

THE OPEN SOCIETY MONITORING INDEX

ROUND 1 | 2010



OPEN SOCIETY FOUNDATION FOR SOUTH AFRICA

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The Open Society Monitoring Index

ROUND 1

Developed by the Democracy in Africa Research Unit (DARU), University of Cape Town,
in collaboration with the Open Society Foundation for South Africa (OSF-SA)

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PART 1

THE OPEN SOCIETY MONITORING INDEX (OSMI)

The Open Society Monitoring Index is designed to assess the degree of openness in South African society. The creation of an “open society” is both a fundamental goal¹ and founding principle² of the South African Constitution. How far has South Africa actually moved toward achieving this goal since 1996? The answer to this question is far from clear. While social scientists and civil society organisations have joined together in South Africa and across the world to sharpen definitions and develop ways to measure progress toward a range of related goals such as democracy, transparency, civil liberties or political rights, the concept of “openness” has remained unexplored.

According to the Constitution, an open society is characterised by the free flow of information based on maximum transparency, an active civil society able to collect information from and about the state, and a free marketplace of ideas and speech through which government policy is vigorously debated. An open society is also marked by government institutions that can be held to account for their actions by as broad a cross-section of civil society as possible, and that respond to criticism by changing and improving policy and practice. Finally, an open society is one where the behaviour of the state is bound by the rule of law, where citizens are able to protect their rights to information and speech, and the government’s stance toward the law is governed by a respect for constitutional and legal principles rather than political expediency.

Measuring South Africa’s progress toward creating a truly open society is essential, not simply as a way to assess its success in putting a set of liberal democratic principles into practice, but as a way to assess the country’s ability to realise its substantive social goals and avoid the failures, indeed disasters, that are often caused by public policies designed in secrecy and based on flawed information.

1 Other goals include healing the “divisions of the past,” establishing “a society based democratic values, social justice and fundamental human rights”, improving “the quality of life of all citizens and free[ing] the potential of each person”, and building a “united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations”. (Preamble Constitution of the Republic of South Africa, 1996)

2 Constitution of the Republic of South Africa, 1996, Chapter 1, Section 1(d).

Any attempt to assess South Africa's progress toward creating an open society must begin with, at least, three broad dimensions: (1) the free flow of information; (2) inclusive, accountable and responsive government institutions; and (3) the rule of law.

The Free Flow of Information

The free flow of information requires that people must be free to **gather** whatever information they deem relevant – even from the state, that the state should be required to **provide** certain types of information on a regular basis about what it does, and that all people and groups must be free to **express** their criticisms of the strengths and flaws of existing policy and practice and to vigorously debate what needs to be done to improve it. These conditions are best advanced by a transparent state, a free and vigorous news media, a civil society and academic community that actively works to provide citizens with information about the behaviour of government officials and the consequences of government policies, and a strong legal framework and court system that protects the freedom of speech and freedom of the press.

Inclusive, Accountable and Responsive Government Institutions

Information, debate and criticism are most effective when the occupants of the state are compelled to answer criticisms, justify their policies and behaviours, and indeed respond by changing policies when they cannot be justified. Government must be accountable to ordinary citizens and civil society (vertical accountability) but also to other institutions of government and state (horizontal accountability). Vertical accountability and responsiveness is most likely to occur where government is popularly elected through free, fair and competitive elections featuring widespread public participation, and where elected legislators are accessible to ordinary citizens and legislatures facilitate public participation in law-making processes. Horizontal accountability is most likely to occur where the legislature and other state institutions have the constitutional powers, resources and political incentives to monitor and review executive branch policy and conduct on a regular basis. Legislatures have more incentives to do this when elections are competitive and participation is widespread, and the legislative process is transparent and encourages maximum public involvement. Legislative oversight may also be complemented by other institutions that have as their main mission the regular review of state policy and implementation, such as an auditor-general, or a human rights commission.

