88% of the deputies were there for the first time. Abdourahmane Agne, who also deserted the PS to form his own party, organized a small coalition of parties known as the MCR (*Mouvement pour la Citoyennete et la Republique*).

Although the PDS controlled most of the seats in the National Assembly, the party itself was not very solid. Its ranks had been swelled by large numbers of politicians deserting the PS and other parties to become part of the ruling majority and gain access to the spoils of power. Seeking to strengthen his party, Wade brought back several of his former lieutenants like Ousemane Ngom, Serigne Diop, and Jean-Paul Dias who had left the PDS to form their own independent parties. Although clearly the undisputed leader of the newly expanded PDS, Wade did not have complete control over his party which was wracked by factionalism because of local leadership struggles between old PDS loyalists and newcomers and the efforts of Idrissa Seck to position himself for the succession to Wade.

The 2000 presidential and 2001 legislative elections changed the political party landscape without radically changing the leadership of the political class. Notwithstanding the fact that the PDS held the majority of seats in the National Assembly, it was clear that the PDS was too weak to go it alone and needed allies. The same held true for the major opposition parties. The PS had imploded into several political parties. Personal rivalries between Ousemane Tanor Dieng, the leader of the PS and Moustapha Niasse and Djibo Ka were likely to prevent any reuniting of the party around any one of those three leaders. The opposition, which had less than a quarter of the seats in the National Assembly, needed to coalesce in order to challenge the Wade regime. On the other hand, they had won almost half of the votes, which gave them hope for the future just as the results of the 1998 legislative elections had given hope to the old opposition now in power.

By the middle of 2003, Wade's honeymoon with the public was over as criticism concerning his administration and unconventional and often erratic style of governing mounted. The general public who had looked to Wade to initiate changes that would improve their lives is disappointed with his performance thus far as president. The growing politicization of the government since 2002 has dashed the expectations and hopes of many civil society leaders. His base among urban youth seems to be eroding. Students and teachers, who constituted the main shock troops of the opposition during the Diouf regime and worked hard for the Sopi coalition in 2000, are also disaffected and have re-engaged in frequent strikes and demonstrations characteristic of Senegal's education sector. The 2002 local government elections revealed dissatisfaction with Wade's policies in the countryside. Opposition parties did particularly well in the peanut basin where the old PS had been strong. Wade's perceived favoritism of the Mouride Brotherhood is also alienating many of his Tijani supporters. And his unwillingness to negotiate with UNACOIS, the major informal sector association, is also alienating many people who had supported Wade in the past. On the other hand, Wade still retains much of his popularity with the urban poor and among Senegal's Mouride population.

Wade has declared his intentions to run again in 2007. Senegal's political class is already positioning themselves for the 2006 national legislative elections which will give some hint of what may be in store in the future. To avoid further discrediting of his regime and a serious political crisis, it will be important for Wade and his government to come to terms with the opposition concerning the electoral rules for the 2006 legislative elections and the 2007 presidential elections. Another important issue concerns the financing of political parties during the elections. Some measures are needed to prevent the regime from using state resources to support its reelection campaigns and to enable all political parties to run on a more or less equal playing field.

B. The Media: Watchdog of Democracy

The press

One of the most promising developments in Senegal has been the growth of a dynamic and independent press since the late 1980s. Independent daily newspapers like *Sud Quotidien*, *Wal Fadjri* and *Le Quotidien* are increasingly becoming watchdogs of democracy by reporting abuses of power and corruption in government and contributing to increased transparency of government operations. The press is heavily political in content and plays a strong role in influencing public opinion among the urban elite.

Over the years, the press has become more professional, its contents more diversified, and journalists better organized. One of the main weaknesses of the national press is its lack of coverage of non-political news taking place outside of the capital. (This is due to lack of adequate resources for regional media organs).

The press is maintaining its autonomy and seems to be mostly successful in resisting government pressures to tone down its criticism of Wade and his regime. Competing newspapers and professional journalist associations have demonstrated their solidarity in defending journalists from being harassed by the government. Although Wade has been highly sensitive to criticism in the press and critical of the press, he has taken no measures to shut down newspapers or to deny the right of the press to criticize his government's policies.

Efforts to launch newspapers sympathetic to the regime have not been very successful. On the other hand, the government newspaper *le Soleil*, which favored the PS and the Diouf regime in its coverage until Wade took power, is now providing Wade and the PDS favorable coverage in its reportage on political events.

Radio and Television

Government licensing of private independent radio stations in 1993 launched a revolution in disseminating information that has radically reduced the information gap between Dakar and the countryside. Broadcasting in the local languages, independent private radio stations have brought information concerning elections, the functioning of local government, and discussion of health, education, and other developmental sectors to the broad general public. Since its coverage of the 1996 local elections, radio has been a potent instrument in increasing the transparency of elections by bringing up-to-the moment reports about what is going on in the voting districts and exposing irregularities in the voting process. The expansion of the cell phone and internet networks are re-enforcing this very positive trend toward the greater diffusion of information. Radio call-in shows also serve as a forum for the public to express their views on a host of issues.

Community radio stations are also playing an increasingly important role in informing the people about public affairs in their communities and providing civic education in addition to entertainment. For example, *Oxy-Jeune*, a community radio station based in Pikine run by youth has won several international awards for its services to the local community and contribution to civic education.

On the other hand, many radio journalists working outside Dakar lack professional training and need to upgrade their skills, especially in reporting on areas outside the realm of party politics—e.g., decentralization, health, education, etc.

Although the government permits satellite television stations to operate in the country, it still has a monopoly over national television broadcasts and has thus far dragged its feet in licensing private television stations to broadcast in the country despite campaign promises to the contrary. State television

has been sharply criticized for its skewed coverage of political events and its failure to give greater access to opposition parties and critics of the regime. However, these practices were also common during the Diouf years when state TV decided not to cover Wade's triumphant return to Dakar even though tens of thousands of supporters turned out to greet the then opposition leader. State TV often presents a very different version of events than that appearing in the independent press. For example, a state TV program in January showed a clip which showed happy pilgrims to Mecca praising Wade and his government for having eliminated most of the delays and problems concerning the logistics of pilgrimage. About the same time, the independent press was printing articles quoting pilgrims who complained about long delays and the lack of sufficient food and water.

The HCA (*Haut Conseil Audio-Visuel*), an autonomous government agency established in the 1990s to insure equitable access to media, has also, on occasion, chided the government media for its not giving opposition parties adequate access and coverage on the state-controlled media.

To conclude, the independent media has become a potent force for promoting democratic culture and citizenship in Senegal and a major actor in the political arena, thanks to its ability and success in informing and forming public opinion.

C. Civil Society and Senegalese Democracy

This section will briefly analyze the role played by civil society in Senegal's democratization processes. The broadest definition of civil society encompasses all voluntary associations operating between the family/household and the state. This broad definition includes trade unions, human rights groups, religious organizations, burial societies, sports clubs, parent-teacher associations, NGOs, village development associations, etc. In practice and common usage, civil society often refers to the leaders of associations rather than to all its members. In the Senegalese context, three common usages stand out:

- Civil society as confined to the intellectual and professional class. This class is often looked upon to promote democratic norms and values and fight to promote human rights and limit the state's abuse of power.
- A somewhat broader concept of civil society as encompassing the relatively well-educated leaders of organized urban society. Donors often focus on this group when devising strategies fostering democracy and democratic governance. Hence, they support leaders of human, civil and women's rights, trade unions, civic associations, the media, and professional, legal, and business professions.
- A definition of civil society from the perspective of party politics that refers to civil society as encompassing civic leaders and professionals who are not members or militants of a political party but who might be tapped by those in power for a ministerial post or to head a government agency.

The DG team's perspective on civil society regards grassroots and community associations as also part of Senegalese civil society. However, for the sake of clarity of analysis, this assessment makes a distinction between national-level civil society organizations, which operate primarily in the capital and often interact directly with government and donors, and grass roots and community associations which operate throughout the country and are organized primarily to satisfy self-defined needs.

Since the late 1970s, there has been a sharp increase in the number of national level civil society organizations (CSOs) and grassroots and community-based organizations (CBOs) in Senegal.²⁰ Political and economic liberalization stimulated a plurality of CSOs rather than a single or dominant organization closely linked to the ruling party as was the case earlier. One thus saw the emergence of autonomous trade unions, business associations, and development-oriented NGOs. By the mid-1990s, the PS and other political parties were looking more and more to civil society as a base for recruiting candidates for public office, a reflection of the growing importance of national level civil society leaders.

In the late 1980s and 1990s, organizations championing civil, human, and women's rights, electoral reform, and greater transparency in government operations emerged and became increasingly important actors on the political scene. During the 2000 presidential election campaign, several of these groups like RADDHO, Forum Civil, Enda, and

Siggi Jiggin joined together to promote voter registration and the importance of voting.

Some observers credit these kinds of CSOs for contributing to make *alternance* possible.

National CSOs like RADDHO have been solicited by the Wade government to intervene as mediators in the Casamance conflict and are involved in human rights issues in other African countries, thus arousing criticism that they are more involved with human rights in Mauritania than those taking place at the local level in Senegal.

After taking power, Wade brought civil society figures into his government like Penda Mbow, a historian and advocate for women's rights who briefly served as Minister of Culture. After leaving the government, Mbow ran for mayor of her *commune d'arrondissement* and started a grassroots movement (*Mouvement Citoyen*) that mobilized youth, women's and other groups to deal with neighborhood problems. Penda Mbow's *Mouvement Citoyen* represents an interesting effort of a civil society leader who had previously been involved primarily in national level political issues to link up with local grassroots associations to promote good governance at the neighborhood level and to deal with concrete issues of direct concern to the people—e.g., better schools, decent sanitation, and safer neighborhoods.

One of the main criticisms of many national level CSOs was that they had little real contact with grassroots associations and CBOs and could not claim to speak in their names. At best, some CSOs like those affiliated with CONGAD provided useful development services for local communities, usually financed by foreign donors. At worst, some opportunistic and self-serving national CSO leaders used their organization as a stepping stone to political office and/or as a means to tap into donor funding as donors were increasingly financing development and democratization projects through national NGOs and CSOs. Some national level CSOs resemble political parties in their lack of internal democracy and tendency for one person to dominate the organization.

Over the past ten years, one has seen a movement on the part of CSOs in the same sector to come together or to federate to enhance their bargaining power with the government and to demand a greater voice in shaping government policy. For example, the *Conseil National de Concertation des Ruraux* (CNCR) was created in 1993 as a national movement to represent farmers, herders, and fishermen organized in cooperatives and other associations to lobby the government to consider the interests of the rural populations in making policy. At that time, the CNCR was only a skeleton organization with a few strong leaders like Mamadou Sissokho, former head of FONGS (*Federation des Organizations NonGouvernementales*) a movement that encompassed several major peasant-based federations. By the end of the decade, Abdou Diouf was meeting on a regular basis to discuss agricultural policy with the CNCR. The influence of the CNCR continued to grow. In 2003, the CNCR mobilized thousands of its members to come to Dakar to peacefully express their grievances with Wade's agricultural policies and to affirm

²⁰ For a detailed classification and analysis of the development of civil society in Senegal, see Sheldon Gellar, *The Political Climate and Will in Senegal for Political and Economic Reform* (Dakar: USAID/Senegal, August, 1997), pp.37-73.

their will to participate in the decisions affecting the rural populations in a mass meeting at Leopold Sedar Stadium. The CNCR asked the government to open frank and sincere negotiations on the issues raised in a manifesto that it presented to the Minister of Agriculture. Their tactics worked. After drafting a new law concerning land tenure and agricultural policy orientations, the government submitted their proposed legislation for review by the CNCR and made major adjustments in their proposal after receiving a detailed critique of the proposed legislation.

