

Sierra Leone: Reform or Relapse? Conflict and Governance Reform

Brian Thomson

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Chatham House
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ABOUT THE AUTHOR

Brian Thomson is an Associate Fellow of the Africa Programme at Chatham House and a consultant working on international development issues. Until 2004 he was a civil servant in the UK Department for International Development (DFID) and from 1998 to 2004 he was responsible for programmes in West Africa.

The views expressed are those of the author and not of DFID or the British government.

EXECUTIVE SUMMARY

Sierra Leone is a success story of international intervention to put an end to a brutal civil war. Yet there is considerable disillusionment in many quarters at the lack of progress in tackling the issues that caused the war, such as corruption and the exclusion of many from access to resources and public services. This report describes the collaboration between the international community and the Sierra Leone government in building and reforming state institutions during the civil war and its aftermath. It assesses the progress made, draws conclusions about the achievements and suggests lessons for donors that may be applicable more widely.

It is over five years since the end of the civil war and, at this distance in time, it is easy to play down what has been achieved since the dark days of 1999 and 2000. That would be a mistake. The collaboration between the government and the international community successfully stabilized the security situation and put an end to widespread violence and fear. The government's presence has been re-established throughout the country. Many refugees and displaced people have returned and the economy has begun to recover. However, Sierra Leone remains stubbornly at the bottom of the UN Human Development Index and recent improvements may not be sustainable unless other dimensions of governance improve too. Re-establishing institutions carries with it the risk that old abuses will return.

The government has made good progress in reforming the armed forces and police. Another strength was the government's effective management of the economy as a whole. The diamond industry is much better regulated than during the chaos of the civil war period but it is far from fully transparent and the working conditions of alluvial miners remain a source of festering grievances. The government's attempts to tackle widespread corruption through the judicial process have made little impact. Better systems have been introduced to manage public money but implementation is at an early stage. Consequently, it is too soon to say that opportunities for corruption have been reduced on a sustainable basis.

Establishing the district councils was a major achievement. However, the rivalry with the chiefdoms means that it is far from clear that decentralization will succeed in promoting stronger citizen participation and better service delivery. Traditional rural elites remain very powerful. Further reform is needed, including reform of the chieftaincy.

The 2002 elections at the end of the war were judged a success, in spite of significant irregularities. However, the 2004 local government poll was problematic and this is a challenging background to the 2007 national elections. So far, little progress has been made in reforming the judicial system and civil service, or in developing credible checks on executive power through parliament, the media and civil society.

In general terms, progress was greater when reforms were supported by a coalition of interests which included both internal and external (donor) actors. Good examples are the security sector, police and local government reform. The government and donors also shared an interest in making the diamond industry respectable under the Kimberley process and safeguarding the flow of aid by tackling corruption and improving financial management. However, local commitment in those areas was tempered by resistance from vested interests and reform has not made much headway. Consequently, making institutions effective has proved much more difficult than setting them up.

Traditionally, the source of political power in Sierra Leone is in patronage networks and it seems that the old patterns are emerging again. This does not mean that good development outcomes are beyond reach or that violent conflict will return. However, further progress will depend on building appropriate coalitions of interests and taking opportunities for reform as they arise. The international community can be part of such coalitions but only if it is willing to make a long-term commitment and develop a thorough understanding of local needs and interests.

ABBREVIATIONS

ACC	Anti-Corruption Commission
AFRC	Armed Forces Revolutionary Council
APC	All People's Congress
CDF	Civil defence forces
CGG	Campaign for Good Governance
DAC	Development Assistance Committee
DDR	Disarmament, demobilization and reintegration
DFID	UK Department for International Development
DIAR	Diamond Industry Annual Review
ECOMOG	ECOWAS Ceasefire Monitoring Group
ECOWAS	Economic Community of West African States
GGDO	Government Gold and Diamond Office
HIPC	Heavily Indebted Poor Countries
IFES	International Foundation for Electoral Systems
IMATT	International Military Advisory and Training Team
IMF	International Monetary Fund
NEC	National Electoral Commission
NPRC	National Provisional Ruling Council
OECD	Organization for Economic Cooperation and Development
ONS	Office of National Security
OSD	Operational Support Division (police)
PRSP	Poverty Reduction Strategy Paper
RUF	Revolutionary United Front
SLBS	Sierra Leone Broadcasting Service
SLP	Sierra Leone Police
SLPP	Sierra Leone People's Party
TRC	Truth and Reconciliation Commission
UNAMSIL	UN Mission in Sierra Leone
UNCIVPOL	UN Civilian Police
UNDP	UN Development Programme
UNOMSIL	UN Observer Mission in Sierra Leone
USAID	US Agency for International Development

1 INTRODUCTION

According to the UN Human Development Report, Sierra Leone remains one of the most deprived places in the world. A long history of bad government and ten years of civil war lie behind the appalling poverty. Since 1996, the international community – with Britain playing a prominent role – have worked with the government to build the institutions of the state and bring an end to the war. In early 2002, after a very difficult five years, the government was able to declare that peace had been achieved and the international community spoke of a welcome success. At the end of 2005, the last of the UN peacekeepers departed. However, the success story now risks becoming tarnished. Sierra Leone's Truth and Reconciliation Commission (TRC, 2004) pointed out that no progress had been made in overcoming the political and social conditions that gave rise to the civil war in the first place.

The purpose of this report is to take stock of the wide-ranging interventions for governance reform that were implemented by the government and the international donors from 1996 and to suggest some lessons from the experience. The report's focus is on the civil war period and its immediate aftermath up to 2004, but it takes account of more recent developments too. The author was an official in the UK Department for International Development dealing with West Africa from 1998 to 2004. However, the views expressed here are personal and do not reflect the position of the British government.

The report begins with a brief summary of the political and historical context (section 2), then sections 3–5 sketch the evolution of the partnership between the government and international donors over the period. Section 6 considers the achievements of key parts of the state-building agenda, with particular reference to the security sector and police, regulation of the diamond industry, anti-corruption initiatives, local government, elections and public financial management. Section 7 considers the dynamics of the relationship between donors and government. The report ends with some conclusions on the achievements and shortcomings of the experience as a whole and offers some suggestions for the way ahead. The annex contains a timeline of developments in Sierra Leone.

2 BACKGROUND TO THE CONFLICT

Sierra Leone established a Truth and Reconciliation Commission (TRC) to confront the horrors of a decade of brutal civil war. The Commission's report contains the following analysis:

While there were many factors, both internal and external, that explain the cause of the civil war, the Commission came to the conclusion that it was years of bad governance, endemic corruption and the denial of basic human rights that created the deplorable conditions that made conflict inevitable. Successive regimes became increasingly impervious to the wishes and needs of the majority. Instead of implementing positive and progressive policies, each regime perpetuated the ills and self-serving machinations left behind by its predecessor. By the start of the conflict, the nation had been stripped of its dignity. Institutional collapse reduced the vast majority of people into a state of deprivation. Government accountability was non-existent. Political expression and dissent had been crushed. Democracy and the rule of law were dead. By 1991, Sierra Leone was a deeply divided society and full of the potential for violence. It required only the slightest spark for this violence to be ignited. The Commission traced the roots of these lapses through the post-independence period and into the colonial period (TRC, 2004).

This context provided ripe breeding grounds for opportunists who unleashed a wave of violence and mayhem that was to sweep through the country. Many Sierra Leoneans, particularly the youth, lost all sense of hope in the future. Youths became easy prey for unscrupulous forces who exploited their disenchantment to wreak vengeance against the ruling elite. The Commission holds the political elite of successive regimes in the post-independence period responsible for creating the conditions for conflict (TRC, 2004: Ch. 2).

The TRC's view is widely supported by academic evidence. By the time of the Revolutionary United Front (RUF) invasion in 1991 and the 1992 coup by the National Provisional Ruling Council (NPRC), Sierra Leone was largely a failed state. It could not provide protection or services to the majority of its citizens. The reasons for this are multiple and some are deep in the history of colonial preference for the Colony (Freetown) over the Protectorate and the practice of colonial rule through favoured chiefs. The alliance between Freetown and the chiefs was the cornerstone of order during colonial times but this system of indirect rule allowed local despotism and unchecked abuses by chiefs that generated strong resentment (e.g. the 1955/6 riots). The post-independence Sierra Leone People's Party (SLPP) regimes also relied strongly on support from chiefs and promoted the interests of the Mende of south and east Sierra Leone. Siaka Stevens' All People's Congress (APC) government, on the other hand, drew its support mainly from Temnes, the north and Freetown. These themes – the close links between national and local politics, the importance of traditional institutions and north/south ethnic rivalries – remain significant today.

William Reno's illuminating study of corruption (Reno, 1995) analyses the construction by Siaka Stevens of a 'Shadow State' network of patronage, centred on the President in person, to consolidate his power. Stevens used the resources of the formal state, including international finance, and control over the informal economy to reward his allies and coerce his opponents. Sierra Leone's alluvial diamond industry was at the heart of it. Resource exploitation played a similar role in Mobutu's Zaire and Taylor's Liberia. Stevens' allies in this network comprised members of the local elite, including compliant chiefs, and Lebanese commercial interests. Where chiefs could not be co-opted, Stevens replaced them with his own nominees. But the Shadow

State sowed the seeds of its own decline. Just as it undermined the revenues necessary for the formal state and its security apparatus, so it demanded great political skill to avoid the emergence of rival centres of informal power. Stevens' successor, Joseph Momoh, failed to handle these challenges and left the door open to civil war. By the time of the NPRC coup in 1992 even the Shadow State had melted away. The regime no longer held a monopoly of force. Exploitation of the country's resources became the focus for violent competition and collusion between forces of the NPRC regime and the RUF.

David Keen (2005) analyses the complex causes of the war in depth and stresses the importance of widespread grievances built up by the peacetime political economy as well as grievances caused during the war itself:

The violence has not one but many meanings. The conflict in Sierra Leone has seen the acquisition of wealth by the impoverished, the assertion of power by the powerless, and a widespread eruption of anger on the part of diverse groups who have felt somehow humiliated, exploited, betrayed or simply forgotten. This study has stressed the erosion of the state and its already fragile systems of economic and physical protection. At root, it is neglect and systemic humiliation that have fed the abuses and humiliations of a brutal war.

An important factor in the dynamics of war was 'a youth cohort modernized by education and exposure to mass consumption, yet thwarted in its projects of self-realization by poverty and political exclusion (Fanthorpe, 2005). Paul Richards has written at length on this issue (see, for example, Richards, 1996) and stresses the strong feeling of exclusion among young people in particular.

3 THE SLPP'S INHERITANCE IN 1996

The NPRC coup began with a degree of goodwill from both Sierra Leoneans and members of the international community who hoped the young soldiers could deliver on their promises to bring a swift end to the war and crack down on corruption. However, it gradually became clear that the rhetoric was empty. Soldiers were increasingly involved in abuses against civilians, and they competed and colluded with the RUF to exploit the country's mineral and other resources. Meanwhile, the international community failed to understand the situation (see Keen, 2005).

The NPRC was fatally undermined by a combination of the civil defence movement in rural areas, which developed to resist attacks on civilians from both RUF and NPRC forces, and growing civil society protests led by the Women's Movement for Peace in Freetown in 1995. This coincided with pressure from the regime's own advisers and the international community, with the UK playing a prominent role, for a transition to democracy. As the momentum for elections grew, members of the regime and the RUF resisted and mounted a violent campaign. Nonetheless, robust civil society pressure led to the holding of elections on 26 February 1996.

As President Ahmad Tejan Kabbah pointed out in his inaugural speech (29 March 1996):

The tasks ahead are monumental. You are aware that our country stands virtually in ruins, with thousands slaughtered, soldiers and civilians alike, tens of thousands maimed and mutilated, and hundreds of thousands displaced, traumatized, living in poverty, diminished in spirit and body, and the country's moral, physical, and social infrastructure destroyed.

... the restoration of the dignity and worth of every Sierra Leonean will be the guiding principal of my presidency. Both of these have been assailed in many ways over the last two and a half decades of our history, whether by senseless violence, or personal greed and corruption of officials of the state.

The new SLPP government faced a situation where:

- The government lacked control over large areas of the country amid continuing civil war.
- The security forces were ineffective, over-large, corrupt and disloyal – many soldiers from the north of the country felt deeply concerned at the prospect of a southern-dominated government.
- The economy was shattered and many Sierra Leoneans were displaced either internally or in neighbouring countries.
- Local government was absent in many areas – Stevens had abolished the District Councils in 1972 and many chiefs had been killed or fled during the war.
- The government was corrupt, ineffective, failing to deliver services reliably in Freetown and almost completely absent in the rest of the country.

However, the SLPP did have the advantage of a strong alliance with the traditional elites and kamajor¹ fighters of the Civil Defence Forces in the south and east. It also enjoyed considerable international goodwill since the elections provided democratic legitimacy and the government was headed by two figures with distinguished track records as international civil servants, President Kabbah and Finance Minister James Jonah.

