

CENTER ON DEMOCRACY, DEVELOPMENT,
AND THE RULE OF LAW
STANFORD UNIVERSITY

CENTER OVERVIEW 2005–2006



DEMOCRACY



DEVELOPMENT



LAW

FREEMAN SPOGLI INSTITUTE
FOR INTERNATIONAL STUDIES

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Cover photos (top to bottom): Activists of the PORA, Ukraine's youth party, which actively participated in the "orange revolution" carry a huge flag of the organization signed PORA during a rally in front of President Viktor Yushchenko's residence in Kiev; Afghan men carry concrete while rebuilding a roof in the west part of Kabul, Afghanistan; Tajikistan Parliament. Photos above (top to bottom): CDDRL Director Michael McFaul and Prof. Larry Diamond in a session of the Stanford Summer Fellows on Democracy and Development Program; Encina Hall; Stanford Summer Fellows on Democracy and Development take notes during a seminar at CDDRL.

THE PROMOTION OF DEMOCRACY, DEVELOPMENT, AND THE RULE OF LAW IN BADLY GOVERNED STATES IS THE GREAT CHALLENGE OF OUR TIME. RESEARCHERS AND FACULTY AT THE **CENTER ON DEMOCRACY, DEVELOPMENT, AND THE RULE OF LAW** ARE ADDRESSING THE HARD QUESTIONS POSED BY GOVERNANCE FAILURES, ECONOMIC STAGNATION, CORRUPTION, AND INSTABILITY. OUR GOAL IS TO IDENTIFY THE MOST EFFECTIVE WAYS TO FOSTER DEMOCRACY, PROMOTE BALANCED AND SUSTAINABLE ECONOMIC GROWTH, AND ADVANCE THE RULE OF LAW.

LETTER FROM THE DIRECTOR

It is a great honor for me to serve as the new director of the Center on Democracy, Development, and the Rule of Law (CDDRL), the newest addition to the Freeman Spogli Institute at Stanford University. Under the leadership of first Coit Blacker and then Stephen Krasner, CDDRL already has made its mark in just a few short years in reshaping the Stanford intellectual community regarding issues of democracy, development, and the rule of law. But we have only just begun, in part because our Center is new and in part because the issues are so complex and yet so pressing for the era in which we live.

From its founding in the fall of 2002, CDDRL has aimed to cross disciplinary divides. With the generous support of the William and Flora Hewlett Foundation, FSI (then called SIIS) established CDDRL in cooperation with the Graduate School of Business and Stanford Law School guided by the belief that economists, lawyers, sociologists, and political scientists would be able to develop more comprehensive explanations of the evolution of democracy, development, and rule of law if they worked together rather than in parallel. The most interesting questions about democracy, development, and law are located at the intersections of politics, economics, and law. What kinds of legal systems spur growth? Which laws constrain growth? Under what conditions does the security of property rights facilitate democratization? What is the role of the media in fighting corruption? Does democratization help or hinder economic development? These questions—questions facing policymakers around the world every day—cannot be answered within the confines of traditional disciplines, but are best tackled by interdisciplinary institutions, like CDDRL.

We are convinced that our approach is correct by the overwhelming demand for our products and explosion of interest in our activities. Only in its second year of existence, our undergraduate lecture course on democracy, development, and rule of law boasts more than 130 students. Attendance at our seminar series challenges room capacity



nearly every week. In its inaugural year, and with not a dime spent on advertising, applications for our Stanford Summer Fellows on Democracy and Development Program exceeded 800 for 35 slots.

As we develop as an organization, my highest priority is to facilitate the research of CDDRL scholars and encourage interaction between them. Our talented faculty is our greatest asset. As a community, we will move beyond studying democracy, development, and rule of law, and do much more to analyze the interaction between these three topics. We will build also on earlier work done at the Center to pay more attention to the international dimensions of democracy, development, and the rule of law. For instance, the role of the United States and Europe in promoting democracy abroad is poorly understood, understudied, and yet a vitally critical policy debate in Washington, Brussels, London, and Berlin. We can contribute greatly to both the analytic and policy debates on democracy assistance. Finally, we want to internationalize CDDRL by bringing scholars and activists from the developing world to us and by sending CDDRL scholars out to countries in transition. We are very proud of our summer program, but see it as only one of many ways to connect CDDRL to academics and policymakers around the world wrestling with similar questions.

In the following pages you will be introduced to the fascinating work of a number of our researchers. It is a privilege to work in this environment with such talented people. I am proud of what the Center has accomplished so far and look forward to its continued success.

A handwritten signature in black ink, appearing to read "Michael McFaul". The signature is fluid and cursive, with a large initial "M" and "M".

Michael McFaul, *Director*



Photo: A six-year-old Iraqi casts the vote of her mother in Iraqi parliamentary elections December 14, 2005 in Berlin, Germany.

CDDRL AT WORK: UNDERSTANDING DEMOCRACY, DEVELOPMENT, AND RULE OF LAW

Throughout the last year, CDDRL's third full year of operations, Center researchers and faculty have continued to build a vibrant, multi-disciplinary intellectual community dedicated to the exploration of the interaction between democracy, development, and the rule of law. Our community as a whole greatly benefited from the participation and activities of our associated pre- and post-doctoral fellows in residence this academic year, several of whom are featured later in this booklet. Our research staff remains committed to and grounded in their academic research, while also exploring ways in which social science findings might inform and shape policy debates. CDDRL seeks to provide a bridge between theory and practice. The overriding purpose of CDDRL has continued to be the identification and pursuit of promising pathways to help build strong, affluent, law-abiding, peaceful and democratic societies in parts of the world where such features remain in short supply.

In 2005, our community maintained our core research programs, while also multiplying the ways in which this research impacted larger communities, both at Stanford and beyond.

The **Program on the Rule of Law**, led by CDDRL faculty associate Thomas Heller, has continued a brisk pace of work marrying

pressing policy issues to leading edge research. CDDRL, in conjunction with Stanford Law School, and the Santa Clara University School of Law, sponsored a Global Jurisprudence forum at Stanford on March 17–18, 2005, on the theme of “Decisions of International Legal Institutions: Compliance and Enforcement.” The colloquium provided leading judges from a number of key international courts and tribunals with an opportunity to interact with one another and to share with the Stanford community their insights into the growing use of international courts to promote the rule of law. An extraordinary collection of international jurists from the International Court of Justice, the International Criminal Court, the International Criminal Tribunals for the former Yugoslavia and Rwanda, the European Court of Justice, and the European Court of Human Rights, among others, engaged in a day of candid peer-to-peer discussions facilitated by Stanford faculty members, including Allen Weiner and Helen Stacy of CDDRL, about compliance with and enforcement of international legal decisions by nation states.

The **Program on Economic Development**, led by CDDRL faculty associate, John McMillan, continued to produce high quality research to address real world policy problems. Both

McMillan and Center faculty member, Romain Wacziarg wrote several new CDDRL Working Papers. Wacziarg, with pre-doctoral fellow Peter Lorentzen, also ran a conference on the relationship between economic development, health and demography at Stanford in May, 2005, described later in this overview of the Center's activities.