Adherence to the Rule of Law

The free flow of information and inclusive, accountable government institutions depend for their existence on the rule of law. The rule of law entails a wide range of things

but, in the context of the open society, its most important implications are that citizens are able to protect their rights to information, expression, speech, participation and political influence, and that the government's stance toward the law is governed by a respect for constitutional and legal principles rather than political expediency, impunity or fiat. The rule of law is upheld by an independent judiciary and by other agencies with sufficient resources and independence to protect citizens, most importantly an independent prosecuting authority and a police service that respects citizens' civil and political rights.

The Process

Round 1 of the OSMI consisted of a two-stage process. In the first stage, empirical data about the openness of South African society was collected by the Democracy in Africa Research Unit at the University of Cape Town by means of an extensive review of the most comprehensive, accurate and current information published on each of the three dimensions comprising the index. This information formed the basis for a narrative that identified:

1. The constitutional and legislative framework that comprise each dimension (or sub-dimension).
2. The institutional mechanisms and processes designed to achieve the goals set out in national legislation.
3. Secondary data evaluating the empirical performance of each of the identified mechanisms or processes (focusing on functioning, accessibility and compliance) as well as an indication of existing data gaps that prevent a fuller evaluation of the mechanism.
4. Evaluations of the adequacy of the identified mechanisms or processes. This includes taking note of any flaws, omissions or publicly-known attempts to subvert the identified mechanisms or processes, as well as any known recommendations to enhance the implementation of the mechanisms or processes.

During the second stage, the empirical information gathered in the narrative was distributed to a broad panel of 25 expert respondents, who were invited to score the index accompanying the narrative. Respondents were not involved in the conceptualisation of the index or the production of the narrative that accompanied it. The collective judgment of this panel is reflected in the data discussed in this report. Through this empirically grounded process, the OSMI aims to gauge the openness of South African society in a reliable fashion over time.

The index consists of a series of questions which allow for a longitudinal rating

of South African society along the **three dimensions of openness**, each of which were disaggregated into a further **three sub-dimensions**. The index thus consists of nine sub-dimensions in total namely:

1. The Free Flow of Information
 - a. Public Access to Information
 - b. Government Provision of Information
 - c. Free and Independent News Media
2. Accountable and Responsive Government Institutions
 - a. Free and Fair Elections
 - b. Public Participation in Legislative Processes
 - c. Executive Accountability to Parliament
3. Adherence to the Rule of Law
 - a. Judicial Independence
 - b. Prosecutorial Independence
 - c. Police Conduct

For each of the nine sub-dimensions, the scorecard lists seven questions about a common series of **seven components of openness** that prompt respondents to evaluate the quality of the legal and institutional framework designed to promote a particular aspect or dimension of openness, the efficacy of this framework when implemented, and the political will to promote the objectives associated with it. For each sub-dimension, respondents were asked to assess:

1. The strength of the formal institutional and legislative framework that promotes a specific dimension of openness.
2. The accessibility of institutions and legal mechanisms promoting specific dimensions of openness.
3. The extent to which these institutions and mechanisms are utilised by intended beneficiaries.
4. The sufficiency of the resources allocated to these institutions and mechanisms.
5. The extent to which the institutions and mechanisms can ensure meaningful compliance with the legal framework from which they derive their authority.
6. The overall effectiveness of formal mechanisms and institutions.
7. The degree of government commitment, or political will, to upholding and strengthening a specific dimension of openness.

Respondents provided answers to questions about each component of openness using a 10-point scale, where “0” indicates “not at all” or “never”, and “10” indicates “completely” or “all the time.” They could consult the narrative in formulating their responses, but were also expected to draw on their own expertise on the issues covered by the index. Their scores for each of the 63 questions forms the basis of the statistical analysis presented in this document. Because some respondents chose not to provide a score to certain questions, the number of total responses on those questions equals 24 rather than 25. Where respondents chose to provide a range, rather than a discrete score, we used the average as the final score. For example, the final score included in the dataset would be “7” if the score sheet indicated a range of “6–8” in response to a specific question.

Data Analysis

Respondent scores were averaged together to provide a mean score for each question,³ but more importantly for.

- each of the 3 dimensions
- each of the 9 sub-dimensions
- and each of the 7 components of openness

³ All values were rounded to one decimal point.