4 THE EVOLUTION OF POLICY AND THE BEGINNINGS OF REFORM DURING THE CIVIL WAR PERIOD: 1996–2001

Given the precarious political situation it is hardly surprising that the government should focus most of its energies on improving security. Their priorities were support for the kamajors, negotiations with the RUF and reducing the size and cost of the army. Nonetheless, at the same time, discussions began with donors, notably the UK, on assistance to improve the effectiveness of government as a whole. The government launched a wide-ranging National Strategy for Good Governance in 1997 and, as part of that, the UK had agreed assistance for Law and Media Development by April 1997.

The government and RUF concluded the Abidjan peace agreement on 30 November 1996 and the international community promised a large increase in aid. But the army reacted strongly against the threat posed by SLPP policy on reforming the army. It staged a coup on 25 May 1997 and invited the RUF to join the Armed Forces Revolutionary Council (AFRC) regime. International personnel were evacuated along with the government. The junta was ejected from Freetown by ECOMOG² and kamajors in February 1998. During the AFRC period international development assistance was blocked. However, the SLPP regime in exile in Guinea used the time to develop its thinking. The Cabinet and advisers took part in a conference funded by the Department for International Development (DFID) in the UK in 1997 which produced a '90-day programme' to be implemented after the government was restored.

The key points of this programme were presented in some of the President's speeches. On 10 March 1998, he gave a clear analysis which put the blame for Sierra Leone's problems on the politics of greed, corruption, injustice and tribal jealousies:

While we unreservedly condemn the junta and its RUF allies, we must not forget to ask ourselves why it happened. Where did we go wrong as a nation? I have already told you of the greed and treachery that were the underlying causes of this tragedy which befell our nation. We must not, however, overlook the atmosphere of greed, corruption, injustice and tribal jealousies in which the rebellion took root and grew to such dreadful proportions. Some of the collaborators were the very people who presided over this system of corruption and incompetence. It encouraged others to deny justice and fair play to the ordinary citizen of this country. If we allow this state of affairs to continue after today, then all our suffering and the death of our close relations and compatriots would have been in vain.

Then, at the opening of parliament on 22 May 1998, the President outlined a wide-ranging development programme which, with the benefit of hindsight, was way beyond the capacity of the government to implement. However, it included some important statements of intent on the reform of state institutions:

- Security, unsurprisingly, was to be the top priority. The main strand of policy was to be the creation of a new army. This task was entrusted to a Nigerian Brigadier, Mitikishe Khobe. A new intelligence agency was also planned.
- Police training, equipment and institutional reform.
- Regulation of the diamond sector and an end to smuggling.
- Expansion of the Sierra Leone Broadcasting Service to give national coverage, with full discretion over its programming (as provided for in the DFID-funded project).³
- Decentralized government, to include the re-establishment of local councils and the election of paramount chiefs.

- Improvements in the administration of justice, (as provided for in the DFID-funded project which, by then, had placed a Ghanaian Legal Draftsman in the Attorney General's Office).
- Maintaining a sound macro-economic framework.

The international community reacted positively. A joint donor mission visited Freetown in May 1998 and there was a special conference on Sierra Leone in New York in July.

By September 1998, the government's plans for reform of the army and police had taken shape. They involved an army of 5,000 (the army under the AFRC was at least twice as large) and rigorous screening of members of the old armed forces before they could be allowed to join. The government had also accepted advice from the Commonwealth Police Development Task Force (mainly funded by DFID) on radical reform of the police. At the same time the President made it clear that the Civil Defence Forces (CDF) would continue to play a key role in security:

It has been agreed that there will be a Civil Defence Force for all Districts in the country. They will report directly to their respective paramount chiefs, and each District will have a CDF Administrator who will liaise with the military as and when the CDF is needed for operation outside their locality (Kabbah, 1998).

The government's approach to what became known as governance reform was developed in close liaison with the UK and other members of the international community. This coincided with an increased willingness on the part of donors to tackle issues related to the security sector (i.e. the military and other security institutions). During the second half of 1998, the UK mounted a joint DFID/Ministry of Defence assessment and agreed a programme of technical assistance to the security sector.

Although much of the thinking behind these reforms had come together by the end of 1998, there was a major interruption which set back implementation and further influenced priorities. The AFRC and RUF invaded Freetown in January 1999 and were only repulsed by ECOMOG and kamajor forces after immense loss of life and the destruction of much of the city.

It is hard to overemphasize the impact, on both the government and the international community, of having to evacuate Freetown for a second time in eighteen months. The government's military situation appeared weak in the extreme. This became even more apparent when the newly elected Nigerian President made it clear in May that his country could not be expected to take the strain much longer. At the time, the international community was not prepared to fill the military vacuum that the Nigerians would leave and pressed the government hard to make peace with the RUF. Negotiating and then trying to implement the Lomé Peace Agreement (signed in July) became the main focus of activity for the government and donors during most of 1999. The UN Security Council agreed to establish a peace-keeping force in October 1999 but they were slow to deploy and their mandate was limited. The second attempt at DDR (Disarmament, Demobilization and Reintegration) absorbed a great deal of donors' attention – for example, a donors' conference was organized in London in March 2000. Moreover, the absence of security prevented the international staff, on whom donors relied, from moving far outside Freetown. As it became clear towards the end of 1999 that the RUF was disregarding the Lomé agreement, staff security became even more of a concern.

Nonetheless, some important steps were taken. The DFID-funded security-sector reform project began with the arrival of a small British team in June 1999 at the same time as Brigadier Khobe was developing his plans for the new army (Khobe, 2000). The three British staff took forward the restructuring of the army and began to build the role and capacity of the Ministry of Defence. They also developed a national security policy.

British members of the Police Team returned in April to find the force in crisis after many police and their families had been killed in the attack and much police property had been destroyed or looted. DFID recommenced funding the police programme. Significantly, at the President's request, the British leader of the Police Team was appointed Inspector General of Police in November 1999.

Some progress was made on other aspects of the reform agenda too, in spite of the security problems. Much of that was due to a small group of well-qualified, and sometimes expatriate, Sierra Leoneans who were funded by donors. Examples included:

- The establishment of the Governance Reform Secretariat in the President's Office with a small staff working on civil service and local government reform;
- A small but very influential Economic Policy Unit that took responsibility for macroeconomic management and safeguarded the relationship with the IMF and donors (UK, World Bank, EU) which were providing much of the government's revenues.

In spite of the uncertain situation, the IMF approved Emergency Post-Conflict Assistance in November 1999. This underpinned British and EU programme aid and opened the way for a World Bank structural adjustment credit approved in February 2000. This funding was the bedrock of the government's budget at a time when other sources of revenue were extremely limited.

In addition, two other developments in 1999 are worth highlighting. The government was very concerned about the vacuum in local administration caused by the absence of chiefs in many chiefdoms, combined with the lack of local councils. Restoring paramount chiefs became an important part of the strategy for regaining control in the countryside and encouraging the return of refugees. The government made it clear that re-establishing local councils was also a high priority but would clearly take longer. DFID funded a project to restore chiefs in parts of southern and eastern Sierra Leone which was designed in 1999 and implemented from March 2000.

Also, during this period the foundations were laid for the Anti-Corruption Commission. There appeared to be a coincidence of views between donors, who were concerned about the risk of misuse of their funds, and the President and Minister of Finance, both of whom spoke strongly about the need to counter the corruption that had become embedded in the government system. An Anti-Corruption Act was drafted and passed in February 2000.

Both anti-corruption and local government reform featured strongly in the President's speech to parliament in June 2000:

My government continues to work towards ensuring that transparency and accountability become integral parts of our public culture and ultimately of our national character. Whether it is considered as misuse of public power for private gain, or acts of operational dishonesty, corruption undermines democratic accountability and promotes chaos and instability in any society. This is why my government has been actively developing strategies, which will be implemented by the recently established Independent Anti-Corruption Commission. My government will continue to design and execute programmes aimed at increasing public awareness of the negative effects of corrupt practices by individuals and institutions. This is an effective way to enhance public and donor confidence in government's ability to use and manage resources efficiently.

... my government is keenly aware that the very basis for our survival as a nation today is our people's firm commitment to democratic principles. We will do everything to sustain it through a close partnership with civil society in eliminating tribalism, nepotism, bad governance, human rights abuses, corruption and unpatriotic attitudes in our society. Local government reform and decentralization, involving district council elections, restoration of paramount chiefs, and elections to vacant chieftaincies, delimitation of constituencies and restructuring and strengthening local government institutions are programmes being implemented or planned by government to enhance grass-roots participatory democracy.⁴

In May 2000, Sierra Leone's conflict reached a further crisis when the RUF took 500 UN troops hostage. Subsequent events (the arrest of RUF leader Foday Sankoh, the British military intervention, the fight-back by UNAMSIL and the defeat of the RUF by the Guinean army in early 2001) broke the back of the RUF insurgency. By the end of 2001 UNAMSIL had taken control of the country, the DDR process ended in January 2002 and the government declared peace in February 2002. These dramatic events raised the stakes for the international community enormously. The credibility of UN peace-keeping was in question and Britain in particular had a very strong interest in stabilizing the situation so that British forces could withdraw. This influenced the approach to governance reform and forged a close relationship between the international community and the government. During 2000 and 2001, security sector and police reform received even more attention, along with DDR. The Head of the British army in Sierra Leone became military adviser to the President and reform took second place to defeating the RUF.

Nonetheless, some progress was made on other issues. The paramount chief restoration project was implemented, progress was made in installing transmitters for the Sierra Leone Broadcasting Service (SLBS) and restoring the Freetown law courts. However, even in April 2001 the UN considered only half the country to be safe for development activity (i.e. the western area, Moyamba, Bo, Bonthe, Pujehun and parts of Kenema and Port Loko).

5 THE POST-CONFLICT PERIOD FROM 2002

Clare Short, the UK Secretary of State for International Development, made an important speech setting out the UK's agenda during her visit to Sierra Leone in February 2002. She announced a broad agenda for reform and paid particular attention to action against corruption:

I want to make it clear today that the UK government is committed to stand by Sierra Leone for the long term provided that we have a strong mutual commitment to the building of a competent, transparent and uncorrupt modern state.

She went on to specify five areas requiring attention which picked up themes from the government's own policy statements:

- Fostering a new attitude in civil servants and politicians;
- Strengthening systems of control and accountability within government;
- Improving the enforcement of anti-corruption legislation;
- Putting the management of the country's diamond resources on the right footing; and
- Improving the government's accountability to the people.

Once the security situation had been stabilized and the RUF defeated, the priority for government was to hold presidential and parliamentary elections (which had been delayed on security grounds) and to extend the rudiments of state infrastructure to the 'newly accessible areas' of the country.

Donors (mainly the UK, the US and the EU) contributed substantial funding for the elections, including technical assistance to the National Electoral Commission. The government won an overwhelming victory in May 2002.

At the same time the government launched its National Recovery Strategy for Newly Accessible Areas, which was the centrepiece of its appeal to donors for funds at the Paris Consultative Group in November 2002. The strategy focused on restoration and resettlement rather than radical governance reform. It covered:

- Restoration of civil authority – this included the reintroduction of state officials (police, district administrators etc.) and chiefs throughout the country and a renewed commitment to elected district councils;
- Resettlement of refugees and displaced people, reintegration of ex-combatants;
- Reconciliation and the promotion of human rights. The strategy included the Special Court (which was driven hard by the international community), the Truth and Reconciliation Commission and various community-level initiatives which lacked a clear framework of implementation;
- Humanitarian assistance and the resumption of basic services;
- Stimulating the economy, including by rebuilding transport links.

Elections for the vacant paramount chieftaincies were held in June 2002 and a task force on decentralization and local government started work in October.

DFID took stock of its investment in 'governance reconstruction and reform' in October 2002 (DFID, 2002b). This was an important review and its conclusions inform the analysis of specific parts of the programme below. By 2002, DFID had developed a wide-ranging view of

'governance reform' in post-conflict Sierra Leone. The main elements were:

- Security-sector reform;
- Justice sector, anti-corruption and police;
- Public financial management;
- Civil service reform and service delivery;
- Regulating the diamond sector;
- Elections and representative institutions (parliament and political parties);
- Decentralization and local government – i.e. creating district councils, restoring and reforming the chieftaincy;
- Media development;
- Strengthening civil society.

These programmes emerged as a response to the government's reform strategy although, through force of circumstances, this was far from systematic. As the review says, 'Governance programmes supported by DFID have appeared primarily as a response to urgent or emergency needs created by crises and events in the latter half of the 1990s in Sierra Leone and in response to urgent requests from the government the strategy follows the pattern of needs as they occur'. This comprehensive approach was ambitious but made sense in a situation where most state institutions had ceased to function. There were obvious interdependencies, for example, between public financial management and the security sector, between service delivery in central and local government and between representative institutions and civil society.