The **Program on Democracy**, led by CDDRL faculty associate, Larry Diamond, co-hosted a conference (with the International Forum for Democratic Studies and the Centre for Liberal Strategies in Sofia, Bulgaria) on effective governance in emerging democracies. CDDRL participated in this conference as a member of the Network of Democracy Research Institutes, a global association of think tanks that conduct research on democracy, democratization, and related topics in comparative government and international affairs. With partial support from CDDRL, faculty associates Alberto Diaz-Cayeros and Beatriz Magaloni hosted a conference in Bellagio, Italy on poverty, democracy, clientelism, and the political economy of vote buying, with a special focus on Argentina, Benin, India, Italy, Mexico, Russia and countries in Sub-Saharan Africa. The Program on Democracy also helped Larry Diamond in the publication of his work on Iraq, including *Squandered Victory: The American Occupation and the Bungled Effort to Bring Democracy to Iraq*, a book based in part on Diamond's experience as an advisor to the Coalition Provisional Authority in the spring of 2004.

In 2005, the sovereignty and governance program expanded to become the **Program on External Influences on Internal Change** under the direction of Michael McFaul. This program seeks to understand and evaluate the influence of international factors on state building and democratization, especially in war-torn countries or new political regimes. CDDRL continued its work with Paul Collier of Oxford University and the World Bank and Ernesto Zedillo of Yale University (and former President of Mexico) on the issue of failed and failing states. Stephen Krasner, together with Collier and Zedillo

hosted a follow up conference to our April, 2004 Stanford conference on weak and failing states, which will result in a co-edited book. CDDRL faculty associate Jim Fearon convened a conference on "Measuring Humanitarian Impact" at Stanford, bringing together humanitarian and human rights NGO professionals, epidemiologists, and political scientists to address the question of how to evaluate NGO impact in post-conflict emergencies. In the spring of 2005, CDDRL hosted a visiting project manager, Liz McBride, from the International Rescue Committee to launch the collaborative project with Fearon and CDDRL faculty affiliate Jeremy Weinstein on assessing the impact of community-driven reconstruction programs. Amichai Magen and Michael McFaul hosted a conference at Stanford, followed up by a conference in Brussels in June 2005, at which scholars compared American versus European strategies for promoting democracy and the rule of law. Papers presented at these meetings will be published as an edited volume next year.

In parallel to these research activities, we focused this year on extending the Center's impact on Stanford's campus and also establishing CDDRL even more firmly as a leading research community around the world.

Our weekly Wednesday noon research seminar has become the best attended regular social science seminar on Stanford's campus. The quality of CDDRL speakers has been so consistently high that we frequently had standing room only crowds populated relatively evenly with Law, Business, and Humanities and Sciences faculty and graduate students. Stanford faculty were well represented among speakers at CDDRL's weekly research seminar and included CDDRL's former Director, Stephen D. Krasner, who departed CDDRL (temporarily) to become the Director of Policy Planning at the United States Department of State. Other prominent speakers included Feisal Istrabadi, Deputy Permanent Representative of Iraq to the United Nations, Gayle Smith of the Center for American Progress (formerly Senior Director for African Affairs at



the National Security Council), Tim Wood of the Grameen Foundation's Technology Center, Esther Duflo of MIT's Poverty Action Lab and Marina Ottaway of the Carnegie Endowment for International Peace.

In addition to our weekly seminar series, our activities this year included the introduction of our team taught undergraduate course IR 114D Democracy, Development and the Rule of Law. Center faculty and research staff sat down together in a series of meetings to develop the syllabus and curriculum. The class is convened by CDDRL Associate Director for Research, Kathryn Stoner-Weiss, and lectures through the quarter are delivered by Stoner-Weiss, and 10 other associated faculty and researchers. In the fall of 2005, the class enrolled more than 130 undergraduates, and about 15 auditors from various graduate programs, making it one of the largest classes in the social sciences at Stanford. In evaluations, students consistently gave the course high marks, with many describing it as "one of the best courses ever taken at Stanford." This course greatly enhanced the Center's presence on campus and has helped to recruit outstanding undergraduates to the Center who are interested in writing senior theses with associated faculty and research staff on related topics.

Last summer, as explained in detail later in this overview, CDDRL also launched the Stanford Summer Fellows on Democracy and Development, an intensive three-week course on democracy, development, and the rule of law attended by 32 mid-career scholars, policy-makers, and activists from around the world.

We have enhanced our research presence around the globe through the electronic publication of our Working Papers series, now boasting more than 50 papers (all produced by Center research programs in the last year) in the fields of democratic transitions, economic growth, health and demography, and promotion of law based regimes in countries in transition.

In 2005, the Center became more vibrant and active than ever, a record on which we plan to build in 2006. We look forward to continuing a brisk pace of research, to increasing the interdisciplinary focus of the Center, and to making our work more available and relevant to scholarly and policy communities beyond Stanford also interested in understanding the interactions between democracy, development, and the rule of law.

Photo: CDDRL's Associate Director for Research, Kathryn Stoner-Weiss consults with Coit Blacker, Director of the Freeman Spogli Institute for International Studies at Stanford.



Photo: Janet Banda, a lawyer from Malawi, contributes to the group discussion in the inaugural class of the Stanford Summer Fellows on Democracy and Development.

STANFORD SUMMER FELLOWS ON DEMOCRACY AND DEVELOPMENT

“I can use what I learned in this program literally every day as my country, Kyrgyzstan, continues to struggle to consolidate positive political and economic change.”

YULIA SAVCHENKO, STANFORD SUMMER FELLOW 2005

CDDRL was conceived as a research center at the crossroads of political science, law, business, economics and sociology. The Center’s founders also envisioned the Center as a unique bridge between scholarship and policy practice. The Stanford Summer Fellows on Democracy and Development (SSFDD) Program, which took place for the first time in the summer of 2005, is a prime example of the productive exchange of ideas the Center has achieved between the worlds of research and policy.

The program is also a perfect example of community spirit among the faculty at CDDRL. For three weeks, some of the most distinguished members of the Stanford faculty (including former President and CDDRL faculty associate, Gerhard Casper, Larry Diamond, Avner Greif, Tom Heller, Peter Henry, Michael McFaul, and John McMillan) volunteered to lead sessions and listen to discussions. SSFDD Fellows represented a remarkable gathering of 32 government officials and community activists from 28 countries. The participants in the program were

selected from a staggering 800 applicants from the Middle East, Asia, Africa, the former Soviet Union and South-Eastern Europe. Although the Fellows came from different professional backgrounds—the group included lawyers, journalists, teachers, civic activists, and civil servants—they were united by long years of experience and an extraordinary dedication to the cause of positive political and economic change in their countries. Among the participants were a former prime minister, three senators, two attorneys general, members of corruption and human rights commissions, government policy advisors, at least one former Afghan warlord, and leaders of NGOs committed to strengthening democratic institutions in adverse circumstances.

The first week of the program focused on the **theory and practice of democracy**. CDDRL’s Director, Michael McFaul and faculty associate, Larry Diamond opened the conversation with theories of democratization and institutional design. The instructors and participants devoted particular attention to the resolution of conflict



in democracies: Larry Diamond initiated a discussion on causes of conflict and CDDRL's Associate Director for Research and Senior Research Scholar, Kathryn Stoner-Weiss spoke of the relationship between federalism and management of ethnic conflict. Paired with these presentations were those by Fellows revealing experiences in managing ethnic conflict in Kosovo and Nigeria, and the place of religion in conflict in the Afghan and Indian cases. The week ended with a comparison of global trends in democracy promotion, particularly United States' and European efforts in endorsing democracy around the globe. CDDRL also drew on outside policy actors to enhance the program. A highlight of the program for Fellows was an extended visit by Carl Gershman of the National Endowment for Democracy in Washington, D.C.

