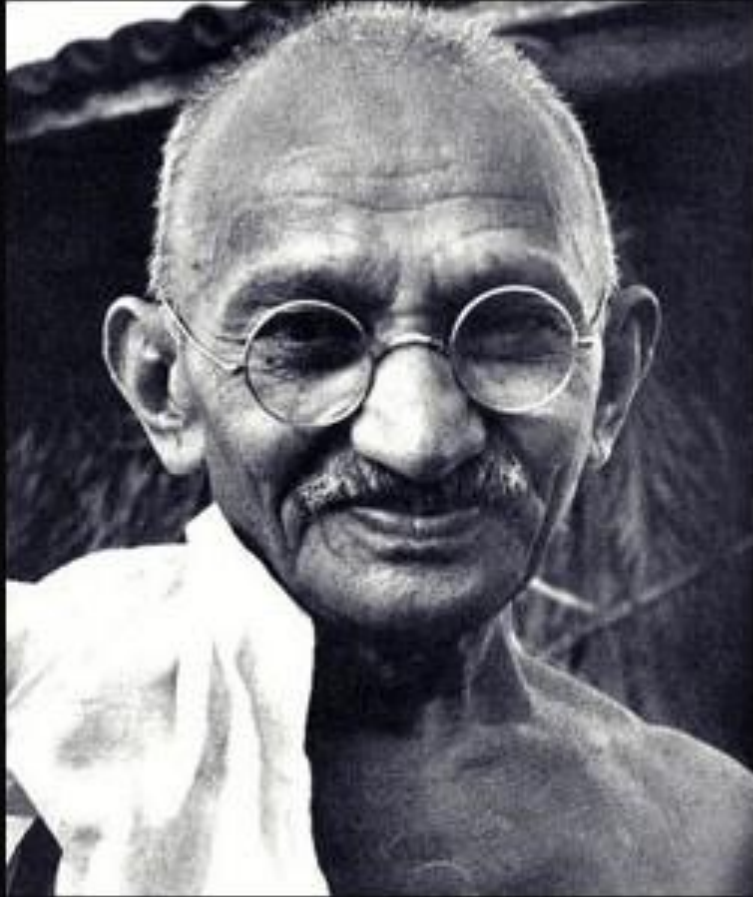


Prof.Dr.Aung Tun Thet
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Good government is no substitute for
self-government.

(Mahatma Gandhi)

izquotes.com



GOVERNANCE



- Greek word "*kubernaein*"
- Latin verb "*gubernare*"
- "*Steer*"



GOVERNANCE

- Used **interchangeably** with "**government**"
- Government defined as **institutions** established by **constitutions** and **laws**
- **Behavioural relationship** between **governors** and **governed**



GOVERNANCE



- **Structures and processes where social organization** – *family, corporate business, and international institution* - **steers** itself
- Ranging from **centralized control** to **self-regulation**



GOOD GOVERNANCE

- **Recognition** emerged only from **1990s** onwards
- **Political, economic and social goals** necessary for achieving **development**



GOOD GOVERNANCE



- **Process**
- **Public institutions** conduct **public affairs** and manage **public resources**
- Promote **rule of law** and realization of **human rights** (*civil, political, economic, social and cultural rights*)



GOOD GOVERNANCE



- Ensure **rule of law**
- Improve **efficiency** and **accountability** of **public sector**
- Tackle **corruption**



GOOD GOVERNANCE



- **Meaning** and **scope** not clear
- Lack of **conceptual clarity**
- Source of **difficulty** at operational level
- “**One-size-fits-all buzzword**” lacking specific **meaning** and **content**



GOOD GOVERNANCE



- **Legitimate, accountable, and effective** ways of **obtaining** and **using** *public power and resources*
- ***Pursuit*** of widely accepted **social goals**



GOOD GOVERNANCE



- **Linked with rule of law, transparency and accountability**
- **Partnerships** between state, society, and citizens
- **Institutional structures** promote **good substantive outcomes** and **public legitimacy**
- Associated with **impartiality, ethical universalism** and **open-access**



UN OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)



- Assessing **good governance**
- Institutions of governance **effectively guarantee** right to *health, adequate housing, sufficient food, quality education, justice and personal security*



CORE ELEMENTS OF GOOD

- **Transparency**
- **Integrity**
- **Lawfulness**
- **Sound policy**



CORE ELEMENTS OF GOOD

GOVERNANCE

- **Sound policy**
- **Participation**
- **Accountability**
- **Responsiveness**
- **Absence of corruption and wrongdoing**