What is clear from the October review is that implementation was far from even across this ambitious agenda. The strongest progress was evident in the security sector, police, fiscal management and the restoration of the chieftaincy. The establishment of the Anti-Corruption Commission was also a significant step. These emphases reflected the priorities of the government and donors during the civil war period.

Key additional developments were the launching of the Sierra Leone Special Court (whose first staff arrived in July 2002), the opening of the Truth and Reconciliation Commission on 5 July 2002 and the first local government elections for twenty years on 22 May 2004.

Relations with the international donors gradually evolved into a more standard pattern. Sierra Leone was granted debt relief under the Heavily Indebted Poor Countries (HIPC) scheme in March 2002. The momentum of World Bank lending operations increased and the UN system completed its Development Assistance Framework in March 2003. After a long period of preparation the government completed its Poverty Reduction Strategy Paper (PRSP) in February 2005 and that formed the basis for a further major meeting with the donors in November 2005.

6 THE IMPACT OF REFORM

6.1 The security sector and police

The Sierra Leone experience has attracted a good deal of interest and there are external assessments (e.g. Malan et al., 2004 and DFID, 2004a) to draw on in addition to DFID reviews (DFID, 2004b).

The UN's verdict at the time of UNAMSIL's departure in December 2005 was as follows:

The national security agencies have continued to acquit themselves satisfactorily since UNAMSIL transferred security primacy to them last year. The Sierra Leone police, in particular, have gradually developed their ability to contain and deal effectively with internal threats to security by performing their tasks without direct assistance from UNAMSIL troops.

The establishment of provincial and district security committees has created a framework for coordination. ... The handling of the riots in Kenema [on 7 November] illustrated the effectiveness of these security arrangements (UN, 2005).

In March 2004, Ginifer et al. concluded:

The Evaluators believe that the[UK assistance] strategy has had positive impacts by helping to stabilise Sierra Leone in terms of preventing the re-emergence of violent conflict, primarily by supporting reform of the security services, contributing to the dismantling of the RUF and CDF, and continuing the process of reintegrating ex-combatants into the community. The UK presence, along with that of UNAMSIL, has contributed to deterring external threats as well as internal challenges. Further, the reform of the SLP [Police] has made ground in making the police more accountable, professional, reducing corruption and beginning to restore a measure of civil society belief in law and order (Ginifer et al., 2004).

On the other hand in December 2004 the International Crisis Group expressed the view that 'There are serious questions about the capacity of Sierra Leone's police to manage internal security and its military to secure borders in a context of potential regional conflict. Nor have the security forces yet earned civilian confidence.' (ICG, 2004)

Turning first to the military part of the security sector, it is important to emphasize that the programme was much more than military training. It involved:

- Devising a structure and organization plan for new armed forces;
- Forming and training the units of the armed forces;
- Converting the Ministry of Defence from a small administrative office working for the Chief of Defence Staff into an organization in which civilians and military personnel played equal roles (on the model of the UK Ministry of Defence) with responsibilities covering strategic planning and resource management;
- Investing in office facilities, transport, equipment and accommodation for troops;
- Introducing and operating transparent management systems, revising soldiers' terms and conditions and ensuring that they were paid;
- Providing ongoing military advice and training.

That description makes the programme seem much too tidy. In practice it was heavily influenced by the momentum of the civil war and the course of Britain's involvement, described above. Initially, it was planned to recruit for the new army in a way that ensured tribal balance and allowed ex-combatants from all factions a chance to apply. However, plans for careful screening and reintegration of ex-soldiers into the new army were subordinated to the requirement to create a force to resist the RUF quickly after May 2000. As a result, some soldiers' expectations and behaviour were strongly influenced by their experience as part of the AFRC. That was not the best basis for a relationship of trust between soldiers and civilians or between soldiers and their British advisers and trainers. Moreover, in the early stages, the British military took more of a hands-on approach to management than would have been the case if they had not been fighting a war at the same time. From July 2002, when the International Military Advisory and Training Team (IMATT) took full operational responsibility from the UK military, there was a gradual process of switching international personnel from operational to advisory roles. However, the shortage of Sierra Leonean officers proved a bottleneck and, even in 2004, there were still IMATT staff in key operational positions, for example supervising the management of supplies. Ginifer and Oliver comment in March 2004:

A fundamental problem that the Evaluators found in talking to a range of stakeholders and Sierra Leoneans, was a lack of confidence and trust between the two parties on occasions. On the one hand, it was suggested that the government and NGOs lacked competence and energy, and on the other hand, that the UK did not take into account local considerations or rely on or trust Sierra Leoneans sufficiently to take the lead (DFID, 2004).

In January 2002 the new, UK-funded, Ministry of Defence building opened and provided a good base for expanded activities. In the following two years, the ministry, with UK technical assistance, was able to take a firm grip on military finances. As a result, soldiers were paid reliably and opportunities for corruption were cut drastically. However, the functioning of the ministry was still a long way short of objectives. Civilian staff remained part of the civil service and suffered from its overall malaise. Their postings were often too short and their motivation was undermined by very low salaries. Moreover, civilian suspicion of soldiers made collaboration between the two very difficult. With hindsight, capacity-building in the ministry would have been easier if the UK had provided a higher proportion of long-term civilian advisers to balance the IMATT military personnel on short-term contracts.

Big issues that continue to tax the sector are the size of the army and its accommodation and equipment. The army is larger (10,300) than the country needs or can afford. The UN has expressed concerns that an armed force of that size was unsustainable (UN, 2006). Housing has also proved a thorny problem since most military accommodation was destroyed during the war. The President took a personal interest in dealing with this and persuaded the UK to contribute to the cost of a building programme, Operation Pebu. However, that did not cover all the needs and the UN continued to point to the critical shortage of housing in November 2006.

Reform of the security and intelligence agencies is also an important part of the picture. In the early years of the Kabbah government, the National Security Adviser lacked professional support, intelligence was little more than rumour and the agencies concerned had a history of corruption and abuse. The system had failed to guard against the 1997 coup and by 1998 the President was pushing for reform. Consequently DFID helped the Office of National Security (ONS) to develop a security-sector strategy, and built its capacity for national defence planning

and for coordination between the various agencies (military, police, intelligence, immigration and local security committees). By 2000 a further objective was added, to build the effectiveness of the intelligence service itself (the Central Intelligence Security Service Unit). This involved establishing an appropriate legal basis, reviewing the quality of staff, training them and setting up a system for assessing intelligence. By 2004 much of this had been achieved. The National Security and Intelligence Act was passed in 2002. Since then, ONS has drafted a security-sector review, the staff have become better qualified and trained and new systems for coordination and assessment have been introduced. However, that does not mean that traditional, informal channels for intelligence have been entirely displaced. In practice, the two tend to operate in parallel.

Overall, the reform process for the military, the Ministry of Defence and security service had made enormous strides by the end of 2004. Structures and systems were largely in place and local capacity had grown considerably. Significantly, ordinary soldiers received regular pay rather than being expected to live off the land as was the case during the NPRC and AFRC periods. However, operational effectiveness was still dependent on external advisers and that seems unlikely to change for some time. The army has worked at improving public confidence but it will take time and sustained effort to escape the shadows of the past.

Reform of the police began under the Commonwealth Police development Task Force in 1998.⁵ The first milestone was the publication by the President of a Policing Charter in August which stressed the primacy of the police in maintaining internal security and the police objective of ensuring the safety and security of the people, rather than protecting the state. A model of Local Needs Policing was developed to meet the needs and expectations of the local community while reflecting national standards and guidelines. The key difference from the past was greater delegation to field level, and more consultation with communities. But implementation plans were blown off course by the intensity of the civil war in late 1998 and early 1999. The police were a prime target of the AFRC and RUF since they had generally remained loyal to the government. Many police and their family members were killed; police buildings and equipment were looted and destroyed. Moreover, primacy in security matters was clearly in the hands of ECOMOG and the CDF militia. So an important part of the task in 1999 was to restore basic effectiveness and credibility to the police, starting with Freetown. DFID funded training and advice, basic supplies including uniforms, communications and vehicles, together with small investments in buildings.

An important part of the strategy at this early stage was to establish a reputation for openness and accountability. Systems for audit and the investigation of complaints were established and the police began to develop an effective relationship with the media. A further important strand was the setting up of family support units to tackle the appalling level of crime against women and children that had become a feature of Sierra Leone during the civil war. An early priority was transforming the paramilitary Special Services Division (SSD) into the Operational Support Division in order to provide the police with the capacity to respond to threats of disorder with less than lethal force. (SLP officers, apart from the OSD, are generally unarmed.) The UK became closely identified with police operations in November 1999 when, at the President's request, the British head of the Commonwealth team was appointed as Inspector General of Police.

By 2002 the police had made good progress in most of these areas. Particular strengths were the development of a strong senior management team, effective systems for internal audit, accountability and personnel; general acceptance of the Local Needs Policing approach,

improved support to victims of domestic violence and transformation of the OSD. However, there were big questions about the ability of the police to expand their operations nationwide at the end of the war. Police numbers needed to grow from around 6,000 to 9,500 (although the basis for that figure was never firmly established). Moreover, the quality of middle- and lower-ranking staff did not match that of the leadership, and salary levels and accommodation were drastically underfunded. In response, UNCIVPOL mounted a large training programme to facilitate the expansion.

In May 2003, as a demonstration of the progress made, the British Inspector General handed over to a Sierra Leonean successor. Nonetheless, there remains a great deal to do, which is hardly surprising given the scale of the change process and the very large recent expansion. One concern is whether the systems that have been established will survive in a police service that has expanded nationwide. Unlike with the army, there was no attempt to build the capacity of the supervising Ministry of Internal Affairs, although that was part of the original plan. The UN was concerned in 2005 that the police were under-resourced (e.g. for accommodation and running costs), that they might fail to cope with a nationwide crisis because of deficiencies in communications and transport, that corruption was reportedly still prevalent, and that the concept of police primacy was still not fully accepted by the military and by society in general (UN, 2005: 6–7).

By November 2006 the UN's view was:

The national security sector is generally functioning well. The capacity of the Sierra Leone Police to maintain law and order and discharge its security responsibilities continues to develop.

Progress made in enhancing the capacity of the security sector is encouraging. However, there is still a need to further strengthen and rationalise the security architecture of Sierra Leone, so that both the Sierra Leone Police and the Armed Forces could be sustainable in the long term, and also carry out their tasks effectively, in particular in connection with the 2007 elections (UN, 2006).

6.2 Regulation of the diamond sector

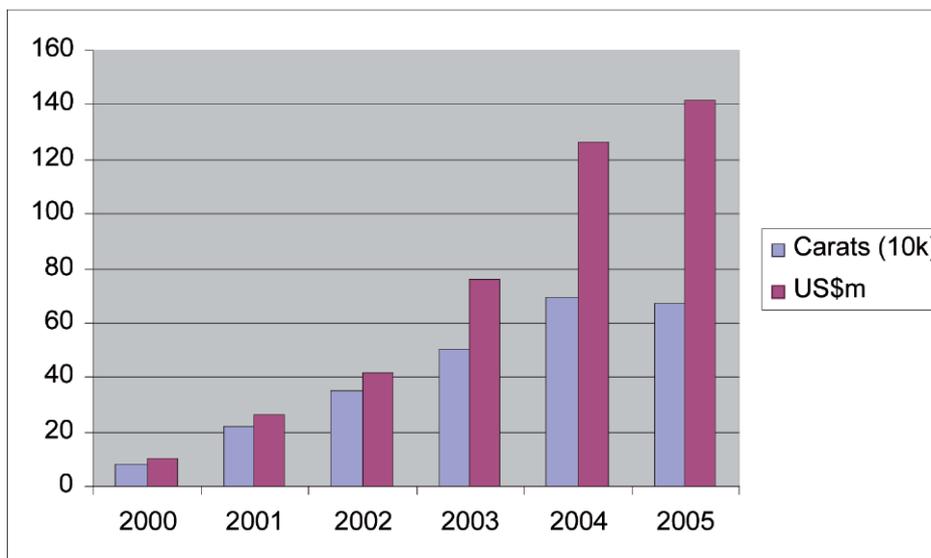
Diamonds may not have caused the civil war but they certainly fuelled it – see, for example, the analysis by Partnership Africa Canada (Smillie et al., 2000). Moreover, by 1996 formal government regulation of the sector had been almost completely eroded and physical control of the diamond-bearing areas was heavily contested. Consequently, proposals for improved regulation were an important feature of the rhetoric of both the Kabbah government and the international community from an early stage. There was a range of expressed objectives, held in different measure by different stakeholders. They included:

- Denying the revenue from smuggled Sierra Leonean diamonds to the RUF and other armed groups;
- Mobilizing diamond revenues for the use of the state;
- Making the industry financially transparent;
- Encouraging reputable investors to restart industrial mining;
- Improving the wages and working conditions of the large numbers of labourers involved in artisanal mining.

