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### Accountability, Checks, Balances and Good Governance

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## **Accountability, Checks, Balances and Good Governance**

When we define the optimal system of any governance model we talk about the imperative of having three branches for government: executive, legislative and judicial with clear roles and responsibilities assigned to each. No system is perfect. Therefore, there needs to be a continuous system of checks and balances to ensure that no one branch of government becomes more powerful than the other two, or steps into jurisdictions that it should not get into. Even with the most developed democracies, there is a need for a system of checks and balances, and in parallel, a system for ensuring that accountability tools are enabled by one branch of government over the other, by the media and by civil society organizations.

Recently I accompanied a group of graduate student from the American University in Cairo on a study tour to the United States. In visiting a number of think tanks, research centers and universities, we got exposed to a number of the inherent checks, balances and accountability means instilled in the American system that guarantee the smooth operation of government. The examples worked to emphasize what we are lacking currently in the Egyptian context.

The system of checks and balances in our Egyptian context is fading away over time, with clear dominance for the Executive authority and the Head of the Republic, a matter that is exceedingly alarming. With the recent changes introduced to the 2014 constitution, extending the presidential terms exceptionally and allowing the current president to continue until 2030, plus giving him more powers to appoint heads of the judicial organizations, we are moving backwards on the path of good governance. Add to that the excessive restrictions and censorship imposed on media organizations, civil society and political parties. We are depriving these entities of their ability to hold government accountable.

We had the privilege of meeting with a top level official from the Government Accountability Office. GAO reports directly to Congress and has the mandate to perform both performance and financial audits on any government organization and also on military and police organizations. The head of the GAO has immunity and cannot be fired by the President of the republic. He has a 15 year contract and can be removed only by impeachment. Yes, this person gets to be appointed by the president, but out of a list of names proposed by Congress on which there is consensus by all political parties. GAO empowers the legislative authority to check on the performance of the executive branch.

During our study tour, we also got to see firsthand the different means employed to hold government accountable. This included the work of independent nonpartisan civil society organizations fighting for the rights of the underprivileged in society and strengthening the system of justice and democracy in the United States. Through advocacy, lobbying and sometimes suing government, there were cases where civil society organizations worked hard to ensure that those accused of crimes, and held in prisons before receiving a court ruling, had the chance to vote in elections. This is a direct application of the legal premise that any accused person is innocent until proven guilty. In other cases, civil society organizations were working on improving the quality of life in prisons and advocating for reducing unnecessarily long incarceration sentences, and proposing alternative restraining mechanisms. In all those instances, civil society is working on holding both the executive and judicial branches accountable.

Civil society organizations can also monitor government's performance using innovative ways. We met with the founders of a nonprofit, who promote the use of Geographical Information Systems and 'Geo-design' in monitoring the government's performance regarding achieving the Sustainable Development Goals. Citizens' apps are provided where people can take photos of

any violations and report. Thus the GIS system becomes participatory, and the Geo-design system integrates the collected data to identify optimal solutions and scenarios.

We may disagree about the extent of media objectivity in the United States, depending on which media channel we are watching and who is it funded by. But at least media is free to criticize any government malfunction and to make fun of the President as much as it wants, without fearing any negative repercussions. Free media works as the fourth authority and is capable of holding all the other three branches accountable to the citizens, if needed. Think tanks and polling centers work closely with the media and provide them with evidence-based research so that they can come up with informed policy analysis and alternatives. This is yet another means of making sure legislative and executive authorities are kept on track.

By postponing democracy, and by weakening the checks and balances in our Egyptian government system, and deterring proper accountability, there is no guarantee that public value will be created. It is like having a car speeding on the road without a seatbelt, or a radar system to put it in check. Yes, the car may be able to cover some distance in a short time, but it is more prone to accidents, and there is no guarantee that it is on the right path in the first place. It may be heading in the wrong direction for all we know!