WORLD BANK

- **Traditions and institutions by which authority exercised**
 - 1) ***Process by which governments selected, monitored and replaced***
 - 2) ***Capacity of government to effectively formulate and implement sound policies***



WORLD BANK



3) ***Respect** of citizens and state for institutions that govern economic and social interactions*

- Basis of World Bank's **Worldwide Governance Indicators (WGIs)**



WORLD BANK

- **Criticized** for **mixing** policy content ("*sound policies*"), procedures ("*rule of law*") and citizens' evaluations ("*respect*")
- Refer to institutions that **provide access** to **political power** and those that **exercise** and **implement** laws and policies



GOOD GOVERNANCE AND SUSTAINABLE DEVELOPMENT

- Good governance **key** to achieving sustainable development and human well-being
- Good governance has strong **positive effects** on measures of **social trust, life satisfaction, peace** and **political legitimacy**



GOOD GOVERNANCE AND SUSTAINABLE DEVELOPMENT



- **Control of corruption**
- **Absence** of corruption increase **efficiency** of public and private enterprise
- Create **favourable conditions** for **economic growth**



GOOD GOVERNANCE

- Necessary for attaining **UN Sustainable Development Goals (SDGs)**
- Particular relevance **Goal 16 "Peace, Justice and Strong Institutions"**
- "[p]romote **peaceful and inclusive** societies for sustainable development, provide access to justice for all and build **effective, accountable and inclusive** institutions at all levels".



GOOD GOVERNANCE



- Other SDGs strongly linked to **good governance**
- **SDG 10** reducing **inequalities** and promoting *social, economic and political inclusion* of all people
- Attainment of **all SDGs** depends on **good governance**



GOOD GOVERNANCE



- Other SDGs strongly linked to **good governance**
- **SDG 10** reducing **inequalities** and promoting *social, economic and political inclusion* of all people



SUSTAINABLE DEVELOPMENT



- Respect for **human rights**
- Work towards **eradicating poverty**
- Address **hunger**, secure good **health care** and high **quality education**
- *Guarantee* **gender equality** and **reducing inequality**



PRINCIPLES OF GOOD GOVERNANCE

- Tightly **linked** to fight against **corruption**
- Principles of **anti-corruption**



PRINCIPLES OF GOOD GOVERNANCE



- 1) **Participatory**
- 2) *Consistent* with **rule of law**
- 3) **Transparent**
- 4) **Responsive**



PRINCIPLES OF GOOD GOVERNANCE



- 5) Consensus-oriented**
- 6) Equitable and inclusive**
- 7) Effective and efficient**
- 8) Accountable**



1. PARTICIPATION



- **Active involvement** by all sectors of society in **decision-making process**
- Fostered by **enabling environment**
- Pertinent **information** appropriately disseminated in timely fashion
- All **concerned people** voice opinion in **unconstrained manner**



ARTICLE 13 UNCAC



- All States parties "*to promote the **active participation** of individuals and groups outside the public sector,*
- *such as **civil society, non-governmental organizations and community-based organizations,***
- *in the **prevention** of and the **fight** against corruption".*



2) RULE OF LAW

- Exercise of **state power** using and guided by **published standards** that embody widely supported **social values**, **avoid particularism** and enjoy **broad-based public support**
- **Legal frameworks**
- **Law and order**



2) RULE OF LAW

- Justice system **independent** and **effective**
- **Property rights** and **contracts** enforced
- **Human rights** norms implemented
- **Constitutional constraints** on *power of the executive*



2) RULE OF LAW

- Laws **responsive** to needs of society, **fair** and **impartially enforced**
- **Cooperation** of state and society
- *Complex and deeply* rooted **social processes**



2) RULE OF LAW

- Fukuyama (2013) distinguish between "**rule of law**" and "**rule by law**"
- "**Rule by law**": executive **use** of law and bureaucracy as **instrument of power**
- "**Rule of law**": executive **constrained** by same laws that apply to everyone else



2) RULE OF LAW (UN)

- Principle of **governance**
- All persons, institutions and entities, public and private, including State itself **accountable** to laws publicly promulgated
- ***Equally*** enforced
- ***Independently*** adjudicated



2) RULE OF LAW (UN)

- **Consistent** with **international** *human rights norms and standards*
- **Adherence** to principles of **supremacy of law**
- **Equality** before **law**



2) RULE OF LAW (UN)

- **Accountability** to law
- **Fairness** in application of law
- **Separation** of powers
- **Participation** in decision-making



2) RULE OF LAW (UN)

- **Legal certainty**
- **Avoidance of arbitrariness**
- **Procedural and legal transparency**