Grassroots associations and CBOs at the local level like cultural and sports clubs, tontines, village development associations, youth groups, women's groups and *Groupements d'Interet Economiques (G.I.E.s)* tend to be more democratically run and have a higher degree of transparency than many national level CSOs. Women and youth often play a major role in grassroots associations. The degree of democracy, however, varies because of different forms of organization and hierarchies. Religious associations may be dominated by a marabout while others might be dominated, especially in some rural areas by rural notables and elders.

Grassroots and CBOs are concerned primarily with concrete issues that directly affect their daily life— e.g., land tenure and land use issues, access to clean water, schools, sports facilities, and health centers— rather than more distinct and somewhat abstract concerns concerning democracy like freedom of the press and an independent judiciary.

In some instances, local communities have organized parallel local governance structures that provide a wide range of public goods and services. These are often heavily financed by *emigre* and *ressortissant* associations in touch with local village development associations that hold annual or bi-annual congresses to discuss village needs and how to finance them. These associations are particularly strong in the Casamance among the Diola and in the Senegal River Valley among the Halpulaar and Soninke populations. People tax themselves and mobilize local resources to build mosques, potable water systems, schools, and health centers. Mouride networks also provide lots of money to their home villages in the regions of Louga and Diourbel and have contributed to building a modern hospital in Touba.

Since the 1996 decentralization reforms, “civil society” groups at the grassroots level have been taking a more active interest in local government, participating more in monitoring local government activities, and providing candidates for public office. In some areas, political parties are soliciting respected leaders of local grassroots associations to run for office on their list. Strengthening local civil society at this level offers the possibility to make local government officials more accountable to their constituents. Greater access to information concerning governance issues and participation in local government has promoted a greater sense of citizenship. At the same time, many Senegalese at the grassroots levels in urban neighborhoods and villages have difficulty getting heard at the national level and have few ties with national level CSOs working on democratization issues.

Wade is highly sensitive to criticism by civil society but does not seem inclined to consult with its representatives before making policy decisions. Although government officials and civil society representatives often participate together in joint seminars and conferences on democratization themes, there seems to be a lack of serious public dialogue and debate between national civil society leaders and government officials.

Nevertheless, Wade is sensitive to public opinion and has sometimes reversed his stance and polices when effectively challenged by civil society in its watchdog role. After accusing Adama Gueye, the director of Forum Civil, of secretly working for the political opposition after he published a study in 2001 that showed that most Senegalese perceived the government – e.g., customs, police, those in the position to take kickbacks, etc. – to be corrupt, Wade took up the anti-corruption crusade and established an anticorruption commission that he claimed was hailed as a model for developing countries.

National CSOs concerned with democratization issues are now beginning to form coalitions that will collectively focus on specific national level issues. Thus, the Forum Civil has taken the initiative to create a broad Coalition against Corruption that includes private sector business associations, trade unions, and religious associations as well as those national CSOs specifically working on good governance and democracy issues. Some associations that had originally signed up seemed to be backing off under government pressure. Another promising development is the signing of a protocol among several major national level CSOs and NGOs to create a coalition that will address national public policy issues and examine these issues sector by sector. This coalition could be more effective if it linked up with grassroots CBOs directly affected by government policies.

D. Private Sector and Good Governance

Employer associations have evolved considerably since the Senghor era and have developed a higher degree of autonomy. The emergence of UNACOIS (*Union Nationale des Commerçants et Industriels du Senegal*) which regrouped hundreds of so-called informal sector small-scale enterprises during the 1980s took a more militant stance toward protectionist state economic policies, pushed for more free trade and the end of monopoly privileges for large firms closely allied with the Diouf regime. It also complained about government harassment of informal sector businessmen. Recently, there was a schism in UNACOIS as some members seeking to formalize and modernize informal sector activities split to form UNACOIS-DEF.

The CNES was founded in 1983 and consists of 1,800 formal sector Senegalese business enterprises. It seeks to protect Senegalese business against foreign competition and calls for the ending of monopoly privileges for firms in the sugar, oil processing, and tobacco sectors of the economy. CNES has a tradition of promoting good citizenship and developing good relationships with other sectors of civil society.

The CNP consists of 19 employers federations and controls a significant share of the modern formal sector. Dominated by foreign private investors, the CNP tends to be more concerned with economic profit than with national development concerns. It is the employers association least interested in openly challenging the government's economic policies and prefers to work behind the scenes to defend its interests.

In recent years, formal sector employer associations like the CNES have made an effort to collaborate more closely with UNACOIS on economic issues. All of the major Employer Associations are now part of a loose coalition of employer federations in the *Coordination Patronale du Senegal* (CPDS).

Employer Associations are currently negotiating with trade unions to elaborate a mutually acceptable *Charte Sociale* (Social Charter) that will establish guidelines for improving labor-management relationships that will prevent frequent strikes and labor unrest and promote collaborative relationships between employers and workers. Proposals to raise the retirement age from 55 to 60 and to make it less difficult for firms to lay off workers are the most important issues to be resolved.

One of the major changes that have taken place under Wade is the reduced involvement of the state in labor-management negotiations. The traditional militancy of teachers' trade unions with close ties to LDMPT and And Jef has somewhat diminished with these two parties in the Wade government. However, dissatisfaction with the Wade government's policies may eventually lead these unions to return to their traditional radicalism, especially if And Jef and LD-MPT leave the Wade coalition. The CNTS, which was closely tied to the PS during the Diouf regime, has become more militant. The creation of the CNTSFD closely allied with Wade has led to an increase of tensions and conflicts within the trade union movement.

The relationship between the State and the private sector has changed in Senegal since *alternance* in 2000, but not nearly as much as the "liberal" rhetoric of the Wade administration might suggest.

Formally, the State has abandoned the close relationship to corporatist associations such as the Employers Associations (*Patronat*) Labor Unions, and the Chamber of Commerce. The Wade regime has replaced these structures but has not fundamentally altered the interventionist role of the state in economic planning. Nor has it decisively broken the discretionary power of the state over many aspects of formal sector business, maintaining and even increasing old inefficiencies, and retaining both the incentive and opportunity for rent-seeking.

Since the formation of the CPI (*Conseil Presidentiel de l'Investissement au Senegal*), the Wade regime has formally shifted the focus on its economic development policy toward export-led industrialization and high-value added production, developing a “Strategy for Accelerated Growth” that relies heavily on attracting foreign investment and liberalizing the internal Senegalese economy. A major component of this strategy is the modernization of infrastructure (ports, airport facilities, the railroad, access roads, electricity generation, and communication) that it is hoped will provide the incentive for substantial increases in foreign direct investment. A second body, APIX (*Agence Nationale chargee de la Promotion de l'Investissement et des Grands Travaux*) was created to encourage state-private sector coordination to get done the multiple tasks required to promote this ambitious agenda. When one considers the composition of the CPI, however, it is clear that in terms of State-Private sector affairs within Senegal, little has changed. Domestic, private sector CPI members include only eight large companies drawn from Finance and Banking, Construction, Petroleum (Elton), with just three firms engaged in production (CSS/CBAO in food transformation, COSETEX in textiles, and CCBM in technology). The remaining CPI members are eight foreign firms that have invested in Senegal (including Pfizer, Coca Cola, and Microsoft) and eleven firms (including Hewlett Packard) that haven't. Smaller scale Senegalese firms and the “informal sector” firms that make up the bulk of the internal economy are completely absent from these consultations. These smaller firms complain bitterly about how they lack any input on the decrees being issued to set new rules like the new Public Sector Procurement Code, and how public contracts are awarded.

The APIX group has pushed for cleaner and more efficient governmental management of economic functions. APIX proposed, for example, the creation of a new council to look broadly not only at corruption but at a whole set of administrative practices. This council, first called the *Conseil de Surveillance de la Bonne Gouvernance et de Lutte Contre la Corruption*, was never formed. Instead, after comments on the draft decree were received from civil society actors and political parties, the President created the *Commission Nationale de Lutte Contre la Non-transparence, la corruption et la concussion*, with a much narrower mandate and with little if any power. In fact, almost the entire effort in the area of “good governance” has focused on capacity building in the public administration and on managing public finance and public sector procurement. These activities have barely gotten off the ground in nearly four years of the Wade administration and still focus on the role of the state in the economy.

What is somewhat new is that nearly every actor in Senegal, including the Prime Minister and the President, publicly acknowledges that corruption is a serious problem and that it constitutes a serious brake on economic development and the growth of the private sector. The primary focus of these observations, however, appears to be the potential foreign investors. The degree to which foreign investors actually are deterred by corruption, lack of transparency and inadequate judicial procedures to settle commercial disputes, is questionable, however. Certainly, some foreign firms, including U.S. based firms, do complain about the conditions for investment in Senegal. They report that they are discouraged both by the cumbersome administrative procedures that have actually caused the time required to establish a business in Senegal to increase in recent years, and by the lack of fair judicial recourse when they find themselves in a commercial dispute or are the victim of crimes like embezzlement.²¹ A survey

²¹ Based on interviews with the head of USAID's Private Sector SO, with Embassy personal responsible for dealing with potential U.S. investors, and the World Bank/ Foreign Investment Advisory Service, Senegal: The Investor's Roadmap- A Reassessment,” Washington: FIAS, May 2002.

of 184 private sector companies with significant foreign investment conducted in 2002 revealed that about 70% of the respondents reported that they were very dissatisfied with the performance of the GOS.²²

However, it is not clear as to whether good governance issues figure much in the calculation of potential direct foreign investors in Africa. Over the past eight years except for a short period in which foreign capital was attracted by the privatization of major profitable state enterprises, Senegal has in fact attracted relatively little FDI (less than \$100 million a year). Since *alternance* there has been slow but erratic growth of foreign direct investment (FDI) up from the extraordinarily low levels of the mid-1990s. When we compare investment in Senegal to investment in such oil producing African countries as Nigeria and Angola and even Chad, Sudan and Equatorial Guinea that have averaged between six and thirteen times the amount invested in Senegal, it is obvious that foreign investors adapt to poorly governed countries when the incentives are sufficiently large.²³ If there is a lesson in this it is that non-oil producing states, such as Senegal, must create a far better business and governance environment if they hope to generate much FDI, and even then, the basic economic incentives must be strong.