The international community, particularly the US, began to pay serious attention to the sector in 1999 when the Lomé agreement conceded to Foday Sankoh, the RUF leader, oversight of minerals exploitation. Momentum built internationally as a result of publicity over ‘blood diamonds’ which led eventually to the Kimberley process certification scheme, launched in November 2002. DFID provided a Diamond Sector Adviser to the President from May 2002, USAID encouraged stakeholders in the industry to create a Peace Diamond Alliance, the government published its core minerals policy in January 2004 and the World Bank helped the government develop a minerals sector strategy, published in 2005.

Since 2000, with the gradual improvement in security, there has been a rapid increase in official exports of diamonds (see Figure 1).⁶ According to the government, the 2005 figure represented around 85–90% of total exports (GoSL, 2005b). The Peace Diamond Alliance,⁷ on the other hand, estimated total production at around \$400m per year and the UN (2005: 7) suggested that more than 50% of diamond-mining activities in the country were still unlicensed.

Figure 1: Sierra Leone diamond exports



Source: *Diamond Industry Annual Review 2006*.

Whoever is right, there is no doubt that the government has succeeded in expanding the legal part of the diamond sector. The number of licences awarded grew from 100 at the end of the war to 2,400 in 2005. Moreover, government capacity to regulate the sector has improved from the negligible levels to which it had slumped. When the Review made its assessment in 2006, the government Gold and Diamond Office (GGDO), which is funded by export tax revenues, appeared to be doing a reasonable job at valuing exports and there were plans to add a second valuation process as a further safeguard. However, capacity in the Ministry of Mineral Resources was weak, particularly at field level. Mines Monitoring Officers were poorly paid, trained and equipped and thus unlikely to be reliable regulators of such a lucrative industry. Nonetheless, DIAR 2006 found that government had achieved a marked improvement by reducing the prevalence of child labour, thanks to a determined effort in 2005.

Although the bulk of Sierra Leone's diamond mining industry is alluvial and artisanal, the larger-scale sector revived after the war. Koidu Holdings acquired the country's known kimberlite deposits in Kono and Tongo Fields and expected to start breaking even in 2006.

So who benefits from the revival of legal mining? Government revenues are small. They comprise a share of the 3% export tax and licence fees, plus royalties and taxes paid by the larger-scale sector. In 2004, revenue from the export tax and licences on the alluvial sector amounted to only \$5.2m. Moreover, a quarter of the tax revenue is allocated to the Diamond Areas Community Development Fund and a quarter to cover the costs of the GGDO. The government has deliberately not imposed large levies on the alluvial sector. Smuggling is so easy that high tax rates would undermine the legal trade.

Tax policy towards the kimberlite mines is, and should be, different. However, government dealings with the larger-scale sector are not well publicized and include significant tax concessions. According to DIAR 2006, government revenue from Koidu Holdings in 2005 was only around \$100,000 a month.

The bulk of the industry's revenues accrues to exporters, dealers and licence-holders. Exactly who gains how much is far from clear because the industry lacks transparency and competition. There is collusion between dealers and close connections between participants at the different levels of the industry.

Since the end of the war, thousands of young people, many of them ex-combatants, have flooded into the diamond areas to eke out some kind of living. Many work as diggers for 'supporters' who provide basic living expenses and take half the value of any gems the diggers find. The World Bank estimates that the diggers' 'average per capita share [of industry revenues] is close to or even below subsistence income levels in the rural economy' (World Bank, 2005a). Taking into account the higher returns to the few fortunate diggers who actually find worthwhile stones, the situation of the majority is even worse. DIAR 2006 estimates that there could be between 150,000 and 200,000 labourers in the industry. So far there are few signs of progress. Improvements in the condition of labourers will depend on better technology, training in valuation techniques and access to credit. The US-funded Peace Diamond Alliance has started workers' cooperative schemes as a way forward, but it is too early to judge results.

Chiefs play an important role in the sector. Some paramount chiefs continue to award alluvial mining licences, according to practice informally delegated by previous governments. The UN points out that conflict over diamond-mining rights and boundaries continues to be a major source of disputes among chiefdoms and considers that the largely unregulated power of chiefs to issue mining licences challenges the government's efforts to encourage investors. Moreover, chiefs in the mining areas have considerable influence over the use of proceeds from the Diamond Areas Community Development Fund. According to DIAR 2006, almost \$850,000 was transferred to chiefdoms in 2004, but the government suspended disbursement of funds at the end of 2004.

The government began implementing a cadastre system for the administration of mineral rights in Kono in July 2006 (World Bank, 2006: 54–8). This has the potential to increase transparency and revenues and reduce conflicts over mineral rights. However, implementation has suffered from delays and it is not clear whether the government will have the capacity and willpower to enforce this new approach.

In sum, the government has made progress in rebuilding the regulatory infrastructure and reducing smuggling. However, the lack of transparency means that it is hard to judge who benefits. As in the past, there is ample scope for diamond revenues to finance patronage networks. Moreover, unequal power relations, coupled with the lack of alternative employment for unskilled workers, prevent significant improvements in working conditions.

6.3 Anti-corruption

In view of Sierra Leone's history of rampant diversion of state resources, it is not surprising that, as mentioned above, corruption became a major concern early in the Kabbah government. Corruption featured in several of the President's speeches and it was his initiative to approach DFID for help in setting up the Anti-Corruption Commission (ACC). Legislation was passed in early 2000, the ACC began work a bit later, and DFID-financed advisers arrived in January 2001. They included a Deputy Commissioner and advisers on operations and intelligence. The ACC made a promising start by processing a number of important cases during 2001 and publicizing its activities. However, progress was slower than it might have been, because of the delayed arrival of the UK advisory team and administrative problems within the Commission.

The DFID review of October 2002 identified a major bottleneck in bringing cases to court. The ACC is required by law to submit cases to the Attorney General, who then takes forward the prosecutions. The reviewers pointed to a lack of capacity within the Attorney General's Office, shortages of judges, deficiencies in court management, and legal technicalities over the taking of evidence. There is no doubt that all these were important reasons for slow progress. Moreover, there were a number of management issues within the ACC itself. However, other commentators (e.g. Mahony, 2003) suggest that political factors also played a role in the slow judicial process. The International Crisis Group (2004) mentions some high-profile cases which raise doubts over the process. In particular, a former Minister of Transport appealed successfully against his conviction for unlawful possession of precious minerals and a High Court judge lodged an appeal against a 2000 conviction for accepting a bribe, which was still pending four years later. During 2003 the Commonwealth Secretariat recruited two judges to overcome the capacity problems for corruption cases.

The government launched its National Anti-Corruption Strategy in February 2005 (GoSL, 2005a). The document presents the results of a survey of attitudes towards corruption which confirms that Sierra Leoneans see it as a widespread feature of life. Respondents were particularly concerned by the need to resort to corruption in order to access services. In some respects, the results reveal a different understanding of corruption from that common in Western countries. For example, respondents saw cheating and abuse of power as forms of corruption, in addition to the more normal idea of using public property or position for private gain. Moreover, there could be mitigating circumstances. Employing kinsmen in public office might be acceptable if they met the basic qualifications for the job. Using public vehicles for private activities might be acceptable if those activities were not commercial. Accepting bribes might be excusable if it was the only way to make a 'fair wage' for the job.

The Campaign for Good Governance published its own research in 2005 which came to similar conclusions (CGG, 2005). It found that entrenched cultural practices were often behind corruption. These included the extended family system and the practice of demanding 'gifts' to prepare for high-status visitors. There were also traditional methods of dealing with culprits such as public mockery. People were generally aware of the ACC and willing to support its work but were pessimistic about the chances of success. The CGG concluded that there had been good progress in raising awareness but pointed to a number of reasons for the persistence of

corruption, including the poor conditions of service of civil servants, the lack of attention to corruption in the private sector and the lack of political will.

The National Strategy uses evidence from Poverty Expenditure Tracking Surveys to identify 'hotspots' of corruption within the administration. The Surveys found that only 5% of essential drugs supposedly transferred from the Central Medical Stores to field level could be accounted for at the Primary Health Units. There was also evidence of considerable diversion of educational supplies. Other areas of concern included the judiciary, the police, the Ministry of Agriculture, chiefdom administration and the diamond sector.

The Strategy is exhaustive and presents a huge policy matrix with 232 actions to be taken. Most of them fall to the government. Most of them are top priority and most are scheduled for the 'short term'. There is no consideration of resource requirements or realistic prioritization. As such, the Strategy is over-ambitious and raises many questions about its feasibility and the political will for implementation.

When he launched the Strategy, the President committed his government to provide the necessary political leadership (Kabbah, 2005). He also made a number of pointed remarks criticizing the ACC for bias against government ministers,⁸ for being alarmist and giving undue credence to false rumours, and for failing to develop a productive relationship with the Attorney General. The Commissioner was later replaced in 2005.

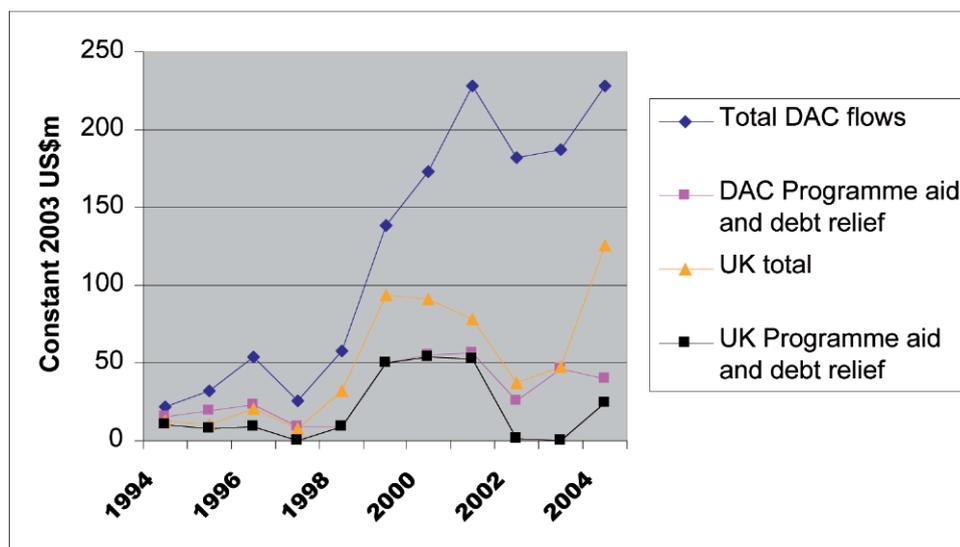
Since then, international donors have pressed hard for results. The World Bank (2006), the UN (2000) and the British government (DFID, 2006b) have all urged that more should be done to prosecute those in high-level positions who have been involved in corrupt practices in the recent past.

Overall, the future of the judicial approach to dealing with corruption is in the balance in Sierra Leone. Early good intentions generated public support for action to tackle corruption and for the Anti-Corruption Commission in particular. However, corruption continues to be a major issue. It is not surprising that there should be resistance to reform when corruption has been entrenched in society for so long. Moreover, the ACC has been hobbled by the weakness of the justice system, the difficult division of responsibilities with the Attorney General's Office, and its own management problems.

6.4 Public financial management

Figure 2 gives some indication of the stake that the international community has in good public financial management. The data are taken from the OECD Development Assistance Committee (DAC) database of aid flows and show the rapid growth of aid to Sierra Leone from 1998 onwards. The UK was responsible for a large share in the early years of the Kabbah government – well over half of the total international assistance from 1998 to 2000. (This excludes military assistance and contributions to UNOMSIL and UNAMSIL.) Emergency and reconstruction assistance comprised around a third of total aid from DAC donors from 1995 to 2003 and well over 40% in 2001 and 2002. Much of this was delivered through channels at some distance from direct government control. However, programmatic support to the government (in the form of budget support and debt relief) was a significant share of the total and played a crucial role in funding the budget, particularly when domestic sources of revenue were scarce during the government's early years. The UK was the main source of this funding.

Figure 2: Sierra Leone aid flows



Source: OECD Development Assistance Committee.

Providing budget support to the Sierra Leone government was a risky undertaking in view of the decay of management systems and the country's reputation for corruption. DFID's current guidance on budget support (DFID, 2002a) would have ruled out the programme aid that was provided in the early years of the Kabbah government because there was neither systematic assessment of financial systems nor a plan to improve them. Nonetheless, programme aid was absolutely central to the strategy for stabilizing the security situation and improving governance. Without it, the government would not have been able to pay civil servants, including members of the security services, and consequently the economy of Freetown would have been undermined.