Week Two's primary subject was how to **promote and sustain economic development** in transitional countries. The leader of CDDRL's program on Economic Development, John McMillan, explored the relationship between political systems and economic growth and reform. He drew on his cutting edge work on corruption in Peru under Alberto Fujimorii and also his more recent work on Angola. CDDRL's Avner Greif provided the Fellows

with historical perspective on the institutional foundation of politics and markets, while Peter Henry (of the Stanford Graduate School of Business) and Francisco Ramirez (of the School of Education) presented, respectively, the economist's and sociologist's approaches to market transitions and how ideas on reform are transmitted globally. Discussion and Fellow presentations energetically engaged these issues, tackling the vexing and persistent problem of corruption and development.

Thomas Heller and Erik Jensen of Stanford Law School and co-directors of CDDRL's Rule of Law Program, led the third week's discussions on the connections between **law and economic development** and weighed the role of law in investors' decisions. Stanford President Emeritus Gerhard Casper (and CDDRL faculty associate) compared traditions in constitutionalism and facilitated a discussion on the importance of law as a foundation of the political system and on strategies for promoting the rule of law.

In addition to sessions with Stanford instructors, throughout the three weeks of the program, the Fellows had a number of opportunities to meet with representatives of non-governmental and business organizations. A field trip to San Francisco was dedicated to the relationship



between media and democratic governance, and included visits to *The San Francisco Chronicle*, the local branch of National Public Radio, and San Francisco City Hall. Fellows also heard from Jack Duvall of the International Center on Non-Violent Conflict; and Hoover Institution Fellows Todd Lindberg, Peter Berkowitz and Timothy Garton Ash. The Fellows also learned about the experience of the Internet-based political action movement MoveOn.org from its co-founder Joan Blades. Many were inspired to try the same sorts of technology based techniques in their home countries.

Beyond the classroom, both the Fellows and program organizers enjoyed spending free time together. Trips to Bay Area sights and on Stanford campus highlighted the program experience. In the evenings, one could always find a small group of SSFDD Fellows in the Graduate Community clubroom chatting pleasantly and relaxing after the next day's load of reading was done.

In an anonymous questionnaire at the end of their three weeks at CDDRL, the Fellows gave the program extraordinarily high evaluations. They particularly emphasized the openness of discussions with Stanford faculty members—particularly those with concrete U.S. policy-making experience.

The 2006 Stanford Summer Fellows on Democracy and Development program will build on the enormous success of the first session in 2005. In the alumni of the Summer Fellows program, CDDRL has created a network of leaders and civic activists that will allow the Center to continue its groundbreaking work in policy analysis across fields and geographic regions. In this way, the Center again is consolidating its outreach beyond Stanford into the developing world itself and acting as a bridge between cutting edge research and on the ground policy implementation.

Photo p. 10: The 2005 inaugural class of Stanford Summer Fellows on Democracy and Development. Photo above: 2005 Summer Fellows Inaam Alysiri of Iraq and Jovan Jovanovic of Serbia listen to the discussion during the inaugural Stanford Summer Fellows on Democracy and Development.

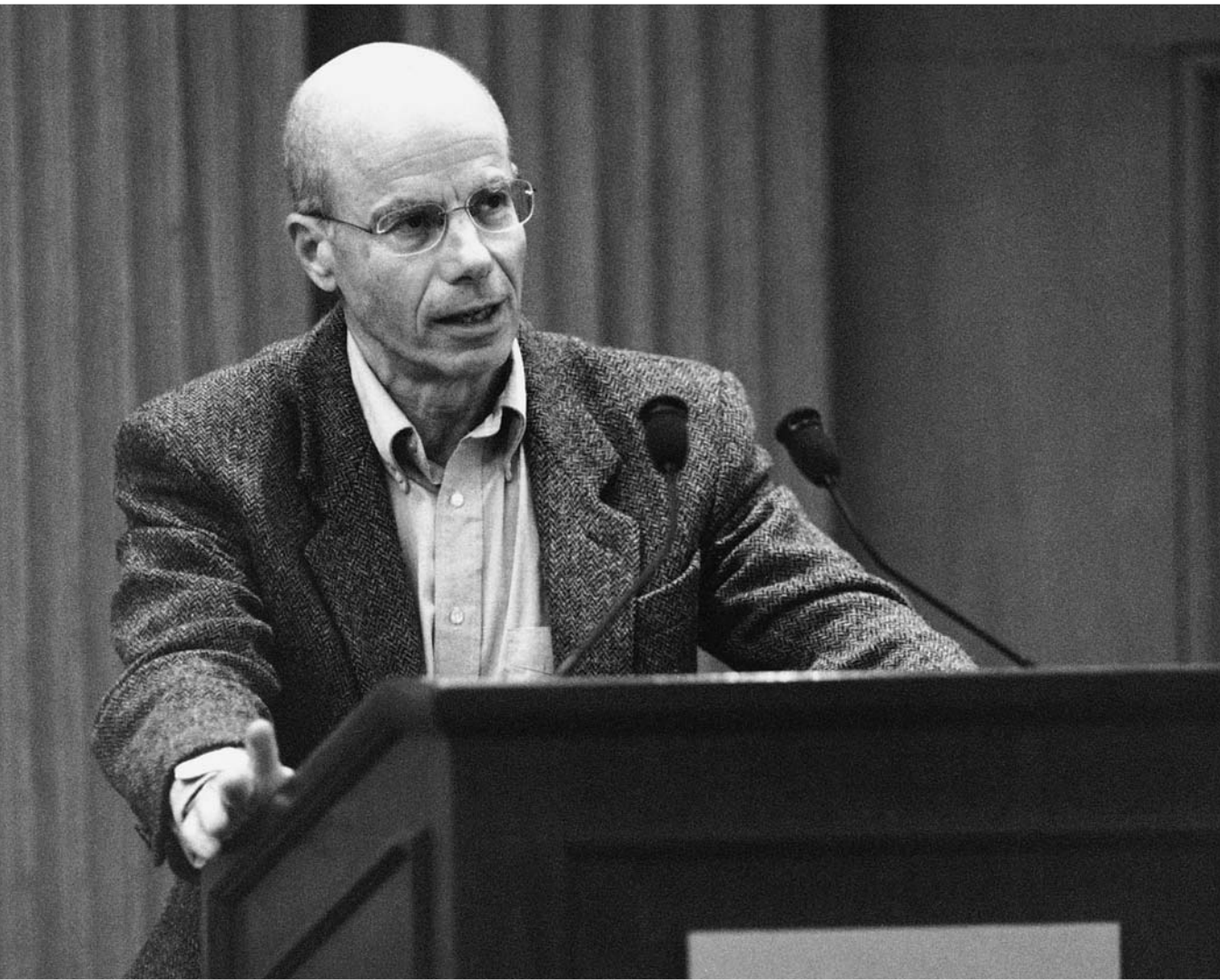


Photo: CDDRL's former director, Stephen Krasner is now the Director of Policy Planning at the U.S. Department of State.

