# Local Accountabilities in Fragile Contexts: Experiences from Nepal, Bangladesh and Mozambique

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## Foreword

Accountability is one of the five governance principles HELVETAS believes to be the 'core structure' of governance in international cooperation: efficiency, non-discrimination, transparency, participation, and accountability. When reading this impressive study on *Local Accountabilities in Fragile Contexts*, I realised again how the aim of strengthening accountabilities (as part of 'governance') in development cooperation, is a matter of transformation of values. That is, those values behind such principles as respect for others, justice, equal rights and opportunities for all members of society. This means not only values of our partners and societies, but also values and behaviour in our own culture, even our own organisations.

This is also evident in development cooperation itself and the choices and priorities that are made. In this context, the authors conclude that the current trend towards results-based management approach in international cooperation risks diverting our priorities from 'things we should be doing' to 'things we find easy to demonstrate we are doing'. Investing in thorough analysis of visible and invisible power, for example, is one thing we all should do more, in order to be in a position to identify allies among power holders and local elites, who share a vision of including poor people's perspectives in their decision making.

The case studies from *Nepal*, *Bangladesh* and *Mozambique* provide ample evidence of the importance of adapting strategies to local contexts. Particularly in fragile situations, marked by a lack of trust in state representatives, openly promoting public accountability in unaccountable states could be too risky for NGOs and citizens. Promoting transparency by sharing and providing information might be a better strategy.

It would be a platitude to state that supporting development efforts by intervening in 'governance' is a complex issue. Of course this is true, but it also accounts for all other fields of cooperation, be it 'water', 'natural resources', 'education'– you name it. Developed citizen–state relationships should provide the value basis for country specific, complex accountability systems, which integrate domestic institutions, donor interventions, and local populations. This study offers insight into rich experiences that can inspire us beyond the three country cases analysed.

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# Contents

# Introduction

While a measure of accountability may seem an obvious feature of democracies, aid agencies often work in settings where accountability mechanisms are weak or even absent. Many of these settings, even those located in formally democratic countries, are fragile in various ways. They suffer from 'institutional instability undermining the predictability, transparency and accountability of public decision-making processes and the provision of security and social services to the population' (Engberg-Pedersen et al 2008: 6).

Since accountability and transparency exploded onto the development aid scene towards the end of the last century, much has been invested in implementing transparency and accountability initiatives (TAIs) and in studying them and writing about them. By 2010, it was clear that while there was evidence of positive impacts, it was patchy, partial and relatively scant compared to the fast and vast spread of the TAIs (McGee and Gaventa 2010). For agencies like HELVETAS Swiss Intercooperation[1], a Swiss international NGO that supports a portfolio of accountability initiatives, important questions and gaps remained. There was a need for more empirical exploration of what works, what does not and why. While TAIs appeared capable of producing impact in fairly stable democracies with at least minimally responsive states, it was less clear how this could be achieved in weaker democracies, or where relationships between state and citizens were tenuous or undermined by a history of violent conflict. Calls had been issued for more judicious selection of research methods, according to researchers' need to answer the 'how' and 'why' questions about TAIs' impact as well as the 'whether' and 'how much' questions. Multicase studies and meta-level research were scarce, limiting the scope for comparative analysis or the detection of patterns in transparency or accountability dynamics. There was still the particularly acute dilemma of how aid actors can promote accountability effectively in the settings where it is perhaps most needed: those characterised by fragility.

HELVETAS took up some of these challenges. The work of HELVETAS' Governance and Peace team is rooted in the fields of political science, governance, participatory development, conflict transformation, peace building and human rights theory. It has been influenced by theoretical and conceptual work coming from the Participation, Power and Social Change team of the Institute of Development Studies (IDS) in the UK, in particular the work of the Development Research Centre on Citizenship, Participation and Accountability. This draws on citizenship studies, civil society studies, accountability and transparency concepts and theory as a subdiscipline connected to governance, political science and citizenship studies. In 2011, the HELVETAS Governance and Peace Team, collaborating with the Participation, Power and Social Change Team at IDS, designed an applied research project to explore in depth three accountability initiatives supported by HELVETAS in young or unstable, post-conflict or post-authoritarian democracies. This report presents a synthesis of the findings of the project.

HELVETAS acknowledges the importance of engagement between the state and its citizens. Together with local partners in the countries where it is active, it works on improving the relationship between the local population and local governments, with a vision of a state that offers basic services and security to its citizens, according to human rights conventions, and of active citizens who are able to make claims and influence policies in their interest (Malena 2006). The organisation's Governance and Peace team, by focusing on the local and building upwards, promotes democratic principles that allow for non-violence to take root and eventually build more responsive states that enjoy legitimacy and support among their populations. This, it posits, will contribute to resolving conflicts peacefully, and to equity and

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[1] Helvetas, the Swiss non-governmental organisation for development and cooperation founded in 1955, is nowadays known as HELVETAS Swiss Intercooperation after merging with Intercooperation, another Swiss organization, in 2011. In this report, we generally refer to HELVETAS Swiss Intercooperation as HELVETAS in keeping with common usage in the organisation.

inclusiveness. The Governance and Peace team was anxious to explore how far emerging practice, in HELVETAS-supported initiatives, confirmed this theory of change and whether the projects' starting premises and underlying working assumptions were borne out.

The research project aimed both to offer practical knowledge via conclusions and recommendations, addressed to development practitioners and aid agencies, and to nourish conceptual, academic and policy debates around this topical theme in Switzerland and beyond. Central to the project was in depth fieldwork, conducted by junior researchers from Swiss universities in partnership with staff of local HELVETAS Swiss Intercooperation offices and partner organisations.

This report draws heavily on the three case study reports written by the Swiss junior researchers with inputs from their in country co-researchers (Faehndrich and Nhantumbo 2013; Cima 2013; Buchmann 2013), which can be found in full online at www.ids.ac.uk/publications/ids-series-titles/ids-working-papers.  This synthesis report is written by us: the HELVETAS Governance and Peace team leader who was the inspiration behind the research and coordinated the project (Celestine Kroesschell); and an IDS Fellow with expertise in managing and researching social and citizen-led TAIs and experience in research supervision and coordination, who has acted as the project's research advisor (Rosie McGee).

The synthesis report proceeds as follows. In Section 1 we present the context: the state of current knowledge about transparency and accountability initiatives, the organisational and socio-political physical contexts where the three initiatives studied are playing out, and the conceptual terrain from which we started out in 2011. Section 2 states our research questions, gives our working definitions of key terms and concepts, and lays out our overall research process and methodology. In Section 3 (Findings), the three case studies are presented in five-page summary versions. Section 4 offers our analysis of the case studies' findings, seeking to add to and enrich the current state of knowledge in this field wherever our findings allow. Section 5 concludes with recommendations addressed to relevant actors.

# 1 Context and conceptual framework

## 1.1 Starting points and assumptions

Starting in 2011, this project took as its point of departure contemporary knowledge and pending questions about a range of issues, from the variety and scope of transparency and accountability (T&A) approaches and their aims when applied in the development field, to factors that contribute to their success. The story of transparency and accountability initiatives (TAIs) from the beginning, their origins and rapid expansion across the development field, has been well covered elsewhere (Malena *et al.* 2004; McGee and Gaventa 2010; Newell 2006; Newell and Bellour 2002; Peruzzotti and Smulovitz 2006). Rather than reproducing it here, we sketch out the conceptual terrain on which this project started, reflecting propositions and conclusions that had been formulated in this body of work by 2011. Key aspects of this conceptual terrain were as follows:

- *Spaces for citizen engagement and change:* Policy processes have been conceptualised by proponents of participatory governance and 'deeper' democracy in terms of governance 'spaces'. A well known source (Gaventa 2006) differentiates these as follows:

  *Closed spaces*: many decision-making spaces are closed. Elites (bureaucrats, experts or elected representatives) make decisions and provide services to the public, without broader consultation or involvement. Many civil society efforts focus on

opening up such spaces through greater public involvement, transparency or accountability initiatives.

*Invited spaces*: efforts to increase opportunities for public participation by making spaces more open, often lead to the creation of new spaces which may be referred to as 'invited' spaces. People – treated as users, citizens or beneficiaries – are invited into these by various kinds of authorities, to participate in policy processes (Cornwall, 2002). Invited spaces may be on going, or one off forms of consultation. As participatory approaches to governance spread, these spaces are proliferating at every level, from local government up to national and even global policy forums.

*Claimed/created spaces*: these are spaces that less powerful actors claim from power holders. They emerge out of sets of common concerns or identifications between people, and include spaces created by social movements and community associations, as well as spaces where people gather to debate, discuss and resist, outside the confines of 'official' spaces.

Whatever the terminology, who creates the spaces is a critical factor: those who create it are more likely to have power in it, more able to determine the terms of engagement and to make the space serve their interests (adapted from Gaventa 2006).

- *The various 'cases' for TAIs*: TAIs are applied in pursuit of various goals, possibly but not necessarily overlapping. A common characterisation of these is in terms of 'developmental', 'democratic' and 'empowerment' goals. Two or even three of the same kinds of goal might overlap within one TAI; and the TAI's theory of change might pursue the promotion of one kind as an intermediary goal and another kind as the final goal (e.g. democratic engagement in the pursuit of better service provision, which in itself is a developmental goal) (Malena *et al.* 2004; McGee and Gaventa 2010).

- *Legal and policy frameworks for transparency and accountability:* enabling legal frameworks (for instance Access to Information Laws, or policies that regulate the behaviour of public officials), along with other incentives and sanctions, add to the likelihood that TAIs will work. Without them, even where democratic space is available and committed political leaders are willing to champion the cause of accountability, TAIs and citizen movements for accountability often encounter insuperable obstacles. On the other hand, conducive legal frameworks are not enough in themselves to ensure TAIs' success, and much goes on in the informal spaces and relationships that connect the relevant citizen, government and private sector actors, which escapes the reach of formal rules and regulations. The most relevant legal and policy frameworks in many cases are those that regulate decentralisation processes, which in many countries were expected to open up opportunities for participation and increase state accountability (McGee *et al.* 2003; McGee and Gaventa 2010).

- *'De jure' versus 'de facto' accountability*: in the real world, 'there is very often a difference between who one is accountable to according to law or accepted procedure, and who one is accountable to because of their practical power to impose a sanction' (Goetz and Jenkins 2005: 10). Alignment is often weak or lacking between *de facto* accountability and what is stipulated in law or policy. This gap has been referred to by Goetz and Jenkins (*ibid.*) as the difference between *de jure* and *de facto* accountability, and many TAIs aim at narrowing it.

- *The lack of any automatic relationship between transparency and accountability:* far from transparency leading straightforwardly to greater accountability as many project and programme designs appear to presume, the relationship between the two is uncertain and contingent (Fox 2007). The securing of transparency will in most cases need to be

followed or accompanied by other actions of some kind, involving the same or possibly different actors and certainly different strategies, if it is to lead to accountability.

- *The need for TAIs to be underpinned by clearer theories of change:* few TAIs to date have articulated clear theories of change, making it very difficult to trace or ascertain the changes that are likely to occur or impact that has been attained. This may constrain their impact as well as hindering efforts to analyse retrospectively the existence or nature of connections between the *ex post* situation and the inputs made by the intervention (McGee and Gaventa 2010:18).

