CONFERENCE OF AFRICAN NATIONAL
HUMAN RIGHTS INSTITUTIONS FOR
THE PROMOTION AND PROTECTION
OF HUMAN RIGHTS

organised by
the Coordinating Committee of National Institutions
and the Uganda Human Rights Commission

13th – 16th August 2002
Kampala – UGANDA

“The role of civil society in
promoting good governance”

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The Minister of Justice and Constitutional Affairs;

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The President of the African Commission of Human and Peoples Rights;

The President of the International Coordinating Committee of National African Institutions;

The Presidents of the National Institutions;

Dear friends and participants;

On behalf of the Senegalese Human Rights Committee, I would like to warmly thank the Uganda Human Rights Commission and its President for the welcome they rendered us. My thanks equally go to the High Commissioner for Human Rights whose continuous support towards the success of these important meetings in this picturesque country, deserves to be recognized.

The national institution that I have the honour of representing during these important meetings is very privileged to have been chosen to make a presentation on a theme as important as “the role of civil society in promoting good governance”.

In choosing this theme you would definitely want to gain understanding of governed communities with sociological reasoning, that reflects on the theme’s destiny and especially, on the best ways of improving administration in terms of effectiveness and performance via the setting up of optimum resource management techniques.
If in Senegal, the term “governance” has been a familiar term for a long time this is because it was used to describe the offices of the Governor representing the Executive in our regions (what was referred to as the “gouvernorat”). We must truthfully admit that the manner in which the term was introduced onto the international scene, towards the beginning of the 1990’s was more of a new demand from the donors that came out of the Baule Summit in 1990 and the declarations of 31st March 1993 on democracy, human rights and the development of the ACP countries and the 6th May 1994 declarations of the European Parliament on the democratisation in Africa.

The governance decides on the manner in which the power and resources are managed in a country. What can be appreciated about this method of management is that it can be positive or negative. In Africa and especially in Senegal, the debate (unfortunately a controversy) concerning the term civil society is still an issue. Indeed, the political class, the trade unions and the media are not unanimous about its definition and some have publicly expressed their suspicion and uncertainty about this so-called civil society of whose neutrality and disinterest they doubt. What followed was a huge conflict by the media placed between extreme positions:

On the one hand, a political class that sings tunes for the civil society in order to fulfill its campaign needs which, from 1991, led to the participation of independent candidates during the presidential election, and before an electorate that had suddenly become demanding and that completely lacked confidence but especially direction after unfortunately having already listened to numerous promises always made but never kept. The latter is license proof of the failure of political models and the lack of interest by the masses, which explains the high rates of people who refrain from voting during elections.

On the other hand the civil society leaders who have finished sampling the delights of a majority government, purposely increased for the sake of the cause.
These two events devote the end of the regime and of the monopoly of political parties on public life, the end of the dual existence between those power/opposition and the coming of a dynamic social force. This force transporting the concerns and hopes of the citizen’s rises up as a public view ripe against the existing political power.

May we then legitimately hide the role of this force, “this economic actor and political wave emerging whose actual dynamism is impressive? Its entry into the social and political sphere is one of the requirements that any strategy concerning good governance should count on. It is necessary to ensure that this civil society, this community of independent citizens whose members voluntary engage and participate in public life, become a genuine center of historic initiatives. Its dynamism of the civil society is expressed by its definite impact in the field and its credibility stems entirely from its political neutrality and disinterest.

Therefore, a gathering of regrouped or non-regrouped citizens with the ambition of “defending the democracy of human rights, establish more equitable development and a safer environment in order to help those who are in need or to improve the quality of daily life” according to the beautiful formula of Michel Darcy de Oliviera and Rajesh Tandon.

Observing the political, economical and social management, civil society with its freedom, diversity and dynamism should keep a watch on any change within the city. That is already a requirement and the National Report on Human Development in Senegal 2001 moreover recommends that in order to encourage better governance various procedures concerning justice, public office, decentralisation, participation of the masses, information and communication should be insisted upon. Another recommendation is intensifying the fight against corruption which is a challenge to good governance and to the media
that plays a fundamental role in reminding governments to be accountable for their actions and to respect their obligations.

It’s true that the right of the State in this city can be analysed as recognition of the supremacy of the law, respecting public freedom and citizens actions within the associations that act as mediators between the State and society. A perfect democratic society should be one where the democratic ideology of the freedom of participation is reconciled thus leading to the access of power by individuals.

A real democratic culture cannot exist without learning about democracy, followed by an education about participation and finally an education through active participation. This type of education perfectly demonstrates republican management as being transparent and fair in terms of public issues and welfare. That is why the right of the State and the democracy that encourages it has led to the type of citizen who is interested in adapting the whole process of choosing of his/her representatives and those to whom he/she delegates powers: the setting up of the type of trust that hardly excludes control.

The former is a real expression of the participation of citizens who have chosen to express themselves out of the political party arena and contribute in the same way towards the progress of their people. It is within this perspective that the new Senegalese Constitution of 7th January 2001 declares access without discrimination of all citizens to exercise power at all levels and equal access of all citizens public services. To make this possible, the democratic policies rather than reducing the corruption problem and the misuse of money, will probably worsen, with the lack of the creation of government structures or none at all, relatively autonomous and decentralized, concentrating their efforts on public national interest. These participatory structures should keep an eye on their indispensable responsibilities to the masses and play their role of counter power.