FACULTY FOCUS

FROM CDDRL TO WASHINGTON

“I couldn’t refuse the opportunity to make a real difference in U.S. foreign policy.”

STEPHEN D. KRASNER

In January 2005, CDDRL bid a fond farewell to its former director, Stephen D. Krasner. As Krasner said at the reception honoring him, the only thing that could take him away from CDDRL and Stanford, even temporarily, was the opportunity to make a real difference in U.S. foreign policy. Krasner will certainly have the chance to do just that. In February, 2005, he was officially appointed the Director of Policy Planning (a position with a rank equal to Assistant Secretary of State) for the United States Department of State by Secretary of State (and former Stanford Provost) Condoleezza Rice. Past directors of Policy Planning have included George F. Kennan, Zbigniew Brzezinski, Anthony Lake, Paul Wolfowitz, and Dennis Ross.

In Krasner, Rice selected an accomplished academic with formidable policy experience. His work has dealt primarily with sovereignty, American foreign policy, and the political determinants of international economic relations. At CDDRL, Krasner ran the program on sovereignty and governance. This is not Krasner’s first time serving in Washington. In 2002 he served as

Director for Governance and Development at the National Security Council.

Policy Planning was created in 1947 by George Kennan at the request of Secretary of State George C. Marshall. The Policy Planning Staff serves as a sort of think tank within the Department of State. Policy Planning’s mission is to take a longer term, strategic view of global trends and frame recommendations for the Secretary of State.

In his memoirs, *Present at the Creation*, former Secretary of State Dean Acheson characterized the role of Policy Planning as “anticipating the emerging form of things to come, to reappraise policies which had acquired their own momentum and went on after the reasons for them had ceased, and to stimulate and, when necessary, to devise basic policies crucial to the conduct of our foreign affairs.”

Krasner describes his new job as both fascinating and challenging. CDDRL faculty and research staff look forward to learning from his experiences when he returns to Stanford at the end of his appointment.

COMBINING THEORY AND PRACTICE

“CDDRL has created the opportunity to pursue policy-relevant applied research... where the mandate is to push the frontier of theory and practice.”

ERIK JENSEN

CDDRL’s challenge as it grows and evolves is to design and implement interdisciplinary research that integrates cross-disciplinary knowledge. This includes a more specific challenge to develop empirical research collaboratively carried out by lawyers and social scientists. Erik Jensen exemplifies how CDDRL aims to promote interdisciplinary work. With CDDRL faculty associate, Professor Thomas Heller, Jensen (a lecturer at Stanford Law School) co-directs CDDRL’s Rule of Law Program.

Jensen brings to CDDRL a rich background in international development policy and also a strong research background. He lived for 14 years in Asia and was an active participant in policy dialogues in South and Southeast Asia, particularly on issues related to strengthening governance and the rule of law. In Pakistan in the latter 1990s, Jensen led the governance section of an Asian Development Bank-funded study called “Pakistan 2010.” The study examined judicial and legal reform, countering corruption, governance processes, civil service

reform, decentralization and empowering the country’s citizenry. He also co-authored a long-term development vision for then Prime Minister Nawaz Sharif. And he led a 35-member consulting team that prepared a report on “Legal and Judicial Reform in Pakistan,” the most extensive diagnostic of its kind.

A lawyer trained in Britain and the United States, Jensen has worked in 20 countries over the last 20 years—teaching, developing field programs and writing about law and development. He has been a Fulbright scholar, a consultant to the World Bank and the Asian Development Bank, and a country representative of The Asia Foundation, where he still serves as a senior law advisor.

Jensen teaches “International Development and the Rule of Law” at Stanford Law School, lectures in CDDRL’s enormously popular undergraduate course “Democracy, Development and the Rule of Law,” and teaches in CDDRL’s Stanford Summer Fellows Program on Democracy and Development.



His current research agenda includes three substantial projects. Jensen, with CDDRL faculty Gerhard Casper, Allen Weiner and Helen Stacy, is involved in a project that assesses the role of legal institutions in the reform process in Mexico, Thailand and Romania—three transition countries that in the 1990s underwent dramatic reforms of their one-party, authoritarian, or totalitarian regimes and embarked on ambitious legal reforms. With The Asia Foundation, Jensen is also leading or advising on two separate three country studies in Asia involving Cambodia, Bangladesh, Nepal, Pakistan and Indonesia. One study examines the importance of birth and national identity certificates in asserting rights, accessing public benefits and taking full advantage of economic opportunities. The other study assesses prospects for empowerment of citizens through law and legal and administrative institutions.

CDDRL is boldly trying to set a path that counters the historical segregation of lawyers from social scientists. “For me,” says Jensen,

“CDDRL provides a remarkable opportunity even as it poses significant challenges. The Center has created the opportunity to pursue policy-relevant applied research in a top tier and creative academic environment where the mandate is to push the frontier of theory and practice. It is an exciting and challenging project.”

Photo: A rickshaw driver waits for a fare in Thailand.

CONTROLLING CORRUPTION AND PROMOTING DEMOCRACY

“... the problem is not merely that of public officials using their offices to enrich themselves, it is the consequences of this and the economic distortions that corrupt behavior creates that is so problematic for developing countries.”

JOHN MCMILLAN

John McMillan is coordinator of the Program on Economic Performance at CDDRL; the Jonathan B. Lovelace Professor of Economics; and a Senior Fellow at the Stanford Institute for Economic Policy Research. His research has long focused on economic reform, cross-country comparisons of market institutions, and entrepreneurship in developing and transition economies. More recently, however, his thoughts and writing have turned to the seemingly intractable economic and political problem of corruption.

McMillan's interest in the topic was sparked by the scandalous collapse of the regime of Peru's Alberto Fujimorii in 2000. With one of his graduate students, Pablo Zoido, McMillan embarked on a careful study of the mechanisms of corruption by examining in close detail the bribing patterns of the head of Fujimorii's security apparatus, Vladimiro Montesinos. From this close empirical work, McMillan and Zoido were able to identify those political

institutions that Montesinos viewed as the most serious threat to the Fujimorii regime.

McMillan argues that the Montesinos case “exemplifies the distortions systematic corruption also creates for political decision making—it wasn't just a few bad guys out to get rich, it was a key political operative paying money illicitly to other political actors in order to extend political control.” Corruption systematically undermines the effects of political institutions which is simply lethal for fledgling democracies. Beyond this, corruption is pretty clearly associated with lower economic growth. McMillan notes that there are exceptions to this—Indonesia under Suharto was one of the most corrupt countries on earth, but grew nonetheless. The more common outcome though is low growth and high inequality.

McMillan's work on corruption and, in particular, scrutinizing the evidence to see what corrupt officials tend to value, produces a number of important policy observations. The



Montesinos case in Peru, for example, indicated the importance of the media in maintaining Fujimorii in power. Montesinos paid television stations bribes that were at least five times that of judges or politicians. Clearly, he feared the power of the press in bringing Fujimorii down.

McMillan notes that “On the one hand, it is obvious, yet conventional wisdom tends to underemphasize the importance of the press as a crucial check on corrupt behavior in developing countries.” In the longer run, McMillan notes, the creation of a democratic system of checks and balances is the right prescription for fighting corruption, but in the short run “this isn’t terribly useful. It takes a long time to build an effective judicial and law enforcement system, but it takes much less time to build a newspaper and let the press do its job.”

