

## Open and Accountable Governance

### Preamble:

The need for responsible, open and accountable governance is a central challenge for societies seeking to provide broad opportunity and socioeconomic stability for their citizens. Common concerns among the globally powerful organizations seeking better governance listed below are even and equitable enforcement of the rule of law, respect for human rights, respect for diverse opinions and a democratic process, the need for a society where all people are free to participate fully in civic, political, economic, and cultural life, the need for freedom of the press, and an independent politically unattached judicial system.

### International Organizations supporting open and accountable governance and the rule of law

- Partners Global (PG) – <http://www.partnersglobal.org/what/accountable-governance>
- Open Government Partnership (OGP) - <http://www.opengovpartnership.org/how-it-works/civil-society-dialogue>
- Transparency International (TI) - <https://www.transparency.org/about/>
- National Democratic Institute (NDI) - <https://www.ndi.org/>
- International Republican Institute (IRI) - <http://www.iri.org/program/democratic-governance>
- The Open Society Foundations (OSF) - <https://www.opensocietyfoundations.org/about/mission-values>
- National Endowment for Democracy (NED) <http://www.ned.org/about/>
- The International Ombudsman Institute (IOI) <http://www.theioi.org/the-i-o-i>
- The Organization for Economic Co-operation and Development (OECD) - <http://www.oecd.org/about/>
- International Monetary Fund (IMF) - <https://www.imf.org/external/np/exr/cs/news/2013/CSO263.htm>
- United Nations Office on Drugs & Crime (UNDOC) - <https://www.unodc.org/>
- World Bank (WB) - <http://www.worldbank.org/en/topic/governance>

These tenets of “**Good Governance**” must be the principles by which all democratically elected governments and political parties are guided. Citizens must be provided the opportunity to understand and be well versed in the necessity for these principles to exist, and given real opportunities to take part in their implementation. Citizens must cause politicians, political parties and government to adopt and adhere to the principals of good governance. Citizens must demand openness and accountability from all who hold or seek public office. Citizens must demand that those

\*1-Professor Michael Johnston, Dept. Political Science Colgate University- Good Governance: Rule of Law, Transparency and Accountability

\*2 – Partners Global – Partners for Democratic Change web site

\*3 – Transparency International

involved in upholding the rule of law must **enforce the rule of law evenly and equitably, “one law or no law”**.

The core problems facing the Bahamas stem from a number of systemic break downs in the leadership and governance of the country. At some point in the last 35 years the needs of the political parties and the politicians became considerably more important than the greater needs of the nation. Politics intentionally divided Bahamians along party lines and political parties looked after their own, and so the cycle began. Decades of oppression, victimization and intimidation silenced many from speaking out and or opposing the political system. This oppressive behavior became a destructive part of Bahamian culture and continues to deter desperately needed decent and good natured Bahamians from entering the political arena. Over time, the status quo in governance and politics has failed the nation and created massive inefficiencies and an ineffective government. The nation is heavily debt burdened, inefficient, uncompetitive, and expensive to live in causing strained socioeconomic opportunity and growth.

For the Bahamas to succeed Bahamians must understand the core issues holding the country back. Bahamians must stand united around the need for a significant change in the way the country and political parties are governed and led. Open and accountable governance provides opportunity for all citizens and not just the favored few. Bahamians must demand higher standards and better leadership from their representatives. They must demand even enforcement of the rule of law, better education for their children, better vocational education that provides employment opportunities, more efficient government that results in lower taxes and costs, and the ongoing meaningful involvement of civil society in governance. They must demand a manifesto, from all political parties, that details what the party stands for and provides specifics on how they intend on achieving their goals. It is this that will provide the change needed for a brighter Bahamas, anything less is unacceptable.

The Organization for responsible Governance (ORG) is a not-for-profit foundation representing civil society that shall focus on the core issues/problems affecting the Bahamas. It is commonly accepted worldwide that successful democratic governance must involve an ongoing participatory civil society, otherwise known as “embedded autonomy”.

*Improved governance requires an integrated, long-term strategy built upon cooperation between government and citizens. It involves both participation and institutions. The Rule of Law, Accountability, and Transparency are technical and legal issues at some levels, but also interactive to produce*

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\*3 – Transparency International

*government that is legitimate, effective, and widely supported by citizens, as well as a civil society that is strong, open, and capable of playing a positive role in politics and government.*

*Good governance involves far more than the power of the state or the strength of political will. The rule of law, transparency, and accountability are not merely technical questions of administrative procedure or institutional design. They are outcomes of democratizing processes driven not only by committed leadership, but also by the participation of, and contention among, groups and interests in society— processes that are most effective when sustained and restrained by legitimate, effective institutions.\*1*

ORG shall strive to get the incumbent Government and political opposition parties to understand the need for ongoing engagement and participation of civil society in good governance.

