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Good Governance, Good Enough Governance
and Governance with Rights First

A thesis submitted in partial satisfaction
of the requirements for the degree Master of Arts
in African Studies

by

Xiuling Zhang

2019

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ABSTRACT OF THE THESIS

Good Governance, Good Enough Governance
and Governance with Rights First

by

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Master of Arts in African studies
University of California, Los Angeles, 2019

Professor Edmond Keller, Chair

The thesis critically examines two important concepts in the discussion of public management, good governance, and good enough governance. It argues that current thinking about good governance is overly inclusive and lengthy. Good enough governance offers a more feasible governance strategy, but it is still results-based and neglects crucial elements in human development such as political and civil freedom. This thesis suggests an alternative concept for public management in developing countries—governance with rights-first. The alternative concept argues that the pursuit of effective and efficient management should be placed in a more humanistic frame that includes not just economic development, but also political, social, and civic development. Government policies should be based primarily on addressing the political, economic, social, and civil rights, and needs of the citizenry of the country. It also argues that

there is no one-size-fits-all formula to improve governance. Policy interventions must be based on the specific context of the country.

The thesis of Xiuling Zhang is approved.

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2019

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1. Introduction

An important issue at the heart of African development is the most useful approach for academics as well as practitioners to understand the process of development administration on the ground. In 1992, with the release of the World Bank's *Governance and Development* report, the notion of "good governance" was born. Public sector management, accountability, a legal framework for development and transparency, and information have been initially identified as core elements of good governance. Since then, the concept has come to be adopted widely by the donor community as the most appropriate public administration strategy to address underdevelopment in developing countries.

International and multilateral development institutions such as the World Bank, the United Nations, the Canadian International Development Agency (CIDA) and the U.S. Agency for International Development (USAID) have included good governance as an essential part of their development agenda (Hyden, 2004). This implies a requirement in funding development projects that improve the efficiency, effectiveness, and transparency of the implementation of policies in developing countries. These projects and programs are often anchored in a "results-based approach," which essentially focuses on a time-bound project that links inputs to certain outcomes. Priorities are given to policies that show promise to produce positive results.

Governance reform agendas of the donor community, however, are usually very ambitious, inclusive, lengthy, and some would say, unfeasible (Andrews, 2008; Grindle, 2004). In an attempt to make governance reform agendas more appropriate to underdeveloped and largely poor countries, Marilee Grindle has offered the notion of

“good enough governance,” which is “a condition of minimally acceptable government performance and civil society engagement that does not significantly hinder economic and political development, and that permits poverty reduction initiatives to go forward” (Grindle, 2014). While this approach is an improvement over the concept and policy approach to studying good governance in developing countries, it is still based on outcome and is a results-based approach to development rather than requiring certain rights-based steps first in the design of development policy.

The goal of the present thesis is to argue that both the concepts of good governance and good enough governance tend to overlook the constituents whom these approaches are meant to serve. In other words, they do not first consider that development administration is supposed to be based from the beginning on the goal of serving the public good. The idea is that a policy should consider its promise to achieve a specific general public good. In other words, government policies should be based primarily on addressing the political, economic, social, and civil rights, and needs of the citizenry of the country. This thesis argues that the pursuit of effective and efficient management should be placed in a more humanistic frame that includes not just economic development, but also political, social, and civic development.

Assuming a comprehensive conceptualization of development, the rationale for achieving development objectives are as important as the ends. This thesis thus proposes a further improvement over the previous works on good governance and good enough governance and argues for a rights-based approach to public management. It is argued that human rights which include the right to life and liberty, freedom of opinion and expression, the right to work and education, and many more, are inherent to all human beings

regardless of race, ethnicity, or socio-economic classes. A rights-based approach to public management therefore aims at holding governments accountable for the protection and fulfilling of economic, political, social, and civil rights of the populations of the area being governed.

The thesis is organized as follows: It first examines and critiques in detail the debates over good governance and good enough governance. Next, it makes a case for an improved conceptualization of good governance which is humanistically based and emphasizes not only administrative efficiency but also the rule of law, accountability, civic participation, and basic human rights. It also builds on the previous works on good enough governance and argues that the arrangement of governance reforms should be based on the cultural context and history of the country or countries being administered. In addition, it argues that priorities should be rights-based. The final section consists of the conclusion, suggestions for a new rights-based approach and directions for further research.

2. Good Governance: Review and Critique

2.1 Origins of the concept of Good Governance

The concept of good governance emerged at the 1990s. It grew out of the limitations of structural adjustment programs (SAPs) which minimized the involvement of the state in leading and promoting national development, and the emerging interventionist role played by East Asian states in stimulating the economic growth of their countries. The SAPs introduced “conditionality” on the state’s macroeconomic lending activities while at

the same time qualifying the role of the state in the economy.¹ The state came to be seen more as a promoter of the free market than involved in it and as a promoter and funder of technological innovation. Good governance came to require that developing states recede from heavy economic intervention and embrace the free market. However, the SAPs did not foster growth and reduce poverty as anticipated. At the same time, the so-called “Asian Tigers” (Hong Kong, Singapore, South Korea and Taiwan) achieved extraordinary economic growth with their state-intervention models which emphasized promoting improvements in private and semi-private economic performance (Barbara, 1995). SAPs’ failure and Asian Tigers’ success brought attention back to the role of the state in development. Donor communities began to back-track in their requirements for their development assistance and to re-emphasize the legitimacy of state intervention in economic development, but based more on the success of Asian models.