McMillan’s research into corruption is leading his work in new directions. He is planning to pursue a new project on the media and democracy in other parts of the developing world

in the coming year to further the resiliency of democracy and economic development in transitional countries.

Photo: A news broadcast at a television studio in Mozambique.



Photo: A group of slogan-chanting employees from the Central Motion Pictures Corporation hold a protest in Taipei.

RESEARCH PROGRAM OVERVIEWS

PROGRAM ON DEMOCRACY: PROMOTING EFFECTIVE GOVERNANCE IN NEW DEMOCRACIES

The Program on Democracy is a staple of CDDRL's research activities. Led by Professor Larry Diamond, its key participants include CDDRL Director, Michael McFaul, Associate Director for Research and Senior Research Scholar, Kathryn Stoner-Weiss, and Professors Terry Karl and Gail Lapidus. In July 2005, the Democracy Program co-sponsored a conference on "Paths to Democracy" with the National Endowment for Democracy and the Center for Liberal Strategies, which hosted the meeting in Sofia, Bulgaria. About two-dozen participants from Eastern Europe, the Middle East, and the United States gathered to discuss models of successful democratic transition, prospects for future democratic change in post-communist and Middle Eastern authoritarian states, and how think tanks could serve as catalysts for political reform. (A conference report will be issued in 2006).

October 2005 saw the publication of the first book resulting from a CDDRL conference, on the Quality of Democracy, held in October 2003. *Assessing the Quality of Democracy*, edited by Larry Diamond and former CDDRL Visiting Scholar Leonardo Morlino, was published by Johns Hopkins University Press in 2005. It features six thematic essays and six comparative case studies using the project's

analytic framework to evaluate the quality of democracy.

In the coming three years the CDDRL Program on Democracy will conduct a new project on Democracy in Taiwan with support from the Taipei Economic and Cultural Office of San Francisco. The project, which will be co-sponsored with the Hoover Institution, institutionalizes the activities that both Stanford and Hoover have been organizing for a number of years now on democratization and the regional and international challenges confronting democracy in Taiwan.

The project began officially in the fall of 2005 and will extend through 2008. Each year the program will organize at least one public symposium. The first symposium, to be held in August 2006, will focus on the lessons of Taiwan's democratization (and other recent transitions) for China's democratic future. It will include scholars and policy actors from around the U.S. and Asia. In the coming years the project will address other themes such as The Quality of Democracy in Taiwan, Cross-Strait Relations and Democracy in Taiwan, and Democracy and Economic Evolution in Taiwan. In these ways, the Taiwan project promotes and complements CDDRL's other active research programs, outreach and training activities.

PROGRAM ON ECONOMIC DEVELOPMENT: PUBLIC HEALTH, DEMOGRAPHY AND DEVELOPMENT

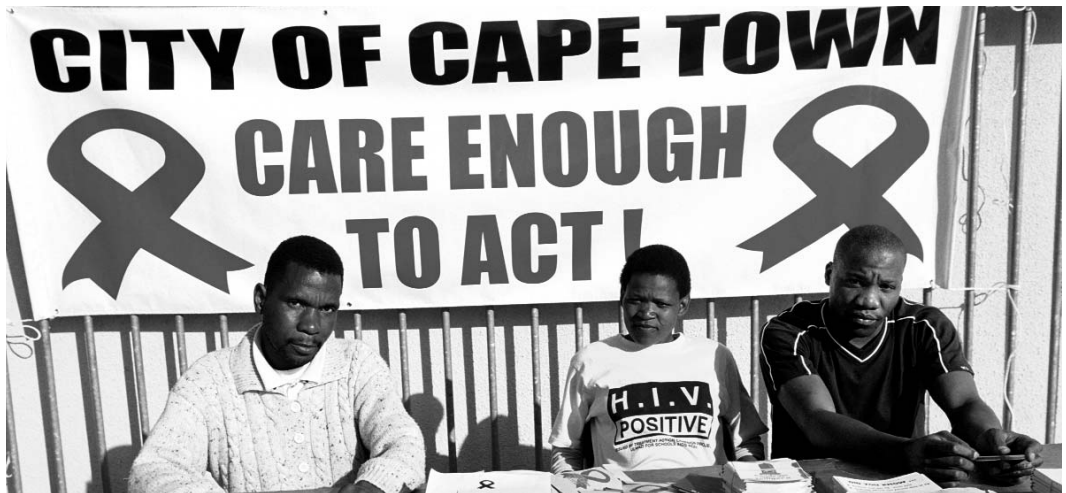
How do public health and demography affect economic development and growth levels in poor countries? How, for example, does the HIV/AIDS epidemic in Africa affect investment and labor patterns in the short and long terms? These are fascinating research questions for economists and doctors, but also key problems for international and domestic policymakers in the developing world and are now part of the expanding research agenda at the Center on Democracy, Development, and the Rule of Law.

One of the ongoing questions motivating economic research at CDDRL includes why some countries appear to be trapped in a seemingly endless cycle of poverty. As CDDRL's development group (led by Professor John McMillan) notes in a recent paper, "The dismal numbers—over a billion people living on less than \$1 a day, do not lose, through familiarity, the capacity to shock." CDDRL researchers examine the causes and possible solutions to the poverty trap in a variety of ways—including evaluating the influence of political and legal institutions and the efficacy of developmental assistance from the U.S. and Europe.

Health, however, is another major factor in eradicating poverty. Development requires that people be able to plan for the future—if they

see no future because life expectancy levels are shockingly low, there is no growth. In Sierra Leone, for example, the world's poorest country, a fifteen year old's probability of dying before age sixty is 57 percent. (In the United States, it is twenty percent.) Mortality, therefore, should have a chilling effect on economic development in that it produces short-sighted and even risky behavior, decreasing investment in labor, education and human capital.

In the spring of 2005, CDDRL faculty associate Romain Wacziarg, an economist at Stanford's Graduate School of Business, and CDDRL pre-doctoral fellow Peter Lorentzen decided to examine the possible links between health, demography and economic development in a conference that brought together academics from around the world. A few of the papers grappled with the complex theoretical interrelationships between mortality, fertility, disease, and education. As countries begin to develop economically, and education rates increase, generally fertility and disease rates have declined. Yet, this pattern does not always hold in many developing countries where children are not only potential laborers, but are also expected to provide "insurance" for old age. Other papers attempted to reconcile the conclusions of cross-country studies with those of



micro-level within-country research. Finally, another paper presented evidence that the dramatic rise in adult mortality due to AIDS may actually be reversing the demographic transition in Africa, promoting higher fertility and population growth despite the negative consequences this could have on economic growth. Stanford faculty and visitors from UCLA and UC Santa Barbara led discussion of the papers, with lively participation by an audience that included participants from a host of academic disciplines. Many of these papers have since been published as CDDRL Working Papers, and others are currently in production for publication.

From this first conference on demography and development, CDDRL researchers have become increasingly involved in examining the economic and political effects of poor health in the developing world. In 2006, we look forward to working more with the physicians and economists at the Freeman Spogli Institute's Center on Health Policy (CHP/PCOR) to provide new health care solutions to developing countries. In particular, CDDRL researchers are interested in helping to find ways in which transitional governments can provide better access to medicines to treat diseases like malaria and HIV/AIDS.