3) TRANSPARENCY

- Process of **decision-making** by those in power **scrutinized** by concerned members of society
- **Partnership: officials** make *information available* and **people** and **groups** with reasons and opportunities to put *information to use*



3) TRANSPARENCY

- *Independent* **judiciary**
- *Free, competitive, responsible* **press**
- *Active critical* **civil society**



3) TRANSPARENCY

- Rules and procedures **open to scrutiny**
- **Comprehensible:** transparent government makes it clear **what** being done, **how** and **why** actions take place, **who** involved, and by **what** standards decisions made



3) TRANSPARENCY



- **Article 10 of UNCAC**
- State parties take **necessary measures** to enhance transparency in **public institutions**
- Require **significant resources**



3) TRANSPARENCY

- **Free flow of relevant and easily *accessible information***
- **Understandable**
- **Decisions and implementation easily monitored**



4) RESPONSIVENESS

- Institutions and processes readily **serve** all stakeholders in **prompt** and **appropriate manner**
- **Interests** of all citizens **protected**



4) RESPONSIVENESS

- Identify and address built-in **discriminatory practices** affecting ethnic or minority groups
- **Gender responsiveness**



4) RESPONSIVENESS

- **Selective decentralization**
- **Citizens' charters** and **facilitation laws**
- Frontline services, hotlines and staff dedicated to receiving and attending to **complaints** and **grievances** promptly



5) CONSENSUS ORIENTATION

- Existing systems serve **best interests** of society
- Most **difficult** principle
- **Different viewpoints** taken into account



5) CONSENSUS ORIENTATION

- **Compromise**
- **Strong, impartial and flexible** mediation structure
- **Best interests** of whole community served



5) CONSENSUS ORIENTATION

- **Public hearings, referendums, forums for debate, citizens' legal right**
- **Petition** leaders about policy
- **Consultation** mechanisms



6) EQUITY AND INCLUSIVE

- Everyone has **opportunities** to improve or maintain **well-being**
- **All members of society**, *especially most vulnerable*, taken into consideration in **policymaking**
- No one feels **alienated, disenfranchised** or **left behind**



6) EQUITY AND INCLUSIVE

- **Preferential attention** given to plight of **poor, marginalized and needy**
- **Worst-off** in society receive **fair deal**
- **Progressive taxation, free medical care and subsidized housing**



7) EFFECTIVE AND EFFICIENT

- **Processes** and **institutions** make best use of resources
- Produce **results** meet needs of society
- Enhancement of **quality** and standardization of **public service delivery**



7) EFFECTIVE AND EFFICIENT

- **Professionalization of bureaucracy**
- Focus government efforts on **vital functions**
- **Elimination** of redundancies or overlaps in functions and operations



7) EFFECTIVE AND EFFICIENT

- Agencies of **public service delivery** promptly and adequately cater to **needs of citizens**
- Simplify **government procedures**
- Reduce **red tape**
- Use **appropriate technology** when feasible



7) EFFECTIVE AND EFFICIENT

- **Coordinating processes** among various government agencies to eliminate **redundant** information requirements
- Demonstrate **integrity**
- **Maximize** public values and public goods



7) EFFECTIVE AND EFFICIENT

- Individual performance goals **aligned** with programmes and objectives of agency
- Adequate **remuneration** and **non-monetary compensation** necessary to **sustain competence** and **boost morale**



8) ACCOUNTABILITY

- Every person or group responsible for actions affecting **public interest**
- **Answerability** or **responsibility** for one's actions
- Government, private sector and civil society organizations **answer** to public and institutional stakeholders



8) ACCOUNTABILITY

- **Institutional design**
- Formal **checks and balances** built into **constitutional architecture**
- Important for **corruption prevention**
- Main purpose of **United Nations Convention against Corruption (UNCAC)**



8) ACCOUNTABILITY

- **Horizontal** (*checks and balances within public sector*)
- **Vertical** (*accountability of governments towards citizens*)



8) ACCOUNTABILITY

- **Code of ethics or code of conduct**
- **Essential tools** for promoting **integrity, honesty** and **responsibility**



MEASURING GOOD GOVERNANCE



- **Complex and challenging**
- Some principles **conflict** with each other
- *Effectiveness and efficiency* **compromised** to achieve *equity and inclusion*



MEASURING GOOD GOVERNANCE



- **Proxy indicators:**

- a)* *Existence and quality of **procedures** - budget formulation and procurement, and clear job descriptions in bureaucracy*
- b)* **Levels of capacity** - average educational attainment, technical qualifications and professionalism



MEASURING GOOD GOVERNANCE



- c) **Output** - health and education outcomes and availability of services
- d) Estimates from **direct observation**



