



UNITED STATES INSTITUTE OF PEACE

GOVERNANCE AND DEMOCRATIC PRACTICES IN WAR-TO-PEACE TRANSITIONS

Developed and Instructed by
Debra Liang-Fenton and Richard Zajac Sannerholm ¹

Establishing best practices in governance in countries damaged by war and internal conflict and building environments in which stable democracies can take root is difficult, but essential. The need to support and strengthen effective and legitimate executive institutions; develop legitimate systems of political representation; and create a robust civil society to include traditionally marginalized groups is necessary in order to establish the foundation of an open and stable society. How can this be achieved in states that have collapsed? This course will distill lessons learned, and importantly analyze current troubled areas around the world in order to provide the set of tools required to help rebuild nation states. The Governance and Democratic Practices Course will help enable practitioners, policy makers, and scholars to develop effective strategies in building democracy and governance in war-to-peace transitions.

A successful strategy in developing effective governance must involve a multidimensional and crosscutting approach in its application. While elections, for example, are an essential component in a democratic transition, without an interim government seen as legitimate in the eyes of the populace and the international community, and without some form of common legitimizing of the electoral process within civil society, the promise of an election can easily be reduced to an exercise in futility. No less important will be the challenges to democracy building

¹ Debra Liang-Fenton is Co-Course Developer of the Governance and Democratic Practices in War-to-Peace Transitions course for USIP. She is formerly Executive Director of the U.S. Committee for Human Rights in North Korea, and directed the Human Rights Implementation Project for USIP. She has worked on democracy projects for the NED, and has served as an editor of the *Journal of Democracy*. She is the editor of *Implementing U.S. Human Rights Policy: Agendas, Policies, and Practices* (USIP Press 2004).

Richard Zajac Sannerholm is Co-Course Developer of the Governance and Democratic Practices in War-to-Peace Transitions course for USIP. He is currently a Ph.D. candidate at Örebro University in Sweden, where his primary research topic is entitled “Rule of Law and Statebuilding: Legal Reform in Post-Conflict States.” In 2008, he was a Visiting Scholar at George Washington University’s School of Law.

such as developing a written constitution, strengthening the justice system, and creating an environment that can prepare for and hold free and fair elections, support an active and engaged civil society, and fight against corruption.

In rebuilding states, the international community plays different roles in helping to negotiate, establish, and implement peace agreements. Forms of intervention can range from mediation to occupation. One of the more prominent types of intervention in war-to-peace transitions occurs with the UN assuming a leading role through a formal UN mission. Other types of intervention involve international or regional coalitions. This course will pay special attention to the role of the UN and the United States in peace implementation and state building.

Learning Objectives

By the end of this course, participants will be able to:

- Understand the elements/factors/components (“framework”) that are necessary to establish good governance in transition environments
- Use the framework to analyze a specific conflict in order to understand the strengths and weaknesses in a society
- Identify multidimensional issues within governance, and how these issues relate to each other
- Assess pre-existing factors on-the-ground that will inform how best to move forward in re-establishing and building institutions
- Understand the role that the military, the police, civil society, and the media, play in promoting good governance in the context of a particular war-to-peace transition, and their interrelationships
- Develop an “action plan” or strategy for promoting governance in a particular transition environment
- Apply lessons learned in considering current war-to-peace transitions in evaluating governance
- Develop and apply strategies for creating successful transitions from post-conflict environments to more stable political systems

Teaching Methodology and Structure

This course takes a problem-based approach to the role and function of governance in war-to-peace transitions, and will be punctuated by illustrative and timely case studies that are designed to underscore the challenges and lessons of establishing a viable and vibrant political system. Instructors, some of whom may not only have had direct experience in the field with post-conflict or transition scenarios but also are professors at distinguished Washington-based and international universities, will conduct intensive and interactive lectures and round-table seminars.

Case studies, interactive exercises, and simulations will be used to provide in-depth application of thematic issues, and will allow each student to solve problems from the vantage point of relevant institutions (from UN agencies to humanitarian groups to those in interim governments). These case studies will allow for serious discussion and analysis of cross-sector issues and perspectives from economic reconstruction to rule of law reform.

In addition to defining “success” and measured achievements, the primary challenge will be to first understand the core conditions for success of the identified state-building efforts, and to identify factors that are specific to those particular cases. It is the expectation that participants in this course will be able to take away lessons learned from these exercises and apply them to their work.