In the above context, the term “good governance” was used for the first time in 1989. In his preface to the Bank study on Sub-Saharan Africa, the former World Bank president Barber Conable used the term “good governance,” referring to it as a “public service that is efficient, a judicial system that is reliable, and an administration that is accountable to its public” (World Bank, 1989). In 1992, the Bank released a report entitled *Governance and Development*. In this publication, it defined governance as “the manner in which power is exercised in the management of a country’s economic and social resources for development.” The report emphasized the role of states in providing public goods and services and called attention to the quality of public institutions. What was said to be

¹ Conditionality is the use of conditions attached to the provision of benefits such as a loan, debt relief or bilateral aid. Doornbos, Martin R. 'Good Governance': The Rise and Decline of a Policy Metaphor?, *Journal of Development Studies*, 37:6 (2001), 93-108, DOI: 10.1080/713601084

needed was a more efficient, transparent, effective, accountable governance in developing countries. Thus, the notion of “good governance” was born and gradually became popular in the discourse and policies of the donor community. In 1998, former United Nations Secretary-General Kofi Annan even noted that “good governance is perhaps the single most important factor in eradicating poverty and promoting development (United Nations 1998).”

2.2 Principle and practice of the Good Governance

Almost all major development institutions today claim that the promotion of good governance is an integral part of their development policy agenda, yet divergent and different conceptualizations characterize their governance agenda. Table 1 presents a sample of definitions from major developmental institutions and scholars, highlighting the complexity of the concept (See Table 1).

In general, many multilateral development actors focus on the economic dimension of governance and tend to emphasize transparency, accountability, and formal laws related to this process. This and other such organizations such as the United Nations organization such as ILO, FAO, UNICEF and the United Nations Development Programme (UNDP) and some bilateral agencies such as the USAID and CIDA, highlight human rights, participation, democratic governance, and the rule of law, which are more relevant to the political and civil dimensions of governance.

Table 1: Working Definitions of Good Governance

Multilateral Development Banks	
World Banks	“Good governance, for the World Bank, is synonymous with sound development management.” The Bank “identifies four areas of governance that are consistent with the Bank’s mandate: public sector management, accountability, the legal framework for development, and information and transparency, voice and accountability; stability and lack of violence; regulatory framework; government effectiveness; control of corruption; the rule of law.” ²
African Development Bank	Good governance should include “accountability, transparency, combating corruption, stakeholder participation, and enabling legal and judicial framework.” ³
Asian Development Bank (ADB)	Its ‘concept of good governance “focuses essentially on the ingredients for effective management.” “It concerns norms of behavior that help ensure that governments actually deliver to their citizens what they say they will deliver.” The Bank has identified four basic elements of good governance: accountability, participation, predictability, and transparency.” ⁴
International Monetary Fund (IMF)	“The transparency of government accounts, the effectiveness of public resource management, and the stability and transparency of the economic and regulatory environment for private sector activity.” ⁵
United Nations	
United Nations	The openness and accountability of institutions, including Parliaments; Elections; Freedom of information; The rule of law; Combating corruption; Constitution-Making. ⁶
United Nations Development Programme (UNDP)	Good, or democratic governance as we call it at UNDP, entails meaningful and inclusive political participation – basically, people are having more of a say in all of the decisions which shape their lives. ⁷
Bilateral agencies	
United States (USAID)	Democratic Governance; Participation; Fair Competition; Civil Society and Independent Media; Justice. ⁸

² World Bank. Reforming Public Institutions and Strengthening Governance: A World Bank Strategy. Washington, DC: World Bank.2000.

³ African Development Bank. Governance Strategic Directions and Action Plan Gap 2008-2012, 2008, 15.

⁴ Asian Development Bank. Governance: Sound Economic Management, August 1995, 4.

⁵ IMF. Good Governance: The IMF’s Role, August 1997, iv, 3.

⁶ UN website. ‘Governance’. <https://www.un.org/ruleoflaw/thematic-areas/governance/good-governance/>

⁷ UNDP. *Governance for Sustainable Human Development*. New York: UNDP. 1997.

⁸ USAID. ‘Democracy and Governance’, http://www.usaid.gov/our_work/democracy_and_governance/.