- *The interaction between social and citizen-led accountability and other forms of accountability:* newer tendencies in T&A, variously referred to as 'hybrid', 'diagonal', 'social' and 'citizen-led', rarely work entirely on their own and often are deployed to activate other more established forms (for instance electoral or bureaucratic accountability), or work best when they trigger these other forms (Goetz and Jenkins 2001; Joshi 2010). Simple dichotomous or dualist distinctions made in earlier conceptual work on accountability may be too simplistic, one dimensional and self contained for what has since been perceived, perhaps more aptly, as a 'web' or 'ecosystem'.

- *The conditions that characterise 'fragile settings' are ones in which accountability challenges tend to be most acute:* a common manifestation that a state or part of a state is declining into fragility is that the state (nationally or locally) becomes less and less accountable to citizens, even in the most basic sense of being able to protect them from violence. When a state is fragile in terms of its legitimacy, capacity and protective function, it is rarely accountable. Building accountability seems to require a series of factors that are hard to come by in situations of weak state legitimacy and low capacity. While it seems to be in 'fragile' contexts – variously defined – that building accountability is often most important, it is also where it is perhaps most difficult, to the extent that accountability might almost be considered as inversely correlated with fragility.

This last point in particular cried out for further research. Previous work has revealed a particular absence of analytical work on accountability efforts in these settings while also highlighting ways in which accountability interventions might be particularly relevant for overcoming fragility, as well as for increasing accountability *per se.*

In the light of these starting parameters, this research aimed to add to existing knowledge in certain specific ways. It aimed, first of all, to increase available empirical material, responding to earlier work that showed a scarcity of empirical material on the effectiveness and impact of TAIs in general and suggested that this represented a limitation on the scope for learning from experience (McGee and Gaventa 2010). The particular kind of material we aimed to add was exploratory case studies of actual practice, which sought to tease out explanatory insights that will be applicable to the work of international NGOs, official and philanthropic aid donor agencies, and local civil society organisations engaged in claiming accountability. As a learning project, this study has been designed to combine academic knowledge and research methods with field data and local practitioner knowledge, from the development of the terms of reference, through the conduct of the fieldwork, to the co-construction of key recommendations and conclusions by the case study researchers, their co-researchers and other key stakeholders.

## 1.2 Background to the study

Like many other organisations working in international cooperation, some years ago HELVETAS started an internal discussion on the Human Rights Based Approach (HRBA) to development. It decided to focus more strongly on the rights and obligations of the men and

women who are supposed to benefit from its services, approaching them as actors in development rather than as passive aid-receiving beneficiaries. Although participation had always been at the core of its work, the organisation felt that it was time to go a step further, engaging more meaningfully with primary stakeholders and becoming accountable to them. In 2009, HELVETAS embarked on promoting accountability in two ways. On the one hand, it promoted accountability towards its primary stakeholders – i.e. those directly affected by its programmes –, which it termed 'downward accountability'. On the other, it promoted accountability by the state towards citizens, which it termed 'public accountability'. The first is a cross cutting issue, running across all the organisation's programmes; the latter is a work area of the Governance and Peace team.

Having embarked on this, HELVETAS needed first to clarify how to translate this commitment to accountability into practice. It faced a number of challenges in implementation, which were broadly discussed. For instance, as HELVETAS always works with and through local partners (local NGOs, local government or private sector actors), the principle of downward accountability needs to be applied not only by the organisation but also by its partners. This raises the question of how far the boards of partner NGOs are accountable to their members or to the men and women they are representing or serving, and, in cases where HELVETAS provides funding through government agencies, how far the government is accountable to its citizens. There is also the question of mutual accountability between HELVETAS and partners. What information should HELVETAS share in a transparent manner and what should be considered confidential? Mutual accountability starts with clarity on roles and responsibilities between partners and HELVETAS, but also includes monitoring and performance issues. In addition, HELVETAS can only be credible in promoting accountability among partners if it practices accountability itself, including in its relationships with partners. The organisation therefore opted to start by tackling downward accountability itself, in its own operations and relationships, so as to be credible in its efforts to encourage others to do the same.

Thus, even implementing downward accountability alone posed multiple dilemmas. In practice, the distinction between downward and public or social accountability is not so clear cut as it is on paper. Especially in its governance programmes, HELVETAS felt it needed to work on both downward and public accountability, or a combination, which risked causing confusion among field staff because, although connected in principle, the two have different operational implications in practice.

An additional challenge to the implementation is the fragile contexts in which at least half of HELVETAS programmes are implemented. HELVETAS understands fragile contexts to include post-conflict situations, contexts where the monopoly of the state over security is not guaranteed, with more or less authoritarian regimes, weak public service delivery and weak institutions, weak legitimacy of government, and weak participation and civic engagement. Any given fragile context may have all or a number of these characteristics. Under such conditions, how can HELVETAS be accountable, how can it support governments to be accountable to their citizens and encourage citizens to claim accountability? What are the specific benefits accountability mechanisms offer in fragile contexts?

Based on the discussions and country experiences, HELVETAS elaborated a set of organisational guidelines for downward accountability. It also documented the experience of 'public audits' in Nepal and encouraged other country offices to implement them, adapted to their context. Public audits are the longest standing accountability tool within the organisation, and are the focus of the Nepal case study, which will be summarised later in the paper.

It was in this organisational context that HELVETAS initiated the applied research project on accountability in three countries in collaboration with IDS and three students from Swiss

universities, in partnership with HELVETAS staff in the countries. The specific focus of each case study varied with the context, the particular programme and the interests of the country staff.

In Nepal, the focus of the research was public audits, the main accountability initiative implemented by the Trail Bridge Support Unit, a donor-funded unit located in central government. The Trail Bridge Support Unit is financed by the Swiss Agency for Development and Cooperation (SDC) and implemented by HELVETAS and partner organisations. Nepal was the first country where a HELVETAS programme was established, over fifty years ago, and it included the building of trail bridges to connect villages in the mountains. This project has since been handed over the government, and HELVETAS retains the role of providing technical assistance and advice.

In Bangladesh, the focus of the research was the Sharique local governance programme, financed by the Swiss Agency for Development and Cooperation and implemented by HELVETAS and local partner organisations. The field research was conducted both in 'Sharique areas' and 'non-Sharique areas', to provide insights as to which ongoing accountability initiatives (among them Sharique) seemed most meaningful to the men and women in the communities. An early finding was that 'ward platforms' – local citizen groups which catalyse local development – and 'ward *shava*' – formally organised spaces, enshrined in law, for participation for all citizens of a community – were particularly meaningful for local citizens. Thereafter the research then focused on these in greater depth rather than other spaces and interventions. Sharique is currently in its second phase, having started in 2006, and is implemented in Rashaji and Sunamganj districts.

In Mozambique, the focus of the research was the water, sanitation and governance programme 'PROGOAS', financed by both the Swiss Agency for Development and Cooperation and HELVETAS, and implemented by HELVETAS and local partner organisations. Here the research looked at PROGOAS's support to *conselhos consultivos* (local consultative or participatory bodies made up of citizens) and community representatives, specifically its capacity building programme for *conselhos consultivos*; the local governance self assessments it conducts with district government, civil society, and councils; and its radio programme, which includes public debates on government performance, roles and responsibilities of citizens, and water and sanitation topics. HELVETAS has been present in Mozambique since 1978 with a focus on the Northern provinces of Cabo Delgado and Nampula, mostly working on agriculture, water, and local governance.

## 1.3 Conceptual framework

We have laid out above the 'knowledge context' in which this research project emerged, the organisational context in which HELVETAS conceived it, and the country programme contexts in Nepal, Bangladesh and Mozambique that harbour the three accountability initiatives selected as case studies. The last aspect we need to present here is the research's conceptual framework. We developed this in the light of all the above, and from it our methodology was derived and our case studies unfolded. We start by defining the key concepts and definitions underpinning this study.

Accountability we understand as the obligation of power holders to take responsibility, and to be answerable and liable with regard to their actions and choices. Public accountability is specifically about the spending of public resources, the execution of public duties and responsibilities that serve the public. It is thus national, provincial, district and local governments that should be accountable to citizens for all their actions and decisions taken. The term 'downward accountability' is used by some to refer to power holders (e.g. an NGO)

being accountable to less powerful people (e.g. stakeholder communities or participants)[2]. If the power holder is a government agency or an organisation managing local public resources – as an NGO might be when contacted by or partnering with government – then downward accountability overlaps with public accountability.

As noted above, HELVETAS works to strengthen accountability in two ways: directly by strengthening its own accountability towards its primary stakeholders, which it terms 'downwards accountability', and indirectly by promoting accountability of the State towards citizens, which HELVETAS terms 'public accountability', but which also counts as downwards accountability in the sense that the State is a power holder in relation to citizens.

Social accountability refers to an approach towards building accountability that relies on civic engagement, in which ordinary citizens and/or civil society organisations participate directly or indirectly in exacting accountability. Social accountability has been defined as:

> [...] an approach towards building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability. Mechanisms of social accountability can be initiated and supported by the state, citizens or both, but very often they are demand-driven and operate from the bottom-up.
> (Malena *et al.* 2004: 3)

Some schools of thought refer to social accountability initiatives that engage with governments as 'citizen-led accountability', to emphasize the fact that it is carried out within a framework of citizen rights and acknowledge the relationship between citizens and the state. The initiatives studied in this research are all social accountability initiatives. In some of them the subjects are acting primarily as citizens *vis-à-vis* their state, and in others primarily as local residents *vis-à-vis* an aid intervention. In all, these identities of citizen and aid beneficiary, and the corresponding sets of expectations and entitlements, are intertwined – a point we return to in the Analysis and Conclusion sections.

The above definitions will have illustrated the point already made, that early definitions and conceptions of accountability were too dualist, dichotomous and self-contained to capture the real life complexity of accountability relationships. In debating these issues during the research we found it useful to list several different features which can be used collectively or as alternatives to distinguish types of accountability initiatives, and to chart these in a way that shows how connected and overlapping these categories are. In doing so we drew on Goetz and Jenkins' (2005) questions which, they suggest, define the 'new' accountability agenda[3]. Our typology is shown in Table 1.1.