As for the domestic private sector in Senegal, nearly one-quarter of CEOs of Senegalese firms state that corruption is a very important obstacle to the growth of private sector firms.²⁴ According to a survey conducted of Senegalese enterprises CEOs think that the problem of corruption is particularly serious in tax collection, access to credit and obtaining permission to create a new business.²⁵ These are potentially serious barriers not only to indigenous business, but to foreign investors as well. Judging from the responses to the survey, firms in the informal sector experience more negative impacts from inefficiency and corruption than larger formal sector firms. While 21% of the informal sector firms reported that corruption was a “serious obstacle,” only 3.4% of the formal sector firms agreed. It is not surprising then that the private sector, particularly as represented in the CPI and though associations like CNES (*Confederation Nationale des Employeurs du Senegal*) and the CNP (*Conseil National du Patronat*) dominated by large formal-sector firms, has not been a significant actor in trying to reduce corruption.²⁶

On the other hand, firms represented by UNACOIS and UNACOIS-DEF have much less access to the state and much less capacity to resist the demands for corruption and to overcome the disadvantages that these side-payments represent to them. According to a study conducted for the Forum Civil many formal businesses have accommodated to corruption and know how to factor it into costs of doing business. Nearly 40% of the firms surveyed declared that “corruption is an effective way to win contracts.”²⁷ What these firms want above all is for the State to protect them against potentially harmful foreign competition and that it not strictly enforce procurement procedures that require the award of contracts to the “lowest bidder,” a principle they openly criticize as their death knell.²⁸ In addition, the fact that since the devaluation of the CFA franc in 1994 the Senegalese economy has been growing at an annual rate of 5%

²² USAID/FIAS Investors Roadmap, 2002.

²³ Document prepared for the CPI meeting 2003, “Evolution de l’Investissement au Senegal.” Dakar: CPI, n.d.

²⁴ Mouhammadou Mboji and Mame Adama Gueye, “La Corruption en Afrique: Manifestations et Impact,” Dakar: Forum Civil, unpublished paper for the Initiative Europeenne et les Droits de l’Homme, January 31-February 2, 2003.

²⁵ Cabinet ORGATECH (Dakar). « Enquete sur les Manifestations de la Corruption au Senegal : Enquete aux Pres des Entreprises ». Dakar: Forum Civil, 2001.

²⁶ According to a study conducted by the Ministry of Employment and Work, the member firms of CNES represented 40 to 50% of the GNP produced in the formal sector of the Senegalese economy, while the members firms of CNP produce substantially all the rest.

²⁷ Cabinet ORGATECH (Dakar). « Enquete sur les Manifestations de la Corruption au Senegal : Enquete aux Pres des Entreprises ». Dakar: Forum Civil, 2001.

²⁸ World Bank, “Summary of Reactions to the CPAR Process,” unpublished PowerPoint Presentation, Dakar: World Bank, 2003.

and has experienced little inflation has meant that formal sector businesses have been relatively satisfied with the climate for doing business in Senegal.

A number of efforts have been going on in Senegal recently to contain corruption and its corrosive impact on business, and on the efficiency of state expenditures for basic services, such as the newly forming *Coalition Contre la Corruption*. But this association is made up, not of private sector business actors, but of 25 civic associations and civil society groups like the rural producers association (CNCR). Given these facts, it is not clear either that Senegalese producers, particularly those with some access to the State, really see corruption and poor governance as significant constraints on economic growth or that foreign enterprises fundamentally evaluate their decision to invest in Senegal on the basis of good governance criteria.

E. Religious Authorities and Democratic Governance

Those familiar with Senegal are acutely aware of the great influence held by the leaders of Senegal's Sufi Brotherhoods. Specialists on Islam like Leonardo Villalon have argued that the Sufi Brotherhoods have provided for a religiously based "civil society"²⁹ by:

- Serving as a balance to state power and a major barrier to unchecked authoritarian excesses by the state.
- Encouraging their followers to be both good Muslims and good citizens.
- Defending peasant interests and representing societal concerns in the face of state actions.
- Contributing to the maintenance of political and social peace and stability.

Senegalese religious authorities are also becoming involved in public issues. The Association of Imams has been active in AIDS prevention campaigns while other marabouts have worked with young people in fighting drug addiction and prostitution.

The Catholic Church has strongly supported transparency and fair elections, exhorted the faithful to exercise their rights as citizens, and more recently condemned the recent spate of political violence and criticized the government for not doing more to stop it. Muslim and Catholic religious leaders have also strived to promote peace in the Casamance.

The basic principles of Islam and Christianity stressing honesty, the dignity of the human person, reconciliation, and concern for the welfare of others can be tapped to promote good governance, human right, peace and citizenship. However, some differences may create tensions between secular reformers and Muslim religious authorities on issues revolving around women's rights—e.g., female excision, inheritance issues, marriage and divorce laws, etc.—and the secular nature of the Senegalese state. Some marabouts are asking the government to revise the 1972 family code to eliminate portions that contradict Islamic law and asking that all Muslims be subject to the Sharia in this area.

One also needs to look at some of the negative manifestations of maraboutic influence on good governance practices such as intervening to place their followers in high government positions, seeking and receiving special privileges from government not accorded to ordinary citizens, the non-repayment of debts owed to creditors and state financial institutions, and taking money, usually from the party in power, during election campaigns.

²⁹ See *Islamic Society and State Power in Senegal: Disciples and Citizens* in Fatick (New York: University of Cambridge Press, 1995).

While the highest religious authorities are taking a neutral stance towards politics, some marabouts are becoming more directly involved in politics in running for office and forming their own political parties and movements. Two marabouts ran for president in the 2000 presidential elections. Moustapha Sy, the leader of the Moustarchadine Tijani youth movement also set up the Parti de l'Unite Republicain (PUR) and urged his followers to register and vote in the 2000 presidential elections. Kara Mbacke, a Mouride marabout, has organized a strong quasi-paramilitary youth movement, which has raised some concerns about his intentions. Some marabouts may thus be attempting to convert their religious influence into political power. Up to now, marabout politicians have played only a marginal role in Senegalese politics. However, this situation could change in the future if disaffection with the present political class of secular politicians deepens sharply. Given the strong ties to the political class, however, this appears unlikely.

Succession struggles in the Tivouane Tijani and Mouride Brotherhoods might tempt politicians to intervene to favor their own candidates and create religious tensions within and between brotherhoods, but this too is deemed unlikely in the near term.

F. Synthesis of Institutional Arenas

Because of his highly personalized style and concentration of power in the hands of the presidency, Abdoulaye Wade remains the key player in Senegalese politics. There are few formal institutional checks on his power. The executive branch has suffered from ministerial instability, Wade's unwillingness to delegate power, and the relative inexperience of many of his appointees. This makes planning difficult. The executive often creates new agencies, programs and policies without seriously looking at the consequences for those which are being replaced.

The National Assembly and Judiciary branches are very weak. An ambitious plan for modernizing the legal system may improve working conditions, but it will be far more difficult to change the underlying climate in which judges work and their subordinate role to the executive. Most of the members of the National Assembly have little or no experience; some are illiterate. More discussion takes place concerning salaries and the perks of being a member of the bureau than on policy issues. Attendance is poor, and only a small number of deputies participate regularly. Providing material assistance and training won't necessarily strengthen these two branches of government nor check executive power.

The newly created *Conseil de la Republique* has only an advisory role and is dominated by Wade who has the power to name 25 of the 100 members and the PDS which controls nearly all of the 50 seats on the Council reserved for members of local government officials named by the National Association of Local Government Officials which regroups mayors and rural and regional council presidents. The remaining 25 members are selected by different economic and social sectors. The *Conseil de la Republique* is a poor substitute for the now defunct Economic and Social Council which had a much broader range of civil society representation and had serious discussion concerning national economic and social policies.

The main institutional arenas capable of putting checks on abuses of presidential power and putting pressure on the regime and political class for good government practices are the **independent media** and certain segments of **national civil society** that have been promoting human rights, fair electoral laws, good governance and citizenship. The latter can take the lead in creating a broad coalition of national level organizations—e.g., employers associations, trade unions, liberal professional organizations, religious associations, etc.—to analyze and evaluate government policies and practices and to lobby for good governance. The press and private and community radio stations can be used to disseminate information in these areas to the general public.

Grassroots associations and community-based organizations—i.e., **local civil society**—are also important arenas for promoting good governance at the **local government** level. Although local government itself remains weak, it is becoming more responsive and accountable to its constituents, especially in areas where citizens at the local level have become more aware of their rights and how local government is

supposed to function. Strengthening local government requires empowering local civil society not only to monitor good governance practices at home but also to bring pressure to bear from below on the national level institutions to transfer more state resources to local government and to use state resources more wisely so that more will be available to meet concrete needs for public goods and services that improve the quality of life. The media and national level civil society can work together with local civil society to bring more information concerning the cost of corruption and bad governance downwards and transmit upwards more information related to the concrete concerns of people at the grassroots level.

To improve the **rule of law**, the participation of representatives of all sectors of society are needed to elaborate policies and rules that are intelligible, practical, and not in sharp contradiction to customary and Islamic laws still deemed legitimate by the grand public. The expertise and skills displayed by the CNCR in prodding the government to take into consideration the wishes and wisdom of rural producers in amending the *loi sur l'orientation agricole* provides a foretaste of what is possible when national level organizations accurately reflect and defend the concerns at the local level.

The recommendations in the next section flow from the conclusions derived after applying the DG methodology and modes of analysis to Senegal.

V. PROGRAMMATIC RECOMMENDATION

A. U.S. Foreign Assistance to Senegal—The Stakes

The United States has a considerable stake in the success of Senegal politically and economically. On a continent and in a region now wracked with violent conflict, it is a bright spot and a source of much needed stability. A strong, prosperous and democratic Senegal could be a beacon for political peace in the region. A weak and failing Senegal could open the doors to the spread of warlordism and civil war such as has plagued Liberia, Sierra Leone, Guinea Bissau, and more recently Cote d'Ivoire. The U.S. can ill afford to see this occur. Another failed state could become a seedbed for radical movements linked to international terrorism and a further threat to establishing regional stability. Furthermore, a strong democratic Senegal could serve as a model for democracy in a predominantly Muslim country. The failure or reversal of Senegalese democracy might well open the door to more radical Islamist movements that, while weak in Senegal today, could grow in any disorder or violence that could emerge from a failing state.

Senegal is not a major area of direct economic interest to the U.S. The amount of foreign capital and particularly U.S. direct foreign investment that it attracts is very small, compared even to the oil producing African states. Yet there are important niche markets that American investors could well benefit from, should they find the climate for investment in Senegal conducive. And Senegal clearly needs this kind of capital and the technology such investors could bring if it has any hope of succeeding with its accelerated growth strategy that concentrates on high value added exports.

B. The Current U.S. Assistance Program

The U.S. is among the leading bilateral donors to Senegal, ranking just after France and the EU, with a program approximately the size of Germany's. The focus on the USAID program is on economic growth, particularly through private sector development, and on improved democratic governance. Several cross sectoral and special objectives round out the program, but these are clearly tied to both of the above strategic objectives. USAID largest programs are in health, and it also has a substantial program in education, which includes encouraging increased local management of education, and a conflict

resolution program for Casamance. Given the limited time the team had in the country, it was not able to look into these.

Growing budget deficits and competition for resources for national and homeland security could lead to short- to medium-term reductions in U.S. government assistance to Senegal. On the other hand, it is possible that Senegal may be selected as a MCA (Millennium Challenge Account) [country](#). US interests in Senegal could actually increase if Senegal receives an MCA grant. As we indicate below, the selection of Senegal as an MCA country holds both prospects for greater influence to achieve some basic goals of U.S. interests in Senegal, and some significant risks. The argument that we are developing in this section of the report is that to take advantage of these opportunities and to reduce the risks, we believe that Democratic Governance Programming in Senegal should increase. Its increase can be justified if conceived in terms of the strategic linkages between the promotion of good governance and economic growth.