Although donor agencies have different conceptualizations of the term, in practice, economic, political, administrative, and human rights-related reforms often overlap in donors' reform packages. As time has gone by, good governance agendas of donor institutions have become incredibly inclusive and lengthy. Take the World Bank's good governance agenda as a pertinent example; the list of characteristics of good governance and the institutions, laws, policies, services, and strategies that are required to achieve it has grown incredibly long over time. In the *1997 World Development Report*, developing countries were advised to pay attention to 45 aspects of good governance; by 2002, the list had grown to 116 items (Grindle, 2014). As Hyden points out (2004), good governance has essentially become a collection of all good things. As they attempted to adhere to donor conditionalities, developing countries had to at least appear to make great efforts to achieve these "good things."

To improve what donors consider as good governance, aid agencies also introduced aid conditionality into the implementation of developmental projects and programmes (Doornbos, 2001). Countries in need of foreign aid came to be required to alter their institutional structure and policy processes to meet the criteria that donors set. To further strengthen aid efficiency, many aid agencies developed quantitative governance indicators. For instance, the World Bank has developed Worldwide Governance Indicators⁹, the USAID has their Handbook of Democracy and Governance Program Indicators¹⁰, and the CIDA published Indicators for Programming in Human Rights and Democratic

⁹ World Bank, World Governance Indicators (WGI), <https://info.worldbank.org/governance/wgi/#home>.

¹⁰ USAID, Handbook of Democracy and Governance Program Indicators, 1998, http://www.managingforimpact.org/sites/default/files/resource/handbook_of_democracy_and_governance_program_indicators.pdf

Development: A Preliminary Study¹¹. Take USAID's index for an example. As shown in table 2, general objectives such as accountability and transparency are divided into lower-level objectives which are called intermediate results, and then these results are measured with detailed indicators that can track the progress quantitatively. In practice, these indicators often came to be used to select aid recipients and to measure the progress of governance reforms.

¹¹ CIDA, Indicators for Programming in Human Rights and Democratic Development: A Preliminary Study, 1996.

Table 2 Indicators for government transparency and accountability from USAID

Objectives	Intermediate Results	Indicators
More Transparent And Accountable Government Institutions	Increased Government Responsiveness to Citizens at the Local Level	Citizens in target local govt. units who feel that local govt. is addressing their priority concerns; Percentage of eligible voters voting in local elections; Percentage of women or minority elected local councilors;
	Increased Citizen Access to Improved Government Information	Citizens believe they have adequate information on political and economic issues and on key aspects of government activities; Journalists believe that govt. is providing them with full opportunity to observe & pursue issues or other key user groups believe.
	Ethical Practices in Government Strengthened	Public perceptions of corruption in the delivery or provision of selected govt. services, as reported in opinion polls; Time and real cost to customers of getting a license(s) from a selected government regulatory or licensing agency (ies).
	Strengthened Civil-Military Relations Supportive of Democracy	Evidence of military respect for constitutional limits; Government budget for military; Military expenditure derived from sources other than government; Ratio of civil/military expenditure in key functional areas;
	More Effective, Independent, and Representative Legislatures	Level of confidence among political actors or legislators that legislature has the capacity to perform its function, acts as an independent body, acts as a check against the executive and represents their interests.
	Enhanced Policy Processes in the Executive Branch	Percentage of citizens who believe that the executive branch has transparent, participatory, and thoughtful policy processes; Key executive branch policies which appear to be having their intended impact in comparison with a list of policies supported.

Source: USAID, Handbook of Democracy and Governance Program Indicators, 1998, http://www.managingforimpact.org/sites/default/files/resource/handbook_of_democracy_and_governance_program_indicators.pdf

2.3 Limitations of the concept of good governance.

As mentioned above, donors' requirements indicate that good governance has become extremely lengthy and inclusive over time. Not surprisingly, therefore, it is not feasible for many developing countries, especially highly indebted poor countries, to accomplish the task of achieving good governance. Also, the implementation of good governance strategies is hindered by the widespread practice of corruption in various forms found in most if not all developing countries. However, with the introduction of conditionalities, reforms came to be mandatory, even if they do not easily match with prevailing political cultures and configurations of power in developing countries. As a result, Northern developing countries often only pay lip-service to critical governance reforms such as civic participation.

Besides, most aid agencies still take a results-based approach to good governance. At the heart of the results-based approach is a focus on a time-bound project or programme which essentially links inputs to specific outcomes (Wandersmana et al., 2000). The results-based approach has many limitations. It tends to focus mostly on outcomes and inputs and pays less attention to the process of reforms that donors typically have no real control over. Therefore, donors could not easily hold local actors accountable for the process of reforms in their particular countries.

Moreover, neglecting the process of policy implementation also means underappreciating the importance of history and culture in developmental work. Countries and regions in the world have diverse culture, history, and experiences. The design of a proper implementation strategy would require a thorough assessment of these factors. Otherwise, it would increase the costs and the chances of achieving desirable outputs and

outcomes. Many cases could illustrate the necessity of matching project-design with historical and cultural context.