Course Requirements

Participants enrolled in this course will find that it is ambitious and timely. Participants are expected to attend every seminar, and engage in discussions. Participants will be asked to summarize and comment on particular readings. In addition, participants will be asked to:

- Actively participate in all group discussions, exercises, and case studies
- Actively participate in the final simulation at the end of the course
- Draft and present country and policy analyses based on given exercise
- Develop guidelines for best practices



UNITED STATES INSTITUTE OF PEACE

GOVERNANCE AND DEMOCRATIC PRACTICES IN WAR-TO-PEACE TRANSITIONS

AGENDA

6:00 – 7:00pm **Welcoming Reception**
Double Tree Hotel (1515 Rhode Island Avenue, NW)
“The State Room”

DAY 1

9:00 am – 9:45 am

Introduction

- Brief introduction to USIP and instructors
- Brief introduction of participants
- Ice breaking exercise

9:45 am – 10:30 am

Discussion Period

- What is governance?
- What is the role of the international community in supporting these ideas in a transition environment?
- Discussion of features of governance in war-to-peace transitions, and strategies for its promotion

10:30 am – 10:45 am

Break

10:45 am – 12:00pm

TRANSITIONS AND INTERIM GOVERNMENTS

- Interim governments pose particular challenges from a governance perspective
- How is legitimate authority established in post-conflict countries, or countries undergoing a political transition, especially in cases where the state has been delegitimized because of actions that it may have taken against its own people?
- What is the role of the international community in establishing the institutions necessary for good governance—for example, an impartial judiciary,

accountability in the security sector, and an education system for all sectors of society—and how can it best work with domestic actors?

12:00 pm – 1:00 pm

Luncheon Speaker

- *Larry Diamond*, Stanford University
“Promoting Governance after Conflict and State Failure: Lessons from Iraq, Challenges for the Future”

1:00 pm – 1:45 pm

Case Study Exercise I: Democratic Governance in Afghanistan

- Introduce case study

1:45 pm – 3:00 pm

Case Study Exercise I: Analysis and Debate

- Discuss and analyze political party development in Afghanistan.

3:00 pm – 3:15 pm

Break

3:15 pm – 4:00 pm

Case Study Exercise I: Debrief and Recommendations

- Participants will present their findings, identifying key challenges
- Recommendations will be discussed and included in “guidelines to governance and democratic practices”

4:00 pm – 5:00 pm

Recap main themes

DAY 2

9:00 am – 10:00 am

EFFECTIVE PUBLIC ADMINISTRATION AND CIVIL AFFAIRS

- Brief overview of the international experience in supporting public administration after conflict
- Mapping of agencies and the normative framework of public administration
- How can public administration be used as an accountability mechanism?
- Tools and strategies for public administration reform

10:00 am – 10:15 am

Break

10:15 am – 12:00 pm

Documentary

- *Kosovo: Does Anyone Have a Plan?*
“Produced by the Balkan Investigative Reporting Network (BIRN), and directed by the award-winning filmmaker Lode Desmet, the documentary focuses on the dilemmas facing 17

ordinary people from Kosovo, Serbia, and neighboring countries in the run-up to final status negotiations.” (USIP)

12:00 pm – 1:00 pm

Working Lunch

- Discussion of film, lessons learned

1:00 pm – 2:15 pm

Case Study Exercise II: Kosovo

- Provide framework for case study

2:15 pm – 2:30 pm

Break

2:30 pm – 4:00 pm

Case Study Exercise II: The Role of Public Administration in the Protection of Property Rights in War-to-Peace Transitions

- Establishing a functioning property rights system is essential for an effective transition from war to peace. This process involves a range of actors from public administrative agencies, the judiciary, political elite, civil society organizations, and the international community.

4:00 pm – 4:45 pm

Case Study Exercise II: Debrief and Recommendations

- Participants will present findings, identifying key challenges
- Recommendations will be discussed and included in “guidelines to governance and democratic practices”

4:45 pm – 5:15 pm

Recap main themes

DAY 3

9:00 am – 9:45 am

SUPPORTING GOVERNANCE STRUCTURES FOR ECONOMIC RECONSTRUCTION

- Examine the challenges to accountable fiscal management; accountable handling of natural resources; and combating corruption
- Map key features of a “national integrity” system, and discuss alternative methods for support and reform
- What are strategies for supporting local reform constituencies and pressure groups, as well as meeting transparency, inclusion, and participation needs?