PART 2

FINDINGS FROM ROUND 1 OF THE OSMI

Overview of Findings

The Dimensions of Openness: None of the three primary dimensions evaluated in Round 1 of the OSMI earned an overall score of more than 5.5 on a scale of 0 to 10 (See Figure 1). Respondents felt that openness was most compromised with respect to “Rule of Law”. This dimension earned an overall mean score of 4.3, compared to a mean of 4.7 for “Free Flow of Information” and 5.5 for “Accountable and Responsive Government”. The high score for “Accountable and Responsive Government” can be attributed to respondents’ overwhelmingly positive evaluations of South Africa’s progress in routinely conducting “Free and Fair Elections”, one of the substantive areas or sub-dimensions comprising this dimension.

These scores indicate that South Africa is neither doing particularly well, nor particularly poorly on any of the three primary dimensions of openness. On the whole, respondents felt that openness in South Africa is least compromised by the design of the formal institutions and legal mechanisms governing each of the substantive areas. Respondents’ high regard for the quality of the rules that structure public life suggests that the foundations for open society in South Africa are both present and sound. However the scores also indicate that citizens’ engagement with formal rules and institutions, as well as the government’s commitment to preserving their integrity and functioning, are the primary threats to openness in contemporary South Africa.

The Sub-Dimensions of Openness: As noted above, the sub-dimension that received the highest overall mean score was “Free and Fair Elections” (7.4) (See Figure 2). No other substantive area achieved an overall mean of 6.0 or more. Respondents’ ratings of all aspects of the electoral process in South Africa are consistent with other expert and citizen surveys pertaining to elections. The second highest overall mean of 5.6 was allocated to a “Free and Independent News Media”. This might be surprising to some given recent reports of attempted political interference and mismanagement at the SABC.⁴ Despite these challenges, respondents felt that media independence is

4 South African Broadcasting Corporation.

safeguarded by relatively effective oversight institutions, such as ICASA⁵ and the courts, and that the South African public enjoys trouble-free access to a reliable supply of news. The lowest overall mean score was for “Prosecutorial Independence” (3.35).

The Components of Openness: The component of openness that received the highest overall mean score was “Institutional Design” (5.4), with “Compliance” coming in a close second (5.3) (See Figure 3). Respondents consistently felt that the constitutional objectives relating to the free flow of information, accountable and responsive governance and adherence to the rule of law were effectively articulated in well-designed legislation and public institutions. Stated differently, threats to openness were perceived as stemming from the implementation of the formal framework governing public life, not the legal provisions governing the establishment, mandate and functioning of public institutions and oversight mechanisms.

The components of openness that consistently received the lowest overall mean score, regardless of the sub-dimension of openness being evaluated, were “Political Will”⁶ (4.4) and “Utilisation of Legal Mechanisms and Institutions” (earning the second lowest overall mean of 4.6).

- “Political Will” achieved the lowest score on all of the following sub-dimensions of openness: Public Access to Information; A Free and Independent News Media; Executive Accountability to Parliament, Judicial Independence; and Prosecutorial Independence.
- “Utilisation of Institutions” by intended beneficiaries was judged the weakest component of openness in relation to the following sub-dimensions: Government Provision of Information; Free and Fair Elections; and Public Participation in Legislative Processes.
- One sub-dimension, Police Conduct, was unique in having “Overall Effectiveness” evaluated as the weakest component of openness.

Evaluations of each component were uniformly high for “Free and Fair Elections,” but were uniformly low for “Prosecutorial Independence.” Here, the highest score was awarded to sufficiency of resources to achieve its mandate (3.8) and its lowest score (2.8) for “Political Will”, reflecting respondents’ scepticism about government’s commitment to promoting and upholding the independence of the National Prosecuting Authority. The scores for the various components of Prosecutorial Independence are

5 Independent Communications Authority of South Africa.

6 Note that index questions elicit evaluations of the political will by asking respondents to reflect on “Government’s commitment to upholding and promoting” particular objectives.

lower than all but one of the component scores garnered by either Police Conduct or Judicial Independence (See Figures 4–6).

Overall, the results from Round 1 of the OSMI suggest that South Africa's democracy could be judged as “healthy” or “above average” on most procedural definitions of democracy, which tend to prioritise the integrity of formal procedures, particularly elections. However, when attention turns to factors that structure the possibilities and limits of democratic practices between elections – e.g. the rule of law, executive accountability, and the free flow of information – the openness of South African society seems much more uncertain.