Consider colonial legacy, for example. Colonial-era policies and institutions are thought to be related to post-independence variation in state-building and development (e.g., Lipset, 1994; Acemoglu et al., 2001; Banerjee and Iyer, 2005). In particular, British institutional legacies are different from those of French. British administration was based on the indirect rule, which favored preserving tradition and working with local authorities. On the contrary, French policies were focused on direct rules, which significantly reduced local autonomy and traditional authority (Lee and Schultz, 2012). As a result, traditional leaders such as chiefs were left with more authority under British rule (Geschiere, 1995). In addition, former British and French colonies also have a different legal system. The British enforced the common law system which attributes legal standing to judicial opinions and traditions while the French enforced the civil law system in which decisions are supposed to be based entirely on the codified legal text (Mamdani, 1996). The above-mentioned differences should all be taken into account when choosing the policy-implementation strategy. For instance, in former British colonies, developmental agencies that aim at increasing community-level participation could work with traditional leaders to accomplish the goal since chiefs have the capacity to rally the inhabitants for local development (Baldwin, 2016). If development agencies only consider the outcomes of policies and do not attach enough importance to the legal system and existing institutions, their policies are more likely to fail than succeed.

History and culture also have shaped different regions' ethnic situations. In some regions and countries, sub-national citizenship does not typically conflict with national

citizenship, but in Africa, this is not the case. African countries were left with artificial borders that were divided by European powers during the 19th century (Michalopoulos and Papaioannou, 2016). However, these artificial borders split many closely related ethnic groups into different countries. For instance, the Afar people of Ethiopia were split amongst Ethiopia, Eritrea, and Djibouti, and the Anyuaa and Nuer were split between Ethiopia and South Sudan (Internal Displacement Monitoring Centre, 2007). The artificial border design and the partitioning of ethnic groups often led to a tension between ethnicity and nationality on the continent. When development agencies address issues involving ethnicity and citizenship, they must understand the complex history that the continent has, and address related issues from a historical perspective. The effect and the outcome of their policies cannot be possibly guaranteed without paying attention to the region's unique history and culture.

Furthermore, this approach tends to measure outcomes almost exclusively with quantitative indicators. However, some of good governance's most important goals cannot be easily measured. For instance, aid agencies can easily calculate the number of citizens that have participated in the local decision-making process, but to what extent the poor, the illiterate or the marginalized people's opinion matters cannot be easily measured with the numbers and statistics of the indexes mentioned above. Last but not least, building good governance takes time in societies where institutions are weak. The culture of the political economies varies from country to country. Therefore the expectation of results within set timelines is not realistic in many places.

To sum up, although the concept is favored by many donors, the usefulness of good governance as a guideline for governance reforms in developing countries is limited. The

concept has become a collection of all kinds of “good” things, but there is little discussion about whether the good things fit together in a doable and meaningful way. At the same time, most aid agencies take a results-based approach to good governance. The results-based approach tends to focus attention more on the output and less on the process of reform, which is equally important in development. Moreover, good governance thinking is still based on a one-size-fits-all philosophy, which fails to acknowledge the context in most countries adequately and therefore, can easily lead to disappointment.

3. Good Enough Governance: Review and Critique

3.1 Contents of the concept

In an effort to make good governance more realistic and feasible, Grindle offered an alternative concept which she labeled as “good enough governance.” Good enough governance is “a condition of *minimally* acceptable government performance and civil society engagement that does not significantly hinder economic and political development, and that permits poverty reduction initiatives to go forward” (Grindle, 2004).

Grindle argues that all the institutions and policies for good governance do not happen overnight. The current agenda of good governance is too overwhelming for developing countries to implement according to the letter. Therefore, policies and interventions should be assessed in the light of feasibility, historical evidence, sequence, and timing, and they should be selected carefully in terms of their contributions to particular ends such as economic growth or poverty reduction.

Grindle highlights the importance of the context of governance interventions and their content. She adopts Mick Moore’s typology of political systems and classifies states

into collapsed states, personal rule states, minimally institutionalized states, institutionalized non-competitive states, and institutionalized competitive states (Moore, 1998). As shown in Table 3, Grindle has arranged the priorities of governance reforms according to the type of the states.

Table 3 Arrangement of governance priorities in different political systems

Governance characteristics	Collapsed states	Personal rule	Minimally institutionalized states	Institutionalized non-competitive states	Institutionalized competitive states
Personal safety ensured	Priority	Priority			
Basic conflict resolution systems in place and functioning	Priority	Priority	Priority		
Widespread agreement on basic rules of the game for political succession		Priority	Priority		
Government able to carry out basic administrative tasks		Priority	Priority		
Government able to ensure basic services to most of the population			Priority	Priority	Priority
Government able to ensure equality/fairness in justice and access to services				Priority	Priority
Open government decision-making, implementation processes				Priority	Priority
Government responsive to input from organized groups, citizen participation				Priority	Priority
Government fully accountable for its decisions and their consequences					Priority

Source: Grindle, Merilee S. "Good Enough Governance Revisited." *Development Policy Review* (2007), 533–574. doi:10.1111/j.1467-7679.2007.00385.