ORG shall educate the public as to the performance of government and political parties by the creation of political **Report Cards**. These **Report Cards** shall compare and contrast what the government and or political parties do, and or stand for, with the tenets of Good Governance. Report cards shall also evaluate government services on issues such as how they perform, quality of service and the state of facilities etc. These Report Cards shall be made public to allow citizens to decide for themselves how a particular party or government is performing against the principals of Good Governance.



ORG shall encourage citizens to understand the importance of uniting around the needs of the nation and providing the greatest opportunity available to its citizens. It is only when Good Governance is attended to and attained that the socioeconomic condition of the nation will improve. **Those demanding accountability must be confident that they can do so safely, that officials will respond honestly, and that social needs and demands are taken seriously.**

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\*2 – Partners Global – Partners for Democratic Change web site

\*3 – Transparency International

The balance of this paper outlines the functions that must be employed and adopted by government and civil society in order to move the Bahamas into the realm of open, accountable and modern governance.

## Good Governance Requires:

Open and accountable governance depends upon a number of primary factors described in greater detail below:

### Transparency:

Accountability requires transparency. Both function best where laws are sound, widely supported, and equitably enforced. The interconnection is critical as upholding these values requires a durable balance between self-interest and cooperation: **citizens and officials must see good governance not only as an ideal, but also as improving their own lives and the quality of life and the environment around them. Where the rule of law is strong, people uphold the law not out of fear but because they have a stake in its effectiveness.**

The effectiveness of transparency is dependent on a partnership: officials must make information available, there must be people and groups (see list below) with reasons and opportunities to put the information to use, and the two sides must interact on a frequent and constructive basis:

1. An independent judiciary
2. A free, competitive, responsible press
3. An active civil society

*Silence and secrecy are two of the most powerful tools that governments can employ to mute critics and cloak their actions from public scrutiny. The Open Society Foundations work to uphold the right to speak and to know—in order to support public involvement in government and accountability, and to challenge corruption and human rights abuses.* Quote taken from the “Open Society Foundation”.

Rules and procedures must be open to scrutiny and comprehensible: a transparent government makes it clear what is being done, how and why actions take place, who is involved, and by what standards decisions are made. Then, it demonstrates that it has abided by those standards. Transparency requires significant resources, may slow down administrative procedures, and may offer advantages to the well-organized and influential interests than to others. It also has necessary limits: legitimate issues of security and the privacy rights of citizens form two such boundaries. But without it, “good governance” has little meaning. <sup>\*1</sup>

### Accountability:

Formal checks and balances can and should be built into any constitutional architecture. The people, interest groups, civil society, the courts, the press, and opposition parties must insist that those who govern follow legitimate mandates and explain their actions. The government must also insist on the same practice within government.

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Accountability depends upon the ability of one part of government to find out—and, where necessary, to stop or correct—what other sectors are doing (Schedler, Diamond, and Plattner, 1999).

***Corruption: Nepotism, cronyism and oppression corrodes trust between citizens and government and reduces economic growth.** In Partners' Global experience, establishing cooperation between the government, civil society and private sectors promotes accountability and transparency, therefore preventing and decreasing corruption.\*2*

*Corruption is defined as “the abuse of entrusted power for private gain”. Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs.*

*Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good.*

*Corruption refers to everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.*

*Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth. See animated definitions of many corruption terms at:*

*<https://www.transparency.org/glossary> . \*3*

The enactment of a **Whistle Blowers Act** is critical to attaining accountability in countries where nepotism, cronyism and oppression (corruption) have been the status quo for decades. Individuals that value the even enforcement of the rule of law and open and accountable governance must be protected from any type of ridicule, intimidation or persecution from those that seek to maintain and prosper from corruption.