Methodological Notes

Confidence Intervals: Each mean score should be read as an estimate within a range or “confidence interval” (technically, the standard error of the mean). Standard errors are reported in Appendix A, but are also graphically represented in Figures 7 and 8 to demonstrate where areas where scores actually overlap, and where there are statistically significant differences.

Reliability of Mean Scores: As stated earlier, our goal was to provide a reliable gauge of openness in South Africa by providing a series of expert judges with a common set of empirical information and then asking them to provide scores across a common set of indicators. However, reliability does not imply that all respondents are expected to give identical ratings to the questions on the index. Rather, respondents' judgements are reliable to the extent that their evaluations vary systematically across different dimensions. For example, the OSMI is reliable to the extent that the most pessimistic respondents consistently assign the lowest score across all indicators, while the most optimistic respondent consistently assigns the highest scores. In this sense, the index yields an internally consistent measure of openness in South Africa. Reliability can be measured through a statistic called Alpha, which is reported in Appendix A. The scores are all above .80 with many above .90 indicating an acceptable to high degree of reliability and consistency.

Figure 1

Mean scores for the 3 dimensions of openness

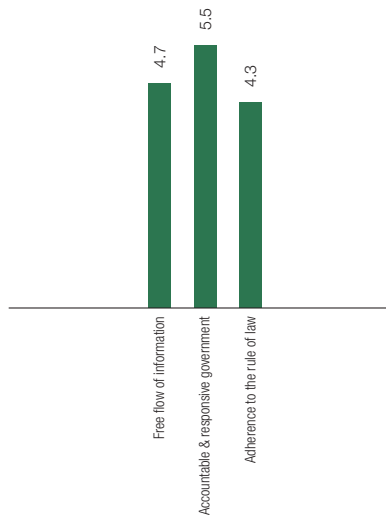


Figure 2

Mean scores for the 9 sub-dimensions of openness

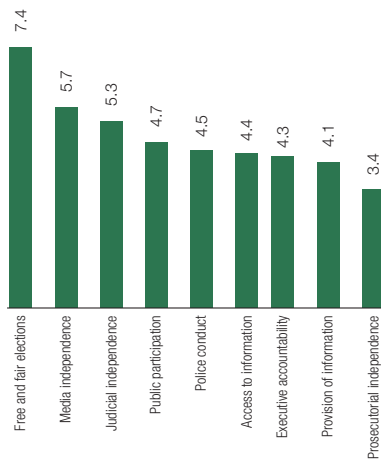


Figure 3

Mean scores for the 7 components of openness

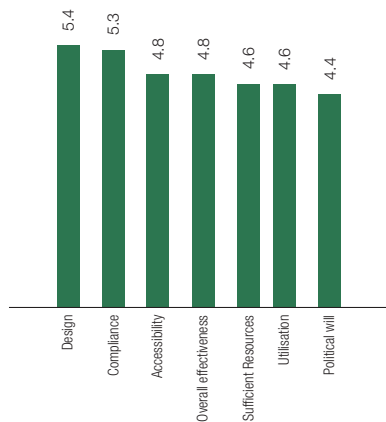


Figure 4

Mean component scores for Dimension 1: The free flow of information

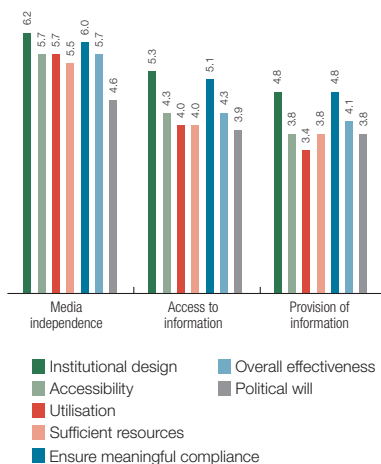


Figure 5

Mean component scores for Dimension 3:
Accountable and representative government institutions