This is an ideal project on which doctors, economists and political scientists can collaborate. Often in developing countries, diseases like AIDS, tuberculosis, and malaria may be more or less treatable, but because of state incompetence (weakness or even absence of the state), treatments are ineffective or are not provided. This drives up mortality rates furthering the poverty trap that affects so much of sub-Saharan Africa, parts of the former Soviet Union and Asia. Our idea is to bring together economists and political scientists from CDDRL with clinicians from CHP/PCOR to examine ways in which infectious diseases can be better treated in poor countries. We wish to evaluate the relative effectiveness of current programs to treat malaria in sub-Saharan Africa, AIDS in Russia, and avian flu in China. Is it technical treatments, state incompetence or some combination of these factors that best explains the spread of infectious disease in these diverse contexts? By looking at a group of case studies, we hope to uncover some general lessons on how best to combat disease in the developing world.

Photo: AIDS awareness campaign literature being distributed in Khayelitsha township outside Cape Town, South Africa.

PROGRAM ON THE RULE OF LAW: THE ROLE OF LAW IN PROMOTING POLITICAL AND ECONOMIC CHANGE

The challenges faced by courts and police systems in transitioning countries are immense. Governments that are already struggling with fiscal pressures, corruption and sometimes just sheer inertia are finding it difficult to incorporate values of transparency and responsiveness in their institutions. Four CDDRL scholars, Gerhard Casper, Helen Stacy, Allen Weiner and Erik Jensen (all in the Center's Rule of Law Program), are continuing their investigation of the courts and police systems of Romania, Mexico and Thailand. They are discovering how rule of law reforms can best be affected and how external donor countries can best assist internal reform processes.

Although different in many respects, Mexico, Thailand and Romania share some striking features. Each underwent dramatic reforms of their one-party, authoritarian, or totalitarian regimes in the 1990s, and each country has embarked on ambitious legal reforms over the last decade. Today, however, there is a sense that the reform process has slowed and a concern that the transition to democracy has not reliably produced legal institutions that can deliver the rule of law to citizens.

Of particular interest to CDDRL researchers is the role that citizens play in pressuring for reform of legal institutions. Citizens' everyday

interactions with police and lower level courts are an important litmus test of whether the rule of law is robust and reliable. For example, citizen expectations in Romania were initially very high when the authoritarian government of Nicolai Ceausescu was first toppled in 1989, but a decade of under-performing post-communist governments lowered expectations that government can reinvent itself. Hopes that genuine political and legal change would be introduced have been repeatedly disappointed, and cynicism and "reform fatigue" have set in. With a more recent liberal Romanian government, however, there are some encouraging signs of genuine reform of legal institutions. A question for this project is the extent to which citizen optimism has been renewed under marginally improved legal reform conditions.

Another focus of this project is a cross-jurisdictional comparison of the incentives for creating reliable and impartial judges, prosecutors and police officers as this will show features of each legal system that are unique to the progress of rule of law reforms. A workshop in the 2006–7 academic year will bring together in-country collaborators and experts from the Stanford community. The project will culminate in a publication that will provide guidance for policymakers and aid donors



alike suggesting ways that legal reforms can be consolidated in transitioning countries.

In a separate project on rule of law and economic reform, Tom Heller, the Director of CDDRL's Rule of Law Program is undertaking new research on the "resource curse." One of the great paradoxes of the developing world is that countries with rich endowments in natural resources in the form of oil, gas, or mineral deposits often fail to promote significant economic or social development. In many cases natural resource wealth has actually rendered populations worse off than other developing nations without such natural endowments, as new revenue streams create new opportunities for corruption, strain underdeveloped institutions, spark social conflict, and enrich politically-favored elites without benefiting the majority of poor citizens. International efforts to combat the effects of the resource curse through governance reforms have multiplied recently through campaigns such as "Publish What You Pay," the Extractive Industries Transparency Initiative, and the creation of special purpose oil and gas funds.

Heller is initiating his research into programs to combat the resource curse first by teaching a course at Stanford Law School on the subject in conjunction with CDDRL post-doctoral

fellow, Christine Scheiber. The course first examines the "resource curse" phenomenon, paying special attention to the broader problems of the political economy of corruption and their relations to democracy and economic growth. In its second part, the seminar looks at the several remedial programs that have targeted resource curse and internationally grounded corruption, examining the role domestic and international legal institutions can play in turning resource abundance into a motor of development. The final section of the course focuses on studies of particular nations afflicted with the resource curse in Africa, Central Asia, Latin America and East Asia.

The seminar is the initial step in researching and writing a book for the Open Society Institute on the effectiveness of government and NGO-sponsored initiatives to combat the resource curse. Heller and Scheiber are developing a common research design and methodology for the preparation of case studies, with field work scheduled to be conducted beginning as early as summer 2006.

Photo: Dog trainers gendarme prepares for a demonstration exercise taking place in Bucharest.

PROGRAM ON EXTERNAL INFLUENCES ON INTERNAL CHANGE: ASSESSING THE EFFECTIVENESS OF DEMOCRACY ASSISTANCE

Although the European Union (EU) is the largest provider of Official Development Assistance (ODA) in the world and European countries have acquired extensive experience in promoting democracy, good governance and economic development in transitional countries, there is surprisingly little coordination in these areas between them and the United States. CDDRL's External Influences on Internal Change Research Program was established in 2005 to remedy this situation by facilitating the creation of a common research agenda and encouraging shared institutional learning. The Program is led by Michael McFaul with CDDRL Fellow Amichai Magen.

Magen, a Lecturer at Stanford Law School, is an Israeli and British national. He completed an LL.M., specializing in the law and policy of the EU at Trinity Hall, Cambridge University, and is a candidate for a Doctorate in Juridical Science (JSD) at Stanford Law School. Magen has been a Visiting Scholar at the Centre for European Policy Studies (CEPS) in Brussels, and has published in leading European journals including the *European Foreign Affairs Review*. He served as Legal Counsel at the Israeli Ministry of Justice, advising on a plethora of international policy and legal affairs concerning pan-European and Mediterranean issues. He

has also worked on similar issues with the Organization for Security and Cooperation in Europe (OSCE). At CDDRL, Magen is engaged in exploring the ways in which the prospect of closer institutional links with European organizations influences whether and how non-member countries comply with EU rules and policies. He uses Romania, Turkey, Serbia, Ukraine and Morocco as his cases.

The Program on External Influences on Internal Change, therefore, draws on Magen's interdisciplinary research interests and McFaul's long-term interest in applied democratic development. During 2004 and 2005 the program focused on mapping and explaining similarities and differences in American and European strategies, as well as identifying potential areas for transatlantic cooperation. In October 2004, the program sponsored a workshop involving leading scholars, policymakers, and representatives of NGOs from the European Union and the United States to discuss promotion strategies and instruments. The workshop brought together researchers from Stanford, Oxford University, the Free University of Berlin, The German Marshall Fund, University College London, Florence University, CEPS and the Foundation for International Relations and External Dialogue (FRIDE) in Madrid; as well



as the heads of Transparency International, The National Endowment for Democracy, and Freedom House. A second round of deliberations was organized by the project in cooperation with European peer institutions, and held in Florence and Brussels in June 2005. These meetings benefited from the participation of members of the European Parliament, senior Commission officials, as well as from perspectives from recipient countries, including Russia, Ukraine, Georgia, Belarus, Morocco, Egypt and Jordan. The conclusions of these meetings are expected to be published in an edited volume by a major academic press.