From 1996 to 1999 the Minister of Finance, James Jonah, and the small group of competent expatriate Sierra Leoneans (funded by the EU and World Bank) who worked closely with him developed a reputation for sound overall fiscal management. (There was no UK aid during the junta period.) The EU funded an expatriate Accountant General and the President took a personal interest in the probity of procurement arrangements. Moreover, the government and the IMF developed a close and supportive relationship from 1998.

The IMF has published an assessment of its programmes with Sierra Leone from 1994 to 2004 which generally gives a positive verdict on performance, bearing in mind the very difficult conditions (IMF, 2005). The evaluators concluded that fiscal balance targets were generally met from 1998 onwards, although that was mainly due to lower than programmed spending. Monetary objectives were not met because there was larger than expected bank financing of the government's deficit. That was partly caused by the unpredictability of aid flows. It is not surprising that the assessment found that the frequent conflict-related disruptions had a negative impact on programme implementation and that performance on growth and fiscal management was better from 2001 onwards because of improved security and political conditions. The evaluators give credit to strong ownership of the programme by the authorities and, somewhat surprisingly, to the Fund's relatively high conditionality. The latter was contrary to IMF guidelines which called for streamlined conditions. Performance on the programmes' structural (i.e. reform) objectives was mixed. In general, tax reform was successful but civil service reform objectives were not met.

There was a consistent tendency for the government to fail to meet targets relating to net domestic financing because of shortfalls in revenues and external budget support, together with expenditure overruns on wages.

While this IMF assessment supports the picture of relatively sound overall fiscal management, it says little about the effectiveness with which government resources were used or, indeed, about the strength of controls against corruption and abuse. Concerns over financial management intensified as donors and government discussed the use of debt relief resources under the HIPC initiative. Consequently, the World Bank and DFID undertook a country profile of financial accountability in late 2001. This partial review of financial systems recommended various improvements and, in particular, advocated greatly strengthened audit and parliamentary oversight arrangements. The expatriate Accountant General was replaced by a Sierra Leonean in late 2002 after seven years. This did not help the situation since it was by no means clear that the systems he had developed would be easy to transfer. The World Bank and DFID funded Public Expenditure Tracking Surveys to establish how effectively government resources were being used for service delivery. As reported in section 6.3 above, the surveys showed considerable diversion of resources.

Since 2002, the World Bank and DFID, among others, have continued to devote a lot of attention to capacity-building in public financial management. DFID has focused on strengthening the Auditor General's office, with some success. Overall the donors (World Bank, EU, African Development Bank and DFID) have negotiated with the government a common action plan on Public Financial Management which will become part of the framework for multi-donor budget support.

In 2006 the World Bank felt able to report some progress in reducing the opportunities for corruption (World Bank, 2006). The measures taken included law reforms relating to the budget and public procurement plus strengthening of government accounting and audit functions. However, implementation is at an early stage. Nonetheless, DFID cited a sharp reduction in the diversion of essential drugs compared with earlier evidence from the Public Expenditure Tracking Surveys. The proportion accounted for at the Primary Health Units rose from 5% to 75% by July 2006 (DFID, 2006b). Moreover, a civil society group, the National Accountability Group, surveyed primary schools in Moyamba District in 2005 and found that the use of a private auditing firm meant that the schools received the subsidies recorded as disbursed by the Ministry of Education, albeit at the cost of a 10% charge by the auditors (National Accountability Group, 2005). This was a considerable improvement since 2002, when the Public Expenditure Tracking Survey found that 45% of these subsidies were unaccounted for. In spite of these small positive signs, there remains a widespread public view that the government's finances are still seriously mismanaged and experience shows that reform is by no means easy or assured.

6.5 Local government and the chieftaincy

Decentralization, the restoration of paramount chiefs and new local councils were important features of the Kabbah government's policy from the outset (see section 4 above). These themes were pursued energetically, especially from 1999 onwards. The President set out the approach which motivated the government in his speech to newly elected paramount chiefs in January 2003:

The desired new policy will now attempt to restore the past, and where necessary modernize the governance structure of the chieftaincy to make it more effective, relevant and democratic. This vital role, previously played by paramount chiefs, contributed immensely to our stability.

An important element of my government's programme is to move away from the highly centralized system of administration that we inherited from previous governments and to restore democratic governance at the local levels. The new local councils will have enough authority in decision-making as service providers to the people in their localities. The decentralized administration will encourage and promote grassroots participation in decision-making and in the development objectives of the communities (Kabbah, 2003).

Thus the government's approach was in part a conservative one which harked back to a previous era when the institutions of local government were thought to have worked much better. The chiefs and the councils were important components of the government framework when the SLPP was last in power. The President himself had once been a District Commissioner. The APC had abolished the local councils, and both they and the civil war were blamed for undermining the chieftaincy. The approach recognized that chiefs continued to exercise considerable power and influence, including responsibility for deciding people's local citizenship, for administering land and for allocating mineral licences. In the absence of an effective state presence in most rural areas, they wielded immense influence over local politics and traditional justice. Therefore, restoring chiefs to areas of the country where they had been driven out or killed during the civil war was seen as the key to resuming normal life and spreading government control. Lastly, the SLPP's constituency in the south and east felt strongly that power and resources were over-centralized in Freetown. The government attempted to respond to this by reviving local councils.

Although it was not widely recognized at the time, this rosy picture of local government in the past had been challenged by a previous (1978) assessment, and by the long history of popular resistance against abuses of power by chiefs going back to colonial times (see section 2 above):

With few exceptions, local government institutions in contemporary Sierra Leone – District Councils and Chiefdom Administrations – have been characterised by widespread and blatant corruption and nepotism and poor standards of bureaucratic performance and efficiency.

District Councils have been notoriously ineffective. They have failed to meet the expectations placed upon them as agencies of progress in the provision of amenities and services at the local level. The basic weakness of the councils [was] symptomatic partly of limited human and financial resources and also absence of close government supervision. More crucial, however, was the criticism that there was little identification with the councils on the part of the chiefdom authorities and the ordinary people. ... The chiefdoms have remained the fundamental units of local attachment, and the strength and durability of this chiefdom identification provides a firm underpinning for the political arrangements based on the chiefdom.

Chiefdom institutions have also proved notoriously ineffective in responding to the felt needs of the rural population, and are today almost universally seen as having fallen into disrepute (Tangri, 1978).

The international donors became heavily involved. The Governance Reform Secretariat, funded by DFID, incorporated a decentralization section. When it began operations in 1999, the government made it clear that its first priority, for security reasons, was to restore the paramount chiefs in areas under government control in the south and east. The Governance Reform Secretariat and DFID designed a project which began implementation in March 2000 when the outcome of the war was still in the balance. The rationale was to respond to the

immediate problem of rural dislocation by facilitating the return of the paramount chiefs through the construction of houses and conducting elections for vacant chiefdoms. It was expected that the return of the chiefs would signal to refugees that it was safe to return home, and serve as an essential first step in restoring order to rural communities. At the same time, DFID recognized the danger that chiefs might abuse their position, as in the past. Consequently, the project attempted to improve relations between chiefs and people by mounting broad-based consultation meetings and by revising the code of conduct for chiefs and chiefdom staff.

The project soon raised a good deal of controversy. An internal DFID review in July 2001 found that the consultations provided powerful platforms for people to discuss local governance. Records of the consultations contain a wealth of evidence on local views. Many grievances were aired but no action was taken as a result. Moreover, building houses for chiefs became an unconnected exercise that exacerbated local grievances, for example over traditional practices of (forced) community labour for chiefs.

As a result, DFID commissioned an independent evaluation (Fanthorpe et al., 2002), which found that the consultations highlighted some systematic grievances:

- Rural people, especially the young, expressed open resentment at the fines imposed by the local courts and by chiefs when exercising private jurisprudence (formally, chiefs lost the power to try cases in the 1930s). There was similar resentment against ad hoc levies raised (e.g. for the entertainment of visiting VIPs);
- Chiefdom administrative staffs were unrepresentative (i.e. nominated from above) and unaccountable;
- The greatest local resentment was reserved for staff appointed by District Officers. There was widespread suspicion that Native Authority clerks and District Officers connived to embezzle chiefdom funds;
- Women often said that it was the first time that their views had been sought on issues of governance (Fanthorpe et al., 2002).

The evaluators commented that the grievances expressed in the consultations were similar to those held by people in northern Sierra Leone which had led to an outbreak of rioting against abuses by chiefs in 1955–6. They emphasized that the rupture between chiefdom authorities and rural youth had been an important factor in the civil war (see section 2 above).

The evaluators found that the revised code of conduct did not respond to these concerns. In general, it reaffirmed the rules and procedures set in place by the colonial administration in the 1950s. Moreover, the construction of houses had not been a significant factor in the return of chiefs to their chiefdoms. Both chiefs and refugees had returned when it was safe to do so.

Following their 2002 election victory and the election of paramount chiefs to vacant chiefdoms in June 2002, the government pressed DFID for a second phase of assistance. They argued that it would be discriminatory if the same investment in houses were not provided in the newly accessible areas of the north and east as in the south. Instead DFID, and the rest of the donor community, decided to concentrate their attention on supporting the government's plan to re-establish the district councils.

In his speech of January 2003 quoted above, the President set out his government's approach to the chieftaincy. He recognized past problems and attributed those largely to political

interference in chieftom administration by previous regimes. He emphasized the continuing importance and relevance of the chieftaincy and set up a new council of paramount chiefs to complement the district councils. He charged the new council with developing reforms of the chieftaincy, in consultation with the adult population of their chiefdoms, 'so that this very important institution can become more people-friendly and be able to play a more meaningful role in the country's recovery, reconciliation process, security and development'. In his speech, he set out a long list of issues for the council to consider, including rules of succession, election to the chieftaincy and land tenure.

The government launched a Task Force on Decentralization and Local Government in October 2002 with prominent support from the United Nations Development Programme (UNDP) and the World Bank. DFID was among those arguing for a careful assessment of the division of labour and revenue-raising powers between central government, local government and the chieftaincies. However, government was in a hurry to redeem promises made to the electorate during the 2002 election campaign. As a result, the Local Government Act, passed in March 2004, created a structure which has many similarities to the one that obtained before 1972. The district councils are responsible for providing a wide range of services, devolved from central government, while the chiefdoms perform other essential local functions, notably the administration of customary land rights, revenue collection and the maintenance of law and order. Moreover, the councils depend for their revenues either on transfers from the centre or on taxes collected by the chiefdoms. This means that the councils could easily become the tools of central government or the chiefdoms rather than an independent developmental force. As Jackson (2006) points out, the 2004 legislation is not clear about the relationship between chiefs and councils in a number of key areas. As a result, political rivalry has developed between the new councillors, the chiefs and the officials in charge of the local administration (often former district officers). Nor is the Ministry of Local Government in a strong enough position to deal with potential conflicts.

Establishing the district councils through the elections of 22 May 2004 was a major achievement. The World Bank launched a programme of support for the new councils, including seed money for projects to be administered by the councils as well as help with building their capacity (World Bank, 2004a). Since then, some councils have achieved some initial small-scale service delivery. Moreover, systems have been put in place to transfer resources and devolve functions from the national level (World Bank, 2006). However, it is too soon to tell whether they will succeed in promoting stronger citizen participation and strengthening local service delivery on a sustainable basis or whether they will become the tools of local and national elites.

The chieftaincy presents a dilemma. As the evaluation by Fanthorpe et al. (2002) points out, it is not dissimilar to that which faced the British colonial authorities in 1955. The chiefdom system commands the loyalty of local people because of the important functions it fulfils at the same time as people object to abuses by individual chiefs. Consequently, sustainable reform of local government, which is at the heart of reform in Sierra Leone as a whole, is most unlikely to work without reforming the chieftaincy. These points are developed in Fanthorpe (2005). A thought-provoking piece by Richards, Bah and Vincent for the World Bank argues that the current system excludes many rural people and needs radical reform if rural poverty is to be tackled (Richards et al., 2004). The appropriate response is either to make chieftaincy more accountable and responsive, or to establish alternative institutions. This is a highly contested area but the problem cannot be ignored.

6.6 Elections

Elections and the electoral process have been a major concern for the government, civil society and the international community. The 1996 poll achieved a successful transfer of power and was generally accepted. However, it left a number of questions. Only people in the accessible parts of the country had been able to take part. Moreover, the 1991 constitution mandated a single-seat constituency system for parliamentary elections but, in the absence of a recent census and adequate security in parts of the country, the election used a national list proportional representation system. As a result, the parliament did not develop close links with citizens.