C. Thinking Strategically

As we have attempted to demonstrate in this assessment, Senegal is not weak in all the elements of good democratic governance. Although some problems persist in the rules governing political competition and inclusion today, these are not critical problems. There is widespread belief in Senegal today that electoral competition is meaningful and that government at all levels can be changed through the ballot box. There is therefore fairly broad agreement on the legitimacy of the state, and of the nation and its national territory. There is also fairly wide agreement on the principles of political inclusion and on the path to reducing de facto under representation. On the other hand, there are significant problems in Senegal, some that have not been ameliorated by the alternation of power. These fall under the general headings of the practice of rule of law and good governance, notably in the areas of the functioning of institutions to assure public accountability, transparency and fairness, and specifically in the functioning of the police and courts. Above we have also attempted to explain why these problematic areas of democratic governance are so critical to overall good governance, legitimacy and ultimately stability in Senegal. We believe that focusing on the conjuncture of these two governance issues is the highest priority goal for influencing the evolution of the Senegalese system in a positive direction.

D. Strategy Derived from Theory

The preceding analysis leads us to the conclusion that the absence of an effective scrupulous observance of the rule of law in Senegal, coupled with the related persistence of corruption constitutes an environment in which economic growth is likely to be slowed. Recently economists have been looking at “deep determinants” of economic performance. Statistical studies have led them to the conclusion that political institutions are vitally important (Rodrik et al, 2003, Kaufmann, Kraay and Zito-Lobaton, 2002, Kaufman, Kraay, and Mastrazzi, 2003). What these analyses point to in particular is the importance of the institutions and behaviors that constitute a reasonably high level of “rule of law.” For the World Bank Policy Research Department that has developed most of the indicators upon which the MCA eligibility criteria are based, the rule of law is a complex variable consisting of such factors as:

- 1) the belief that the State is legitimate and representative of its citizens, 2) that its leaders play by the rules,
- 3) that public and private contracts are enforced,
- 4) that courts are independent and fair, and able to function in a timely manner,
- 5) the perception by investors and others that their property will not be confiscated or expropriated, and 6) the perception of investors that threats of violent crime against them are limited.

The existence and functioning of these institutions appear to be more important in predicting rates of growth in national income than either trade integration or geography (Rodrik, 2002).

Responding to these findings, development actors often attempt to strengthen these institutions through training, technical assistance, and policy dialogue. Yet the actual performance of these governance institutions does not appear to change very much as institutional innovations and support are offered. The reasons for this may be found in Douglas North's analysis when he states that "economies that adopt the formal rules of another economy will have very different performance characteristics because of different informal norms and enforcement (North, 1994, 366).

This has led some analysts to seek still a deeper level of determination--the underlying factors within a society that help explain both its institutions and personal behavior. While all the causal linkages have yet to be fully explored, what is emerging is a partial explanation that could be helpful to policymakers—an understanding of the relationship between values and economic behavior. The recent work by Barro and McClerry (2003), for example, points to the role of certain religious beliefs found among believers in all major religions, including Islam, in developing personal traits such as honesty, thriftiness, and hard work. These traits in turn appear to be correlated with rates of growth of the GNP. It is interesting that the belief most strongly correlated with growth is the fear of punishment in the after life.

If beliefs contribute to traits that are conducive to development, and good institutions also contribute to development, the question is whether these beliefs also condition, support or limit the functioning of good governance institutions. In a society such as Senegal that has historically been dominated by patrimonial beliefs and behaviors, it is reasonable to assume that beliefs associated with patron-client relations undermine the functioning of governmental institutions, and therefore retard development. Although the inverse has yet to be fully demonstrated in cross-cultural surveys, a working hypothesis for donors might well be that these beliefs must be altered if the institutions that have been associated with democracy, accountability, and good governance in some places are to have the same effect in places like Senegal. Local level civil society institutions like *tontines*, village development associations, and women's groups frequently operate according to norms which parallel those needed for good governance. These norms stress the need for honesty, social solidarity, equitable distribution of resources, and dialogue to resolve conflicts.³⁰ The problem is that neo-patrimonial and clientelist norms and behaviors reflect non-egalitarian social structures and modes of governance typical of pre-colonial Senegalese monarchies. Much of the political class when in power still operate by these norms which are also still accepted by much of Senegalese society who make a distinction between grassroots community governance norms and those of the state which is still regarded by many as an alien and distant institution.³¹

The question is how a donor like USAID can make a difference in this area. Is it within the "manageable interests" of USAID in Senegal to try to affect basic beliefs that will support both good institutions and personal attitudes conducive to economic effort? A corollary to this question might be "if a donor like USAID cannot begin to affect such values and attitudes, how productive will its investments in democratic governance and economic development be?"

³⁰ These norms are incorporated in the Wolof concept of *demokarassi*. For a detailed discussion of different concepts of democracy in Senegal, see Frederick C. Schaeffer, *Democracy in Translation: Understanding Politics in an Unfamiliar Culture* (Ithaca: Cornell University Press, 1998).

³¹ For an excellent analysis of the roots of the notion of two publics and societal morality that contribute to acceptance of corruption at the national level, see Peter P. Ekeh, "Colonialism and the Two Publics in Africa," *Comparative Studies in Society and History*, Vol. 17, No. 1 (January 1975), pp. 91-113.

E. Strategy as a Function of Other Donor Interests

The choice of a programmatic focus for USAID's democratic governance program in Senegal must ultimately be based not only on the interests and needs of the two governments, but also on a series of donor factors that help identify USAID's comparative advantages and weaknesses.

A few general statements set the stage for this discussion.

First, Senegal is a heavily aided country. Estimates of its total external aid commitment range from about \$300 to \$500 million a year. From 1990 to 2001 Official Development Assistance (ODA) to Senegal averaged over ten percent of its GNP, more than twice the level of Sub-Saharan Africa, and well over the median level for the "least developed" countries as a group

Second, Senegal already receives a large amount of private assistance and additional amounts (what the Senegalese call "Decentralized Cooperation") to support administrative decentralization and local government. Without such assistance there would likely be no meaningful decentralization program in Senegal at all. The GOS acknowledges that external funds constitute over 75% of the total cost of decentralization.³² One recent report estimates that about 370 million US\$ had been pledged to decentralization related activities as of 2002, and a second report reports that the actual flow of public foreign assistance to decentralization in Senegal has averaged about 66 million US\$ a year since the change of government in 2000.³³

Third, for many donors, support to local governance and to administrative decentralization has become the focus not only of their development agenda, but their good governance program as well. Especially since the publication of Senegal's Poverty Reduction Program, a large number of donors justify their program in terms of the role that decentralization and heightened popular participation must play in stimulating economic development whose benefits will be broadly enough shared to reduce poverty. Linked to the urgency about stimulating growth in the rural economy and providing better quality of life to slow down urban migration is the notion that only through localizing government can the Senegalese state hope to enlist people in their own governance and enhance the legitimacy and responsiveness of government. As Appendix 2 indicates, there are a large number of projects now focusing on aspects of this issue.

Fourth, there is fairly good exchange of information among public donors working in this area. There are currently fourteen members of the U.N. Thematic Donor Sub-Group for Decentralization, and this group has met at least eight times (see the list in Appendix 1), although reportedly there is relatively little coordination of programming and funding among the donors.

Fifth, there is clearly a need for assistance that focuses on building human resources and institutions at the local level. Appendix 2 reveals that whatever their name, the bulk of the public assistance programs have concentrated on improving decentralized infrastructure and assisting local governments to deal with absorbing the cost of the areas of authority (competence) now delegated to them. These include such critical areas of water, natural resources and the environment, health, education, and culture and sports. Clearly this assistance is vital, given the fact that very little if any of the funds transferred to the decentralized structures from the Ministry of Interior actually gets to the local level. A 2002 government report, for example, indicates that only about 5% of the operating

³² Republique du Senegal, "Gouvernance Local au Senegal, : Dakar: April, 2002, p. 26.

³³ Francois Cazotte, "Dispositif de concertation avec les Bailleurs de Fonds intervenant en matiere de decentralisation et de developpement local," Dakar : Republique du Senegal, Ministere de l'Interieur et de Collectivites Locales, Septembre 22, 2003.

funds transferred went to the *Communaute Rurale* (CR) level, with the bulk of it remaining at the Regional level.³⁴ Of the various public aid programs listed in Appendix 2, only the German PRO-CR and the USAID programs for DGL-Felo and ENDA Graf were explicitly designed to encourage civil society participation in local government and to improve the performance of local government officials through training not only elected officials but citizens as well.

F. Putting It Together-An Optimal Intervention Strategy

An optimal DG strategy for Senegal that takes into consideration the above factors would be to **work simultaneously with civil society at the national level and at the level of local government and** associations in ways that not only put **pressure to improve formal institutions**, but which **begin to transform values and attitudes** to support the proper functioning of these institutions.

The focus on USAID's intervention in Senegal should be on something that matters to donors, that will discernibly improve the perception of private sector investors and stimulate growth, and that will serve to begin **changing the political culture from one of permissive patrimonialism to one of participation and accountability**. At the same time, the strategy must point to a focused area of intervention and one in which USAID has a comparative advantage.

G. A Focus that Matters

An important arena where donors have a direct interest in good governance and democratic participation in Senegal is the **public financial management process** at all levels. Sound government budgetary processes are not simply a matter of good governance and public administrative practices. The fate of many private sector businesses is also closely tied to the efficient management of public budgets and expenditures. The failure of Senegal's political system to operate according to rules that insure at least a modicum of fairness in budgeting and public procurement represents a particular kind of failure of good governance and rule of law that must be addressed.

H. Investor Perceptions

One of the most important factors in limiting the economic growth of Senegal today is its inability to attract much foreign direct investment (FDI), and stimulate more domestic private sector investment and competition. For Senegal to achieve the growth rates it has argued in its Strategy for Accelerated Growth, it must increase investment from about 18% to about 30% of GNP. Improving public financial management and assuring private sector investors of safety and fairness could make a significant difference in how this market is perceived and how it grows.

I. Transforming the Political Culture

Changing the way Senegalese officials at all levels deal with institutional rules in the management of public resources, and changing the attitudes of ordinary citizens to want and expect cleaner and more responsive government will not be easy. If the emerging theory is correct, however, it is imperative.

J. Doing It

How can a donor like USAID achieve these results? One possible approach is to support the Government of Senegal to improve not only its laws and regulations, but its performance in the domain of budget construction, budget management and budget expenditure. As indicated above, a number of donors are

³⁴ Republique du Senegal, "Gouvernance Local," p. 24.

hard at work on this process, led by the World Bank whose work on governance in Senegal focused on improving budget transparency at all levels of governance, and the efficiency and fairness of the awarding of public markets. Our interviews and analysis have shown that the GOS is less than fully committed to rigorously implementing budget monitoring and transparency, particularly in the area of awarding public contracts, the process of improving budget and spending transparency. This is indicated most graphically by the persistence of high levels of non-competitive procurement and by several important exemptions from the competitive bidding process, such as the “urgency” provision for the PCRPE (*Projet de Construction et de Rehabilitation du Patrimoine Bati de l'Etat*), a program run out of the Office of the President. In addition, the media report that a number of other practices designed to evade or circumvent the competitive and open procurement process persist.