MEASURING GOOD GOVERNANCE

- 6 aspects

1. **Voice and accountability:** *citizen participation and independent media including political and media freedom and civil liberties*
2. **Political stability and absence of violence/terrorism:** *threat of state coup*
3. **Government effectiveness:** *quality of civil service*



MEASURING GOOD GOVERNANCE



- 4. **Regulatory quality:** *market-friendly policies*
- 5. **Rule of law:** *perceptions of crime, effective judiciary, enforceable contracts*
- 6. **Corruption:** *control of corruption, measured through composite survey instruments*



INDEX OF PUBLIC INTEGRITY (IPI)

- **Assess “... society's capacity to *control corruption* and ensure that *public resources* are spent without *corrupt practices*”**
- **“to hold *government accountable*”**



INDEX OF PUBLIC INTEGRITY (IPI)

- **Measure:**
- *Judicial independence*
- *Administrative burden*
- *Trade openness*
- *Budget transparency*
- *e-Citizenship*
- *Freedom of press*



CORRUPTION AND BAD

GOVERNANCE



- **Link between quality of government institutions** that implement policies (control of corruption and rule of law) and **economic development**
- **Ineffective institutions** undermine provision of public services - *health care, education and law enforcement*



CORRUPTION AND BAD

GOVERNANCE

- **Role of media** in promoting good governance
- Contributing to **perceptions** about quality of governance at international, national and local levels



CORRUPTION AND GOOD

GOVERNANCE

- *Two-way causal relationship*
- **Feed off** each other in **vicious circle**
- *If good governance principles and structures **not in place***
- *Provide greater opportunity for **corruption***



CORRUPTION AND GOOD

GOVERNANCE

- Corruption **prevent** good governance principles and structures from being put in place, or enforced
- Violations of principles of **transparency**, **accountability** and **rule of law** most closely associated with corruption



CORRUPTION AND GOOD

GOVERNANCE

- Corruption and poor governance **security challenges**
- **Undermine** *democracy, rule of law and economic development*



GOVERNANCE REFORMS AND

- Good governance **ideal** difficult to achieve in totality
- Involve **well-intentioned people** who bring *ideas, experiences and preferences* to **policymaking**
- Effective **ethical leadership**



GOVERNANCE REFORMS AND

- **Strengthening both participation and institutions**
- *Integrated, long-term strategy built upon cooperation between government and citizens*



GOVERNANCE REFORMS AND

- Government **accountable** and **transparent**
- Act with **integrity**
- Uphold **rule of law**
- Increase **public trust, effectiveness** and **legitimacy**



GOVERNANCE REFORMS AND

- Foster conditions for more **participative democracy**
- Citizens **actively engaged**



GOOD GOVERNANCE

- **Link to quality of democracy, competent policymaking, and anti-corruption**
- **Inclusive, deliberative *policymaking procedures***



GOOD GOVERNANCE AND

- **Empowerment** of people to exercise and protect rights
- Democracy require **checks and balances** and **well-informed, educated** citizens
- **Balance** expertise and democratic participation to produce **public policies** that solve essential social problems and accepted as **legitimate** by citizens



GOVERNANCE REFORMS



- **Concentrate** on improving **interface** between government officials, and private individuals and businesses
- Create **infrastructure of integrity** in government (and private sector)



GOVERNANCE REFORMS

- **Systems, rules and regulations** foster **accountability** and **efficiency** (*make best use of society's resources*)
- No ‘**quick fixes**’



GOVERNANCE REFORMS



- Some **effective**
- Others had little **benefit**
- **Wasted** resources and opportunities
- Do more **harm** than **good**



GOVERNANCE REFORMS

- **Development practitioners** (*development advisers, leaders of non-governmental organizations and government officials*) provide ***"things that must be done"***
- **Prioritize**



GOVERNANCE REFORMS

- **9 major challenges** *anticipated and avoided*
- Increase **quality** of good governance
- Reduce **corruption**



GOVERNANCE REFORMS

1. Avoid **excessive** *legislation and regulation*
2. **Politics** part of good governance
3. Pay close attention to **incentives**
4. **Public opinion** matters
5. Strengthen **checks and balances**



GOVERNANCE REFORMS

6. Never underestimate **opposition**
7. Do not focus only on **nation states**
8. Stay focused on **long term**
9. **Multi-pronged** approach



Corruption is the enemy of development, and of good governance. It must be got rid of. Both the government and the people at large must come together to achieve this national objective.

— *Pratibha Patil* —

AZ QUOTES

[illegible]

Prof.Dr.Aung Tun Thet
10/19/2020