The continuing state of insecurity meant that the government postponed elections beyond the constitutional five-year term. Consequently, there was considerable pressure both locally and from the international community for elections to be held as soon as the security situation allowed. Donors (mainly the US, UK and UN) invested heavily in building the capacity of the National Electoral Commission (NEC), including through technical assistance from the International Foundation for Electoral Systems (IFES). Elections took place on 10–14 May, four months after the formal declaration of peace and the end of the DDR programme. This tight timetable posed major logistical problems in a country where security could not be guaranteed and where infrastructure and institutions were still devastated by a decade of war. Also, in spite of continuing popular pressure for single-seat constituencies, it was decided to use a 'district block system' in which each district was a constituency with eight seats. Seats were allocated to prioritized party lists in proportion to the votes for the party within the district. The reason for this was the lack of census information as a basis for delimiting constituency boundaries. A further problem was the large number of people still displaced. Nonetheless, this system meant that the Western area, and in particular Freetown, which considerably gained in population during the war, was under-represented in the parliamentary election. Freetown, historically, was the 'swing' district between the SLPP and the northern-based parties.

The election was peaceful. UNAMSIL can take much of the credit for this considerable achievement. It also provided invaluable logistical support to the NEC.

The Carter Center's judgment was largely echoed by other international observers:

Overall Carter Center observers concluded that, despite significant irregularities, the electoral process in Sierra Leone enabled voters to freely express their democratic choices and the official results reflected the will of the voters (Carter Center, 2003: 8).

Indeed, the landslide vote for President Kabbah (70.1% of the votes cast) and for the SLPP (83 seats against 27 for the APC and 2 for the Peace and Liberation Party (PLP)) is not surprising if one thinks of it as a referendum on peace. The international community was glad to be able to endorse a reasonably credible process. The result confirmed the traditional political fault lines in Sierra Leone. The SLPP secured all of the seats in the south and east and the APC won its seats in the north and west.

It is worth considering the irregularities a bit further. These were more than simply the result of mounting a national election under very difficult circumstances. The Carter Center (whose observers arrived after registration was completed) mentions concerns about bias in the registration process that were expressed by domestic monitors and opposition parties. The International Crisis Group suggests that the government attempted to bolster registration in

SLPP strongholds and depress it in opposition strongholds (ICG, 2002). The Campaign for Good Governance found that many people were excluded during the registration process because of administrative problems. However, it also commented:

On the positive side, we saw no evidence of high-level sabotage or corruption of the process. We observed widespread underage and multiple registration, particularly in Bo and Makeni, but neither appeared systematic nor to favour any particular region. Both could have been largely prevented by better administration of the registration process (CGG, 2002).

In the absence of population census data to compare with registration figures it is hard to substantiate the suggestions of bias in registration.

In the run-up to the poll, there was a worrying corruption scandal involving the National Electoral Commission, which cast a shadow over the management of the election. The ACC indicted three of the five Commissioners, including the Chairman, at the beginning of 2002 for misappropriating funds. However, the indictments did not result in prosecutions and the Commissioners remained in place to supervise the poll.

Lastly, the Carter Center raised concerns about the voting process. It commented that reports of multiple voting and underage voting were common. Its observers reported that in some locations counting procedures were not followed accurately and that inconsistencies in the transparency of the tabulation process around the country were more pronounced. In particular, they highlighted that the SLPP's seats in the southern region were won with unusually high voter turnout rates of 99.4% in Pujehun, 99.2% in Bonthe and 95% in Kenema. This compares with the national rate of 83%. There is no doubt that those areas would have shown solid support for the SLPP in any event but the Carter Center findings raise questions about the conduct of the poll and, in particular, about the NEC. According to the report:

NEC officials never satisfactorily addressed the issue of the exceptionally high voter turnout in the three southern districts, calling into question the results from those areas. Carter Center delegates' requests for information from senior NEC officials on this subject elicited evasive and, at times, internally inconsistent replies (Carter Center, 2003: 32).

The local government elections of 22 May 2004 were also a major exercise but conducted more than two years after the end of the war and with a good deal more preparation than those of 2002. External observers were much less in evidence than at the national elections, although the international community (UN, US, UK) again met much of the cost and provided technical support to the NEC (then under new leadership) through the International Foundation for Electoral Systems (IFES). The International Crisis Group commented:

Recent elections for district council seats took place with little outright fraud and no violence on voting day but they also showed how adept the government has become at presenting the appearance of what the international community wants without much of the substance (ICG, 2004).

It pointed to reports from several parts of the country that the government had coerced independents to pull out of the election.

The results were noteworthy in that the SLPP did well in the north, traditionally APC territory, but lost badly to the APC in Freetown.

However, the comments about the absence of fraud now seem complacent. In September 2004 the Electoral Commission Chairman resigned, complaining that the governing SLPP had tampered with the results of the local elections.⁹ In May 2005, the Chief Electoral Commissioner made a press statement about irregularities in the local government elections, explaining that the NEC had become concerned at the number of polling stations showing more than 100% turnout.¹⁰ This is a similar issue to the one highlighted by the Carter Center in 2002. Consequently, the NEC invited IFES to investigate a sample of polling stations. The Chief Electoral Commissioner said:

It is regrettable to note that the analysis revealed wide-spread electoral irregularities/shortcomings, which included ballot stuffing by some polling officials in a number of polling stations in favour of all political parties as well as independent candidates across the nation, improper filling of polling day forms and in some cases polling agents did not sign the results as required by regulations. The Commission denounces, in no uncertain terms, these irregularities and will be putting corrective measures in place to prevent recurrences in future.

The fact that ballot box stuffing and other irregularities were found to be widespread suggests a degree of organization. However, the Commissioner was careful to stress that it had not been one-sided but in favour of all parties. It is not clear what impact the irregularities had on the results.

6.7 The Cinderellas of governance reform: law, civil service, parliament, media and civil society development

The sections above cover the major planks of the governance programme as it was implemented. However, that is by no means as comprehensive as the concept developed by DFID with the government in the period leading up to 2002 (see section 5).

Strengthening of the *courts and the legal sector* was agreed as a priority at an early stage but progress was limited. DFID funded the restoration of court buildings that had been destroyed in Freetown and some of the provincial capitals. It also funded the only government legal draftsman (a Ghanaian) and later, with the Commonwealth Secretariat, provided expatriate expertise to prosecute and try corruption cases. Compared with the success of the police programme and the effort expended on anti-corruption, the international community, DFID included, failed to grapple with the underlying problems of an underpaid, understaffed and poorly motivated judiciary that was easily corrupted. Nor did it tackle the grossly inadequate legal capacity within the government. Much less did it deal with the shortcomings of the traditional justice sector which is so important for most Sierra Leoneans. The contrast with the international priority accorded to the Special Court for Sierra Leone could not be more pronounced. The Special Court's budget for its first three years (2002–05) was \$75.4m (or around \$25m annually, which is roughly equivalent to 10% of government revenues).

A joint World Bank/DFID review of the justice sector was undertaken in 2003 (World Bank, 2004). As a result, DFID has followed the Law Development project with a much more ambitious scheme covering the whole justice sector (i.e. courts, law, police and the woefully neglected prisons). However, it is too early to comment on progress.

Civil service reform was a key part of the plan for the Governance Reform Secretariat when it was established in 1999. In his address to newly recruited administrative officers on 10 September 2001, President Kabbah set out his policy towards the civil service. He spoke of creating a lean, efficient, effective and performance-oriented civil service. The selection process

for staff was to be transparent, fair and devoid of the political patronage that had created an unnecessarily bloated establishment through indiscriminate employment of untrained and unqualified staff. Promotion was to be based on performance rather than seniority and an open system of performance evaluation would be introduced, linked to departmental targets. He pointed to the need for a strong ethic of public service, accountability and loyalty to the state as represented by the 'government of the day'. He ended by promising a comprehensive review of all salaries in an effort to ensure that civil service personnel were adequately paid and that when they retired they were not doomed to poverty.

Little progress has been made in implementing this vision, not least because of the financial constraints on improving salaries and the political problems associated with weeding out unproductive staff and restricting opportunities for patronage. These issues are common in sub-Saharan Africa and underlie the generally poor record of civil service reform. Nonetheless, there have been some small successes including a series of diagnostic reviews of government departments and some strengthening of central management and training capacity. Donors (World Bank, UNDP and DFID) continue to be active but no one should expect rapid progress.

Institutions involved in the external accountability of government should have a key role to play in any governance reform. In the case of Sierra Leone, this area remains poorly developed:

- DFID planned capacity strengthening for *parliament* at an early stage but little progress was made.
- The original DFID-funded *media development* project included investments in radio transmitters for the Sierra Leone Broadcasting Service plus transformation of SLBS into a corporation independent of government, support for the Independent Media Commission and training for radio and newspaper journalists. Only the former made much headway. The radio transmitters were completed to give SLBS national coverage. SLBS is not an autonomous body but at least one of its stations was able to take an independent line with strong local support. Moreover, the end of the civil war has seen the growth of private radio stations, improving the quality of journalism and promoting a climate of mutual respect between the government and media, which is badly needed.
- It is in some ways surprising to find *civil society* at the end of this list, in view of the dynamic role played by civil society groups in pressing for elections in 1996 and resisting the junta in 1997. A number of donors have supported a range of groups, both international and local, with a view to promoting greater government accountability. DFID, along with others, has funded the Campaign for Good Governance, which has a good record of advocacy and independent reporting. However, the momentum of the civil society movement has waned since 1998 and there is a risk of 'elite' Freetown-based groups becoming too dependent on donors and worsening the Freetown-centred bias in local politics. The World Bank introduced some new thinking with its promotion of 'community-driven' development as an approach to post-conflict recovery. However, the analysis by Richards et al. (2004) underlines the political complexity and internal divisions within communities that limit this approach. DFID undertook its own analysis of options in 2002, and has taken forward a new programme working with a range of civil society institutions, including at local level, and with government institutions, to promote dialogue.

7 POLICY DIALOGUE: THE LIMITS OF LOCAL OWNERSHIP AND INTERNATIONAL INFLUENCE

There is a view that Sierra Leone's achievements over the past five years or so have been driven by international donors, with the UK in the lead, performing a neo-colonial role.

This would have seemed very odd in 1995 and 1996, when it was clearly internal action that led to the transfer of power at the election and began the governance reform process. James Jonah, who played a key role as Electoral Commission Chairman and Finance Minister, argues that there was a determined effort to make 'ownership' a reality. In his view, 'the international community contributed enormously to the healing of the country, but the local contribution was not only critical, it was decisive in many respects' (Jonah, 2005).

Furthermore, it was four years after the Kabbah government was elected before the international community made a sufficiently forceful intervention to transform the security situation. From a Sierra Leonean perspective, it should have been much earlier.

Nonetheless, in the early years of the Kabbah government, a strong partnership developed with the international community. There was a close identity of views on what needed to be done between the new leadership, its advisers and donors, especially DFID. That common approach was cemented by political resistance against the junta. It continued at the level of practical cooperation even during the awkward negotiation of the Lomé agreement. It was reinforced from late 2000 and especially, as far as the UK was concerned, with the commitment of British troops in May that year.

Making the government effective and dealing with the underlying governance issues, such as patronage in the civil service and corruption, were common currency in the rhetoric of both the government and donors from an early stage. However, circumstances from 1997 to 2001 dictated that the government should look first to its political survival and the international community should focus on bringing an end to the bloodshed. In those circumstances it was very difficult to distinguish between failures to take forward the reform agenda due to the lack of government capacity, and failures due to political resistance from members of the elite. Both factors were clearly at play during this period.

With hindsight, greater investment in capacity-building at an earlier stage would have clarified the issues sooner, but that was impractical because of the sharp fluctuations in the security situation. Moreover, capacity problems were not just one-sided. Donors (including DFID) proved unable to deliver the expertise required quickly. In practice, real action on the central reform problems did not begin until 2000 in the police and security sector, and 2001 elsewhere. By 2001, the need for sustained action to implement the government's policies was a regular feature of discussion with donors. However, international influence was limited.

The speech on 27 February 2002 by Clare Short (UK Secretary of State for Development from 1997 to 2003) on corruption and governance was the result of these growing problems. She made it clear that the UK's long-term commitment to support Sierra Leone depended on a strong mutual commitment to build a competent, transparent and incorrupt modern state. Following the example set in Rwanda, DFID took this a step further by formalizing a long-term partnership for development with the government which was concluded in November 2002 (DFID, 2003). This document set out understandings between the two governments covering the amount and type of British aid, and a lengthy list of commitments on the Sierra Leone side

covering conflict resolution, governance, combating corruption, security-sector reform, implementing the interim poverty reduction strategy, ensuring macro-economic stability and developing human resources. The agreement was equipped with benchmarks and indicators against which to judge progress. It provided for a quarterly review, and there was a clear implication that the timing and size of Britain's budget support contributions would depend on progress. DFID offered to include provision for an independent assessment of both parties' performance under the agreement, based on the Rwanda model, but the government of Sierra Leone felt that was unnecessary. The agreement did not cover the UK's commitment to provide military support to UNAMSIL should the security situation require it, but that was clearly understood.