**Table 1.1 Different types of accountability and their characteristics**

| Type of Accountability | Who claims? | Who gives? | Over what? | Where? (Space) | How? (Examples) | For what? Why? |
|---|---|---|---|---|---|---|
| Social | Social actors, e.g. civil society organisations, social movements | State, aid agencies, private sector | Concerns, identity demands | Claimed, invited | Mass mobilisation, social audits | Apply democratic checks and balances, deepen democracy, empower people, improve service delivery |

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[2] Some prefer not to use this terminology, eschewing the vertical conception it embodies of some actors as being 'above' or 'below' others. Some prefer to use the term 'multiple accountabilities' as more reflective of the multiplicity and complexity of accountability relationships in reality.
[3] These are, 'Who is seeking accountability?  From whom is accountability sought? Where [...]?  How [...]? For what[...]?' (Goetz and Jenkins 2005: 3-4)

| | | | | | | |
|---|---|---|---|---|---|---|
| Citizen-led | Citizens with rights | State, aid agencies, private sector | Rights | Claimed, invited | Citizen report cards | Address deficits in fulfillment of citizen rights |
| Public | Public institutions, state bodies, social actors, citizens | Public institutions | Standards (laws, policies, regulations) | Invited | Official complaints and petition, procedures, litigation | Enforce obligations of the state |
| Institutional | Public institutions, state bodies, social actors, citizens | Public institution | Standards (laws, policies, regulations) | Invited | Official complaints and petition, procedures, litigation | Enforce obligation of the state |
| Horizontal | Public body | Another public body on same level of hierarchy | Standards (laws, policies, regulations) | Closed | Auditing, oversight, reporting | Enforce obligation of the state |
| Vertical | An actor which is non-state or low/local-level state | A more powerful actor, or one in a position to account to the accountability seeker | Rights, concerns, state obligation | Claimed, invited | Petitioning, public hearing, mobilisation | Enforce obligation of the state |
| Bureaucratic | Public | Bureaucrats | Obligation of state | Closed, invited | Official procedures, including through litigation | Enforce obligation of the state |
| Hybrid/ Diagonal | Citizens/social actors, possibly in alliance with one state oversight body e.g. Supreme Audit Office | State | Entitlements, rights | Claimed, invited | Social actions (collective) designed to activate formal accountability mechanisms | Enforce obligation of the state |
| Political/ Electoral | Electorate, party members | Party, political leadership, executive | Manifestos, political commitments, party ideology | Intraparty mechanisms, elections (local, national) Closed, invited, claimed | Voting | Ensure due representation of interests |
| Downwards | Citizens, service users, consumers, aid beneficiaries | State, service provider, aid agency | Service provider, project, programme, rights | Claimed, invited | Feedback and complaints mechanisms | Assure quality and impact of programme on citizens/users |
| Upwards | Funder, guarantor of rights, oversight actor | Funded actors, Service providers, Local public bodies, NGOs | Resources, performance | Invited, closed, or by written means only | Reporting, impact assessments | Assure responsible use of funds and acceptable performance |

Breaking down what is signified by each of the adjectives used to distinguish different kinds of accountability reveals that the various kinds can overlap substantially, and that in reality most accountability relationships are part of a situation of multiple accountabilities, often interlinked. While we have attempted to use the adjectives consistently with the table above in writing about the case studies in Section 3, that section further illustrates this multiple, interlinked quality.

Transparency is intimately connected to accountability, as our case studies show, but following Fox (2007), we make no assumption that transparency will automatically lead to accountability. Instead, we treat the relationship between them as a matter for empirical exploration in our cases.

Fragility has been variously defined. After reviewing diverse perspectives on it we adopted the definition proposed by Stewart and Brown (2009), adapting it to embrace more localised parts of states as well as whole states. Fragile contexts, then, are contexts (whether states or

more localised parts of states, in our usage) where the state's legitimacy is weak and the state is failing to meet basic needs, fulfil societal expectations or create and honour a binding social contract. Weak state authority and service entitlements are other characteristics of fragile contexts[4]. Among our three cases, different cases illustrate variously the different dimensions included in this definition of fragility.

The overall objective of the study was to learn about accountability initiatives in fragile contexts. More specific objectives were to increase understanding – in HELVETAS, but also in the development aid and research communities at large – of successful practices and enabling factors for accountability. This is not a comparative case study: the three cases are three single case studies, selected purposively, with a view to complementarity between the lessons the three might offer rather than direct comparison. The countries were selected because of the experiences offered by HELVETAS programmes there and because programme staff there were interested in participating in the study. All three HELVETAS country teams contributed by organising logistics and supporting the field researchers in their work. The researchers worked in a team with local staff as co-researchers. In the case of Nepal, a young Nepali researcher from the University of Kathmandu was added to the team.

The study was intended to enable HELVETAS and the broader development community to learn from practice, to increase its visibility and profile as an organisation working in the accountability field, and to support its country programmes, partners and in country actors in their efforts to implement transparency and accountability initiatives (TAIs) in innovative and effective ways. These intentions make this clearly an applied research project, which as well as describing these HELVETAS interventions seeks to explain them in ways that are helpful for future practice.

The general research question we hoped to shed light on was:

> Which practices and factors contribute to the success of accountability initiatives in fragile contexts?

In accordance with the different natures and possibilities of the three selected cases, each case study addressed this general question by focusing on some more specific sub-question(s) that were identified through an iterative process of dialogue between us as the research coordinators, and the researchers and their local co-researchers during their inception phase in the field.

We adopted a mainly qualitative, inductive, case study approach, appropriate given that we were working with open-ended research questions and seeking explanations and explorations of causes and mechanisms. This sort of qualitative, largely inductive case study approach is common in applied sociology and anthropology research. As a team, we are multidisciplinary: many of us come from an interdisciplinary development studies background, which values the combination of a range of different disciplinary perspectives on development issues and problems. While we were not conducting evaluations or impact assessments, there are evaluative elements to the research, as the above research question indicates. Existing project impact assessments, evaluations, reviews and monitoring reports furnished useful secondary data for the case studies.

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[4] Other prominent definitions (by the UK Department for International Development, DFID, and vthe Organization for Economic Cooperation and Development, OECD) stress that fragility entails failure to deliver services especially to poor people, but as Stewart and Brown point out, by definition any failure will be a failure towards the poor, as poverty reflects among other things failure to deliver services comprehensively.

# 2 Methodology

Fieldwork varied in length from three to four months, a small part of which was spent in the country or local HELVETAS office and the main part in locations where the accountability initiative of interest was being implemented. It was conducted mainly or entirely in local languages (Nepali in Nepal, Bengali in Bangladesh and Portuguese in Mozambique), with interpreters translating between these and English in Nepal and Bangladesh.

Within a broadly qualitative, inductive paradigm and in depth case study approach, each case study's methods varied slightly. The case methodologies are written up in each individual case study report. Apart from the Mozambique study which used among other methods a quantitative survey based on a questionnaire and adapted from a survey conducted for a slightly different purpose but on very similar themes, the main methods were literature reviews, observation, semi-structured interviews and focus group discussions based on prepared checklists. Use was made of participatory rural appraisal tools, to a lesser extent. Informal interactions and observation were also used to supplement and complement data gathered in more formal and structured ways. As already mentioned, an individual Swiss junior researcher led each case study team, and each team included or liaised closely with staff of local HELVETAS offices and partner organisations and, in some cases, suitably experienced and qualified translators or research assistants who were contracted locally.

The arrival of a research team from 'outside' sets in motion a certain dynamic in all field situations, which affects the 'normal' dynamic of the situation under study. Details are given in each report of how these instruments were used in ways sensitive to the social context and reflective of these dynamics: for instance the conduct of single sex specific focus groups and the care taken to explain the provenance of the research and the identities of the researchers in locally accessible terms. A further concern taken into account in the conduct of the fieldwork was the power dynamics that pervade any encounter – including a research encounter – between poor and marginalised people and representatives (however direct or tenuous) of an aid agency. The case study reports detail the attempts the researchers made to limit but also to recognise and interpret the effects of these dynamics.

Sampling strategies were dictated by each case study's needs in terms of obtaining a diversity of perspectives, controlling for singularities or anomalies driving the research, and the need for triangulation to enhance research validity and reliability. Interviews and focus groups were generally held with a combination of purposively sampled, snowball sampled and randomly or opportunistically sampled participants. In the case of the Mozambique survey, the 57 survey respondents were identified opportunistically and pragmatically, given the limited opportunities for access to people who filled the necessary respondent profiles; and a balance of the necessary profiles within each surveyed district was sought.

Some case studies included case studies within them. The Nepal research looked at three trail bridge projects in different locations so as to gain insights into the three key stages of the public audit process. In the Bangladesh study, four different geographic regions were selected for research, three where the project was operating, and one where it was not, by way of a 'control' area. In Mozambique, research was conducted in two districts of two provinces where the PROGOAS programme operates, and the districts were selected to include two where HELVETAS implements PROGOAS directly and two where implementation was by a local partner.

Triangulation between different methods, different researchers and different data sources and kinds of data were used as ways of checking for and improving reliability, validity and quality. Another crucial quality control was provided through the active engagement and inputs of the other members of the research team, including people from the country in

question. In some cases further critiques, feedback and validation came from HELVETAS staff with whom draft findings were discussed.

At the point of synthesising the research to draw out messages for this report, we read and re-read the three case study reports, which had undergone several rounds of revision in response to feedback from in country co-researchers, in country HELVETAS staff, and ourselves as the project coordinator and the research advisor. In each case we sought to draw out what the case shows about the specific research questions that that particular case had chosen to focus on. We also noted and analysed 'outlying' findings that might not have arisen in direct response to these questions but that are relevant and interesting given the project's overall purpose and the general research question of which practices and factors contribute to the success of accountability initiatives in fragile contexts. Once we had familiarised ourselves with the content of the full reports, we produced summaries of each, approximately five pages long, using a common structure; these constitute the Findings section that follows this one.

Throughout this inductive process of data gathering and analysis, we drew out key issues, aspects and messages related to the general research question, and used these subsequently to structure the Analysis section (Section 4). The analysis section draws on the full case study reports, not only the brief summaries of these that are offered in Section 3.

# 3 Findings

## 3.1 Bangladesh case study[5]

### 3.1.1 Background

Two important Acts regulate local governance in Bangladesh: the 'Local Government (Union Parishad[6]) Act 2009' and the 'Right to Information Act' (also 2009). Both these acts include proactive disclosure of budget information by every *Union Parishad* (henceforth UP). The requirement is for disclosure of information on the UP's proposed budget at 'Open Budget Meetings' and of current development plans and budgets at citizen gatherings, which are called 'ward *shava*'. Budgets, based on ward plans previously elaborated in each ward, are displayed hanging on walls during these events and are referred to in the proceedings. UPs are also required to publicise UP services through the publication of a Citizen Charter; and to form thirteen thematic Union *Parishad* standing committees on given topics, to which citizens are invited to participate in order to contribute to UP activities and evaluate UP, as well as subcommittees, which can be formed by the ward *shava*. The ward *shava* is also a space in which citizen are informed on UP activities and receive the opportunity to comment n them, as well as to decide on future planning, it is in many ways an important invited space for citizens.

Although the legislation appears to promote transparency and participation, the mechanisms by which these are to happen remain vague. For instance, although the ward *shava* is potentially an important space for citizens, its mode of operation is not spelt out in the law nor are any regulations provided for its working; it is not clear what the roles and responsibilities of citizens are in the ward *shava*, nor are there clear accountability mechanisms spelt out. Moreover, Bangladesh is the most centralised state in the region[7], and the final say in local governance decisions belongs to a higher level, centrally appointed bureaucrat, the Union

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[5] This summary of the Bangladesh case material draws extensively on Buchmann (2012) and Kroesschell (2012).
[6] The union is a subdivision of local government, which brings together nine wards and has a population of 25,000-30,000 people. A ward is a more local subdivision, which contains 2000-4000 people. *Parishad* is a committee, hence *Union Parishad* is the committee that represents the union.
[7] www.worldbank.org.bd/.../BANGLADESHEXTN/0,,contentMDK:... Accessed on 28 October 2012

*Nirbahi* Officer or UNO[8]. This power allows the UNO to short circuit attempts at participation and accountability and limit the impact of the legal provisions that apply at the local level. If the UNO revises the UP budget, this leaves UP members then unable to justify planning and budget decisions. The option for the UNO to modify UP budgets provided for in the UP Act can thus give citizens a perverse incentive to bypass local representatives and contact higher authorities concerning local queries, thereby side-lining the local representative, who in this way foregoes important local information and an opportunity to show that he/she is responsive to local needs. An ex-UP chairman in Rajshahi district explained that the UP members themselves realise the limitations of their position: 'the UP chairman or members don't go to talk to the citizens because they're helpless [...].'