9:45 am – 11:00 am

Documentary

- *Iron Ladies of Liberia*

“After nearly two decades of brutal civil war, Liberia is a nation ready for change—on January 16, 2006, Ellen Johnson Sirleaf was inaugurated the country’s first elected female president and Africa’s first freely elected female head of state. Johnson Sirleaf must not only find ways to reform a corrupt authoritarian government saddled by astronomical debts, but must also confront opponents loyal to former President Charles Taylor—all without alienating her voter base.” (*Independent Lens*)

11:00 am – 12:00 pm

The Process Leading up to the GEMAP

- GEMAP in Liberia: A Model for Economic Management in Conflict-Affected Countries
- Liberia's Governance and Economic Management Assistance Program (GEMAP) was established in 2005 to promote fiscal accountability and transparency. Participants will listen to parts of this USIP-sponsored event, and comment on the working group's findings

12:00 pm – 1:00 pm

Lunch

1:00 pm – 2:30 pm

Discussion

- Participants will identify key challenges to the GEMAP process
- Recommendations will be discussed and included in “guidelines to governance and democratic practices”

2:30 pm – 2:45 pm

Break

2:45 pm – 3:45 pm

ACCOUNTABILITY AND RESPONSIBILITIES OF INTERNATIONAL ACTORS

- Discussion on the role of international actors
- The evolving role of the international community
- Developing standards and principles governing state-building missions
- The complex relationships among funding, organizational mandates, and groups intended to benefit

3:45 pm – 4:45 pm

Recap main themes

DAY 4

9:00 am – 10:00 am

THE ROLE OF ELECTIONS, POLITICAL PARTIES AND CONSTITUTIONAL RULE

- Discussion of timing, sequencing, and purpose of elections
- Trade-offs between inclusion and effective governance: proportional representation vs. majoritarian systems
- Development of political parties in divided societies
- Implementing a constitution: What are the key features for credibility and stability? How can these features be put into practice?

10:00 am – 10:15 am

Break

10:15 am – 11:15 am

STRENGTHENING LEGAL INSTITUTIONAL FRAMEWORKS

- Discussion of linkages between the rule of law, democracy, and governance
- How can legal and institutional reform be used to support and promote democratic practices and governance?
- Outline of the “typical” rule of law approach in war-to-peace transitions
- Discussion of alternative approaches to rule of law promotion
- Tools and strategies

11:15 am – 12:00 pm

Case Study Exercise III: The Challenge of Colombia: A Study in Contrasts

- Democracy and problems of governance amidst narco-trafficking, conflict, and displacement
- Overview of myriad contrasts Colombia presents

12:00 pm – 1:00 pm

Lunch

1:00 pm – 2:00 pm

Case Study Exercise III: Analysis and Debate

- Participants will engage in an analytical exercise, forming groups, and debating the strengths and weaknesses of the ways in which policies are implemented

2:00 pm – 2:15 pm

Break

2:15 pm – 3:00 pm

Case Study Exercise III: Debrief and Recommendations

- Participants will present findings, identifying key challenges
- Recommendations will be discussed and included in “guidelines to governance and democratic practices”

3:00 pm – 4:00 pm

Recap main themes

DAY 5

9:00 am – 10:00 am	STRENGTHENING DEMOCRATIC OPENING IN DIVIDED SOCIETIES <ul style="list-style-type: none">• The role of civil society• Examining challenges to democracy building: power-sharing structures, developing unbiased media outlets• The role and politics of transitional justice and challenges to its implementation• Strategies and forms of transitional justice—discuss comparatively Cambodia and Rwanda
10:00 am – 11:30 am	Documentary <ul style="list-style-type: none">• <i>Confronting the Truth: Truth Commissions and Societies in Transition</i> “This film shows how countries, which have experienced massive human rights violations, have created official, independent bodies known as truth commissions. Since 1983, truth commissions have been established in over 20 countries, in all parts of the world. <i>Confronting the Truth</i> documents the work of truth commissions in South Africa, Peru, East Timor, and Morocco.” (USIP)
11:30 am – 11:45	Break
11:45 am – 12:15 pm	Guest Speaker <ul style="list-style-type: none">• <i>Carl Gershman</i>, President, National Endowment for Democracy
12:15 pm – 1:00 pm	Luncheon Discussion <ul style="list-style-type: none">• Question and Answer Period with Carl Gershman
1:00 pm – 2:30 pm	Recap main themes <ul style="list-style-type: none">• Explore necessary features for creating and strengthening democratic practices• Recommendations will be discussed and included in “guidelines to governance and democratic practices”
2:30 pm – 2:45 pm	Break
2:45 pm – 4:15 pm	FINAL SIMULATION: PREPARING FOR ELECTIONS IN BASRA <ul style="list-style-type: none">• Background for capstone simulation• Present historical and current political context• Briefly layout objectives for simulation

DAY 6

1. “Preparing for Elections in Basra” Scenario Exercise
2. Policy Conclusions: Lessons Learned from the Scenario
3. Conclusions: Guidelines for Governance and Democratic Practices in War-to-Peace Transitions

6:00 pm

Farewell Dinner
Double Tree Hotel
“The State Room”

Guest Dinner Speaker
Michel Gabaudan
Regional Representative, Office of the United Nations High
Commissioner for Refugees