The Research Program on External Influences on Internal Change continues to facilitate the sharing of information between European and American scholars and practitioners about different elements of each other's democracy and development promotion strategies.

During 2006, the program will focus on operational issues of democracy assistance, where some of the greatest potential for transatlantic cooperation seems to exist. This could contribute to the incipient efforts of major American and European donors (including the National Endowment for Democracy, the United States Agency for International Development, the British Department for

International Development and the German Party Foundations) to develop new methods for evaluating the impact of democracy and governance aid. In this way, the Program will further CDDRL's goals of generating groundbreaking policy oriented research, and building institutional partnerships across the Atlantic.

Photo: A United Nations volunteer from India provides guidance to workers in Bhutan.

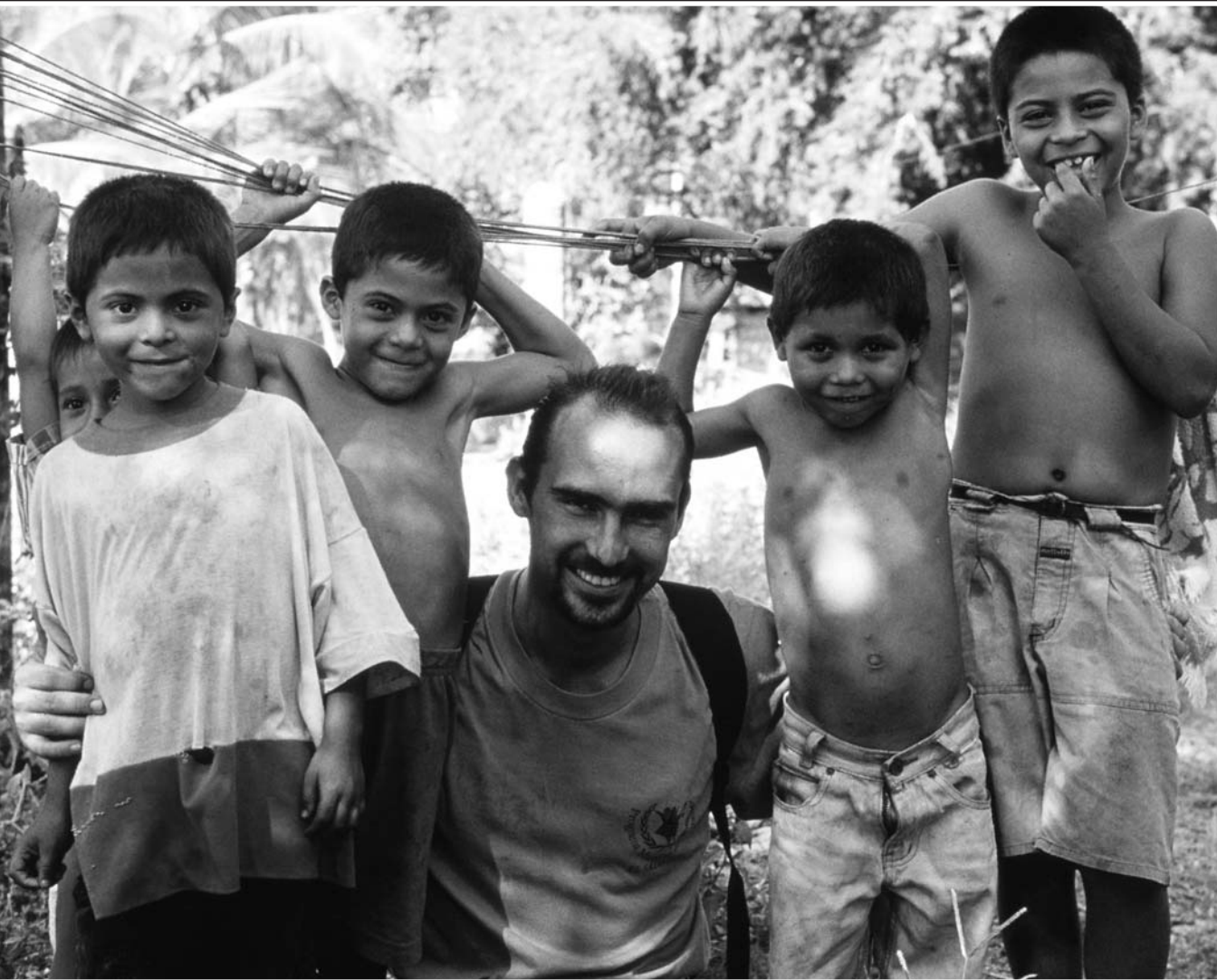


Photo: A volunteer in El Salvador poses with local children.

TRAINING THE NEXT GENERATION



Galen Panger, a junior majoring in Public Policy with a concentration in International Development, was one of the first students to take advantage of the new opportunities for undergraduates offered by CDDRL in 2005. Galen enrolled in the Center's first undergraduate course offering, "Democracy, Development, and the Rule of Law," and then worked at the Center over the summer. Galen is enthusiastic about his experiences this year and about the Center in general: "CDDRL really places Stanford at the core of the challenges that our international system faces today. The issues that CDDRL scholars tackle, like governance and economic growth, determine what kind of access people have to basic dignity, choice, and self-expression. One of the best things I got from my interactions with CDDRL faculty, was a sense of just how many rich connections there are between these crucial issues."

Panger served as a summer intern for CDDRL's first annual Stanford Summer Fellows on Democracy and Development program. "It's hard to describe just how wonderful an opportunity this was," he reports, "Not only did I get to interact extensively with CDDRL Associate Director and Senior Researcher

Kathryn Stoner-Weiss and the other incredible faculty, like Gerhard Casper and Mike McFaul, but I also got to interact with all of the Fellows and attend just about every session, speaker event, and outing." Panger was inspired by the backgrounds of the Summer Fellows (ranging from a Rwandan genocide survivor, to a women's rights advocate in Iraq) and their tenacity in affecting real change in their troubled homelands. He moved from CDDRL to the Stanford in Washington Program in the fall of 2005 as well as to an internship at the World Bank. When he returns to Stanford, Panger hopes to write a thesis in the field of international development and democracy promotion.



International economic institutions are currently suffering from identity as well as legitimacy crises. As trade talks under the auspices of the WTO falter, and as controversy rages over European Union expansion, many are debating what makes these institutions important and how changes in their rules or in their members might affect the future benefits those institutions bring. CDDRL pre-doctoral fellow **Julia Gray's** dissertation focuses on

identifying what aspects of international institutions are important in establishing credibility for their members.

“Everyone seems to know in their bones that international organizations are important; in fact, it’s usually taken as given both in academic literature and in policy work,” says Gray. “But researchers have only recently started to be rigorous about specifying how certain types of institutions might matter, and to whom.” Her work uses statistical analysis and qualitative research mechanisms to show how joining regional trade agreements affects foreign direct investment, creditor ratings, and spreads and risk on sovereign debt in developing countries.

“It’s not surprising that joining groups like the EU and NAFTA make countries look less risky to investors,” Gray says, “but through my research, I have found that joining an inward-looking Regional Trade Association (RTA) whose members are seen as being poor quality—such as COMESA in Africa or Mercosur in Latin America—will actually make a country look more risky.” To explore this impact further, she codes RTAs along several dimensions, including tariff reduction, the volume of trade in the agreement, and the institutional quality and governance capacity of members. “It’s not the rules of the club or the structure of the building that matter—it’s the quality of the other members that investors notice most.”