Efforts have been made in recent years to strengthen local government and transform its responsibilities from administrative to executive through changes in the local government acts and regulations, giving more responsibilities to the UP on paper. Nonetheless, another ex-UP chairman confirms that this tier of government does not *de facto* have the power to fulfil the responsibilities assigned to it. How locally identified priorities are actually submitted to central authorities is illustrated in this statement: 'there is meeting in the *upazila* and all the chairmen go there and they can submit their problems [...] and whatever the Member of Parliament says, that's what is going to happen, but it's not like the chairman can ask for a project and then he will get it'. Thus, the policy context is characterised by a large gap between *de facto* and *de jure* powers and roles.

The societal context is hierarchical. Differences of gender, education, age, wealth and kin determine one's standing in the community, access to resources, and roles and responsibilities with regard to participation and accountability. These social hierarchies create dependencies, whereby those who are in a position to realise their rights feel a duty to give charity to those who cannot.

Sharique (meaning 'partner' in Bengali) is a local governance programme of the Swiss Agency for Development Cooperation, operating in two provinces in Bangladesh. It builds the capacities and competencies of local governance actors in the union and *upazila*[9] *parishads*), and promotes citizen awareness of their rights and legal responsibilities in respect of local governance, in pursuit of more effective, transparent and inclusive management of public affairs and accountable practice. Through local partner organisations the programme provides training on tax collection, the Right to Information Act, budget planning, selection of beneficiaries for social safety net programmes, and the roles and responsibilities of standing committees. Sharique promotes different types of events organised by local government – which form part of legislation – as well as independent gatherings of citizens – which are facilitated by local NGOs as partners of Sharique and Sharique staff – to facilitate proactive information disclosure and participatory planning. It also trains UP members on gender and social equity issues and promotes social equity through pro-poor budgeting, participatory gender analysis, women leadership training, local governance self assessments and disaster risk management activities. Furthermore, Sharique forms citizen groups and supports already existing groups to emerge as local development actors, which sometimes play oversight and advocacy functions *vis-à-vis* the UP. In all these activities, Sharique's particular focus is on citizens in rural areas who are poor and vulnerable.

The case study focused on a particular initiative promoted by the programme, called ward platforms. This focus was identified early in the research when it was found that people at village level seemed to know most about this participation and accountability mechanism, among all those supported by the programme (which included additionally open budget

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[8] Chief Executive of an *upazila* (sub-district).
[9] An *upazila* is a subdivision of a Bangladeshi district, covering a population of 8,000 to 2 million people. The *upazila* is the higher authority of local governance and is thus above the union.

hearings, local governance assessments, and tax assessments). The researcher interviewed men and women in four different regions: three intervention regions of Sharique and one where the programme did not operate, to see if there were any differences in citizen–state interactions at local level with and without programme interventions.

The ward platform is an informal space that brings together individuals of all groups and regions of the locality and various interest groups to discuss and influence public affairs, and as well as networking all existing civil society organisations (CSOs) at ward level, ensures that poor and marginalised men and women are also part of the network. Sharique describes the ward platform as a 'local development catalyst at ward level that aims at creating a local enabling environment for social, economic development and good local governance (Sharique 2012: 13)'. Its objectives are essentially three:

1. Uniting as one platform a range of citizens and citizen groups, to permit the representation and incorporation of the interests of all citizens of a locality in the development of the ward in question. This is achieved through the ward platform playing the role of interlocutor for and negotiator between different local development actors (ward representatives, UP, line agencies and other groups), as well as through its involvement in all stages of the project cycle:

   a. identification of priorities, in collaboration with local development actors, as well as with the citizens of the ward, submission of these priorities to the ward *shava* for discussion and approbation and to the union *parishad* for execution. The ward *shava*'s approval obliges the union *parishad* to respect these priorities in its planning and execution.

   b. Supervision of on going UP activities through regular contact with UP and feeding in of inputs for future planning.

   c. Participation in development scheme implementation, as an entity in charge of ensuring access to resources for producer groups. Presenting feedback and evaluations of past development activities during regular meetings with local development actors.

2. Enhancing the inclusion and representation of women and marginalised populations through promotion of their participation in UP committees.

3. Assisting and supporting UP in the preparation of beneficiary lists for social safety net programmes and the organisation of ward *shava*, as well as other social events.

Sharique supports the formation of new ward platforms and supports existing groups to take on ward platform functions. Ward platform members benefit from the programme's training in facilitation, leadership, negotiation and advocacy skills and in awareness-raising activities. This training contributes to their ability to benefit from and implement the legal framework for accountability at local level. Furthermore, these active citizens get to hear about and participate in different Sharique initiatives, such as participatory gender analysis, women leadership trainings, disaster risk management and local governance self assessments. These tools allow ward platform members to implement the legal framework for accountability in ways that reflect Sharique objectives, such as outreach to marginalised populations.

Sharique seeks to stimulate mutual assistance between members and to provide equal opportunities for training to all ward platform members, which includes formulating the training in simple terms and in ways that require a minimal level of literacy. Ward platforms are supported by local young volunteers, educated men and women, who help the members

with tasks that could represent difficulties to their members, such as writing of minutes and the agenda.

While the ward *shava* is an 'invited space', the ward platform, then, can be considered a 'claimed space'. It is formed and claimed by citizens, with *Sharique* facilitation, to discuss issues of concern within their ward, discuss public affairs and bring these to the UP, and participate in UP planning through submitting a widely discussed and approved ward plan. In terms of the accountability typology shown earlier, this accountability mechanism can be summed up as follows:

**Table 3.1 Accountability in ward platforms**

| Kind of Accountability | Who claims | Who gives? | Over what? | Where? (spaces) | How (method) | For what / Why? |
|---|---|---|---|---|---|---|
| Social | Citizens | Local government (Union Parishad) | Plans and local budgets, performance of public services | Ward | Meetings, reports | Obligation of the state, rights of citizens |

The main research question addressed by the Bangladesh case study was:

> What conditions are shaping accountability practices in the geographical area of the programme? Under what circumstances or conditions were local authorities accountable to citizens? And what are promising initiatives in this regard?

This country study concentrated on the legal, social and political context in which the Sharique local governance programme is working, so as to understand how this initiative interacts with this environment, both attempting to have an impact on it and at the same time being affected by it. It looked at the formal, traditional, political and bureaucratic mechanisms (HELVETAS 2011(b): 2) that constitute the context for the implementation of Sharique, and specifically looked at local perspectives and how people perceive their relationship with the local authorities and vice versa.

### 3.1.2 Progress towards impact

Several aspects of Sharique's work seem to be having positive impacts. The public display of UP and ward plan budgetary information has greatly contributed to more transparency and raised the interest of citizens, some of who pay for their own transport in order to attend these events. The ward platform is proving an important space for the elaboration of ward plans and particularly for enabling government responsiveness to the needs of local citizen by ensuring these perspectives are reflected in local planning and budgeting processes. The working assumptions are that if the ward platform is recognised as a central player in local development, elite individuals cannot take decisions over the preferences of the entire group; and that when individuals from all social, geographic and cultural groups of the locality participate, this will enhance the responsiveness of local government to citizens' needs.

When comparing unions in which Sharique intervenes and unions where either Sharique is absent or citizen groups have only recently taken on the functions of ward platforms, a clear difference in the role and functioning of the ward platforms emerged. In Uttar Bordal Union (Sunamganj District), where citizen groups have only recently started acting as ward platforms, and in Sahapara Union (Gaibandha District) which is not within Sharique's area of influence, ward platform and citizen group activities mainly concentrate on livelihood-related topics. The involvement of members of these groups in UP planning and projects is limited: its main objective seems to be the promotion of production and sale of agricultural produce. On the other hand, in Gomostapur Union (Chapai-Nawabganj District), where there is a long tradition of Sharique involvement, ward platform members mentioned having frequent

meetings to discuss local needs and cited examples when they had supported villagers to approach the UP over a specific need. Furthermore, they referred to ward *shava* as moments in which local priorities are defined and during which they can contribute to this process. Ward platform members of Gomostapur also clearly stated that it is their role to supervise the implementation of UP projects. In Uttar Bordal Union, this supervisory role of the ward platform does not seem to have gained ground. In fact, a UP member of this union explained that this supervisory role is taken by UP members. The comment of a ward platform member of Sahapara Union showed that in an area where Sharique was not present, this supervisory function stayed in the hands of central government: '[t]he officers who are providing money will look after it [the project] and the *Upazila* will have an eye on it'.

Sharique's involvement and its support of ward platforms seems to have contributed to the emergence of these groups as central players in the identification of local priorities, in facilitating the access of villagers to services and in the supervision of project implementation. In unions where Sharique is not operational, these functions are undertaken by locally powerful individuals or the authorities themselves. The role of the ward platform has become so centrally important that, where they are working, powerful elites opt to act within them, and/or interact with them rather than interacting with local representatives individually. Sharique works with local elites – both elites who are concerned about the needs of the local population, and elites whose concern is with the needs of their relatives –, in order to connect them with other segments of the populations, including the poor. Thus, the ward platforms offer a space for deliberation and negotiation between all these different groups and interests. The ward platform is thus integrating elites in positive roles in the development of their communities, making use of their educational background and connections, but at the same time, emphasising the focus on the poor and including them in the ward platform.

Through this strategy of inclusion and active participation of marginalised populations, ward platforms can be representative of the ward's population and become both a claimed space *vis-à-vis* local authorities and an invited space for poor men and women to have a voice. This is however only possible if the ward platforms manage to use democratic practices and avoid domination of elites within the group.

### 3.1.3 Factors shaping impact

Interviews with members of ward platforms revealed challenges in promoting active membership of all social classes. Power relations operate both between the ward platform and other local development actors, and between members of different social classes within the group, such that individuals who are assigned a lower position within the social hierarchy are prevented from contradicting individuals with a higher position or even from presenting their point of view to such individuals. In fact, in some citizen groups, only the elites of the ward platform seem to be considered full members:

> the point of making members is, those who are wise and educated should only stay [i.e. participate in meetings]; the illiterate people, they can't be members as they can't talk properly. They just need to be informed, so we inform them all the good and bad news.
> (Ward platform member from Sahapara Union, Gaibandha District)

This suggests that only some of the ward platform members carry out the actual role of the ward platform. This distinction has led some villagers to regard the ward platform as an elite group and view membership of the group as an honour. It has also led to situations where ward platform members speak for the citizens of a locality, not taking their opinion into consideration. Moreover, in Gomostapur Union (Chapai-Nawabganj District) a ward platform member from Bazarpara explained how the ward platform members joined together after a

ward *shava* to modify the priorities identified during this participatory event, therefore annihilating the efforts of a participatory elaboration of such priorities during the ward *shava*. A ward platform member in Uttar Bordal Union (Sunamganj District) explained, 'Most [participants in the ward *shava*] are listeners, some of us [local elites] spoke on behalf of everyone', indicating that not only the ward *shava* but also the ward platform can be spaces filled by gatekeepers, as Cornwall (2002) describes it. The question thus arises to what extent a group which harbours unequal power relations, such as in some cases the ward platform, can have an impact on them. Clearly, invisible power prevents the poor from meaningfully participating in some of the ward platforms.