Given the slowness of the GOS to reform these practices, it is the judgment of this team that USAID and other donors must turn in part to non-governmental actors at all levels, from the local “collectivity” to the national level, to improve public financial governance. Strengthening the capacity of citizens to monitor budgets and sanction misappropriations of public resources is not only a way of complementing the work which the Bank and others are doing directly with the GOS, it is also a powerful tool for promoting a fairer, more widely diffused development of the private sector, and of building and consolidating democracy. But above all, it should be done in a way that begins to challenge and change patrimonial values and attitudes. That means that not only must citizens be involved, but that a climate must be created in which elected and appointed officials fear punishment if they fail to act in the public interest. It also means that many of the agencies that socialize citizens, including schools and religious institutions must begin inculcating values that support good governance and citizenship rather than clientelism.

The rationale for not working closely with the GOS in our strategy recommendations is closely related to several factors: government instability, rapid turnover of personnel, lack of political will, the fact that other donors are already directly working with the GOS to improve government performance in the areas of concern to the strategy, and USAD/Senegal’s experience and comparative advantage in working with civil society at the local government and grassroots levels.

One possible area in which USAID/Senegal could work directly with the GOS, Senegalese political parties, and national civil society organizations would entail providing support for holding public meetings and seminars to discuss and develop a consensus for the ground rules for the upcoming national legislative and presidential elections in 2006 and 2007 and providing greater public financing of party campaign activities. Other support could be given to promote greater internal democracy and transparency within Senegalese political parties. These activities would not be part of the mission’s future DG strategy but would be added on the Mission’s current DG strategy to forestall a potential conflict and crisis between the government and the opposition parties over electoral rules and contribute to the establishment of a level playing field for the next elections.

It is our view that working only on institutional fixes at the top will simply not produce the results that will make a difference. On the other hand, working only at the local level or with civil society will not produce sufficiently powerful motivations for national policymakers and implementers to change their behavior. The team believes that without conducting a systematic assessment, this appears to be one of the lessons of USAID’s current DG program.

The Optimal Strategy: Improve Public Governance, Focusing on Transparent Financial Management at the National and Decentralized Governance Levels

This strategy would have two major and interlocking components:

1. National level: Supporting National Civil Society and Commercial Courts for Good Governance; a. To improve the fairness and integrity of public financial management and hence of “playing by one important set of rules”

- b. To shift the attitudes and values of citizens and of public officials toward patrimonial behavior through elite citizen mobilization, media exposure, and public lobbying for enforcement and punishment
2. Decentralized Level: Improve Local Financial Management and Citizens' Capacity to Monitor Budgets and Expenditure.
 - a. To improve the openness and fairness of public management at the level where people can most clearly see results;
 - b. To shift attitudes values of citizens and local public officials (elected and appointed) through greater participation, knowledge, and empowerment of citizens

National Component: Strengthening National Civil Society To Monitor Public Financial Management and To Begin Creating a Culture of Accountability

The primary focus of this aspect of the strategy is to improve the capacity of specialized citizens' organizations and urban community-based associations to monitor government performance and to enhance their capacity to develop demand for improved transparency and conformity with existing laws, especially as regards budget and procurement practices.

This could be done by offering a variety of kinds of support to civil society actors whose own programs encompass issues of transparency and more open, honest and transparent use of public resources. While "corruption" is implicitly a behavior closely associated with weaknesses in the political system, the DG team recommends that the program not be formally framed as an anti-corruption program. Instead, the emphasis will be on linking concrete citizen interests to the manner in which governments at all levels make use of public resources and the need for greater participation in that process. One could also work with representative national level organizations like the CNCR to focus on financial aspects of concrete problems confronting the rural world –e.g., how public land is appropriated and sold, how access to water, grazing rights and forestry resources are assigned.

The emphasis of this activity would not only be in dissemination of knowledge of the national laws and regulations governing rural life, but in assisting interested citizen groups to gain the skills to monitor transactions of state and local government, and to demand that severe legal sanctions be imposed on those convicted of malfeasance. Emphasis on punishment under the law would be an important part of beginning to change the values that sustain corruption and dishonest financial management. In the process, the project would enhance the capacity of citizen's groups and the media to lobby for and to defend their interests.

An additional aspect of this project would be to work closely with religious organizations to promote values of financial responsibility, honesty and personal integrity as part of the basic message of the faith. Religious associations are so important in Senegal that this avenue for socialization and values change should be carefully explored.

The general mechanism for this program would be a grant program, managed by a single contractor. The program would fund some of the following activities:

- Research to help citizens understand the cost to them of the misallocation of public funds in specific sectors, such as the current study that the Forum Civil is developing with CRDI (Canada). This research would include estimates of the cost of not following practices that are mandated in existing codes, as well as the gaps in current codes that still need to be addressed;
- Support for a program of urban arrondissement or neighborhood level discussion forums to discuss issues related to corruption and transparency, such as the results of sectoral corruption

studies, and the functioning of the newly created *Commission de Lutte Contre la Non-Transparence, la Corruption et la Concussion* (CLCNCC);

- The development of training materials to assist citizens to understand public budgets, budget procurement processes, and the legal responsibilities of public official in handling public funds;
- Pilot training of trainers to use the materials developed;
- Support to Senegalese NGOs such *Forum Civil (FC)*, and *Aide Transparence (AT)* for the development of specific programs such as AT's "Program for Budget Transparency and Participatory Decentralization in Senegal." Support for such programs might involve the holding of national forums, the constitution of informal groups of multi-disciplinary experts who could exchange ideas and methods via the internet; and the development of specific pro-transparency advocacy campaigns groups;
- Support to the *Conseil National de Concertation des Ruraux (CNCR)* to develop its internal educational and advocacy program and to participate in the Permanent Cadre de Concertation;
- Institutional support for a Permanent Consultative forum that would bring rural producers, labor, private sector firms, especially smaller firms, and government together to discuss development options and governance issues like corruption;
- Support for the development of media materials to be used in live press conferences, press features, private radio and eventually private television outlets resulting from the research and networking outlined above, including 30 second spots, animations, and powerful newspaper ads;
- Support for the development and/or operation of an informal network of journalists interested in working on Transparency and Local Governance Issues, such as was initiated by the DGL Felo Project with the initial formation of the *Association des Journalistes Concernes par la Decentralisation*;
- Support for a network of community radio stations interested in working on transparency and local governance issues like *the Alliance des Radios Communautaires du Senegal (ACR/Senegal)*;
- Financing for a citizen's hot line run by one or more of the anti-corruption/ good governance associations that could receive citizen's complaints about corrupt officials or official nonconformity with the law;
- Funding for a police training program to improve their understanding of human rights and other laws to respect the rights of suspects and prisoners and a program that would bring police, local government officials, and representatives of neighborhood grassroots associations together to discuss how to co-produce security services;
- Support for the development of a national network or consultative group of NGOs working on these issues like the newly constituted *Comite de Suivie (GIP politiques publiques)*. A major purpose of this group would be to multiply the public advocacy capacity of civil society in the area of transparency and financial accountability. This activity should not be limited to defining a general approach towards transparency but also deal with concrete issues—e.g., transparency and financial accountability in the delivery of health services, allocation of land, etc.;

- Collaboration with religious organizations to promote values of financial responsibility, honesty and personal integrity as part of the basic message of the faith; and
- Governmental agencies, such as the newly created CLCNCC could also apply for grants to undertake special studies or to promote its findings in media campaigns.

The various menu of measures offered above to enhance financial management controls is designed to push the government to more vigorously pursue its official anti-corruption and good governance policies. Growing pressure by national level CSOs and grassroots association and collaboration between the two levels in monitoring financial management at all levels will in the long run have a positive effect on government policies and behavior.

To avoid trying to do too many things on too many fronts, the USAID/Senegal mission should focus on no more than three or four major policy areas that directly affect the daily lives of Senegalese citizens. High priority policy issues would include: (1) land tenure and land use policies; (2) policies for enhancing personal security, especially in urban neighborhoods; (3) management of health facilities and access to medical services; and (4) management of school facilities.

Support to Development of Commercial Dispute Resolution Institutions (Rule of Law Project)

This would be a fairly small component of this project involving the strengthening of the Rule of Law in commercial disputes. Under this component, USAID/ Senegal would contract with an International PVO, like the International Development Law Organization (IDLO), to run a series of research and training activities designed to strengthen the demand for judicial processes whereby private sector firms could get more rapid and fairer resolution of their commercial and contractual disputes.

Currently Senegal deals with the problems inherent in its judicial system (see above) by offering an alternative, an arbitration center administered by the Dakar Chamber of Commerce. There are a number of problems with this approach, including the independence and institutional power of the Chamber. Above all, however, this solution ignores the issue of forging a more law -driven process that can win the support of the foreign and domestic private sector.

Under this contract/grant, the contractor would conduct research into the needs of the legal and business communities would build on the training of judges in commercial law that USAID sponsored earlier, and would develop a code of conduct for commercial judges that it would broadly publicize. It would also work with business associations, including associations of informal sector businesses, to understand their rights under commercial law and demand better judicial processes.

Decentralized Level: Improve Local Financial Management, Citizens' Capacity to Monitor Budgets and Expenditure, and the Attitudes and Values of Public Officials and Citizens toward Good Governance

It is clear from the review of other donor activities in the area of local governance decentralization that USAID has a comparative advantage in supporting improved governance through citizen advocacy and more responsive and accountable local government. The strength of this approach is that it is the only one to fundamentally address the sustainability issues of local government--getting citizens involved enough in the activities and investments of local government that they will increasingly be willing to support local government with their taxes and with private donations through the considerable sums coming to some communities from "sons-abroad."

The project would coordinate with several other donors working on local capacity building for improved governance (notably the German PRO-CR Project, and the newly funded World Bank/ Norwegian Budget Transparency project). Several NGOs such as Aid Transparency also hope to work at this level. In general

these programs by other donors have limited geographic reach and are often focused exclusively on training local elected officials. The proposed project would continue the DGL and ENDA approaches of supporting existing local development committees that involve genuine local associations, or in helping forge such committees based on the need of participants to solve real world public service and resource issues

Beyond this, by focusing on local financial management issues, this project can begin to create a culture in which local officials grow increasingly apprehensive about ignoring or violating institutional rules, and in which citizens grow increasingly confident that these new values of financial integrity and institutional responsibility count for something.

Most of the activities that USAID would fund under this program are already well established. They might be sharpened somewhat by focusing more directly on financial management training and monitoring instead of more broadly on a range of development projects. Nearly five years of experience with the DGL-Felo program, and through the efforts of IRG in the area of natural resource management demonstrate, however, that budget and expense monitoring works best where citizens are involved with local government in addressing concrete problems of local significance, and where some of their own resources are at stake.

Under this program, USAID would continue to support local-level planning and financial management training programs in as large a number of CLs as funding and coordination with other donors would permit.