According to Grindle’s arrangements, restoring peace, order, and government functionality are the priorities in poorly or less institutionalized countries. Some important agendas in good governance, such as equal access to services, transparency,

responsiveness, and accountability, are expected to be less relevant and feasible in these countries.

3.2 Practice and limitations of the concept of Good Governance

Grindle's conceptualization offers an improvement over the original conceptualization of good governance. It reduces the long list of institutional changes and capacity-building initiatives currently deemed essential for development and requires minimal conditions of governance necessary for political and economic development to occur. In recent years many donor organizations have in practice followed Grindle's line of thinking and adopted the notion of good enough governance. Post-genocide Rwanda represents one of the most pertinent cases on this issue.

Rwanda has been a highly-favored aid recipient after the genocide. The US, the UK, and the World Bank have been Rwanda's top three donors in past decades. Over the last ten years, annual funding from USAID alone has increased from about \$48 million in 2004 to over \$128 million in 2016 (USAID, 2018). Donors have assisted Rwanda on post-conflict reconstruction in a variety of ways – from rebuilding justice and health systems to reconstructing physical infrastructure and reducing poverty. With the support of donors like the US, the UK, and the World Bank, Rwanda has made remarkable achievements in respect of growth, good public provision, gender equality, and poverty reduction.

At the same time, there are increasing criticisms pointing to the country's poor performance in international measures of human rights compliance and political freedoms. For instance, Rwanda's ruling party, the Rwandan Patriotic Front (RPF), has built thousands of Gacaca courts—deriving their name from the Kinyarwanda word meaning

“grass” (the place where communities gather to resolve disputes)—to try hundreds of thousands of genocide-related cases (Webster, 2011). The courts are criticized for opening the floodgates to false genocide accusations and to attributing collective guilt on the Hutu majority (Brehm, Uggen and Gasanabo, 2014). The government is also accused of suppressing free speech, repressing political dissent, and stifling independent civil society in the country. The regime stands accused by the UN of promoting war in eastern Congo (Reyntjens, 2011).

The regime’s unsatisfying human rights record has not prevented it from receiving foreign aid, however. Donors have publicly voiced concerns over Rwanda’s human rights record, but they did not mount any coordinated or sustained effort. Overall, aid flows were not impacted. The UK suspended budget support to Rwanda in 2012 but resumed aid in later years. The US cut only military aid, and the World Bank has not yet taken any actions to pressure Rwanda.

Although donors claim that aid is carefully and precisely earmarked for programmes that will support Rwanda’s most vulnerable people, there is still the risk that aid has helped to consolidate the control of RPF and indirectly sponsored human rights violations in Rwanda. This concern is especially legitimate since the government of Rwanda did not significantly change course even with donor’s criticism. Gacaca courts have continued operation even as concerns over due process remained unresolved. Suppression of a free press, free speech, political dissent, and civil society has persisted for decades, and there is little sign of improvement.

The case of Rwanda reveals the limitations of good enough governance. Post-genocide Rwanda is either a collapsed state or state under personal rule according to the

political system typology that Grindle uses. Considering the feasibility and efficiency of development programmes, she argues that interventions to enhance governments' functioning and reduce poverty should precede other kinds of reforms such as justice and government's accountability in countries like Rwanda. However, such an arrangement implies that economic growth is the single most important goal in development for underdeveloped countries. As such, it chooses to ignore the importance of many other elements in development such as freedom of speech and civil rights and allow for violation of other components of human development.

Grindle's approach reflects a one-sided understanding of development. Economic growth means an increase in real national income, but not necessarily in the quality of life and living standards, e.g., measures of literacy, life expectancy, and health care. We would expect economic growth to create a base for economic and human development, but the link is not guaranteed. The proceeds of economic growth can be wasted or retained by a small wealthy elite.

Moreover, in the UN Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs), the status of human development was analyzed, considering all its diverse aspects and sets of objectives. Even though the economic quality of life of citizens is thought to be necessary, political, social, and civil rights have been given equal importance to human development. Therefore in the development of a governance strategy, the protection of citizens' political, social, and civil rights should be considered together with citizens' economic rights. Governments should be held accountable for the comprehensive rights of the populations of the area being governed.

Overall, comparing to good governance, the concept of good enough governance makes a step in the right direction to target fewer, more useful, and more feasible interventions. Nevertheless, it is essentially a result-based and therefore arguably value-free approach. It prioritizes economic growth and poverty reduction while allowing violations of other components of human development, such as political liberty of participation, protective security, and freedom of speech. In a broader view of development, such an arrangement of priorities is problematic. The liberty of political participation or the opportunity to receive basic education or health care are among the constituent components of development and should be protected by governments as well.