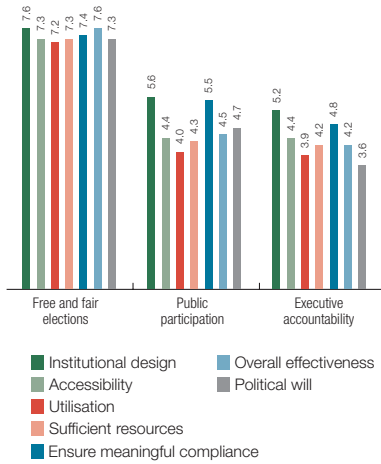


Figure 6

Mean component scores for Dimension 3:
Adherence to the rule of law

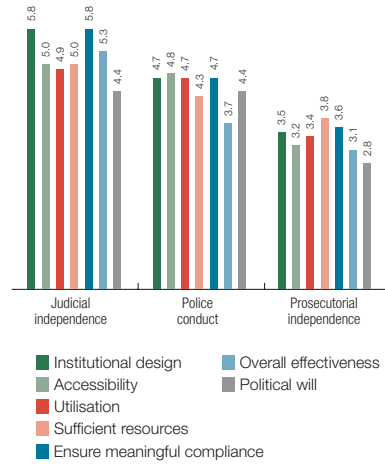


Figure 7

Confidence intervals for mean scores for
sub-dimension of openness

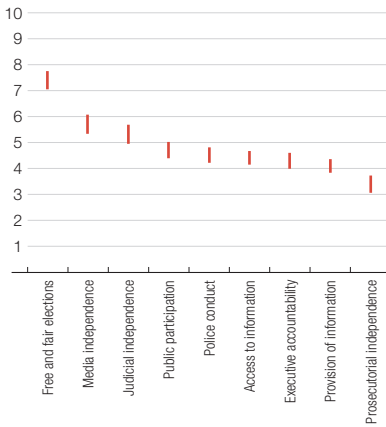
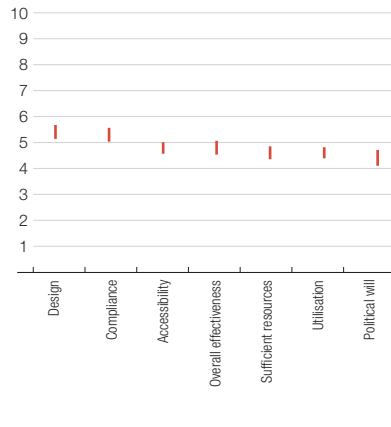


Figure 8

Confidence intervals for mean scores for
components of openness



APPENDIX A

MEANS, STANDARD ERRORS AND RANGE BY TYPE OF QUESTION

Table 1 Mean, Standard Deviation and Range by Type of Question¹

Sub-dimension	Institutional Design	Accessibility	Utilisation	Sufficient Resources
Public Access to Information	5.30 0.33	4.30 0.26	4.00 0.27	4.00 0.36
Government Provision of Information	4.80 0.33	3.80 0.20	3.40 0.20	3.80 0.34
Free & Independent News Media	6.20 0.36	5.70 0.36	5.70 0.39	5.50 0.30
Free & Fair Elections	7.60 0.32	7.30 0.33	7.20 0.32	7.30 0.36
Public Participation & Legislative Access	5.60 0.35	4.40 0.33	4.00 0.34	4.30 0.35
Executive Accountability to Parliament	5.20 0.33	4.40 0.30	3.90 0.23	4.20 0.35
Judicial Independence	5.80 0.39	5.00 0.34	4.90 0.36	5.00 0.40
Prosecutorial Independence	3.50 0.32	3.20 0.34	3.40 0.32	3.80 0.38
Police Conduct	4.70 0.34	4.80 0.32	4.70 0.33	4.30 0.36
Mean Score for Component of Openness	5.40 0.23	4.80 0.18	4.60 0.17	4.60 0.22

¹ The figure on the first line is the mean; the second is the standard error of the mean.