Following the declaration of peace in February 2002, donors as a whole pressed for Sierra Leone to move towards an orthodox model of development assistance. This model is based on a national poverty reduction strategy, which should be locally devised with strong popular participation, and behind which donors can align their assistance. An Interim Poverty Reduction Strategy Paper (I-PRSP) was completed in June 2001, but it took until February 2005 to finish the Poverty Reduction Strategy Paper (PRSP) itself. This lengthy process proved frustrating to the donors, who had a clear idea about what they thought was needed.

The Sierra Leone Consultative Group in November 2002 was a milestone in the normalization of government-donor relations. The agenda continued to be dominated by resource-raising for the DDR and security-related programmes which were seen as essential to allow UNAMSIL to withdraw. Nonetheless, the meeting produced a Framework for Peace, Recovery and Development, with benchmarks modelled on the UK-Sierra Leone partnership, and established a review mechanism in the form of bi-monthly meetings between government and donors in Freetown. These meetings became the main focus for dialogue, and included wide government representation led by the Vice President, as well as the relatively small number of donors with substantial assistance to Sierra Leone (mainly the World Bank, EU, UN, African Development Bank and DFID).

DFID carried out an independent review of the UK Sierra Leone agreement in 2005 (Balogun and Gberie, 2005). One of the expectations of those in the UK drafting the agreement was that an explicit statement of commitments would be a useful tool for donor influence. Against this background, the reviewers' conclusions make sobering reading. They found that the agreement provided a useful framework for dialogue on issues of concern to DFID, but largely failed to prompt faster progress.

They concluded that the agreement established a clear point of reference for dialogue between key members of the Sierra Leone government and DFID. However, the detailed benchmarks were not widely known within the Sierra Leone government and so failed to contribute to greater accountability or transparency. Their main function was to signal DFID's concerns to the Vice President and senior officials. This worked to some extent, for example in speeding up decisions on staffing the Auditor General's office, but was more effective when embedded in a multilateral approach, for example in the PRSP. The benchmarks improved the predictability of DFID technical assistance and the fixed tranche of budget support; however, the performance tranche of DFID's budget support was not predictable. DFID did not pay the full amount in 2003 or 2004 and in the latter case the reason for withholding payment was not explicitly covered in the agreement.

The reviewers contrasted the agreement with DFID's 2005 statement on the use of aid conditions (DFID, 2005). The key principle of DFID's current policy, which is well grounded in experience, is that local leadership is essential for aid-supported activities to work.

Consequently, benchmarks for judging progress should derive from local plans and should relate to poverty reduction outcomes, rather than specific policies or actions. In contrast, the detailed targets in the Sierra Leone UK agreement were largely externally devised. The review confirmed that there is no substitute for local ownership.

The government produced its full PRSP in February 2005. It was judged by the IMF and World Bank to be an 'adequate framework' for reducing poverty which was the result of an extensive participatory process (World Bank, 2005a). On governance issues, the IMF and World Bank staffs commended in particular the emphasis on anti-corruption efforts, and more effective management of resources, including minerals. They stressed the need for additional reforms in public financial management. They also endorsed the intention to reduce inequities in the delivery of public services through decentralization. They concluded that the PRSP needed prioritization, additional funding and greater capacity for management and implementation, at all levels and in all sectors. In other words, the PRSP was overambitious.

Publication of the PRSP was followed by evidence of strains in relations between donors and the government when the Consultative Group was postponed. The meeting eventually took place in November 2005. Lack of progress against corruption and on financial management reform was clearly at the forefront of donor concerns. This was followed by the negotiation of an Improved Governance and Accountability Pact which was agreed in July 2006 between the government, the African Development Bank, DFID, the European Commission and the World Bank (DFID, 2006a). The pact committed the donors to provide more and better-quality assistance, and the government to take action on key areas of governance reform – notably corruption, transparency and financial management, civil service reform, service delivery and elections. It is similar to the earlier UK–Sierra Leone agreement and it will be interesting to see whether it is any more successful.

Thus we have a picture of donor–government relations which is rather different from the suggestion of overwhelming donor influence that we started with. The relationship is rooted in the somewhat idealistic reform strategy of the first Kabbah government and the joint preoccupation with ending the conflict which produced a close identity of views in the early years. But the reality of politics in Sierra Leone made itself felt as the security issues were overcome and vested interests resisted reform. Donors became increasingly frustrated by slow progress on the more difficult governance issues – particularly corruption, public financial management and service delivery. The conduct of the elections also became an issue in 2004–5. Donors tried a range of methods to accelerate progress including private diplomacy, public statements and conditional aid, but the fundamental problem remains weak capacity and weak ownership of some of the reforms.

8 CONCLUSIONS AND LESSONS

It is over four years since the end of the civil war and it is easy to play down what has been achieved since the dark days of 1999 and 2000. That would be a mistake. The collaboration between the government and the international community has achieved some remarkable successes. The partnership successfully stabilized the security situation and put an end to widespread violence and fear. The government's presence has been re-established throughout the country. Many refugees and displaced people have returned and the economy has begun to recover. However, the country remains stubbornly at the bottom of the UN Human Development Index.

8.1 An overview of progress on governance reform

This overview is based on two Sierra Leone sources – the assessment of the National Recovery Strategy and the Truth and Reconciliation Commission – and two international ones – the UN and the World Bank.

The assessment of the National Recovery Strategy at the end of 2003 concluded that, given the duration of the process and the incubation period for most of the interventions, significant progress had been made on all fronts. However, the authors pointed out the huge unfinished agenda to establish functional public services. They also warned that the strategy failed to establish the 'bottom-up' approach which they felt was needed to build new foundations for local governance. They continued:

*The post independence history of Sierra Leone has witnessed violent upheavals so powerful that they rocked many existing social institutions, toppling some and precipitating wild adjustments in others. The problem of disintegration of social institutions does not dictate its own solution i.e. the blueprint for the new institutional arrangements. Such catastrophic changes prime society for major institutional transformation. **Society is in a plastic state, like half melted wax out of which anything can be moulded.** The war has provided an opportunity for Sierra Leoneans to rethink fundamental issues relating to their national dynamics and identity. ... **The recovery and development phase must guard against merely recreating institutions and focus on fundamentally reforming or replacing them** (Moore et al., 2003).*

This analysis is almost certainly wrong. The evidence suggests that, far from society being 'in a plastic state', the conflict has caused people to cling even more strongly to the traditional, informal institutions which appeared to be their only hope when the formal institutions collapsed. Nonetheless, the warning against 'merely recreating institutions' is echoed by many commentators and well justified.

The Truth and Reconciliation Commission offered a stark conclusion in October 2004:

***The Commission highlights its finding that many of the causes of conflict that prompted thousands of young people to join the war have still not been adequately addressed.** The Commission makes recommendations to strengthen the judiciary and the rule of law, as well as Parliament and the electoral system. The Commission proposes the introduction of a new transparent regime in which citizens will have reasonable access to government information, where senior public officials disclose their financial interests and where government informs people down to the community level of what amounts are being spent on services and amenities.*

The TRC view is close to that expressed by many Sierra Leoneans – that the country has returned to politics as usual after the war, or, as reported by the International Crisis Group, ‘same car, different driver’.

The UN Secretary General provided a perspective as UNAMSIL withdrew in 2005 that was probably shared by most members of the international community. After emphasizing the considerable progress made he commented:

There are still a number of factors which pose potential threats to the security and political stability the country currently enjoys. These include the widespread destitution and disaffection, especially among the unemployed youth; corruption, which is still prevalent in the public sector; weaknesses in the judicial system; and resource constraints and other capacity shortfalls inhibiting the government’s ability to deliver services to the population. Public expectations of possible peace dividends remain high, but there is a general perception of low government responsiveness to the needs of the population (UN, 2005).

The ‘Governance Matters’ indicators (published by the World Bank) provide further evidence, compiled from data provided by 25 separate organizations (Kaufmann et al., 2006). The Overseas Development Institute has commented that the indicators ‘are helpful in providing broad comparative assessments and are a valuable starting point but there are many methodological challenges with aggregation and the indicators often have substantial margins of error’ (ODI, 2006). The indicators distinguish six dimensions of governance:

- Voice and accountability – measuring political, civil and human rights, including the extent of citizen participation and media freedom;
- Political instability and violence – measuring the likelihood of violent threats to, or changes in, government;
- Government effectiveness – measuring the competence of the bureaucracy and the quality of public service delivery;
- Regulatory burden – measuring the incidence of market-unfriendly policies;
- Rule of law – measuring the quality of contract enforcement, the police and the courts, as well as the likelihood of crime and violence;
- Control of corruption – measuring the exercise of public power for private gain, including both petty and grand corruption and state capture.

Figures 3 and 4 show Sierra Leone’s percentile rank in the six indicators, first over time, and secondly in relation to the average for sub-Saharan Africa. The line to the right of each bar shows the margin of error. For example, on voice and accountability in 2005 Sierra Leone ranks above roughly 35% of other countries with a margin of error from around 30% to 40%.

The main conclusions are:

- Sierra Leone’s indicators of political governance (i.e. voice, accountability and stability) have improved massively since 1996 and 1998. They are now close to the regional average. Reasons for the elevated statistics may be explained in the context of the recovery from civil war.
- The indicators for effectiveness and regulation show a large decline which seems surprising when the state was in such poor shape in 1996. More significant, perhaps, is Sierra Leone’s rank relative to the regional average in 2005. The indicators show a worrying position, particularly for effectiveness.
- The trend in indicators for the rule of law and control of corruption shows little, if any, improvement over the decade. However, Sierra Leone’s performance is significantly worse

Figure 3: World Bank Governance Indicators for Sierra Leone: comparison by years

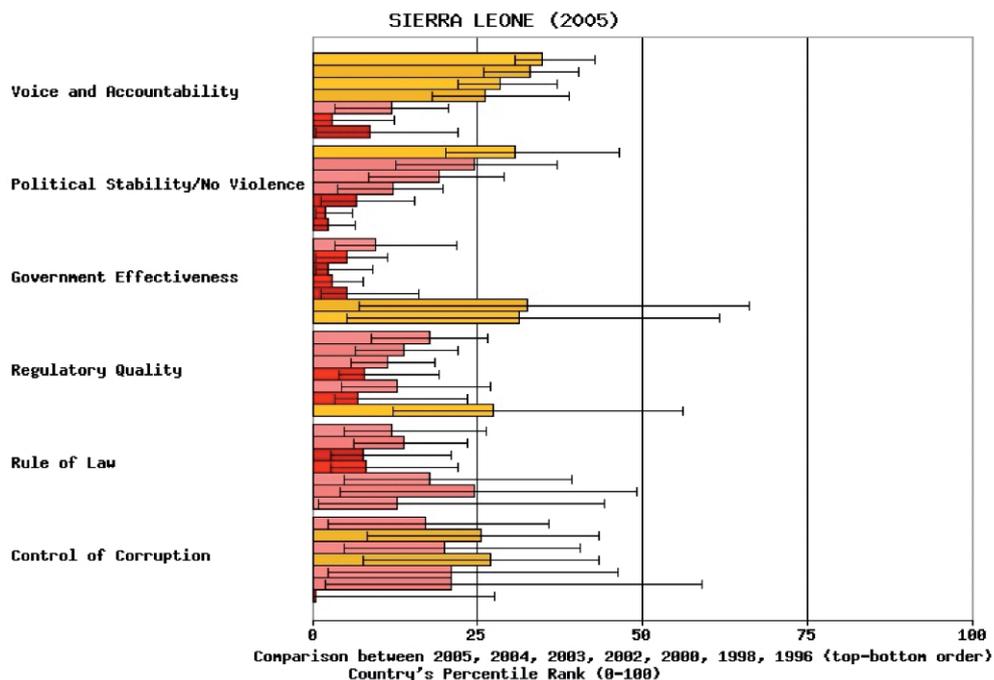
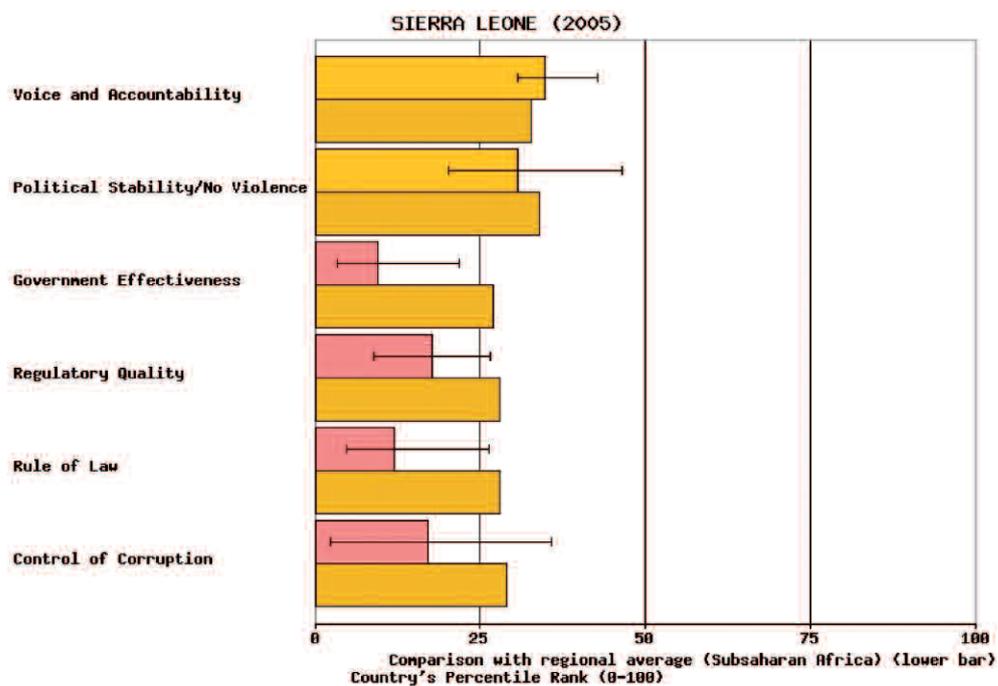


Figure 4: World Bank Governance Indicators for Sierra Leone: comparison with regional average



in both than the regional average, and that applies particularly to the rule of law.