While at CDDRL, she is expanding her research to look at the impact of membership on policy reform of new entrants. The prospect of EU accession creates a window in which publics have a greater tolerance for tough reform measures; that window closes fast as accession draws closer. Thus, RTAs need to find ways of offering assistance to new members whose publics have limited patience for economic reform.

Gray is currently a Ph.D. candidate at UCLA’s Department of Political Science and received an MSc with distinction in Politics of the World Economy from the London School of

Economics. Gray, like other CDDRL researchers, has joined her interests in research to policy and civic activism. Prior to starting her Ph.D., she was co-founder and managing editor of *Transitions Online* (<http://www.tol.cz>), an online magazine that covers all of the 27 post-communist countries, from Central Europe to Central Asia. In addition to features from local reporters, the magazine provides training to local journalists who have not had exposure to the English-language press. She also worked in Freedom House’s Budapest office, administering grants under the Regional Networking Project. In both of those positions, Gray traveled extensively throughout much of Central and Eastern Europe, and her dissertation makes use of the contacts that she established there, including journalists, policymakers, and the heads of think tanks.



In recent years, both academics and practitioners have come to a new consensus that long-term economic development is difficult to achieve without strong, stable institutions.

Democratic political systems enforce accountability on leaders and provide them with the feedback they need to make good policy decisions. Reliable property rights and enforceable contracts, supported by the rule of law, enable firms and citizens to make investments and build businesses. Yet China has sustained explosive growth for over twenty years while apparently breaking all these rules.

CDDRL pre-doctoral fellow, **Peter Lorentzen**, spent several years in China during the 1990s, a period when post-Tiananmen retrenchment transitioned into an economic and cultural reawakening. Working as a consultant for multinational firms wanting to expand their business in China, he traveled the country talking to firms of every shape and size. He became fascinated by the ways in which China’s growth

defied the conventional wisdom. Wanting to learn new ways of approaching this puzzle, he returned to graduate school to study the myriad theories and methodologies developed by economists and political scientists. He is currently completing his Ph.D. in Economic Analysis and Policy at Stanford's Graduate School of Business.

Lorentzen's research integrates a detailed understanding of the Chinese context with the abstract tools of game theory to explore how China could sustain rapid economic growth without most of the institutions that seemed essential in the rise of the West. He shows that the rise in popular protest in China over the past decade may have been tolerated by the Chinese central government as an imperfect substitute for democratic mechanisms. By allowing small groups of citizens to call attention to local government malfeasance, the central government helps keep local governments in line. In addition, it gains the opportunity to deal with and defuse localized discontent before it becomes explosive or widespread. Lorentzen's research, therefore, hits some of CDDRL's main research themes—growth and governance in countries undergoing dramatic social and political change.



Transitional justice refers to societies employing judicial and non-judicial mechanisms to address past human rights violations as those societies recover from conflict. "Given the extent, recurrence and persistence of genocide and other atrocities, there has never before been a more appropriate opportunity to study transitional justice," argues CDDRL pre-doctoral fellow, **Zachary Kaufman**. "The number and diversity of tools available (e.g., prosecution, amnesty, and exile) to those seeking transitional justice are great. The international community has agreed in principle that it must individually

and collectively do more to prevent and stop atrocities, but has disagreed about how to accomplish that goal in practice."

Kaufman's dissertation analyzes U.S. government policy objectives in supporting the establishment of war crimes tribunals. He notes that, "the question of what U.S. foreign policy is and should be with respect to post-conflict reconstruction and reconciliation in general, and to transitional justice in particular, is a crucial and recurring one, as we currently see in, among other places, Iraq, Sudan, the Democratic Republic of Congo, Uganda, Rwanda, and the former Yugoslavia."

Kaufman's forthcoming publications include a book he is co-editing on transitional justice, post-conflict reconstruction, and reconciliation since the 1994 Rwandan genocide, and an article on justice and accountability for the Darfur atrocities that will appear in a forthcoming issue of *Criminal Law Forum*.

Kaufman's research motivated his practical work on these issues, which, in turn, further informs his research. His professional experience has focused on the investigation, apprehension, and prosecution of suspected perpetrators of atrocities, including genocide, war crimes, crimes against humanity, and terrorism. He has served at the U.S. Departments of State and Justice and the UN International Criminal Tribunals for the former Yugoslavia and Rwanda. Kaufman also was the first American to serve at the International Criminal Court, where he was policy clerk to the first Chief Prosecutor.

While at Stanford, Kaufman is completing his DPhil (Ph.D.) in International Relations from Oxford University, where he was a Marshall Scholar from 2002–05. When he leaves CDDRL in 2006, he will attend Yale Law School.

NEW BOOKS BY CDDRL AUTHORS:

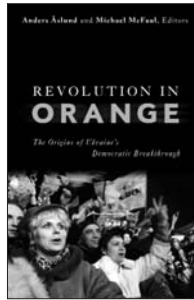
*Squandered Victory*

The American Occupation and the Bungled Effort to Bring Democracy to Iraq

Larry Diamond

In the fall of 2003, CDDRL's Larry Diamond received a call from Condoleezza Rice, asking if he would spend several months in Baghdad as an adviser to the American occupation authorities. Diamond thought he could do some good by putting his academic expertise to work in the real world. So in January 2004 he went to Iraq, and the next three months proved to be more of an education than he bargained for.

In *Squandered Victory* Diamond shows how the American effort to establish democracy in Iraq was hampered not only by insurgents and terrorists but also by a long chain of miscalculations, missed opportunities, and acts of ideological blindness that helped assure that the transition to independence would be neither peaceful nor entirely democratic. He brings us inside the Green Zone, into a world where ideals were often trumped by power politics and where U.S. officials routinely issued edicts that later had to be squared (at great cost) with Iraqi realities. His provocative and vivid account makes clear that Iraq—and by extension, the United States—will spend many years climbing its way out of the hole that was dug during the fourteen months of the American occupation.

*Revolution in Orange*

The Origins of Ukraine's Democratic Breakthrough

Anders Åslund and Michael McFaul, Editors

The dramatic series of protests and political events that unfolded in Ukraine in the fall of 2004—the “Orange Revolution”—were seminal both for Ukrainian history and the history of democratization. When poisoned with dioxin, pro-Western presidential candidate Viktor Yushchenko was left physically weakened and disfigured but politically energized. The ruling party, faced with strengthened opposition, resorted to voter intimidation and massive electoral fraud to win the runoff election. Supporters of Yushchenko gathered in Kyiv, responding with mass demonstrations, sit-ins, and marches. Thanks in large part to this peaceful revolution, the flawed election results were annulled. In a second runoff, Yushchenko was elected as the new president. *Revolution in Orange* seeks to explain why and how this nationwide protest movement occurred.

This volume identifies the factors that contributed to the success of the Orange Revolution. It also discusses the elements that have been commonly assumed to be critical, but in fact were not instrumental in the movement. Chapters explore the role of former president Kuchma and the oligarchs, societal attitudes, the role of the political opposition and civil society, the importance of the media, and the roles of Russia and the West.

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