*Recognizing the role of whistleblowing in corruption-fighting efforts, many countries have pledged to enact whistleblower protection laws through international conventions. And, ever more governments, corporations and non-profit organizations around the world are putting whistleblower procedures in place. It is essential, however, that these policies provide accessible disclosure channels for whistleblowers, meaningfully protect whistleblowers from all forms of retaliation, and ensure that the information they disclose can be used to advance needed reforms. \*3*

For the “International Principles for Whistleblowers Legislation” go to:

[http://issuu.com/transparencyinternational/docs/2013\\_whistleblowerprinciples\\_en](http://issuu.com/transparencyinternational/docs/2013_whistleblowerprinciples_en)

The establishment of an **Ombudsman** along with supporting policy and legislation is an important step to reducing corruption.

The role of an Ombudsman is best defined by the International Ombudsman Institute: to protect the people against violation of rights, abuse of powers, unfair decisions and maladministration.

<http://www.theioi.org/the-i-o-i>

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\*3 – Transparency International

An Ombudsman is best appointed by a committee that is comprised of the Government, representatives from Civil Society Organizations and the Private Sector. The Ombudsman's office must also practice transparency, must be given continuing top-level and citizen support, must be fully staffed to deal with the required level of government contracts, and must be free of government influence or compromise.

## **Even Enforcement of the Rule of Law:**

The rule of law is best described as the legal and political systems, structures and practices that condition a government's actions to protect citizens' rights and liberties, maintain law and order, and encourage the effective functioning of the country.

The equitable, or even, enforcement of the rule of law is a far more complex goal to attain, as the enforcement of the rule of law is interdependent on a number of entities that may or may not be motivated to uphold it for their own specific purpose. Manipulation of the law, and of the powers charged with enforcing it, creates social instability and inequities, eroding civil confidence in the system of governance and the law itself. The erosion of civil confidence can discourage investment in, or within, the country, in terms of both financial and human capital.

*Government can, after all, enact laws; corrupt and repressive regimes can legislate and manipulate policy at will. Genuine rule of law, by contrast, requires the cooperation of state and society, and is an outcome of complex and deeply rooted social processes. Wrongdoers face not only legal penalties, but also social sanctions such as criticism in the news media, popular disapproval, and punishments from professional and trade associations. An approach that relies solely upon detection and punishment may work for a time, but will do little to integrate laws and policies with social values, or to create broader and deeper support for the system.\*1*

People do not wish to live, or invest, in countries where limited opportunity exists due to failures in the even enforcement of the rule of law or poor governance. Democracy, transparency, accountability, efficiency and the even enforcement of the rule of law are but a few significant pillars of good governance and a symbol of opportunity for the growth of a nation. Nations that fail to provide such tenets of good governance inevitably find themselves in a systemic state of decline and national degeneration. As the very citizens needed for nation building lose faith in the system, they leave in search of a better life and greater opportunity, resulting in a brain drain and further national degeneration.

It is imperative that civil society organizations recognize these failures and unite to act against such failures. It is therefore up to the citizens of a democratic nation to organize and unite to determine the course of governance and opportunity available to its people.

## **Efficiency and Effectiveness:**

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In order for a nation to be sustainable over the long term the government must be efficient and effective. These guiding principles must shape the laws, policy, decisions and thinking of all those within government and civil society, as a failure to do so will result in an unsustainable socioeconomic environment that will ultimately hurt the long term development of the nation.

Maurice McTigue has argued that: *“What we’re seeing around the world at the moment is what I would call a silent revolution, reflected in a change in how people view government accountability. The old idea of accountability simply held that government should spend money in accordance with appropriations. The new accountability is based on asking, “What did we get in public benefits as a result of the expenditure of money?” This is a question that has always been asked in business, but has not been the norm for governments. And those governments today that are struggling valiantly with this question are showing quite extraordinary results. This was certainly the basis of the successful reforms in my own country of New Zealand.”* McTigue was a former cabinet minister and member of parliament in his native New Zealand, and one of the architects of the “New Zealand miracle,” which dramatically reformed the country’s government and economy by implementing market-driven, pro-growth policies. He later became New Zealand’s ambassador to Canada and received the prestigious Queen’s Service Order in recognition of his public service from Queen Elizabeth II.

The efficiency and effectiveness of government and its services must be evaluated on a regular basis to assure citizens that they are receiving value. Ultimately good governance is about providing the most essential services to the people in the most efficient and effective manner possible. With this in mind governments should constantly seek out ways to improve the efficiency and effectiveness of the required services. Governments, wherever possible, should act as the regulator and not the operator of services, specifically when those services are monopolistic. Governments should be about creating opportunity for and with the private sector and promote fair and open competition among businesses. The process of private sector involvement should be driven by the government’s desire to provide more efficient and effective services for the public, as well as by citizens’ own interests in a better standard of living. This process would involve government requests for proposals issued to the private sector through the Ombudsman’s office who then acts in the best interests of the public.