The World Bank also made its own judgments on aspects of governance in 2005 (World Bank, 2006: 18). It found that Sierra Leone ranked very well on public financial management, relative to other low-income countries, but poorly on transparency, corruption, equity (including gender), building human resources and rule-based governance.

In summary, Sierra Leone has done well to stabilize the security situation and improve political governance to levels that are comparable with other countries in sub-Saharan Africa. However, this may not be sustainable unless the other dimensions of governance improve, and unless Sierra Leoneans address the underlying causes of the civil war. Re-establishing institutions carries with it the risk that old abuses will return.

8.2 Findings from Sierra Leone's governance programme

The analysis in section 6 offers the following conclusions:

- Sierra Leone has made solid progress in reforming the security sector and police. The systems and structures are largely in place. However, operational effectiveness of the army and police depends on continuing external support. There are also concerns about the adequacy of resources and corruption. Nonetheless, the overall picture is encouraging.
- The government has succeeded in expanding the legal part of the diamond sector and regulatory capacity has improved. This probably makes it more difficult for diamond revenues to be captured by armed groups. Nonetheless, financial flows within the industry remain opaque and it seems likely that the industry continues to provide large resources for patronage networks. Alluvial mining has absorbed thousands of young labourers after the war. Their working and living conditions are dreadful and could lead to festering grievances.
- The widespread nature of corruption has become more apparent as a result of Sierra Leone's governance work. There is public support for action but progress has been very difficult. The Anti-Corruption Commission is handicapped by the weakness of the justice system, by the difficult division of responsibilities with the Attorney General's Office and by its own management problems.
- Sierra Leone has a well-deserved reputation for sound macro-economic management. Moreover, key donors claim significant improvements in the systems for managing public money in recent years. However, adopting laws and new policies is a long way from effective implementation. Consequently, it is too early to say that the opportunities for corruption have been reduced on a sustainable basis.
- Establishing the district councils was a major achievement. However, it is too soon to tell whether they will succeed in promoting stronger citizen participation and better service delivery. The chieftaincy is still a controversial institution, since some of its members were part of the problem that led to the war. At the same time, the institution continues to command allegiance and respect because of the services it offers in rural areas where the state provides little alternative. The division of labour between the councils and the chiefdoms remains to be addressed. Some may consider that effective councils will cause chiefdoms to wither away. However, it seems more likely that, as happened before, the councils may be dominated by interests in central government or the chiefdoms or both. Consequently, sustainable local government requires an integrated approach to reform, including the chieftaincy.
- The 2002 elections were judged a success in spite of significant irregularities. However, the revelations after the local government poll in 2004 raise important questions about the role of elites in interfering with the electoral process.

- Inadequate progress has been made so far in reforming the justice sector (police excepted) and civil service. Tackling the justice sector appears a particularly high priority. Parliament, the media and civil society still lack the capacity to make government more accountable. These are important gaps.

In general terms, progress was greater when reforms were supported by a coalition of interests which included both internal and external (donor) actors. Good examples are the security sector, police and local government reform. The government and donors also shared an interest in making the diamond industry respectable under the Kimberley process and safeguarding the flow of aid by tackling corruption and improving financial management. However, local commitment in those areas has been tempered by resistance from vested interests and reform has not made much headway. Consequently, making institutions effective has proved much more difficult than setting them up.

The political analyses summarized in section 2 point to the importance of patronage networks as the source of political power in Sierra Leone. In that respect, Sierra Leone is similar to much of sub-Saharan Africa and rather different from the kind of 'developmental state' that Clare Short had in mind in her 2002 speech. It seems that the old patterns are emerging again with continuing evidence of corruption and the rebuilding of familiar institutions. This does not mean that good development outcomes are beyond reach, but that they depend on building appropriate coalitions of interests and taking opportunities for reform as they arise. The international community can be part of such coalitions but only if there is a willingness to make a long-term commitment and develop a thorough understanding of local needs and interests.

8.3 Lessons

At the general level Sierra Leone's experience suggests some lessons for donors concerned with post-conflict governance reform and state-building:

- Invest in understanding the politics. Don't assume rhetoric is supported by strong local pressure for reform. Constantly reassess the balance of interests to determine where the chances of success are greatest.
- Donors are political actors and should seek to build robust coalitions for change with local reformers.
- Be prepared to commit for the long term. Sustainable changes cannot be achieved quickly. Don't give up when it gets difficult.

At a more detailed level:

- In a fast-moving conflict situation, donors need to be flexible and to be able to deliver well-qualified and motivated personnel quickly.
- Using expatriates including expatriate nationals, to fill key positions in management is a good tactic, but needs careful transition planning to achieve more sustainable solutions.
- Programme aid can be an appropriate part of a strategy for stabilizing a conflict situation and, in the right circumstances, donors should be prepared to take higher than usual fiduciary risks.

For Sierra Leone itself, there is a long unfinished reform agenda, which is sketched out above. Priorities within it should depend on a careful assessment of local ownership and the viability of coalitions for reform. Nonetheless, areas that stand out include:

- Continuing external engagement with the security, justice and diamond sectors;
- Further work with local government, including the chiefdoms; and

- Greater attention to transparency and accountability, including through working with civil society.

Lastly, the standard donor approach may need major changes in cases such as Sierra Leone. Using multi-donor budget support as the main channel for aid makes little sense when there are questions about ownership, when financial management is weak and the bureaucracy unreformed. Nor is it likely to make much difference to donor influence over the pace of reform. Nonetheless, the post-war situation calls for substantial aid flows to help achieve a radical improvement in infrastructure and public services, particularly in neglected rural areas. The World Bank's small experiment with providing funds direct to district councils is worth watching. In the medium term, until governance reforms are more entrenched, donors should rely more on well-supervised project and sector aid to rebuild basic infrastructure and functioning public services.

NOTES

¹ Kamajor is originally a Mende term for traditional hunters but it became synonymous with civil defence groups.

² The ECOWAS (Economic Community of West African States) Ceasefire Monitoring Group whose troops in Sierra Leone were mainly provided by Nigeria.

³ This followed the success of FM 98.1 in getting the government-in-exile's message across during the junta period. The President added: 'My government is actively considering proposals for the establishment of SLBS as an autonomous corporation. The establishment of SLBS as a corporation will enable it to operate on commercial lines with full discretion as to its news content and programming, with unfettered access to the citizenry.'

⁴ www.sierra-leone.org/kabbah061600.html.

⁵ The following draws heavily on Horn and Olonisakin, forthcoming.

⁶ The following assessment draws on the *Diamond Industry Annual Review* for 2006 – DIAR 2006.

⁷ Quoted in DIAR, 2006.

⁸ The ACC had arrested the Minister of Marine Resources, Okere Adams, on 7 February.

⁹ BBC News Africa, 2 September 2004.

¹⁰ National Electoral Commission, Statement from the Chief Electoral Commissioner/Chairperson, for the Press Conference on 20 May 2005.

ANNEX: Sierra Leone Timeline: A Chronology of Events

	National	International
1991	Start of civil war. Foday Sankoh and Revolutionary United Front (RUF) begin campaign against President Momoh.	
1992	Momoh ousted in military coup led by Captain Valentine Strasser.	
1996	January – Strasser ousted in military coup led by Brigadier Bio. Ahmad Tejan Kabbah elected president in February, launches National Strategy for Good Governance. November – Kabbah signs Abidjan peace accord with Sankoh's RUF.	Strong international support for Kabbah government. UK agrees assistance for governance reform and budgetary aid.
1997	Peace deal unravels. President Kabbah deposed in May by coalition of army officers led by Major-General Paul Koroma (AFRC) and RUF; Koroma suspends the constitution; Kabbah flees to Guinea to mobilize international support.	UK supports Kabbah's government-in-exile which develops 90-day programme for its return. October – The UN Security Council imposes sanctions against Sierra Leone, barring the supply of arms and petroleum products. A British company, Sandline, nonetheless supplies 'logistical support', including rifles, to Kabbah allies.
1998	February - Nigerian-led West African intervention force ECOMOG storms Freetown and drives rebels out. March – Kabbah makes a triumphant return to Freetown and, in May, launches development programme. October – junta soldiers executed for treason.	July – Donor conference. Publication of the official Legg/Ibbs enquiry into the Sandline affair.
1999	January – AFRC soldiers and RUF seize parts of Freetown from ECOMOG. After weeks of bitter fighting they are driven out, leaving behind 5,000 dead and a devastated city. May – A ceasefire is greeted with cautious optimism in Freetown amid hopes that eight years of civil war may soon be over. July – Six weeks of talks in Lomé result in a peace agreement, under which the rebels receive posts in government and assurances they will not be prosecuted for war crimes.	February – publication of House of Commons Select Committee report on Sierra Leone and Sandline. From April, international (mainly British) assistance regains momentum in police, security sector (June), public-sector reform and economic policy. May – New Nigerian government urges UN takeover from ECOMOG. From July – Major international assistance for disarmament (DDR) programme begins. October – Security Council approves UNAMSIL.

2000	<p>February – Anti-Corruption Commission and Governance Reform Secretariat established.</p> <p>April/May – UN forces come under attack in the east of the country. Several hundred UN troops are abducted.</p> <p>May – Rebels close in on Freetown but RUF leader Sankoh arrested.</p> <p>August – Eleven British soldiers taken hostage by a renegade militia group called the West Side Boys.</p> <p>September – British forces mount operation to rescue remaining UK hostages.</p> <p>November – Abuja peace accord.</p>	<p>Early 2000 – Post-conflict IMF and World Bank assistance approved.</p> <p>March – London donor conference for DDR programme. UK support for chieftaincy begins.</p> <p>May – 800 British paratroopers sent to Freetown to evacuate British citizens and to help secure the airport for UN peacekeepers.</p> <p>November/December – RUF fighters invade SE Guinea.</p>
2001	<p>January – Government postpones presidential and parliamentary elections because of continuing insecurity.</p> <p>March – UN troops for the first time begin to deploy peacefully in rebel-held territory.</p> <p>May – second Abuja agreement. Disarmament of rebels begins, and British-trained Sierra Leone army starts deploying in rebel-held areas.</p> <p>Late 2001 – Government/UNAMSIL take control of eastern diamond districts.</p>	<p>February – Guinean forces defeat RUF.</p>
2002	<p>January – War declared over. UN mission says disarmament of 45,000 fighters is complete.</p> <p>May – Kabbah wins a landslide victory in elections. Government launches National Recovery Strategy.</p> <p>June – Chieftaincy elections.</p>	<p>March – HIPC debt relief granted.</p> <p>July – British troops leave Sierra Leone.</p> <p>November – Paris donor conference.</p>
2003	<p>July – Rebel leader Foday Sankoh dies of natural causes while waiting to be tried for war crimes.</p>	<p>February – UK/SL long-term agreement signed.</p>
2004	<p>February – Disarmament and rehabilitation of more than 70,000 civil war combatants officially completed.</p> <p>March – UN-backed war crimes tribunal opens Special Court to try senior militia leaders from both sides of civil war.</p> <p>May – First local elections in more than three decades.</p> <p>June – Special Court trials begin.</p> <p>September – UN hands control of security in capital over to local forces.</p>	
2005	<p>February – Poverty Reduction Strategy Paper completed.</p> <p>November – London donor meeting.</p>	<p>December – The last UN peacekeeping troops leave Sierra Leone.</p>

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