Ensure Meaningful Compliance	Overall Effectiveness	Political Will	Overall Mean Score for Sub-Dimension	Reliability
5.10 0.37	4.30 0.28	3.90 0.36	4.40 0.23	0.832
4.80 0.38	4.10 0.27	3.80 0.35	4.10 0.22	0.816
6.00 0.38	5.70 0.42	4.60 0.43	5.70 0.32	0.918
7.40 0.33	7.60 0.34	7.30 0.39	7.40 0.31	0.9869
5.50 0.35	4.50 0.33	4.70 0.35	4.70 0.27	0.901
4.80 0.36	4.20 0.29	3.60 0.34	4.30 0.25	0.901
5.80 0.37	5.30 0.42	4.40 0.42	5.30 0.33	0.937
3.60 0.34	3.10 0.33	2.80 0.37	3.40 0.29	0.930
4.70 0.34	3.70 0.33	4.40 0.41	4.50 0.26	0.864
5.30 0.24	4.80 0.22	4.40 0.27		

APPENDIX B

MEAN SCORES FOR DIMENSION 1: THE FREE FLOW OF INFORMATION

Overall Mean Score for the Free Flow of Information: 4.70

Table 3 Mean Scores for Sub-Dimension 1a: Public Access to Information

Overall mean score		4.40
1.	Institutional Design	5.30 (highest)
2.	Accessibility	4.30
3.	Utilisation	4.00
4.	Sufficient Resources	4.00
5.	Ensure Meaningful Compliance	5.10
6.	Overall Effectiveness	4.30
7.	Political Will	3.90 (lowest)

Table 4 Mean Scores for Sub-Dimension 1b: Government Provision of Information

Overall mean score		4.10
8.	Institutional Design	4.80 (highest)
9.	Accessibility	3.80
10.	Utilisation	3.40 (lowest)
11.	Sufficient Resources	3.80
12.	Ensure Meaningful Compliance	4.80
13.	Overall Effectiveness	4.10
14.	Political Will	3.80

Table 5 Mean Scores for Sub-Dimension 1c: Free & Independent News Media

Overall mean score		5.60
15.	Institutional Design	6.20 (highest)
16.	Accessibility	5.70
17.	Utilisation	5.70
18.	Sufficient Resources	5.50
19.	Ensure Meaningful Compliance	6.00
20.	Overall Effectiveness	5.70
21.	Political Will	4.60 (lowest)

APPENDIX C

MEAN SCORES FOR DIMENSION 2: ACCOUNTABLE & RESPONSIVE GOVERNMENT INSTITUTIONS

Overall Mean Score for Accountable & Responsive Government: 5.50

Table 6 Mean Scores for Sub-Dimension 2a: Free & Fair Elections

Overall mean score	7.40
22. Institutional Design	7.60 (joint highest score)
23. Accessibility	7.30
24. Utilisation	7.20 (lowest score)
25. Sufficient Resources	7.30
26. Ensure Meaningful Compliance	7.40
27. Overall Effectiveness	7.60 (joint highest score)
28. Political Will	7.30

Table 7 Mean Scores for Sub-Dimension 2b: Public Participation in Legislative Processes

Overall mean score	4.70
29. Institutional Design	5.60 (highest score)
30. Accessibility	4.40
31. Utilisation	4.00 (lowest score)
32. Sufficient Resources	4.30
33. Ensure Meaningful Compliance	5.50
34. Overall Effectiveness	4.50
35. Political Will	4.70

Table 8 Mean Scores for Sub-Dimension 2c: Executive Accountability to Parliament

Overall mean score	4.30
36. Institutional Design	5.20 (highest score)
37. Accessibility	4.40
38. Utilisation	3.90
39. Sufficient Resources	4.20
40. Ensure Meaningful Compliance	4.80
41. Overall Effectiveness	4.20
42. Political Will	3.60 (lowest score)

APPENDIX D

MEAN SCORES FOR DIMENSION 3: THE RULE OF LAW

Overall Mean Score for the Rule of Law: 4.30

Table 9 Mean Scores for Sub-Dimension 3a: Judicial Independence

Overall mean score		5.20
43.	Institutional Design	5.80 (highest score)
44.	Accessibility	5.00
45.	Utilisation	4.90
46.	Sufficient Resources	5.00
47.	Ensure Meaningful Compliance	5.80
48.	Overall Effectiveness	5.30
49.	Political Will	4.40 (lowest score)