Additional activities under this project might include:

- The creation of a local government rating/certification program whereby Rural Councils, Mayors and Commune Councils would be rated by a panel of members of Community-Based Organizations on their conformity to a series of standards set nationally by a group like the anticorruption coalition. Ratings would be publicized in the local radio and national radio and print media on an annual basis and prizes awarded for the best CLs.
- Citizens would also be encouraged to hold meetings with officials whom they suspected of violating procurement and budget rules, and to make official and public complaints against officials who fail to take appropriate action to investigate and correct such violations.
- Efforts would be made to improve communications and the flow of information between local government and grassroots associations and national level civil society organization, the media and the GOS. This would enable local level concerns and information to be taken into consideration more seriously in making national policies. Knowledge of national level policy making processes at the local level would enhance the capacity of local government and grassroots associations to monitor national policies and put pressure on the government to improve its policies and governance practices.

These recommendations coupled with those at the national level would strengthen the capacity of local government and grassroots associations to defend their interests. Knowledge leads to empowerment. Practical hands-on experience in managing local public affairs should increase the public's sense of ownership of local government institutions and provide them with a stake in good financial management practices that insure that public funds will be used wisely. The increased involvement of local civil society in local government and the appropriation of local government by local citizens should eventually lead to better financial management. Participation and interest in local government is an excellent school for democracy.

One of the most successful examples of collaboration between national and local level actors and the government has been the dialogue that has taken place between the CNCR and the government concerning land tenure and land use issues. The CNCR represents and speaks for local level interests and concerns revolving around the future of the family farm in Senegal and land allocation rules and regulations. The CNCR, which represents farmers, herders, fishermen, and other rural producers, articulates and defends the interests of the countryside vis-a-vis the state. It also provides information to the media to get its message across and to enlist support at the national level. At the same time the CNCR provides important information to its local level member organizations concerning the nature of the government's proposed land tenure laws and how it will affect them. This information provides the rural populations with data which they can use to support, amend, or reject government policies on a rational basis. The backing given to the CNCR by its member organization enhances its capacity to negotiate policy changes with the government. As a result, the GOS has modified part of the law in response to the demands of the CNCR. Pressure by national level groups like the CNCR and their constituent members can also place more pressure on government officials in urban and rural areas to follow more transparent procedures in allocating land and issuing land use licenses and discourage them by unfairly allocating land and licenses.

Another illustrative future collaboration scenario could be in the area of providing greater personal security and fighting crime in urban neighborhoods. Local government officials, members of diverse neighborhood grassroots associations and representatives of the national police force and *gendarmerie* could collaborate in putting together an effective program for reducing crime and improving personal security at the neighborhood level. This might involve joint planning and the pooling of resources. Local government could provide better public lighting and more recreational facilities for young people. Neighborhood groups could supplement police patrols and institute neighborhood watches. Local religious authorities and youth groups could be enlisted in campaigns against drugs and prostitution. Communications systems could be put in place to insure a more rapid response by the police to reports of crime. Citizen monitoring of police activities could contribute to reducing bribe-taking and other forms of corrupt behavior. Mechanisms could be elaborated and put into place to resolve conflicts between the police and the community. The media would foster open discussion of security problems and debates as to how to solve them. Security programs would all have a component to insure sound financial management of the resources used by the various actors and institutions involved.

K. Alternatives

Above we have outlined a comprehensive DG program that addresses, at least in part, the key governance and democratization issues that our analysis revealed. In addition, it explicitly links governance reform to the potential for economic growth, and to the underlying determinants of both slow growth and poor governance.

Below we will review what some of the implications of Senegal's becoming an MCA country might be. It is our view that this development would only serve to intensify the need for the kind of focused, two-tiered program we have proposed.

Below, we outline two alternatives that the mission might consider. Alternative 1 is really a version of our main "optimal" proposal. Alternative 2 should be considered only if funding a more adequate program can simply not be made available, in which case this alternative keeps USAID in the game. There are substantial trade offs, however, to the financial resources saved that must be recognized.

ALTERNATIVE 1: Improve Public Governance, Focusing on Transparent Financial Management at the National and Decentralized Governance Levels Through Existing Sectoral Programs

There are two principal justifications for this alternative. The first is that the DG portfolio is already substantially cross sectoral in character, and this approach could build and reinforce that feature so that the bulk of USAID's program would share some common elements. If peace in the Casamance permits USAID to shed this special objective and treat the Casamance instead within the framework of its sectoral activities, there might be less of a need for a separate DG focus at least at the level of decentralized activities. Integrating DG into sectoral programs in a systematic way might not only yield greater administrative efficiencies, but might also root DG efforts more clearly in the solving of specific problems that ordinary citizens can better relate to. The second is purely budgetary. If funding for the DG sector does wind up being cut, this approach will enable USAID/Senegal to maintain a decentralized component, although in a substantially less focused way.

Critical to the success of this program, however, is still the national level program. In this alternative, it is recommended that USAID fund all of the proposed components of the national level program, if it aspires to produce results that begin to address the "deeper determinants."

For the National Level components see above.

The difference in this option would be the design of the Decentralized or Local-Level Program.

Decentralized Level: Improve Local Financial Management and Citizens' Capacity to Monitor Budgets and Expenditure Through Sectoral Programs

Under this alternative, USAID would seek to address the problems of rule of law and poor governance practices through activities embedded in its existing sectoral programs in Health and Natural Resource Management. The assessment team's review of these two sectoral programs reveals that they have significant governance training elements.³⁵

Under this option, DG would award a contract to a single contractor whose work would focus on working with other contractors in the technical sectors to adopt a common approach and method. To give the program focus, this contractor would concentrate on local financial management issues. The methods shared with other contractors would stress how they could improve the capacity of local participants and groups associated with natural resource management or the administration of health facilities to monitor budgets and public expenditures, and to hold local officials more accountable for their official financial activities. Since this would only be a small part of the concern of the contractors in these areas, it might be preferable to have the DG contractor take on the broader role of training in participatory planning and implementation techniques as well. This could result in a common participatory method using used in each sector with a common financial management component.

L. Strengths and Trade-Offs

This approach could accomplish three significant goals for USAID. First, it could reduce the cost and management effort of administering a stand-alone Decentralized DG project. Second, it could result in a

³⁵ As we understand the Education Sector program, it will not have a significant link to the proposed DG objectives, except perhaps through the inclusion in Middle School curriculum of ethical education and the promotion of the values associated with economic growth (hard work, honesty, and thriftiness). Since this is a start up program focusing on girls in Middle School and its prime contractors had not yet been selected, we were unable to explore the implications of coordinating the DG objectives and methods with it any further.

more coherent approach to integrating DG methods and objectives into the bulk of the mission's portfolio. Third, because local participants would become involved in a governance function through their desire to improve a real world problem confronting them (health, income, natural resource threats), it would provide natural incentives for local people to be involved. The proposed program that the World Bank is undertaking with the Open Societies Institute has a similar focus but is much more limited in terms of the capacity it would seek to build, and provides participants with no direct incentive to deal with budgets and finances as they have when they are trying to deal with specific real-world problems.

The negative tradeoffs of this approach are that it would clearly dilute the focus on rules and institutions and on value change because these objectives would almost inevitably be subordinated to achieving the technical results that the contractors promised to fulfill. In training health committees, natural resource management groups, and even Economic Interest Groups associated with resource exploitation, the contractor would no doubt be more concerned about these technical outcomes than about the governance process and its results. Second, it would likely not be easy to coordinate among the various contractors and grantees to adopt single common method. Each contractor (notably WINROCK/IRG, Development Alternatives and ABT Associates, for the DISC program) has its own existing methods. The DG contractor would in all likelihood encourage and support the other contractors to developing training programs for the more effective performance of the technical tasks and for emphasizing the financial management issues, but would have little leverage to get them to adopt a common approach. In all probability the DG contractor would have to focus its efforts on working at the stage of new project design, and with contractors in mid-course to get as much agreement as possible on working methods and governance indicators and results. Given this fact, the DG results would likely be much less powerful, cumulative and widespread.

An additional risk of this approach could be that if the National Level part of the program were not closely coordinated with the decentralized sectoral program, the pressure exerted on national political leaders and on government would likely be greatly reduced.

ALTERNATIVE 2: Support Only National Level Civil Society and Private Sector ProTransparency Programs

The rationale for this option is explicitly dictated by the budget and USAID management efforts. Under this option, USAID would award one primary contract, perhaps with smaller direct grants to American PVOs like NDI, IFES, etc. to support a set of activities such as those illustratively indicated in the national level of the "Optimal Strategy" discussed above.

Although there are other donors working at the national level on related activities, our exploration of the possible recipients does not suggest that the field is saturated or that the absorptive capacity for the kinds of associations that would be involved has already been reached. This is particularly true if the project becomes involved in making grants to urban *quartier* or *arrondissement* level development associations.

One feature of this program would be its explicit effort to support not only citizens' associations and specialized civic NGOs, but a variety of economic interest groups including formal and informal private sectors groups. Our analysis above, does not demonstrate that there will be a strong demand for participation in this kind of activity from these business groups. The door will be open to them, however, to work on specific issues of interest, such as governmental land use decisions, and the fairness of public market procurement processes.

Trade-Offs

The main strength of this alternative is that it keeps USAID in the game. The national level activities proposed are worth undertaking in their own right and would likely have some impact.

The major drawback of this approach is that it will have little outreach to rural areas and to decentralized governmental units, beyond what may be possible through support to associations of locally elected officials (Note: ACDI/ Canada is already providing significant support in this area). As such, it is less likely than the Optimal Approach or Alternative 1 to generate a bottom-up demand for good governance outside major urban areas, or any change in the political culture at the mass level. This would limit seriously its effectiveness to promote a sustainable process of improving governance, and therefore of accelerating economic growth.

M. Implications of Senegal as a Millennium Challenge Fund Country for Democratic Governance and Democracy Programming

In preparing to write this section of the report, the team consulted U.S. policy statements about the MCA and the World Bank Policy Research Department indicators. It also benefited from discussions with members of the USAID mission in Dakar, from access to the MCA Jumpstart Report,³⁶ and from an interview with one of the seven members of the *Comite de Pilotage* (Sogue Diarisso).

There are two issues that should be considered regarding Senegal's potential participation in the MCA. The first involves its eligibility. Nearly the entire Jumpstart report is devoted to this issue, and to the risks and challenges of implementing the technical plans designed to reform the Senegalese system of public financial management and public procurement. Beyond this, however are issues involving what the impact of MCA funding is likely to be on both the pattern of governance in Senegal and on its prospects for accelerated economic growth.

N. Eligibility

The criteria for eligibility involve a number of dimensions of governance that we have examined in this report. Specifically, to be eligible to make a proposal for funding in Year One, a country must score above the median for countries in the income pool (IDA eligible with a per capita income of less than \$1,435). It must be ranked above the median of countries in this pool on perceived corruption, and at or above the median on two of the remaining five governance indicators (Rule of law, Voice and Accountability, Government Effectiveness, Civil Liberties, and Political Rights). Rule of law involves such indicators as leaders play by the rules, public and private contracts are enforceable, and courts are fair and capable of rendering timely judgments. While our analysis indicates that Senegal is likely to pass the test on Voice, Civil Liberties and Political Rights, its scores on Rule of law and Corruption are much more problematic. In fact on these measures and following our analysis, Senegal stands very close to the threshold for selection into the pool of countries that will be eligible for the special funds. The data that the World Bank Policy Research Department has generated on Senegal in its latest report indicates that Senegal made the pool only because the aggregate measures of corruption improved enough from 2000 to 2002 to push it from the 43rd percentile to the 53rd. On rule of law hardly any change could be noted from 1996 (53rd percentile) to 2002 (52.6 percentile). One can hardly have confidence that these changes in the scores represent are either significant or stable. As the authors of the World Bank Policy Research Group state "it is important to recognize the significant risks of misclassifying countries given the inherent imprecision in these indicators (Kaufmann, Kraay, Mastruzzi, 2003: 39). Thus, whether or not Senegal is selected as an MCA country, it will have significant work to do on its corruption and governance issues.