*“New Zealand’s per capita income in the period prior to the late 1950s was right around number three in the world, behind the United States and Canada. But by 1984, its per capita income had sunk to 27th in the world, alongside Portugal and Turkey. Not only that, but our unemployment rate was 11.6 percent, we’d had 23 successive years of deficits (sometimes ranging as high as 40 percent of GDP), our debt had grown to 65 percent of GDP, and our credit ratings were continually being downgraded. Government spending was a full 44 percent of GDP, investment capital was exiting in huge quantities, and government controls and micromanagement were pervasive at every level of the economy. We had foreign exchange controls that meant I couldn’t buy a subscription to The Economist magazine without the permission of the Minister of Finance. I couldn’t buy shares in a foreign company without surrendering my citizenship. There were price controls on all goods and services, on all shops and on all service industries. There were wage controls and wage freezes. I couldn’t pay my employees more – or pay them bonuses – if I wanted to. There were import controls on the goods that I could bring into the*

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country. There were massive levels of subsidies on industries in order to keep them viable. Young people were leaving in droves.” Maurice McTigue. <http://cafr1.com/April-04.html> for the full article.

Similarly, there are many services that the Bahamian government provides that would be better served through either outsourcing to the private sector or through Public Private Partnerships (PPP). Judicious deregulation must be considered and implemented to improve the efficiency and effectiveness of government wherever possible. Competing PPP’s and private sector businesses will be more aggressive than government entities in investing in technology and training of employees that will drive efficiency and effectiveness. In many cases these services would be paid for by the entities using or benefiting from them, which in turn creates greater incentives for those clients to insist upon better performance and services.

Governments, like people and businesses, must live within their means, be held accountable for doing so, and given the chance to be rewarded politically if and when they succeed at that goal.

## **Participatory Inclusive and Consensus Driven Government:**

Modern Governance depends on the ongoing involvement of civil society, **citizens and officials must see good governance not only as an ideal, but also as improving their own lives and the quality of life and the environment around them.** A government that does not include the voice of its **entire** people is not the people’s government. No matter how diverse, contrasting viewpoints are healthy and add to the debate on what direction a country should head. Good leadership is the steward to the process and not the master. A government that does not respect and work with Civil Society on an ongoing basis has no place in modern governance.

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The importance of uniting around the needs of the nation and providing the greatest opportunity available to its citizens is the only way the Bahamas will work its way out of its economic troubles. It is only when Good Governance is attended to and attained that the socioeconomic conditions of the nation will improve.

***Policies and initiatives should be judged in terms of whether they enhance the legitimacy of institutions; receive popular support as well as compliance; encourage both citizens and leaders to develop a recognized stake in reform; help deepen the strength and complexity of civil society; and are backed up by long-term efforts at public education and attention to citizen values and opinions. These initiatives are not only valuable in themselves, but should be seen as steps toward building a long-term, sustainable foundation for good governance. \*1***

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\*2 – Partners Global – Partners for Democratic Change web site

\*3 – Transparency International

**A government accountable to its citizens is one of the cornerstones of an open society—helping to ensure fairness, economic equality, and civic participation. The Open Society Foundations works with governments and businesses to advance transparency, rule of law, and good governance around the world.**

## **Constitutional Reform:**

Political parties must look to change their own constitutions and move to a more democratic open and accountable process. There is too much power in the hands of too few members of the upper echelon of the parties (The General Council Members and leaders of the parties) and this provides entirely too much room for oppression, nepotism and corruption within the party. The ability of a select number of General Councilors and the party leadership to influence who will represent the party at conventions, and thus the Members of Parliament if the party is elected, should be of significant concern to the people of the Bahamas. This party constitution sets up a cartel like environment that allows the parties' upper echelons to decide who will be put forth to represent the people, as opposed to ALL registered party members voting for the best candidate to represent the people.

Party members should be free to put themselves up for election with a minimum required number of supporting votes from party members in their constituency. The candidates would then campaign and openly debate why they feel they would be the best leader of the party in their constituency. At the national convention all party members would vote for who they wanted for the leadership positions including leader of the party. Political finance policy should be adopted that provides that donations to candidates would be provided by the party to the candidates equally. The same policy should be adopted at the Bahamian constitutional level as this would stop excessive uses and abuses of money and provide for greater political competition between parties based on the parties manifesto and merits as opposed to how much money it can throw at an election campaign.