Illiteracy was often cited as an argument that villagers who attend decision making and participatory meetings should not intervene, that they should not be part of a local development group and that they cannot talk directly to their local representatives about development projects. During the research, it was repeatedly argued that illiterate villagers 'can't talk' or are 'too shy to talk' because they 'don't understand' the rules and regulations or the subject of discussion. Villagers, UP members, citizen group members and NGO workers have affirmed that participation of illiterate individuals, especially in development groups and ward *shava* where decisions on preferences are taken, will therefore not be useful. If this were so, then with a rate of around 45 per cent literacy, this would mean the majority of the population would not be 'capable' of participating in events that concern their lives.

There are also more practical reasons why certain groups have difficulties participating. Interviews with members of ward platforms disclose difficulties in representing all regions of one ward, as mobility between the different villages that are part of a ward is restricted, expensive and sometimes risky. Especially in floodprone areas, distances between villages are traversed only with difficulty: bridges are flooded, rivers need to be crossed by boat rides which are subject to charges and, in the transition from dry period to monsoon season, mud roads are in bad conditions, making the movement of buses, trucks and cars impossible and motorbike travel difficult and dangerous. Furthermore, in rural areas no public transport is available and the rental of the few vehicles available is expensive. Finally, as geographically secluded groups of the population face difficulties not only in maintaining contact with the UP but also in participating in ward platforms, they cannot take the opportunities the ward platform offers to make their voices heard, possibly creating even bigger disparities between the development of localities which are represented in the ward platform and that of localities which are not.

### 3.1.4 Conclusion

The country study shows the importance of invisible power relations shaped by gender, education, wealth, family ties and political relations in the interaction between UPs and citizens. Local elites have emerged as central actors in this relationship, acting as intermediaries and sometimes even attending to basic needs in the absence of government services. This study has shown that the Sharique programme's ward platforms have been able to include the local elites in spaces where they then debate public affairs jointly with other members of the community, including the concerns and needs of poorer community members. However, the study also shows that there is still a risk of elite capture within these ward platforms.

The legal framework allows for some citizen participation, but remains ambiguous, especially in respect of accountability. The Right to Information Act is contributing to increased transparency in Bangladesh. The Sharique local governance programme has joined forces with these efforts to promote the sharing of information on plans and budgets. However, transparency does not automatically lead to accountability, so increased efforts would be needed to turn this increased transparency into accountability to the poor, both in improving

legislation and regulations where these are ambiguous and unclear and also in finding ways to better reach the poor in practice.

## 3.2 Mozambique case study[10]

### 3.2.1 Background

In the Mozambican context of confused, partial and patchy decentralisation legislation and implementation, administration has been deconcentrated in rural areas, ostensibly creating some scope for the development and engagement of civil society actors. At the lowest levels of governance (districts, *postos administrativos* – Administrative Posts –, *localidades* – Localities – and *povoaçãoes* – Villages) legislation has called into being *conselhos consultivos*[11]. Constituted by citizens elected by their communities, with quotas for community leaders (40 per cent), women (30 per cent) and youth (20 per cent), it appears that the *conselhos consultivos* are intended to establish a 'public administration for development' as part of a process through which citizens participate and influence the decision making for development.

Both devolution and deconcentration are generally held to move elected and appointed power holders closer to citizens and enable them to respond better to citizens' needs and priorities (Manor 2009). In most contexts they reduce citizens' dependence on periodic national level elections to hold leaders to account or express their dissatisfaction, offering more continuous and diverse accountability-claiming opportunities and electoral opportunities at more local levels.

In Mozambique the relevant legislation is vague or ambiguous on certain key issues, but *conselhos consultivos* are expected to be involved in information, communication and consultation rather than deliberation. They are specifically charged with channeling to community members information about local plans and projects and their implementation, and channeling community members' opinions and concerns about public services and governance, to the relevant authorities. Their only decision-making powers are over (politicised and relatively small) district development funds. Otherwise, their role is limited to information, communication and recommendation, although unspecific mention is also made of their 'monitoring' of local development plans.

In practice, members of *conselhos consultivos* are often not elected by community members, but appointed by district administrators and low level political chiefs at the lower levels and mediated by clientelist relationships between local government actors and community leaders. The highly dominant ruling party Frelimo, and higher level public managers, can thereby interfere in the workings of the *conselhos consultivos* and ensure their own interests are protected. More positively, the vague confused nature of the legislation has allowed NGOs and donors to interpret it liberally, and many provide support to citizens and social actors to exploit its potential to the full in terms of citizen engagement, participation and accountability.

PROGOAS[12] works in the provinces of Cabo Delgado and Nampula in northern Mozambique, where poor communities have little access to public services such as water, sanitation, health and education. PROGOAS supports rural communities to get organised, so that they can plan and act on behalf of their communities. The project focuses on building

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[10] This draws extensively on Faehndrich and Nhantumbo 2013 and Kroesschell 2012.
[11] After deliberation we chose to use the Portuguese name for these throughout the report. Using the term 'council' in an Englisih translation seems likely to connote the most local level of decentralised government, albeit a form of this in which citizen members are included as well as local-level public servants. In fact, and as the following section explains, *conselho consultivos* are composed of citizens.
[12] Governance, Water and Sanitation Programme, from the Portuguese *Programa de Governação, Água e Saneamento*

both the capacities of civil society, as well as service providers in decentralised planning and water and sanitation. The general approach is a two-fold emphasis on,

1. enhancing political participation through capacity building of civil society organisations in development planning and linking up to the tiers of district government (demand side), and

2. facilitating improved public service provision through technical assistance and provision of sector funding at district level for water and sanitation projects (supply side).

Through PROGOAS HELVETAS aims to advance accountability pursuing both developmental objectives and empowerment outcomes. The programme's expected outcomes are that:

> Rural citizens are organized and participate actively and in a well informed manner in transparent consultation and decision making processes which enhance on one hand self-reliant strategies at community level and on the other hand the effectiveness of the decentralized planning, implementation and financing of water and sanitation sector activities [...]

> District governments, the local private sector and the communities provide and manage rural water and sanitation services assuming gradually their role and responsibilities in maintaining and extending service coverage, and – when required – seeking alternative solutions.

> (HELVETAS 2008: 7)

It aims to achieve this though capacity building (training to build the capacity of Community Development Councils, lower level bodies from which representatives are appointed to *conselhos consultivos*), radio programmes (the promotion and delivery of community radio programmes on topics of governance, water and sanitation), and governance self assessments (the use of a scorecard by district level and sub level *conselho consultivo* members to assess their satisfaction with local governance and service provision).

The case study explored under which circumstances PROGOAS' governance activities can contribute to making the legally-provided spaces of accountability (the *conselhos consultivos*) generate greater public accountability; and under what circumstances they can positively contribute to the establishment of autonomous, citizen-led accountability initiatives beyond these legally-provided spaces. It did so through a survey of *conselho consultivo* members and semi-structured key informant interviews.

In terms of the accountability typology shown earlier, the nature of the *conselho consultivo* as an accountability mechanism can be summed up as follows:

**Table 3.2 Accountability in *conselho consultivo***

| Kind of Accountability | Who claims? | Who gives? | Over what? | Where? (spaces) | How (method) | What for / Why? |
|---|---|---|---|---|---|---|
| Social accountability, public accountability, hybrid accountability | Citizens elected onto *conselho consultivo* | Local Administration | Public resources | Formal invited spaces, heavily legislated and regulated by law | Information, communication; possibly monitoring implementation of local plans and distribution of local development funds | Decentralisation legislation requires it, as consultative body to exchange information and opinions |

### *3.2.2 Progress towards impact*

To explore how PROGOAS activities might be helping to ensure *conselhos consultivos* promote accountability and which conditions favoured this, the research explored three dimensions of *conselho consulltivo* nature and functioning that are stipulated in the legislation, which PROGOAS aims to support and uphold as necessary (although perhaps not sufficient) elements for them to play their potential accountability role. These were: functionality (the degree to which they have the necessary infrastructure, resources and capacity to function, in terms of funds for transport and other operational necessities, basic practicalities and procedures sorted out, etc.); representation (meaning the degree to which *conselho consultivo* composition reflects the population and its diversity); and participation and influence of *conselhos consultivos* in the decision-making process (the degree to which the engagement opportunities the law provides for actually take place and *conselho* members' opinions are given due attention). It also enquired into aspects of the accountability practices of both the *conselhos consultivos* and the respective local governments, as well as into any social accountability initiatives promoted by the *conselho consultivo* beyond its normative obligations. These issues were explored through survey questions in four districts. The help of well informed key informants was enlisted in interpreting the resulting scores for each aspect, with attention to each district setting.

In general of the four districts studied, the two districts in Nampula province showed the most positive scores on functionality, representation and participation and inclusion. The functionality of *conselhos consultivos* was the aspect that received overall lowest scoring. *Conselhos consultivos* are perceived as implementing accountability practices slightly more than their respective local administrations do. Interviews revealed resistance to proper accountability practices, particularly among local government actors, and a tendency among these actors to treat *conselhos consultivo*s at subordinate. There are few and isolated instances of understanding of better governance as being about improving access to information and monitoring of district plans, rather than as being about bringing projects or development funding to a place; and little understanding of the *conselho consultivo*'s role as improving the communication between communities and state agencies.

PROGOAS was considered to have made a positive contribution to the *conselho consultivo's* public accountability, mainly through capacity building, which was also noted to have improved local government officials' accountability. This is despite the fact that the interviewers took measures to limit interviewer bias. The effectiveness of radio programmes was found to be limited in some locations by radio network coverage and radio ownership, but where effective, they had helped improve the functionality of *conselhos consultivos* by disseminating news and events related to *conselhos*. Local governance self assessments were overall seen as a useful contribution to accountability, for instance through providing opportunities to identify and correct government officials' mistakes, identify more clearly to

what level of governance certain claims should be directed, make visible the relationship between government and *conselhos consultivos* and clarify their respective responsibilities. It seems that PROGOAS's capacity building, radio programmes and local governance self assessment activities were all considered to make a positive contribution to public accountability even in places where scores for functionality, representation and participation and inclusion were relatively low.

What was found to be barely detectable or only very incipient was instances of social accountability, that is, accountability initiatives arising from and expressed as demand by *conselho consultivo* members, as opposed to 'public accountability' provided by officials in keeping with law and policy. Very few 'claimed spaces' autonomous of the state seem to have sprung up yet. Invited by the state into state-controlled spaces, social actors make timid accountability claims within tight constraints on their behaviour and scope. The few new, 'claimed' spaces that were found do offer potential to citizens to utilise formal *conselho consultivo* spaces more effectively and better resist attempts at co-optation or overriding. But local civil society is so weak and progress towards accountability so incipient that the 'invited spaces' of *conselhos consultivos* are effectively operating as social accountability training grounds, and are perhaps best seen as such. By enabling authorities and citizens to practice dialogue and accountability for the first time, with capacity building of the kind PROGOAS provides, these training grounds could lead in the long term to an empowered civil society that claims and creates its own spaces under its own terms.