4. The need for a “Rights first” approach to development policymaking

Based on the shortcomings of the concepts of good governance and good enough governance identified thus far, this thesis suggests an alternative concept for public management in developing countries, which is governance with rights first. This concept starts with Amartya Sen’s concept of “development as freedom.” The idea is that development is a process of expanding the real freedoms that people enjoy (Sen, 2013; chapter 1). Freedoms are the primary ends of development. In contrast with other approaches which identify development with the growth of GNP, rise in personal incomes, industrialization, or social modernization, Sen argues that these are means to remove unfreedom but they are not the ultimate ends that we pursue (2013; chapter 2).

Sen further argues that freedoms are not only the ends of development; they are also among its principal means. Political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security are all crucial instrumental freedoms. These different kinds of freedom help to increase personal capabilities and

human agencies in all aspects of life. They interrelate with one another, and freedom of one type may greatly help in advancing freedom of other types (Sen, 2013; chapter 2).

To achieve such comprehensive goals of development, this thesis argues for a rights-based approach to governance which acknowledges human freedom as an intrinsic human right and good governance would require the protection and promotion of this freedom as fundamental (Cornwall and Nyamu-Musembi, 2004). Compared to the results-based approach to development which seeks for additional resources for protecting human rights, a rights-based approach insists that government should allocate existing resources more equally and ensure marginalized people's rights to those resources (?).

Meanwhile, unlike the concept of good governance which encourages the "one best way" thinking about what needs to be done to improve public sector performance in developing countries, the thesis builds on the previous works of good enough governance and argues that the arrangement of governance reforms should be based on the cultural context and history of the country or countries being administered. Formal solutions to governance problems should be designed with regard to their situational fit or impact.

4.1 Development as freedom

Governance reforms aim at achieving development through enhancing the public sector's performance. Therefore the discussion of effective public management strategy should start by asking what is development? This thesis contends that Amartya Sen's view of development as freedom would significantly improve current thinking about the end that public sector management intends to achieve.

As Sen argues, freedom is the main object of development, and development is a process of expanding the real freedom that people enjoy (Sen, 1999; ch.1). Economic opportunities, political freedoms, social facilities, transparency guarantees, and protective security are all among the crucial components of development. As such, real development cannot be reduced to simply increasing basic incomes, nor to rising average per capita incomes. Instead, it requires a package of overlapping mechanisms that progressively enable the exercise of a growing range of freedoms.

In comparison, Grindle's approach reflects a much narrower view of development. Grindle identifies economic growth and poverty elimination as the main object of development and therefore, does not pay equal attention to the issue of deprivation of political freedom and civil rights in less-institutionalized countries. The underlying assumption for this argument is that if poor people are given the choice between having political freedoms and fulfilling economic needs, they will invariably choose the latter.

However, as Sen has nicely put it, the removal of political and civil unfreedom does not contradict poverty alleviation (Sen, 1999; chapter 6). Moreover, the fulfilling of economic needs itself may require the exercise of political and civil rights. Political and civil rights, especially those related to the guaranteeing of open discussion, debate, criticism, and dissent, are central to the processes of generating informed and reflected economic choices. Political and civil freedom are not barriers to economic development. Instead, they play a vital role in providing incentives and information in the solution of acute economic needs. Therefore the expansion of citizens' political and civil freedom should not be sacrificed for the pursuit of equitable economic freedom.

To sum up, this thesis agrees with Sen's freedom-centralized understanding of development and argues that economic, political, social, and civil rights must all be integrated into the process of expanding human freedom broadly conceived.

4.2 The rights-based approach to governance

On the basis of a comprehensive understanding of development, this thesis argues for a rights-based approach to governance which acknowledges human freedoms as intrinsic human rights and calls for the protection and promotion of this freedom as fundamental government responsibilities.

In a rights-based approach, rights are defined as entitlements that are inherent to all human beings regardless of race, ethnicity, or socio-economic class (United Nations, 2015). Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination. All humans, therefore, would be constructed as rights holders, and the holders' government is obligated to fulfill the holders' rights as their primary duty bearer. By integrating the rights-based approach to public management, this thesis argues that effective public management should aim at strengthening capacity of duty bearers to provide rights holders with their entitled economic, political, social, and civil rights.

In contrast to a results-based approach which mostly focuses on the outputs and outcomes of specific programs and gives priorities to programs that promise to reduce positive results, a rights-based approach argues the outcomes of development projects and programs are not the ultimate basis for the assessment of these programs. The means and

the process to achieve outcomes are as important as the ends, and the rightness of the ends does not justify the wrongness of means.

Rwanda's recent development presents a pertinent case for us to reflect on the relative importance of ends and means. After the genocide, the ruling party of Rwanda has aimed at transforming Rwanda from a low human development country to a medium human development country, and Rwanda has indeed made impressive progress in economic growth, health, nutrition, education, and human capital. However, even though it seems that the Rwanda government is working towards the right direction on development, the process and the way that Rwanda government accomplishes their objectives entails substantial coercion and human rights violation.