³⁶ CICE Audit et Conseil/Deloitte,"Senegal ' MCA Jumpstart :' Draft Rapport Final" A report written for the Projet de Renforcement des Systemes de Planification et de Gestion pour Soutenir le Developpement Accelere du Senegal dans le Cadre de l'Exercice de Preparation du Demarrage du Compte du Defi du Millenium, 2004.

As our report indicates, the problems associated with performance on these measures do not appear to us to be rooted primarily in a lack of resources or technical know-how. Should that in fact be the case, the international community led by the World Bank has committed substantial resources to address these potential gaps via the Action Plans, discussed above in the section of this report on governance. In fact, the gaps that the Jumpstart Report identifies, such as the retention of major exemptions to the competitive bidding process for public procurement, appear to be quite intentional. Our analysis indicates that such gaps are likely to persist, and implementation of some of the reforms called for in the Action Plans and by the Jumpstart Report is likely to be resisted and at best only partially implemented unless motivations and underlying attitudes of leaders shift. In the meantime, a slight worsening of perceptual measures aggregated to constitute the key indicator of corruption, or small improvements in other countries in the pool could drop Senegal from the eligibility list.

O. The Potential Impact of MCA on Governance

Much of the analysis of the likely impact of Senegal winning an MCC grant or not will depend on two factors: 1) what will the Senegalese plan for utilizing MCC funding be; and 2) to what degree do the structures and forms of participation and accountability that have been established in the context of the twin consultations for the Poverty Reduction Strategy and the MCA, represent a promising evolution and commitment on the part of the GOS for improved governance.

On the issue of what the Senegalese MCA plan will involve, our research simply does not allow us to say much with any degree of certainty. Discussions we had with Senegalese officials did not reveal exactly what they proposed to do with the MCC funding if they were selected and if their proposal won. These discussions, however, provide some indication that the GOS is anxious to get this funding in order to accelerate its plan for the improvement of infrastructure that it feels will make a critical difference in attracting foreign direct investment and in stimulating the production and export of high value added goods. Large-scale infrastructure projects are clearly key to this plan. If this in fact does turn out to be the plan that the GOS submits and successfully wins, there are some important governance implications.

On the issue of the patterns of consultation and active participation that have been established, we are somewhat less optimistic than the CICE Jumpstart report. That report, for example, places a great deal of emphasis on the CPI (*Conseil Presidential de l'Investissement*) and its power to execute its recommendations. As we have pointed out above, however, the CPI is made up entirely of large Senegalese and foreign firms. It can hardly be thought to represent the vast majority of the Senegalese private sector. Our interviews indicate that some private sector associations like CNES (*Confederation Nationale des Employeurs du Senegal*) and the CNP (*Conseil National du Patronat*), dominated by large formal-sector firms, have been very close to the government and have not played a lead role in trying to render the financial management and procurement systems more transparent, and hence less corrupt. On the other hand, firms represented by UNACOIS and UNACOIS-DEF are much less involved in "active participation" on economic policy and the MCA process, and are less tolerant of official administrative and political corruption.³⁷ Although the GOS points out these are studies of perceptions, it should be noted that over 40% of the firms responding reported that they had actual experience with corruption of public officials. Yet few firms (less than 5%) ever filed a complaint. These numbers do not offer much confidence that the portion of the private sector that is most involved in consultations on these reforms is

³⁷ Cabinet ORGATECH (Dakar). « *Enquete sur les Manifestations de la Corruption au Senegal : Enquete Aupres des Entreprises* ». Dakar: Forum Civil, 2001, indicates that while only 3.9% of formal sector enterprises think that corruption is an important or very important obstacle to private sector development in Senegal, this number rises to 22% for informal sector firms.

very representative or empowered, or that it represents a force for “good governance.”³⁸ It is difficult, therefore, to share the conclusion of the Jumpstart Report regarding the degree to which the CPI represents an excellent example of the dialogue process between the Chief of State and the private sector.

On the other hand, the Jumpstart report points to what appear to be some very positive developments in the state-society dialogue process. Notable among them are the all important emerging relationships between rural producers (CNCR) for working out policies on agricultural and land rights, and organized labor’s involvement in working out the “Social Compact” (*la Charte Sociale*) to institutionalize “*des cadres de concertation permanent.*”

In considering the impact of a potential MCA grant to Senegal, the U.S. Government should be acutely and realistically aware of what it should attempt to encourage in terms of trends, and what it has the capability and comparative advantage to do, to assure that not only will Senegal continue to improve on the most critical indicators of eligibility, but that it will use the MCA funding effectively to promote broad-based economic development.

P. What Should the U.S. Government Encourage?

Assuming that the Senegalese MCA plan does concentrate on public sector spending for large infrastructure projects, the Jumpstart approach is quite right in recommending that a series of reforms in public financial management should be brought to a successful conclusion (2004: 9). These include reforms to the Public Procurement code and to financial management system. It is also correct in pointing to the need to strengthen the public-private- civil society dialogue and consultation process (p.21).

These reforms could make a difference both in the utilization of the funds and in the governance process that determines how public money is spent. It is not enough, however, to simply recommend that the GOS eliminate the major loopholes in its Public Procurement Code, or that that code contain anti-corruption provisions (Jumpstart, p. 9). As our analysis attempts to show, these problems are endemic to the system and to the values and motivations of its primary actors, and cannot be wished away or even legislated away. The Public Procurement Code does seem to be a step forward, but at the same time it raises some important governance issues. First, it is a decree, not a law, and may be altered or reversed by the President at any time, with no constraints. Second, it specifically does not eliminate exemptions from the requirement for competitive bidding on large scale and “urgently needed” public works projects. This exemption is known as the PCRPE (*Projet de Construction et de Rehabilitation du Patrimoine Bati de l’Etat*). This program comes directly under the control of the President, thereby increasing his personal power. As we show above, there are other exemptions in the Procurement law that allow for noncompetitive awards of contracts in cases of secrecy or research. The fact that currently up to 70 percent of all public sector purchases are made without competitive bidding reveals how entrenched this practice is in the behavior of government officials and top political leaders.

If the MCA funding does in fact increase the amount of public expenditure that is available to the executive branch of government, it is, in the current context, likely to compound the issues of lack of transparency and corruption, unless something else is done.

What this something else might be is examined and explained in the recommendations section. The MCA grant will make it all the more necessary to build public demand for better governance at every level of the system. At the same time, it will be vital to begin shifting the political culture of most Senegalese

³⁸ With regard to the CICE Jumpstart Report, it should be pointed out that it has been APIX not CPI that has pushed for a Good Governance Program and for a new law on Corruption. As we show above, the law that was passed is not an anti-corruption law per se. It only creates a commission with no enforcement or even educational role .

toward obtaining and allocating public resources. This can be done, we argue, through cultivating the broadest possible participation at the local level where ordinary citizens and their elected officials will learn to become more accountable and responsive to public wishes, and where as a result both will come to accept a notion of government that is more rule and law driven, and less driven by the scramble for gain through personal relationships.

Q. What Does the U.S. Government Have the Capability to Encourage?

The comparative advantage of the U.S. Government does not lie in national level technical assistance to the financial ministries and processes. This is a terrain to which a number of other donors are already heavily committed. Instead it lies in the experience of its bilateral assistance programs to decentralized governance and to citizen national civil society to create demand for better government. Both of these approaches have the potential to get at the “deeper dimensions” of the development dilemma: the fact that despite significant improvements there are limits as to how far the GOS as currently constituted can go toward good governance and rule of law.

The decisions that the Wade government must make about the MCA are complex. It is not simply a matter of improving governance practice and reducing corruption in order to get an infusion of capital that might enable Senegal to accelerate its economic growth strategy. It also involves the fundamental reasons why Senegal, liberal or not, substantially remains a centrally dominated, patrimonial regime, and what the players in this game expect of the state. Even the private sector fully expects that the Senegalese state will continue to play a substantially interventionist role for a long time to come, and that with this necessarily will come criteria for decisions and bureaucratic behaviors that do not meet the standards of good governance. The Wade regime must be concerned not only about what donors and foreign investors want him to do with regard to improving governance, but about how real changes in the way state-society business is conducted will affect his electoral support and social stability.

Our conclusion, therefore, is that MCA funding does not require an alternative approach for USAID/Senegal, but rather a strengthening of its current DG activities in these domains.

LIST OF ACRONYMS

ACI	Africa Consultants International
ADN	Association de Developpement de Nguekokh
AFP	Alliance des Forces du Progres
AGETIP	Agence d'Execution de Travaux d'Interet Public Contre le Sous-Emploi And Jef
AJ	Agence Nationale de Conseil Agricole et Rural
ANCAR	Agence Nationale Chargee de la Promotion de L'Investissement et des Grands Travaux
APIX	Senegal Alliance des Radios Communautaires du Senegal Aide Transparence
ARC AT	Africa Union
AU BDS	Bloc Democratique Senegalais
CA CAP 21	Commune d'Arrondissement
CBO	Convergence Autour des Actions du President
CCVCEP	Community-Based Organization
CDL CDP	Commission de Controle et de Verification des Comptes des Etablissements Publics
CDPS CEO	Comite de Developpement Local
CFAA	Convention Democratique et Patriotique
CNCA	Coordination Patronale du Senegal Chief
CNCR	Executive Officer Country Financial
CNES	Assessment Analysis
CNLNTCC	Commission Nationale des Contrats de l'Administration Conseil National de Concertation des Ruraux Conseil National des Employeurs Senegalais Commission Nationale de Lutte Contre la Non-Transparence, la Corruption et la Concussion Conseil National du Patronat Conseil National des Travailleurs du Senegal Conseil National des Travailleurs du Senegal/Forces Democratiques
CNP	Conseil des Organisations Non-Gouvernementales d'Appui au Developpement
CNTS	Country Procurement Assessment Report
CNTS/FD	Cadres Permanents de Concertation
CONGAD	Conseil Presidentiel d'Investissement
CPAR	Code des Passation des Marches
CPC CPI	Conseil Rural
CPM	
CR	