### 3.2.3 Factors shaping impact

There are two kinds of obstacle that prevent PROGOAS from having more impact in terms of enabling *conselhos consultivos* to hold government accountable: those inherent in the way *conselhos consultivos* are being composed and are operating in practice, which deviates in many respects from the normative framework; and those inherent in the nature of *conselhos consultivos* as constituted in the legal framework itself. Latitude and differences in the interpretation of the normative framework and the decisive role that can be played by key figures who champion or sink accountability efforts are clearly shaping outcomes in the four research sites.

Many of the problematic divergences of practice from normative principles arise from the historically centralised, controlling nature of the Mozambican state: by default information is controlled rather than openly shared, and Frelimo party dominance affords little influence to any non-Frelimo positions. Power is generally still held at the centre and provincial levels, and is still understood and exercised within a strict political and social hierarchy: for instance, all *conselho consultivo* and local government members have to stand up as the local administrator comes into the meeting chamber.

Citizen members of *conselhos consultivos* are sometimes selected by local government or party figures rather than elected by their communities at large. Everyone's citizen identity is but one among several identities, meaning that local citizens who elect members might also be enacting their identity as local party organisers or local government officials when they do so; or that the s/elected council members are also the clients of local powerful patrons.

Thus *conselho consultivo* members lack independence. *Conselho consultivo* attempts to hold local government figures accountable are often resisted on the grounds that *conselho consultivo* members are mere citizens and constitute a merely consultative body. The representativeness of the quota system is disputed, limiting *conselhos'* legitimacy among their supposed constituencies and members' sense of accountability towards these. Such obstacles offer incentives to account to one's patrons or the power holders rather than to neighbours or rural illiterate women, weaken answerability (except along party or clientelist lines) and often negate enforceability entirely. In a culture that is so weakly democratic, such

transparency about local plans, budgets and projects that *conselho consultivo* members can exact has little bite.

There are, too, some obstacles related purely to capacity and logistics at local levels of governance and in rural communities. These relate to matters such as road access, mobility, transport, time, the availability of documents of and secure, clean dry document storage facilities.

Local government meetings are sites where visible power is exercised in parallel with the hidden power that influences *conselho consultivo* composition and pre-determined agendas and outcomes. NGOs, local and international, including PROGOAS partners, nonetheless have a degree of hidden power with which they can influence these, possibly driving forward accountability agendas the *conselhos consultivos* are powerless to advance.

Many of these obstacles lie in the 'invited' nature of the *conselho consultivo* as a space for citizen engagement. Civil society and citizenry and the state in rural Mozambique have yet to mature to the point where claimed or autonomous spaces are feasible. So far, radio and other media are making small waves and fear of criticising government of the party is slowly dissipating; recent anti-corruption and good governance legislation and messages are starting to permeate local and national levels. In the meantime, almost all initiatives in which social actors or citizens call government or the state to account have been promoted by foreign non-governmental or official donor agencies, which wield some power over the state in the form of aid flows. Conversely, they also risk stifling or short-circuiting the slower, more organic emergence of locally owned, locally driven, truly citizen-led accountability claiming initiatives. Most of these initiatives – whether to avoid antagonising the state, or to encourage the state's steps towards more accountable governance, or out of sheer pragmatism – seek to make the legal framework effective (i.e. make tightly-regulated invited spaces work) rather than prise open closed spaces or facilitate the creation of claimed spaces autonomous from the state. The three- or five-year duration typical of donor interventions will not suffice to bring about such profound social, political and cultural change in the absence of other complementary efforts.

### *3.2.4 Conclusion*

Under which circumstances can PROGOAS's governance activities contribute to making the legally provided spaces of accountability (the *conselhos consultivos*) generate greater public accountability? Under what circumstances can they positively contribute to the establishment of autonomous, citizen-led accountability initiatives beyond these legally provided spaces? The case study research shows that PROGOAS's activities can have a positive effect on public accountability especially when its different approaches, such as capacity building, radio programmes and local governance self-assessments, are combined and intense. However, public accountability is also influenced by other context variables of local governance, such as organisation, representation, participation in decision making and power relations, which can be addressed only partially by the programme, because aspects of them lie beyond the programme's sphere of influence. There is no evidence that PROGOAS activities are contributing to the emergence of autonomous and sustainable social accountability initiatives. The programme can sow the seeds and create a fertile ground, especially through capacity building and dissemination of information. But local civil society is still too fragmented, weak and aid-dependent to play an autonomous role. It is therefore likely that citizens will create new political spaces and adopt new forms of power only as a result of increasing decentralisation, public accountability and local development.

## 3.3 Nepal case study[13]

### 3.3.1 Background

The study in Nepal focused on the Public Audit Practice (PAP) as a relatively longstanding initiative, the primary aim of which was to promote downward accountability of HELVETAS towards communities of beneficiaries. At the same time, the initiative aims at contributing to the empowerment of citizens, and to good governance practices of participation, transparency and accountability, thus strengthening both social and public accountability.

During the conflict, as Maoists challenged the position of local authorities, working with local bodies was risky and even life threatening for development workers. Downward accountability and aid transparency became essential strategies so as to be able to continue work in the field. Thus the Public Audit Practice (PAP) was created, consisting of three steps: Public Hearing, Public Review and Public Audit. During these three public meetings, all stakeholders are invited to share information about the project and decisions are taken with the beneficiaries. A user committee is constituted, comprising elected members of which at least 40 per cent are women and from low castes. These play a central role in organising and preparing the meetings. The aim of the practice is to involve the community in the project, provide space to express opinions, doubts and concerns and build democratic practices from the bottom up. The PAP raises awareness on the right to information and the duty of power holders to be accountable to citizens.

The case study looked at the Trail Bridge Support Unit (TBSU) project implemented by HELVETAS Swiss Intercooperation and financed by the Swiss Agency for Development and Cooperation. The TBSU supports the governmental trail bridge programme with technical assistance. The TBSU aims to provide rural people with a crucial transportation infrastructure, which facilitates access to basic services (among others, health, education, and market); and also it aims to develop technical and social capacities by local bodies and communities, in particular local NGOs. Public audits have been integrated into government systems, such that every trail bridge built includes a Public Hearing (early on in the process), a Public Review (midway) and a Public Audit (towards the end). In this way, PAP has become a public accountability tool as well as a downward accountability and aid transparency mechanism. In terms of the accountability typology shown earlier, this accountability mechanism can be summed up as follows:

### Table 3.3 Accountability in Public Audit Practice

| Kind of Accountability | Who claims? | Who gives? | Over what? | Where? | How? | What for / Why? |
|---|---|---|---|---|---|---|
| Social, publicand downward accountability | Citizens, users, beneficiaries | User committee, aid agency, (local partner, local service provider) | Project implementation | Public space in community | Public meetings | Quality and impact of programme on users |

Nepal is undergoing difficult times of state building, with conflicts around the new constitution. This has still not been approved after four years, and generates street protests and strikes. People generally do not trust the government due to the continuous power struggles and the ineffectiveness of services. Lack of trust is particularly high in respect of the justice system, where processes are lengthy and impunity and corruption are widespread. In 1999, a new structure was introduced through the Local Self Governance Act[14] and Local Self Governance Regulation[15]. These stipulate the devolution of powers from

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[13] This draws extensively on Cima 2012 and Kroesschell 2012
[14] Government of Nepal 1999: Local Self Governance Act, 2055. An act made to provide for local self governance. Kathmandu.
[15] Government of Nepal 1999: Local Self Governance Regulation, 2056. Kathmandu.

central government to the local authorities and define the rights and responsibilities of the various bodies at the different levels. As a consequence of the Local Self Governance Act, resources were increasingly channelled to the local bodies, which then faced a big challenge: suddenly they had substantially more resources to dispose of than before, but staff, capacities and knowledge were not increased proportionally. The consequence is low efficiency and effectiveness in the allocation of resources. Moreover, these settings create a very high risk of corruption: the resources are substantial, but the mechanisms to allocate them and control their use are still not well developed.

In 2002, the local elected representatives (a figure introduced in the early '90s reforms) were dismissed and replaced by appointed officials, an arrangement which has undergone several changes over the years, but effectively shifts all power to the executive. In 2006 the All Party Mechanism (APM) was introduced: executive bodies were formed of unelected people's representatives directly appointed by the parties, but at the beginning of 2012 APM was dismantled because of the high risk of corruption. As consequence, the entire (formal) power was shifted to the bureaucracy, that is, to centrally appointed officials, technicians and bureaucrats. Now the most powerful figures in the local administration formally speaking are the Local Development Officer (LDO) at District Development Committee level and the secretary at Village Development Committee level, both appointed by the central government. At the time of writing, political parties do not have any formal power at local level. However, political leaders still have varying levels of influence in the planning and execution processes at village and district level. Although the Local Self Governance Act sets out the steps of a decentralisation process, local bodies are still under the strict control of the central government. Moreover, the Act itself does not speak of local government but only of 'local bodies' or 'authorities': the real autonomy of these institutions is yet to be recognised and is a main stumbling block in the debates about the new constitution. As a consequence, local government officials are mainly 'upwardly' accountable and being accountable to their citizens is not a priority for local authorities.

The case study explored practices and factors that contribute to the success of PAPs, taking these as an example of an accountability initiative developed and carried out in a fragile context. It sought to identify under which local circumstances and conditions local authorities are willing to be accountable to citizens in this challenging environment, and thereby shed light on the broader question of what makes for success in interventions designed to improve accountability of local government towards citizens. Through a number of field visits, interviews with various stakeholders, and the observation of all three public audit practice events, the researcher tried to identify and analyse the motivation of the behaviour of various actors involved, as well as the contextual variables facilitating or hindering the achievement of accountability.

### 3.3.2 Findings

The role of the user committee (UC) is interesting and significant in the Public Audit Practice. The UC represents the community and liaises with state actors and NGOs on behalf of the community. UC members are chosen by community members. The local service provider staff have regular contact with the user committee, providing technical and social support, within a tightly run process. Project staff from HELVETAS, in contrast, visit less frequently but at critical milestones, to check quality. The UC has very little contact with local authorities (only in the event there is a problem to be resolved), although the financial resources for the bridge come from the national level through the Village Development Committee. District engineers sometimes visit to provide technical support to the bridge building effort, but again, this is not regular. An important incentive for UC members is recognition in their communities for their work, which increases their prestige. Other incentives include developing technical, social, political, managerial, and financial skills, and extending their own social networks. They are effectively intermediaries between community and local government (similar to the

ward platform mechanism described in the Bangladesh case study). Other spaces do exist: Nepal has a multitude of community based organisations (CBOs) and development projects, most of them promoting aid accountability, often through public meetings. It must be noted that the UC also uses informal channels to keep people informed, almost as much as the formal ones at its disposal.