One of the ruling party's top priorities is modernizing the country. In order to accomplish this goal rapidly, the government tries to impose rapid modernity among tradition-bound rural communities. Villagers are obligated to wear shoes, to be clean, use mosquito nets, adhere to the health insurance guidelines, wear school uniforms, construct toilets, make compost pits and dry dishes on tables instead of on the grass (Twizeyimana, 2006). People have reported that on arriving at the market without shoes, local authorities took their food money to buy them shoes (Ansoms, 2011). This coercive behavior on the part of the government does provide the pressure to adopt modern practices but at the expense of a willful decision on the part of those who are being asked/forced to make those changes independently.

Those policies might improve Rwanda's score on donor's measurement on social well-being since rural villages would appear to be more modern, however, as some researchers pointed out, RPF has arbitrarily reshaped the rural landscape without paying

attention to what rural dwellers are doing and want to do (Newburry, 2011; Hilhorst and Leeuwen, 1999). Policies are designed at the national level without consulting the diverse constituencies, including rural villagers. Local authorities are mere implementers of national strategies without much ability to translate or reinterpret these strategies for local contexts.

A similar policy-making and implementation strategy can be found in many other programs in Rwanda. The crop specialization program is another example. This program is designed to commercialize production and encourage regional specialization in crops that grow best in particular regions. In practice, the government has regulated what rural producers can grow in some regions of the country, when they should plant, and how they should market their crops. However, this program is resented by some rural dwellers because of the threat to their food security and the harsh penalties for noncompliance (Ansoms, 2009).

The case of Rwanda shows the danger of focusing too much on targets and not on the means and process. Although policy-makers might argue that government has better judgment for what is supposed to be suitable for their people, the truth is they do not spend enough effort to know the need and “the will” of their constituencies during the process of policy-making and implementation. As James Scott has reminded us in *Seeing Like a State*, those who reshape the rural landscape without paying attention to what rural dwellers are doing and want to do—and the complex ways in which they have adapted to harsh, insecure environments—are likely to meet with resistance and failure. Outcomes of their projects would be likely to differ from announced goals (1999).

Moreover, even if these policies might lead to some desirable outcomes, the process of achieving such results violates the nature of development. This thesis recognized the limitations of a results-based approach and therefore called for a rights-based approach to governance. Governments are expected to take a participatory approach to policy-making, one that would have encouraged broad-based participation and given real voices to the concerns of diverse constituencies, including the poor, the marginalized, and other disadvantaged groups. The process to arrive at the desired result is as important as the result itself.

4.3 The contextual fit of governance strategies

The concept of governance with rights-first builds on previous work of good enough governance and argues that the arrangement of governance reforms should be based on specific contexts. As Grindle has pointed out, countries differ in their histories, institutions, experiences, and conditions, and the challenges they face and the workability of different interventions to deal with these challenges will necessarily differ (Grindle, 2011). The “one-size-fits-all” thinking would most likely fail to acknowledge the context and lead to disappointing results.

In different contexts, the challenges for establishing effective public management will be different. Therefore the priorities of the reforms should be arranged accordingly. Take two neighboring countries, Uganda and Rwanda for example. The government of Rwanda has managed to provide their communities with the basic services they need, but the challenge Rwanda faces is their top-down and authoritarian power structure. As for Uganda, government agencies are not providing their communities with the basic services

they need. Uganda has been imperiled by a lack of accountability, cumbersome systems, and corruption.

In Rwanda, there are mechanisms to provide some level of accountability. Rwandan government officials all have key performance indicators (KPIs) within their staff performance contracts. Progress is regularly measured by performance evaluations, and those who cannot meet their performance goals face the risk of leaving office (Ingelaere, 2014). As a result, government officials are kept accountable, although the main direction of accountability is upwards.

The drawbacks with Rwanda's governance system is that government officials might pay major attention to their KPIs instead of the well-being of their community. KPIs sometimes reflect the level of citizens' well-being, but not always. For instance, the increase in crop production might show that farmers have a good harvest. However, a larger harvest does not necessarily translate into higher income. Farmers might face a dramatic drop in the market prices of their crops and thus have less income. Under Rwanda's current structure, government officials might force farmers to increase yields in order to complete their KPI.

Compared with Rwanda, Uganda faces different challenges in governance. Uganda has a highly decentralized local government system. District governments are responsible for providing vital public services, such as healthcare and education (Green, 2001). However, the government of Uganda has failed to keep government officials accountable. Corruption has proliferated at almost all public institutions, from grand-scale theft of public funds to petty corruption involving public officials at all levels of society (Devas

and Grant, 2013). The wide-spread corruption has largely impaired governments' capacity to provide public goods, leading to under-provision and low quality of services.

The problem with Uganda's government structure is that corruption is institutionalized, and there exist too few channels for holding governments accountable to their constituents. The push for money in the party and parliamentary politics in Uganda is well known. The ruling party, the National Resistance Movement (NRM), has allowed elites to benefit personally from corruption in order to retain their loyalty and keep them within the ruling coalition (Roger and Mwenda, 2008).