If a political party stands for the needs of the people and democracy then its people should be free to vote for whoever they believe best represents them, without meddling from those well entrenched in the party. The existing system, by contrast, has the fox guarding the hen house. Political parties, government and the nation will fail to develop in a positive way while the political system protects those entrenched in positions of power within the system.

One must consider that when such parties are elected into office, these same political party mentalities and allegiances are then likely to exist in government. From this, it is understandable that so few visionary leaders exist within the government's 38 Members of Parliament, as the system is inclined to provide followers of the entrenched upper echelon and not leaders. Evidence of this is supported by

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the fact that independent thinkers within particular parties have broken away in the past to form new parties such as the Free-PLP (now known as the FNM) and the DNA.

As Bahamians become disenfranchised with the ways and means of old party politics (known by many locally as polatricks) it is likely that new leaders will seek to run as independents and or demand paradigm changes to existing political parties and politics.

Party Constitutional reforms are required by all parties to eliminate the entrenched system of leadership and to implement a truly democratic system. Term limits should be implemented within political parties and within the Bahamian constitution as this act alone will encourage new opportunity, leadership and thinking.

**In summary, here are the essential points of ORG’s action plan for better governance:**

- Legitimate, effective, responsive institutions and policies (“embedded autonomy”)
- Understandable processes and outcomes:
  - with visible results in citizens’ lives
  - with clear standards for success or failure
  - with clear lines of responsibility and accountability
- Transparency:
  - openness from above
  - participation and scrutiny from below
  - honesty from all
- Incentives to sustain good governance:
  - for leaders: the opportunity to take credit
  - for citizens: a credible chance for justice and a better life
  - for neighboring societies: sharing insights, experiences, expertise, values
- Vertical accountability:
  - government that answers to citizens
  - citizens who accept and abide by laws and policies
- Horizontal accountability and leaders, and among segments of government:
  - access to information
  - the right to be consulted
  - the power to check excesses and abuses

No party or reform group can accomplish the above stated goals alone, however. Broad-based and sustained citizen participation and support, built upon a foundation of citizens’ own interests, are essential. That means that improving governance in The Bahamas, as in any other democracy, requires much of civil society.

**The Tasks for Civil Society:**

Civil society organizations and foundations should strive to meet the following objectives:

\*1-Professor Michael Johnston, Dept. Political Science Colgate University- Good Governance: Rule of Law, Transparency and Accountability  
 \*2 – Partners Global – Partners for Democratic Change web site  
 \*3 – Transparency International

- To work to build vibrant and tolerant societies whose governments are accountable and open to the participation of all people.
- To seek to strengthen the rule of law; respect for human rights, minorities, and a diversity of opinions; democratically elected governments; and a civil society that helps keep government power in check.
- To help shape public policies that assures greater fairness in political, legal, and economic systems and safeguard fundamental rights.
- To implement initiatives to advance justice, education, public health, and independent media.
- To build alliances across borders and continents on issues such as corruption and freedom of information.
- To work to place a high priority on protecting and improving the lives of people in marginalized communities.

### Values of Civil Society

- To believe in fundamental human rights, dignity, and the even enforcement of the rule of law.
- To believe in a society where all people are free to participate fully in civic, economic, and cultural life.
- To believe in addressing inequalities that cut across multiple lines, including race, class, gender, sexual orientation, and citizenship.
- To believe in holding those in power accountable for their actions and in increasing the power of historically excluded groups.
- To believe in helping people and communities press for change on their own behalf.
- To believe in responding quickly and flexibly to the most critical threats to open society.
- To **believe in taking on controversial issues and supporting bold, innovative solutions that address root causes and advance systemic change.**
- To believe in encouraging critical debate and respecting diverse opinions.

### Closing statement:

This paper is a combination of thoughts and ideas that have been generated by ORG and several other key individuals, professional and or organizations. The paper intermingles clauses from the writings of those organizations listed in the footer below in an attempt to provide a holistic opinion of some of the core socioeconomic problems facing the Bahamas at this time (2015). This paper will no doubt be the subject of some discussion and ORG will, over time, be providing more research and data to support its positions.

We invite any and all readers to provide comments to this paper in letter form to:

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Or via email to: [info@orgbahamas.com](mailto:info@orgbahamas.com)

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