The UC can thus be seen as an 'invited space' created by the state and NGOs, but it can also become a closed space, restricted to a select group of people with the risk of elite capture. It was observed in the research that the 'usual suspects' tend to get voted onto the UC, i.e. those with some education and who have already held office. Although the project makes specific efforts to include the poor and lower caste men and women and reserves them at least one key position in the UC, they do not always play an active role. The study did reveal a case where skills were gained through working with NGOs and the building up of a personal network with authorities, local NGOS and international agencies, leading to empowerment, but this was still at individual level, and does not necessarily benefit the community as a whole. This is especially true for women, who may learn social and political skills, but may still be inhibited by their in-laws from exercising them.

Nevertheless, the Public Audit Practice itself is an inclusive space, where various stakeholders meet, ensuring that the project is supported by the community and implemented. Since political parties have influence in communities, they need to be included. The PAP offers a means for information sharing and practising accountability in a concrete way, around a concrete benefit. It slowly develops awareness on rights – the right to take part in collective decisions –, and women are beginning to participate and exercise their voice. The Public Audit Practice encourages community members to take up responsibilities to engage and work together for the community. With the lack of local elections in recent years, the accountability of local political representatives towards the community is based only on informal channels of sanctions and incentives, the incentive being to gain reputation and prestige, and the sanction to lose it. Public Audits are often used to discuss non-project related issues of concern to citizens. Therefore, they can also be seen as a catalyst for information sharing and raising concerns, beyond the project, creating spaces, skills and habits for citizens to discuss openly the issues they care about.

### 3.3.3 Factors shaping impact

In Nepal, upward accountability clearly has priority over downward accountability, as the Central level appoints local level government officials and the legislative bodies at local level (the councils) no longer have formal powers. Even if Public Audits are part of the Local Self Governance Act, citizens have limited means to actually demand them; and their very inclusion in that Act results, to a degree, in fake accountability, window-dressing, and rhetoric, 'the 'bureaucratisation' of accountability.

The systematic marginalisation of particular groups of men and women in Nepal is evident in the user committees. It is common that such committees, formed for 'social work' are formed or controlled by elites and powerful local people, thus constituting a kind of social network of well educated men who are wealthy and high caste. It is also common that one such person holds a position in more than one organisation, possibly thereby strengthening existing exclusion patterns. As the local elites engage in social work with NGOs, this allows them to learn technical, social, managerial and political skills, creating a kind of 'development rent' and a tight and personalised network of relationships. Often only local elites can in fact participate – that is, people who are already empowered in the community. By controlling the participatory spaces, elites may gain more power and promote their own interests.

Public Audits aim to include all stakeholders, but local government officials often choose not to participate. This is because, firstly, they are often overburdened and lack adequate human

and material resources to attend. Secondly, they sometimes feel threatened by the questions of the men and women attending the public meetings, which can result in carefully orchestrated and scripted meetings, consisting of speech after speech. Local authorities have a communication challenge: how to address concerns of citizens, how to respond to questions without being defensive, how to engage in constructive dialogue. Ironically, when public officials fail to attend, it is difficult for the community to recognise the role of the state, reinforcing the idea that the state does not do anything and just outsources public services to the private sector and NGOs.

Even though the Public Audit provides opportunities for citizens to actively engage and deliberate, the community at large has limited capacity or space for setting the agenda within the process. Local NGOs explain to UC members how to conduct the audit meetings, but the audience often has difficulty following the content of the meeting.

### 3.3.4 Conclusion

The Public Audits create a space for all citizens and stakeholders to discuss openly issues of concern. Essentially, the bridge is the entry point, as a concrete and tangible output, evoking the interest of the communities. It is also the entry point for local authorities to be able to implement the infrastructure project. It helps them to mobilise local communities, stimulate local organisation and problem solving, and thus contributes to the task at hand, for which local government has limited human capital.

However, accountability from the state to its citizens is hindered by the absence of locally elected bodies and the top down appointment of officials, which means that in practice, officials prioritise upward accountability, and it is small wonder that corruption is high[16]. Although public audits contribute to unravelling corruption in some cases, public accountability in Nepal remains weak and public audit can only have a limited impact because it is confined to particular projects with short term timelines. Unless it is in the interest of government officials to gain the trust and confidence of citizens, accountability remains rhetoric, public services weak, and the state fragile.

# 4 Analysis

At first glance, the findings of these three case studies hold few surprises. They are replete with examples of all those factors that have plagued INGOs' and official aid agencies' efforts to make governance more accountable by supporting the implementation of democratic decentralisation processes. These are mainly aspects of the contexts in which these initiatives unfold, already well studied and represented in the accountability literature; plus some aspects of the design features of the initiatives themselves or of unanticipated ways in which they are unfolding in practice. Key among them are the lack of local state–citizen interfaces at which constructive citizen engagement can occur (noted earlier by Gaventa 2004 and in several case studies in Cornwall and Schattan Coelho's 2007 edited volume); the operations of invisible power in ostensibly participatory spaces (Cornwall and Schattan Coelho 2007); deficient legislative frameworks (McGee *et al*. 2003); elite capture (Dabo *et al*. n.d.; World Bank 2008; Dutta 2009); political and administrative cultures that are not conducive to citizen engagement; the challenges and political sensitivities of promoting accountability in sovereign states as foreign aid donors; the difficulty of including the most marginalised. And, to top it all, fragile contexts, where weaknesses in state legitimacy, entitlement failure and widespread, unaddressed basic needs, all militate against efforts to avoid or overcome these obstacles.

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[16] Nepal is ranked 139 out of 176 countries on the Corruption Perception Index of 2012 of Transparency International, rank 1 being least corrupt and 176 most corrupt. Website: cpi.transparency.org/cpi2012 (accessed 3 April 2013)

Each case, to be sure, points to scope for learning and improvement: suggestions are made as to ways in which the design or implementation of the researched programme or initiative might be moderated or adapted so as to improve its chances of effectiveness and impact. Although the case studies were not designed to assess impact, each report does capture some positive effects of the respective initiative, and highlights some practices or factors that are, or seem likely to be, related to these positive effects.

In this section, on the one hand we synthesise and acknowledge the factors that limit the effectiveness and impact of these three accountability initiatives supported by HELVETAS. On the other, we bring together factors that appear to contribute to prospective or actual positive effects or impacts, despite the prevalence of the challenges mentioned above.

## 4.1 Local state–citizen interfaces

In all three cases local level interfaces between state and citizens where constructive engagement could take place seem rather absent, or, where they exist, are lacking in representative quality and social legitimacy. In Nepal, there are no elected officials, in Mozambique the elections are not official, and the geographic distances between communities and the nearest public service can be considerable. Hardly surprising, then, that it is not always clear to citizens what the roles and responsibilities of local government are, how the state can make a difference in their daily lives, and how government responds to their needs and concerns. In the absence of responsive, effective government, NGOs deliver services in close connection with elites in the communities, or elites themselves set up service provision outlets (as in Bangladesh).

All three case studies show HELVETAS or partners acting as intermediaries and brokers of accountability. Whether in the form of civic organisations such as ward platforms (Bangladesh), user committees (Nepal), or *conselhos consultivos* (Mozambique), these seem to have the confidence of the population and be better able to put forward their concerns. There appear to be opportunities for the poor to participate in such intermediary forms, even if their role is relatively passive.

If they are claiming accountability from the government or state, these structures should, in turn, be democratic and accountable to their members. Investing in such structures is therefore a promising avenue for INGOs like HELVETAS committed to ensuring that the spaces ushered in at the rhetorical level by decentralisation policies or democratisation processes, get created in reality, and that poor and marginalised people's concerns get voiced and addressed within them. Instilling democratic practices in such spaces, such as downward accountability to members or constituents, rotating chairpersons, democratic decision making, transparency in agenda setting and minuting proceedings, all contribute to the normalisation of such practices even in political and administrative cultures where they are counter-'cultural', and also to citizens' preparedness to claim the same kinds of democratic and accountable practices from local government. The Nepal case promotes such practices in the organisation of the Public Audits at beginning, middle and end of the bridge building process; and Sharique in the holding of public hearings about budget plans, as well as in the accompaniment of the programme planning and implementing process through the ward platform. Of course, the accountability value of these 'open budget' practices is all the greater when actual expenditures and implementation are also made open, but even when openness is limited to budget plans, this can still constitute a significant change in behaviour.

Questions then arise about the value of external agencies creating and resourcing such democratic spaces, given that their vital support for these spaces and practices (in the form of funding, capacity building or the necessary legitimacy) is not guaranteed to continue and the spaces themselves are not sustainable in financial, capacity or legitimacy terms. The

three initiatives we focus on are each giving some citizens an opportunity to dialogue with each other and with local government representatives, in some cases for the first time. One of the most positive findings from the case studies is that even if these externally-created spaces cannot last indefinitely, while they exist they serve as 'schools for citizenship'. Again, this resonates with the most significant existing scholarship in this field. In their overview of the evidence about the contribution of citizen engagement to development and democratic governance, Gaventa and Barrett (2010) cite Manor's argument that 'when reforms inspire disadvantaged groups to engage in public affairs, their confidence, skills, connections, organisational strength – and thus their capacity to influence their own destinies – grow' (Manor 2004:27). Gaventa and Barrett's own analysis – the most comprehensive analysis of evidence on the outcomes of citizen engagement to date – suggests that 'the construction of knowledgeable and empowered citizens is one of the most important sets of outcomes produced by citizen engagement. This is, in part, because it serves as a tool with which other democratic and developmental outcomes can be achieved' (Gaventa and Barrett 2011: 32).

In the three cases, locally active NGOs and intermediary organisations generally seem to enjoy at least as much trust as local government, even though in all three cases local government is participating or cooperating (to some degree) with a HELVETAS-supported accountability initiative[17]. This could fuel concerns about NGO intermediation intercepting an accountability relationship that should, by rights, link citizens directly to the state. On the positive side, when an aid agency strengthens local NGOs and intermediary organisations to promote accountability and does so in ways that actively seek partnership with and involvement of the local-level state, as HELVETAS does in the case of Public Audits (Nepal), PROGOAS (Mozambique) and Sharique (Bangladesh), the intermediary works as a bridge, helping to construct an interface between the local level state and citizens, rather than taking the place of the state.

## 4.2 Legislative frameworks for decentralised or participatory governance

Decentralisation of governance can contribute to building the interfaces between the state and citizens, but it only does so under certain conditions. Weak, unclear, and ambiguous decentralisation policies mean that power tends to be centralised and far away (often in the literal geographic sense) from local people. Neither is it always clear what the government is promoting with its decentralisation policies: obedient subjects conforming to top down policies, or active citizens. Dabo et al. (n.d.) suggest that in the absence of a strong central state with clear, institutionalised accountability frameworks, decentralisation can lead to local elite appropriation and conflict around the allocation of resources. 'Under these conditions', they add, 'decentralization can do little more than push corruption down through the State structure to the lower units' (43) and reinforce divisions that may have been a cause of the conflict in the first place. This resonates, in general, with the case studies' discussions of decentralisation in Nepal, Mozambique and Bangladesh, notwithstanding country variations in the form and outcomes of decentralisation. This reaffirms the conclusion already evident from earlier work, that legislative frameworks are necessary but insufficient for participation, accountability and democratic decentralised governance to ensue (see for instance Ribot 2002; McGee *et al.* 2003).