Table 10 Mean Scores for Sub-Dimension 3b: Independence of Prosecutorial Independence (Elite Law Enforcement Agencies)

Overall mean score		3.40
50.	Institutional Design	3.50
51.	Accessibility	3.20
52.	Utilisation	3.40
53.	Sufficient Resources	3.80 (highest score)
54.	Ensure Meaningful Compliance	3.60
55.	Overall Effectiveness	3.10
56.	Political Will	2.80 (lowest score)

Table 11 Mean Scores for Sub-Dimension 3c: Police Conduct (Conduct of Mass Law Enforcement Agencies)

Overall mean score		4.50
57.	Institutional Design	4.70
58.	Accessibility	4.80 (highest score)
59.	Utilisation	4.70
60.	Sufficient Resources	4.30
61.	Ensure Meaningful Compliance	4.70
62.	Overall Effectiveness	3.70 (lowest score)
63.	Political Will	4.40

APPENDIX E

QUESTIONS COMPRISING THE OSMI SCORECARD

1. THE FREE FLOW OF INFORMATION
1a. Public Access to Information
1. To what extent are legal mechanisms and public institutions promoting access to information sufficient for achieving their objectives?
2. To what extent are legal mechanisms and public institutions promoting access information accessible to intended beneficiaries?
3. To what extent are legal mechanisms and public institutions promoting access to information utilised by intended beneficiaries?
4. How sufficient are the resources allocated to legal mechanisms and public institutions promoting access to information?
5. To what extent can legal mechanisms and public institutions promoting access to information ensure meaningful compliance with access to information requests?
6. Overall, how effective are legal mechanisms and public institutions in achieving public access to information?
7. To what extent is government committed to upholding and strengthening public access to information?

1. THE FREE FLOW OF INFORMATION
1b. Government Provision of Information
8. To what extent are legal mechanisms and public institutions promoting government provision of information sufficient for achieving their objectives?
9. To what extent are legal mechanisms and public institutions promoting government provision of information accessible to intended beneficiaries?

10. To what extent are legal mechanisms and public institutions promoting government provision of information utilised by intended beneficiaries?
11. How sufficient are the resources allocated to legal mechanisms and public institutions promoting government provision of information?
12. To what extent can legal mechanisms and public institutions promoting government provision of information ensure meaningful compliance with access to information requests?
13. Overall, how effective are legal mechanisms and public institutions in achieving government provision of information?
14. To what extent is government committed to upholding and strengthening government provision of information?

1. THE FREE FLOW OF INFORMATION
1c. Free and Independent News Media
15. To what extent are legal mechanisms and public institutions promoting a free and independent news media sufficient for achieving their objectives?
16. To what extent are legal mechanisms and public institutions promoting a free and independent news media accessible to intended beneficiaries?
17. To what extent are legal mechanisms and public institutions promoting a free and independent news media utilised by intended beneficiaries?
18. How sufficient are the resources allocated to legal mechanisms and public institutions promoting a free and independent news media?
19. To what extent can legal mechanisms and public institutions promoting a free and independent news media ensure meaningful compliance with provisions promoting this goal?
20. Overall, how effective are legal mechanisms and public institutions in ensuring a free and independent news media?
21. To what extent is government committed to upholding and promoting a free and independent news media?

2. ACCOUNTABLE & RESPONSIVE GOVERNMENT
2a. Free and Fair Elections
22. To what extent are legal mechanisms and public institutions promoting free and fair elections sufficient for achieving their objectives?
23. To what extent are legal mechanisms and public institutions promoting free and fair elections accessible to intended beneficiaries?
24. To what extent are legal mechanisms and public institutions promoting free and fair elections utilised by intended beneficiaries?
25. How sufficient are the resources allocated to legal mechanisms and public institutions promoting free and fair elections?
26. To what extent can legal mechanisms and public institutions promoting free and fair elections ensure meaningful compliance with provisions promoting this goal?
27. Overall, how effective are legal mechanisms and public institutions in achieving free and fair elections?
28. To what extent is government committed to upholding and promoting free and fair elections?