The collective conscious can and should call for good governance. Actually, in a democratic regime, citizens are able to defend their freedoms within their own right, through self-declaration, beyond resisting oppression and the right to petition. There is self-
declaration of freedoms when freedom is used to defend another person. Therefore the freedom of association has played a major role, indeed more discrete but more effective in the long term in the sensitisation of public opinion and in the emergence of a strong citizen consciousness.

Thus more than 600 NGO’s with actual consultative status from the Economic and Social Council qualify to carry out the function of consultation, monitoring, criticism, observation and relay between national practices and public international opinion.

On the 21st June 1946 the Economic and Social Council through resolution n° 9 requested UN member states to scrutinize the possibility of creating information groups or local human rights committees. The principles agreed on in Paris on the 7th and 9th October 1991 became the source of inspiration of more than thirty national institutions, which independent in nature, were entrusted with an extensive mandate set by a law or the constitution to promote and protect human rights. All the same, a very critical Human Rights Watch report, which appeared in January 2001, with a harsh document that acknowledged officially the existence of violations and plunderings, done by a national institution. It would be much more difficult for a government to ignore than if a similar document was published by a local or international NGO.

Without well-informed and active public opinion, good governance would be in vain. In fact a rich associative life can add to the role of political parties by encouraging political participation, by increasing the effectiveness of citizens through recruiting and training of future political leaders and by strengthening the attachment to the democratic system. In brief the development of an associative life creates citizens’ consciousness. It is inspired from the well-known fiery statement made by the American President John Fitzgerald Kennedy: “do not ask what your country can do for you but rather what you can do for your country”.

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Whether it is crowded, institutionalised and autonomous, associative life contributes more in reducing authoritarianism, arbitrary rule and leads to effective pressure in favour of democracy and good governance. The most successful democratic experiences rely mainly on a strong network of voluntary, autonomous and more and more structured associations. Claude Levi-Strauss, relevantly explained: “freedom is essentially made up of a multitude of small solidarities and small memberships”…

Good governmental management that directs the success of economic development is the effectiveness and efficiency of a government promoting the well-being of its people: “an effective government depends on legitimacy of which it is assured by great participation in terms of equity and responsibility”. That is the reason why Plato considered correct: “the perfect bliss of a kingdom is that a Prince who is obeyed by his subjects; that the Prince obeys the Law; and that the Law is right and always intended for public well-being”.

In reality moving towards this perfect bliss and between failing political power, due to structural adjustment policies and the coming of globalisation that is very hard to control; including conflicts between disagreeing political parties who try to understand themselves within ideological typologies but all in vain. There is really space for responsible citizens who participate in assuring the growth of investment and progress.

For this purpose the 2002 UNCTAD Report states that more than a billion people, of which 400 million from the less developed countries, live in countries where the governments drew up a strategy document to reduce poverty in order to achieve genuine national responsibility and a greater independence of action. In order to achieve this, the report proposes a new approach of macroeconomic policies geared towards growth, productive national capacity building and strategic integration into the global economy, leading to policies aimed
at reducing the risk of discrimination within the benefits of economic
growth.

This emerging and structured civil society should get involved in
these concrete actions of national capacity building by making clear
choices and avoiding problems such as the lack of preparation and
information about the citizen however happy and responding to the
diversity of their expectations. It should equally prevent gender
confusion. Its specificity should remain in its independence of spirit
and action.

The economist’s vision of governance has quickly integrated the
global field of the management of the city. This fall of good
governance as a “management technique” of good governance like
“regime management”, is supported by the two absolute demands of
transparency within management and the prevention of corruption. The
main point that should be noted is that good governance is “the
permanent search for sound and rational management of the State in the
general interest definitely with the support of those administered as part
of a democratic right of State”.

Focused and full of consistency in his judgment, President
Léopold Sédar SENGHOR was against the ‘politiké’ that signified a
sound and systematic management of the city for the benefit of general
interest; to the “politician policy” that occupies the closed field of
conflicts of individual interests or calculations and scheming and
corruption malpractices.

Finally, the countries enjoying good governance adhere to the
principles of the Rule of Law, they respect human rights, have a
responsible, transparent, consistent, politically open and tolerant
government that really makes the population participate and effectively
communicates with it, and has a decentralized structure of powers.
African countries are in need of good governance to be able to effectively reform their economy, attract investments, stimulate saving and create a favourable environment for private sector activities. (1994 Report on the Global Coalition for Africa).

Last but not least, how can we hide this difficult tendency from certain fringes of civil society who use their leadership to pave a path to politics moreover losing to the masses as well as observers their landmarks and tend to discredit their organisations. It is equally the case of certain leaders of opposition parties who cling to the leadership of these human rights structures and make them lose their credit.

Have we at the end of this presentation explored all the angles of the role of civil society in the promotion of good governance? To claim so would be very inaccurate. That is to say that civil society especially in Africa has swiftly been at the center of all discussions concerning the development of the continent. They have experienced a tough evolution and appear to have confirmed their place as an alternative to bitter failures of all the formulated policies since independence. As a matter of fact, arbitrary rule and dictatorship do not tally with the publicity and action specifically headed by civil associations. From then on the role of civil society in the promotion of good governance is a delicate issue due to a century of integration and globalization. Our continent still manifests standstill symptoms of a chronic political, economic and social situation that is still resistant to possible solutions that could end the crisis. In addition; we can end with Durkheim for whom: “the only ideal that can be proposed to human reason is to improve what already exists, yet, it is only through reality that we can learn about the improvements that it claims to have achieved”.