CSO	Civil Society Organization
CSS	Compagnie Sucre Senegalaise
DG	Democracy and Governance
ENDA	Environnement et Developpement du Tiers-Monde
FAL	Front Pour L' Alternance
FC/TI	Forum Civil/Transparency International
FDI	Foreign Direct Investment
FONGS	Federation des Organisations Non-Gouvernementales du Senegal
GEC	Groupement Economique Communautaire
GOS	Government of Senegal
GFP	Groupement de Promotion Feminine
GIE	Groupement d'Interet Economique
HCA	Haut Conseil de l' Audiovisuel
IDLO	International Development Law Organization
IDRC	International Development Research Center (Canada)
IFAN	Institut Fondamental d' Afrique Noire
IFES	International Foundation for Electoral Systems
IGE	Inspecteur Generale d'Etat
LD-MPT	Ligue Democratique-Mouvement Pour le Parti du Travail
MC	Mouvement Citoyen
MCA	Millennium Challenge Account
MCR	Mouvement Citoyen et Republicain
MFDC	Mouvement des Forces Democratique de la Casamance
MINT	Ministere de L' Interieur
NDI	National Democratic Institute
NGO	Non-Governmental Organization
OFNAC	Office National de Lutte contre la Corruption
ONCAD	Office National de Cooperation et d' Assistance Pour le Developpement
ONDH	Organisation Nationale des Droits de l'Homme
ONEL	Observatoire National pour les Elections
PCRPE	Projet de Construction et de Rehabilitation du Patrimoine Bati de l'Etat
PDS	Parti Democratique Senegalais
PIRSP	Programme Integre de Reforme du Secteur Public
PIT	Parti de l' Independance et du Travail
PNBG	Programme Nationale Pour la Bonne Gouvernance PS Parti Socialiste

PVO	Private Voluntary Organization
RADDHO	Rencontre Africaine pour la Defense des Droits de l'Homme
RND	Rassemblement National Democratique
SO	Strategic Objective
SUDES	Syndicat Unique et Democratique des Enseignants du Senegal
UNACOIS	Union Nationale des Commerçants et Industriels du Senegal
UNDP	United Nations Development Fund
UPS	Union Progressiste Senegalaise
URD	Union pour le Renouveau Democratique
USAID	United States Agency for International Development

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PERSONS CONTACTED

Senegalese Government Institutions

Cheikh Awa Balla Fall, Technical Advisor, Ministry of Interior on decentralization

Khalifa Gueye, Head of the Direction des Collectivites Locales, Ministry of Interior (MINT)
Babacar Kante, Member of the *Conseil d'Etat* and Professor of Law Aboubakry Lom, Direction de la Planification

Ibrahima Famara Sagna, former President of the Economic and Social Council

Diarrisse Sogue, Director of Statistics, member of Comite de Pilotage for the MCA, and Technical Advisor to the Prime Minister.

Moussa Sow, President du Conseil, Agence National de Conseil Agricole et Rural (ANCAR)

Local Government

Aly Lo, President of the *Union des Associations des Elus Locaux* (UAEL)

Abou Ndiaye, mayor of Nguekokh,

Falou Toure, Vice President of Rural Council of Touba

Political Party Leaders and Deputies

Abdoulaye Bathily, Vice President and member of the National Assembly, Secretary-General of the *Ligue Democratique-Mouvement pour le Parti du Travail* (LD-MPT),

Djibo Ka, National Assembly Deputy, and President of the *Union pour le Renouveau Democratique* (URD)

Pape Babacar Mbaye, National Assembly Deputy, *Parti Socialiste* (PS)

Iba Der Thiam, National Assembly Deputy, Head of the *Convention des Democratres et des Patriots* (CDP) and Coordinator of CAP 21

Moussa Tine, National Assembly Deputy, *Alliance Jef Jel*

Doudou Wade, National Assembly Deputy, *Parti Democratique Senegalais* (PDS), President of the *Groupe Parlementaire Liberal et Democratique*,

Media

Abdou Latif Coulibaly, Journalist, Director of *Institut Supérieur des Sciences de l'Information et de la Communication*, and head of radio programming for SUD FM

Madiambal Diagne, Director of Publications of *Le Quotidien* (newspaper)

Sidy Lamine Niasse, President of Groupe Wal Fadri. (newspaper and radio stations)

Oumar Seck Ndiaye, Director of Oxygene, Pikine community radio station and co-founder of *Alliance des Radios Communautaires du Senegal* (ARC/Senegal)

Babacar Toure, President of Groupe Sud Communications (newspaper and radio stations)

Senegalese Civil Society, NGOs, and Researchers

Bouba Diop, Director of CONGAD --Conseil des Organisations Non-Gouvernementales d'Appui au Developpement

Cherif Diop, specialist on Islamic law and advisor to TOSTAN

Momar-Coumba Diop, researcher IFAN, Senegalese political system, good governance and poverty reduction programs.

Safiatou Diop, President, *Ciggi Jiggin*, women's rights organization

Gary Engelberger, Director of AIDS Education Programs, ACI (Africa Consultants International)

Wendy Wilson Fall, Director, West African Research Institute

Francois Faye, specialist, agriculture and natural resource management issues

Jacques Faye, advisor to *Conseil National de Concertation des Ruraux* (CNCR)

Mame Adama Gueye, Lawyer, President of *Forum Civil*

Demba Keita, APRAN/Ziguinchor

Penda Mbow, former Minister of Culture and founder of *Mouvement Citoyen* (MC)

Molly Melching, head of TOSTAN

Adji Fatou Ndiaye, *Aide Transparence*

Emmanuel Ndione, head of Enda-Graf Alioune

Tine, Secretary-General, RADDHO **Private**

Sector and Trade Unions

Pape Badiane, taxi driver

Ismailia Dia, pharmacist

Kalidou Diallo, Secretary-General, of the *Syndicat Unique et democratique des Enseignants du Senegal* (SUDES)

Papa Nalla Fall, President of the Economic Commission of the *Conseil National du Patronat* (CNP) Ibrahima Lo, President of UNACOIS-DEF (Union Nationale des Commerçants et Industriels du Senegal) Mor Talla Kane, Executive Director of *Confederation Nationale des Employeurs du Senegal* (CNES Aly Mboup, Secretary-General of the *Chambre de Commerce de Dakar* **Visits with Associations in Groups**

CDL (*Comite de Developpement Local*)/ Guediawaye- urban commune in Dakar region grouping five *communes d'arrondissement*. (*ENDA/Graf program of USAID*). Met with municipal councillors, women's group leaders, health committee leaders, credit committees, etc.

CDL (*Comite de Developpement Local*) of Mont Rolland, Thies region. Rural Community encompassing 18 villages. (Enda/Graf program/USAID). Met with Rural councillors, health committees, women leaders, etc.

ADN (*Association de Developpement de Nguerkokh*) DGL Felo project regrouping number of local associations working with local government in small urban commune in Thies region.

GTT (Technical Working Group) of Diass Rural Community. DGL Felo Project. Rural councillors, health, women's and environmental associations.

National Hunger Project Site Visits: *Groupements Economique Communautaire(GEC)* and *Groupements d'Interet Economique(GIEs)* Ndereppe; micro-credit groups and *Groupements de Promotion Feminine (GPFs)* in Sam Cantor; and GECs and GPFs in Dahra commune in Louga region.

USAID/Senegal and Contractors

Olivier Carduner, Director, USAID/Senegal

Scott Dobberstein, Team Leader, Democratic Governance Strategic Objective

Abdoul Wahab Ba, Decentralization Specialist, DG team Sidy Cissokho, Civil

Society Specialist, DG team Abdourahmane Diallo, Sociologist,

Abdoulaye Barro, Program Development Specialist, DG Team

John Stamm, Team Leader of Private Sector Strategic Objective Bradley

Barker, Acting Technical Assistant, Health Strategic Objective Matar

Camara, Children Survival Specialist, Health Strategic Objective Steve Reid,

DGL Felo project (ARD)

Awa Ndiaye Diouf, DGL Felo Project (ARD)

Cheikh Abdou Lo, DGL Felo Project

Pape Sow, Girl's Education Program

Moundiaye Cisse, Enda decentralization program for Local Development Committees

United States Embassy

Richard Allan Roth, Ambassador

El Hadj Sarr, Political Division, US Embassy

Seriji Shiriatori, Political Officer, US Embassy

Roy Whitaker, Political Affairs Officer, US Embassy

M. Mauri, Commercial Officer

Donors

Demba Balde, World Bank Governance Unit

Laurent Brito, World Bank, Governance Unit

Francois Cazotte, PADDEL, France, Advisor to the Minister of Interior on Decentralization and the PADDEL Project

Cisse Medoune Diamo, Advisor on Development, Embassy of Canada Ian G.

Hopwood, Country Representative of UNICEF

Aboubacar Kourouma, National Director of the Hunger Project Senegal

Mamadou Mamoune Mbacke, United National Development Program, Governance specialist Guy

Mercier, Technical Advisor for Development, Embassy of Canada

Moussa Samb, Senior Researcher, Canada, International Development Research Center (IDRC)

**APPENDIX A: LIST OF MEMBERS OF THE DONOR SUB-GROUP ON
DECENTRALIZATION**

1. Canada
2. France (SCAC and AFD)
3. Germany
4. Luxembourg
5. Netherlands
6. Japan
7. Austria
8. The United States (USAID)
9. The United Nations/ United Nations Development Program
10. The European Union
11. The World Bank
12. UNICEF
13. The Konrad Adenauer Foundation (Germany)
14. The Friedrich Ebert Foundation (Germany)

APPENDIX B: CURRENT DONOR PROJECTS IN DECENTRALIZATION AND GOOD GOVERNANCE

Name of the Donor	Project Name	Amount in \$US Millions (1/1/04 Exchange rate)	Expiration Date
WORLD BANK	PAC3 (Projet d'appui aux collectivites rurales)	15	2002 (cont)
WORLD BANK	PNIR Phase I (Programme nationale d'infrastructures rurales)	20	2005
WORLD BANK IDA	PNIR Phase I	5.25	2005
WORLD BANK	PDIS		
WORLD Bank (with Government of Norway and Open Society Initiative-West Africa)	Pilot Project in Local Budget Transparency	.03	
OPEC	PNIR-Phase I (Roads, CR level)	6.25	
UN/ UNDP	PADMIR-CR level	7.5	2004
Canada	PAEL (Projet d'Appui aux Elus locaux)	6.08	2006
Canada	PCID (Projet de Concertation des intervenants en decentralisation)	.532	
France- AFD (Agence Frangaise de Developpement)	Anti Poverty Program for Urban Dakar	1.88	2005
France- AFD	Suburban Dakar Education Project	6.25	2009
France- AFD	Bignona Market and Railroad Station Project	2.05	2004
France- AFD	PAC New Phase	16.25	2010
France- AFD	PADDEL—CR level	7.5	2006
France- FSP	PADDEL (Projet d'Appui a la Decentralisation et au 3.09 Developpement Local		2002 (cont)
France- FSP	Casamance	1.45	2004
France- MAE	Co-financing of Decentralized Cooperation	9.09	2002
European Union	PAR- (Projet d'Appui aux Regions)	5	2004
European Union	PSIDEL- CR level (Programme de Soutien aux Initiatives de Developpement Local)	15	2004
European Union	PADELU (Projet de developpement local et urbain)	11.88	2004
Federal Republic of Germany-GTZ	PRO-CR, CR level (Projet de Promotion des Communautes Rurales)	2.88	2004
Federal Republic of Germany-KFW	PRO-CR, CR level	9.6	2004
Federal Republic of Germany-KAF	Cellule d'Appui aux Elus Locaux, Regional and CR level	?	?
Japan JICA	CR Infrastructure	7.77	2004
Luxembourg		35	2006
United States -USAID	SO2: Decentralization	48	2006