2. ACCOUNTABLE & RESPONSIVE GOVERNMENT
2b. Extensive Public Participation & Accessible Legislative Processes
29. To what extent are legal mechanisms and public institutions promoting public participation in legislative processes sufficient for achieving their objectives?
30. To what extent are legal mechanisms and public institutions promoting public participation in legislative processes accessible to intended beneficiaries?
31. To what extent are legal mechanisms and public institutions promoting public participation in legislative processes utilised by intended beneficiaries?
32. How sufficient are the resources allocated to legal mechanisms and public institutions promoting public participation in legislative processes?
33. To what extent can legal mechanisms and public institutions promoting public participation in legislative processes ensure meaningful compliance with provisions promoting this goal?

34. Overall, how effective are legal mechanisms and public institutions in achieving public participation in legislative processes?
35. To what extent is government committed to upholding and promoting public participation in legislative processes?

2. ACCOUNTABLE & RESPONSIVE GOVERNMENT
2c. Executive Accountability to Parliament
36. To what extent are legal mechanisms and public institutions promoting executive accountability sufficient for achieving their objectives?
37. To what extent are legal mechanisms and public institutions promoting executive accountability accessible to intended beneficiaries?
38. To what extent are legal mechanisms and public institutions promoting executive accountability utilised by intended beneficiaries?
39. How sufficient are the resources allocated to legal mechanisms and public institutions promoting executive accountability?
40. To what extent can legal mechanisms and public institutions promoting executive accountability ensure meaningful compliance with provisions promoting this goal?
41. Overall, how effective are legal mechanisms and public institutions in achieving executive accountability?
42. To what extent is government committed to upholding and promoting executive accountability?

3. RULE OF LAW
3a. Judicial Independence
43. To what extent are legal mechanisms and public institutions promoting judicial independence sufficient for achieving their objectives?
44. To what extent are legal mechanisms and public institutions promoting judicial independence accessible to intended beneficiaries?
45. To what extent are legal mechanisms and public institutions promoting judicial independence utilised by intended beneficiaries?

46.	How sufficient are the resources allocated to legal mechanisms and public institutions promoting judicial independence?
47.	To what extent can legal mechanisms and public institutions promoting judicial independence ensure meaningful compliance with provisions promoting this goal?
48.	Overall, how effective are legal mechanisms and public institutions in achieving judicial independence?
49.	To what extent is government committed to upholding and promoting judicial independence?

3.	RULE OF LAW
3b.	Independence of Elite Law Enforcement Agencies
50.	To what extent are legal mechanisms and public institutions promoting the independence of elite law enforcement agencies sufficient for achieving their objectives?
51.	To what extent are legal mechanisms and public institutions promoting the independence of elite law enforcement agencies accessible to intended beneficiaries?
52.	To what extent are legal mechanisms and public institutions promoting the independence of elite law enforcement agencies utilised by intended beneficiaries?
53.	How sufficient are the resources allocated to legal mechanisms and public institutions promoting the independence of elite law enforcement agencies?
54.	To what extent can legal mechanisms and public institutions promoting the independence of elite law enforcement agencies ensure meaningful compliance with provisions promoting this goal?
55.	Overall, how effective are legal mechanisms and public institutions in achieving the independence of elite law enforcement agencies?
56.	To what extent is government committed to upholding and promoting the independence of elite law enforcement agencies?

3. RULE OF LAW
3c. Conduct of Mass Law Enforcement Agencies
57. To what extent are legal mechanisms and public institutions promoting mass adherence to the rule of law sufficient for achieving their objectives?
58. To what extent are legal mechanisms and public institutions promoting mass adherence to the rule of law accessible to intended beneficiaries?
59. To what extent are legal mechanisms and public institutions promoting mass adherence to the rule of law utilised by intended beneficiaries?
60. How sufficient are the resources allocated to legal mechanisms and public institutions promoting mass adherence to the rule of law?
61. To what extent can legal mechanisms and public institutions promoting mass adherence with the rule of law ensure meaningful compliance with provisions promoting this goal?
62. Overall, how effective are legal mechanisms and public institutions in achieving mass adherence to the rule of law?
63. To what extent is government committed to upholding and promoting mass adherence to the rule of law?