Ugandan Members of Parliament (MPs) are to a large degree in debt because of the costs of running the campaigns, convincing electorates and building alliances during elections, and they expect to get the opportunity to reclaim this money and more after elections, through corruptive means (Asea, 2017; Uneke 2010). Political parties and politicians also put pressure on companies to finance their campaigns, and bribes are used to secure the support of certain political parties and politicians. Judicial and other government supervisory agencies have often fallen victim to bribery. According to the 2012 Afrobarometer survey, 19% of respondents reported having been offered money or a gift in return for their vote during the 2011 elections in Uganda (Maira 2013).

According to Human Right Watch, even though Uganda has established an impressive array of anti-corruption institutions, high-ranking government officials, ministers, or political appointees usually do not serve prison sentences despite investigations into numerous corruption scandals over many years. Instead, activists who fight corruption face arrest and criminal charges. For instance, in Uganda, there is a coalition of civil society groups known as the Black Monday Movement. The group raises

grassroots awareness and protests corruption by wearing black on Mondays and handing out newsletters with information about graft in various sectors. In 2013, police thwarted attempts to distribute information and arrested the founder of Black Monday Movement along with nine students, charging them with a range of crimes, from “spreading of harmful propaganda” to “inciting violence” and “possession of prohibited publications” (Human Rights Watch, 2013).

Given the challenges that Rwanda and Uganda face, policy interventions should have different focuses. In Rwanda, government and development agencies need to work on expanding broad-based participation and increasing the usefulness of government’s agendas so that they serve the ultimate interest of the public. While in Uganda, governments need to fight corruption at all levels of the administration and political domain. Since Uganda already has many anti-corruption laws and institutions in place, what Uganda needs more might be strong political leadership will for combating corruption. Besides, civil society also has vital roles to play in fighting corruption. Civil society can monitor public services provision, demand accountability and denounce bribery, and raise awareness of all socio-economic and political actors (Asea, 2018).

Improving governance is a complex process, and there is no one-size-fits-all formula. Although the goals are to make government more effective, accountable, transparent, participatory, and more protective of citizen’s political, economic and civil rights, each country has different challenges to overcome, and the solutions would certainly differ given each country’s history, institutions, and experiences. Even for countries with similar problems, policy interventions should also be assessed carefully based on the country’ unique situation.

5. Conclusion

Governance is a critical issue that the development community needs to continue to address. The concept of good governance contributes to this conversation in drawing people's attention to the performance of the public sector in development, but it excessively relies on standardized approaches and best practices transplanted from the developed world and generates few perspectives rooted in local realities. Besides, it calls for improvements in virtually all aspects of the public sector and therefore leads to an impossibly inflated idea of what public sectors need to do in the short run. But the long list may be beyond what is actually needed or feasible. The lack of local perspective and the overloaded agendas has limited the capacity of donors and developing countries to evaluate the relative importance of various components of governance and to identify the real governance challenges that need to be addressed.

The concept of good enough governance is no doubt a step in the right direction to make governance agendas more feasible and doable. It suggests that not all governance deficits can be tackled at once. Therefore the emphasis should be on the minimal conditions of governance that are necessary to allow development. This implies that interventions need to be prioritized and made relevant to contextual realities, which is a significant improvement over the original concept. However, good enough governance takes a results-based approach to development and tends to prioritize economic development and overlook development in other areas. As such, it even allows for possible violations of crucial components of human rights in the process of pursuing good governance.

To provide a further improvement over the concept of good enough governance, this thesis builds on Sen's definition of development as freedom and argues for a comprehensive understanding toward development which value the the political, economic, social, and civil rights of the citizenry of the country. On that basis, this thesis further proposes that the development community should take a rights-based approach to governance which acknowledges human freedoms as intrinsic human rights and calls for the protection and promotion of this freedom as fundamental government responsibilities. A rights-based approach insists that government should allocate existing resources more equally and ensure the marginalized people's rights to those resources even when resources are limited.

This thesis also argues that there are no one-size-fits-all solutions that can lead to competence and effectiveness in the public sector. Prescriptions from the developed world do not necessarily fit into the context of developing countries. Each country is different in its history, culture, political structure, economic background, and many other experiences. These factors have shaped the challenges and constraints that each country faces. Policy interventions must first take into consideration the country-specific constraints and challenges and then develop country-specific strategies to address such constraints.

For future research and developmental work, development thinking should avoid the one-size-fits-all approach to public sector reforms and encourage exploring multiple paths to ideal institutional performance. Development institutions need to develop a solid understanding of domestic dynamics at work and tailor interventions accordingly. At the same time, development agencies need to recognize the long-term nature of promoting development and be realistic about what is feasible. Instead of chasing ambitious goals in a

short amount of time, developing countries and development institutions need to have long-term planning and take one step at a time in projects design and implementation.

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