Moreover, increasing government accountability at local level alone is perhaps not enough. Legislation at higher levels – national, federal, state – providing for citizens to engage and setting out structures and processes that organise this engagement, do seem to be prerequisites for a better relation between state and citizens. The ambiguities in relevant aspects of the legislative frameworks of Nepal, Bangladesh and Mozambique constitute a great weakness in this respect. Yet also, in the Mozambique case, the very vagueness of legislation regulating *conselhos consultivos* has been cleverly exploited by NGOs and

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[17]   There is no compelling evidence from the three cases that increased accountability is enhancing government legitimacy – but then, the cases did not attempt to compare degrees of accountability, legitimacy or trust over time.

donors, including HELVETAS, so as to advance accountability and responsiveness. This kind of 'working in the interstices' exemplifies an approach that is highly attuned to context, identifying and utilising room for manoeuvre.

## 4.3 Unconducive political and administrative cultures

In Mozambique the researchers noted the prevailing political and administrative culture, historically top down and resistant to change, in which power relations and social and bureaucratic norms are loaded against the engagement of ordinary citizens. In Nepal, past experience with the state has left citizens with a deep mistrust of government. While legislative frameworks may formally provide spaces and give permission, for these to be fully utilised top down cultures need transforming into more open, democratic ones, where dialogue, deliberation and listening are practised at local and national level, and national level policies are informed by realities at the grassroots by people affected by them.

## 4.4. Elite capture

Inclusion of all stakeholders in local governance means including local power holders. In a context where the poor depend on elites for services, protection and connections, this means there is a risk of elite capture of the benefits from public services and aid investments, as well as elite capture of the spaces opening up for participation and accountability. As the case of Nepal illustrates, the elite tend to show rent-seeking behaviour, capturing gains in terms of skill development and connections to NGOs and international agencies, as a kind of 'development rent' (Cima, 2013). The inclusion of the local elite is relatively easy for local government officials and NGOs, whereas the inclusion of the poor and marginalised is difficult, especially if they themselves believe that they do not have the capacities to be involved in local governance processes, as illustrated in the Bangladesh case.

In this situation, HELVETAS project staff in Nepal and Bangladesh find themselves in a challenging position. They need the better educated, well connected men and women to be able to work in the communities at all, yet at the same time, the project's objectives are telling them to focus on the poor and marginalised.

Elites have connections and access to resources, and the skills to negotiate. In contexts where poor women and men depend on patron–client relationships for their survival, it is not easy to challenge elites' power. Elites can and do use these social political and economic assets in their own interest, for instance ensuring that their relatives receive social welfare for which they do not strictly qualify (Bangladesh), or that the water pump installed by the NGO is located in their backyard. But they can and do also use them to help communities gain access to a road, water, loans and other assets, thereby playing an important role in the community, as in the case cited in the Bangladesh report where local elites collectively financed a boat service for a community whose repeated petitions to local government for a bridge had done unheeded. One conclusion of Buchmann's Bangladesh case, based on Wong (2010), is that one needs to work with the elite and support them to include the poor, i.e. 'co-opt the elite' or 'capture the elite', while challenging their individual power. The ward level platforms (Bangladesh) may form an interesting space for this, if decisions are made based on consultation and deliberation, in other words based on democratic principles.

## 4.5 Inclusion of the most marginalised

Even in local councils that apply quotas and anti-discrimination policies, exclusion and marginalisation of poor and marginalised people continues. It is especially obvious as regards the exclusion of women, where inclusion quotas become tokenism. The Mozambique and Bangladesh cases reveal this clearly, in keeping with much critical

decentralisation and participation literature[18]. The persistent problem of overcoming highly unequal power relations among citizens and between citizens and the state manifests itself in the accountability field as the particular difficulty of getting marginalised people accounted to and responded to by government and getting them heard and heeded in participatory spaces. When this is not happening, not only are marginalised people's rights and entitlements being denied but perceptions of social injustice and unequal access to services and benefits will be rife. Such perceptions and 'grievances'[19], and related exclusion and lack of transparency over who gets what, are what underpin many violent conflicts. Hence, the inclusion of all stakeholders in the benefits of development interventions is especially important in fragile contexts. It is partly thanks to the trust and transparency generated by Public Audits among local people and the armed insurgency that the Trail Bridges programme could continue functioning during the violent conflict in Nepal.

## 4.6 The tensions between aid accountability and the cultivation of domestic accountability

All development projects operate in a governance context in which the relationship between state and citizens matters, and in which ideally the state would be accountable to citizens. Accountability scholars and aid transparency advocates have noted that in heavily aid-dependent countries where improvements in domestic accountability of states to citizens is so urgently needed, aid donors' preoccupation with accounting for their aid can eclipse both the need and the scope for measures that purposefully strengthen domestic accountability (Moon and Williamson 2010). Conversely, it is posited that strengthening aid accountability in an aid-dependent context can or will lead to improved domestic accountability.[20]

Perhaps one of the most positive findings from these case studies is the evidence from Nepal that 'downward' or 'aid' accountability can lead to improved public accountability, at least in the case of the Public Audits. This case shows how accountability of development agencies, including INGOs, towards their beneficiaries, cultivated around a project, can also result in improved public accountability. The Public Audit is used to bring together all stakeholders to avoid conflict and to ensure that no party feels excluded. It also contributes to the creation of a negotiation space, where agreements are made. Thus the Public Audit tool has become a kind of 'democratic practice' that is still closely linked to development projects (and thus downward accountability of the implementing NGOs) but has also been included in national legislation and is obligatory for local governments. What started as a means to account 'downwards' towards HELVETAS' primary stakeholders has become also a tool for public accountability of the state towards its citizens. Not only the aid donor but the state, as the donor's aid partner, is offering transparency and accountability to people who are not only aid beneficiaries but also citizens of the state. Whether or not the state enters into it in a deliberate attempt to become more accountable to its citizens, it may constitute a step towards a situation where the state holds itself accountable to its citizens. Concomitantly, offering aid beneficiaries – who are also citizens – opportunities to practice and claim accountability can be a step towards a situation where the citizens hold the state accountable to them. This points to the scope for aid transparency or downwards accountability initiatives to be designed in ways that purposefully link into public and social accountability relationships, actively fostering domestic accountability rather than ignoring or distorting it.

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[18] This is borne out by several case studies in Cornwall and Schattan Coelho's 2007 edited volume, particularly those by Mahmud, Mohanty, Williams, Von Lieres and Kahane, von Lieres and Barnes, which come from all continents of the world.
[19] For the 'grievance' thesis as to the cause of civil wars see the work of Francis Stewart, especially Stewart 2008.
[20] The premise that lack of aid transparency harms or limits domestic accountability in aid-receipient countries is widely accepted, is based on some evidence and underpins the *raison d'etre* of major aid transparency initiatives such as the International Aid Transparency Initiative IATI (see http://www.aidtransparency.net/about ).The converse proposition, that improving aid transparency will improve domestic accountability, is often left at the level of conjecture or logical reasoning – see for instance Martin 2010.A notable exception that actually explores both transparency over aid resources (in this case HIPC debt relief) and aid-recipient governments' domestic downward transparency/accountability to civil society organisations and poor citizens, and the relationship between these,is African Development Bank 2009.

## 4.7 Settling for transparency instead of accountability

Depending on the governance context in question, but perhaps most commonly in fragile contexts, promoting public accountability carries inherent risks for local staff and NGOs. They may be reluctant to work on accountability at too deep a level for fear of upsetting relationships with local government officials, and they may be dependent on the elites for their project outcomes and therefore reluctant to risk alienating them, too[21]. Challenging power relations between citizens and the state is a difficult and sensitive issue, especially when aid agency staff are dependent on good relations with local government officials. The delicate nature of aid relationships in unaccountable states may make the overt promotion of state or government accountability untenable or risk igniting conflicts. When this is the case, agencies can feel forced to resort to weaker variations, less likely to be perceived as threatening by unaccountable government officials, service providers or elites (Kroesschell 2012).

It is perhaps for this reason that all three cases appear to focus on promoting transparency and 'soft' accountability measures such as the open sharing and provision of information, which tend to relate to 'answerability' aspects of accountability. Less evident in the cases studied are 'enforceability' aspects, i.e. the capacity to ensure action is taken, which constitute 'hard' accountability (*ibid.*).

However, in focusing on transparency it cannot be assumed that this will lead to accountability, as we are reminded by Fox (2007). But increases in transparency did lead to some corrective measures in some instances. In Nepal, inferior quality material for a bridge was replaced by the company as a result of the Public Audit process. In Mozambique, the supply of available medicines was improved.

## 4.8 T&A as means of state building and stabilising fragile contexts

Accountability, it is hypothesised, leads to more government legitimacy and greater trust on citizens' part (World Bank 2011)[22]. When government is unable to respond to citizens' demands and concerns, there are hardly any opportunities for trust building, and the legitimacy of government gets further eroded. Transparency and accountability could potentially contribute to increased trust and better relations, but many of the states that publish policy documents or approve Access to Information laws actually promote transparency and accountability only rhetorically. At best, this fails to contribute to stability; at worst, it intensifies frustrations and grievances, compounding fragility.

Fragile contexts require even more attention to transparency, accountability and inclusion, to avoid conflicts. The Nepal case tells us that, in this situation where violent conflicts flare up all too easily, transparency and accountability can help avoid conflict, especially when they include all stakeholders. As already noted, it was the addition of Public Audits that enable the Trail Bridges programme to keep functioning during the armed insurgency in Nepal.

# 5 Conclusions and Implications

What does this analysis of our findings tell us about our research question, 'which practices and factors contribute to the success of accountability initiatives in fragile contexts?'

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[21] From personal discussions with field staff
[22] For an application of the argument linking accountability to legitimacy and trust in the context of organisational accountability, see Brown and Jagadananda (2007).

At a general level, our findings show how important societal dynamics are in the promotion of accountability in fragile contexts, and yet how easily they can be missed or given insufficient attention in programme design and implementation.

As we go to print, the World Bank has just released a new report entitled 'Societal Dynamics and Fragility: Engaging Societies in Responding to Fragile Situations' (Marc *et al.* 2013) which reaches the same conclusion.

More specifically, based on the findings we draw three key conclusions that appear important for the programming and implementation of accountability initiatives supported by development cooperation in fragile contexts.

1. The role of development cooperation in promoting the practice of dialogue and information sharing for accountability.
2. Dealing with elites while also including marginalised groups.
3. Understanding 'accountability' as multiple accountabilities or as an accountability 'ecosystem' of which development agencies form part.

These three conclusions hold for accountability initiatives in general, but, our case studies suggest, apply all the more strongly in fragile contexts. This is due to certain characteristics inherent to fragile contexts: low levels of trust between government and citizens and between different citizen groups, a recent history of citizen disengagement, high levels of tension or conflict between different groups of citizens, low government legitimacy, and weak government capacity to cater to the needs of populations.

## 5.1 Promoting the practice of information sharing and dialogue

The cases show that information sharing in public hearings, local governance assessments and similar tools can improve understanding of the roles and responsibilities of stakeholders. It contributes to strengthening ownership and engagement in project or service implementation, especially in fragile contexts. In public hearings and local governance assessments, people discuss governance openly, often for the first time. It takes some practice to understand what accountability is, how it can change people's lives, and how accountability initiatives can lead to corrective measures. It may mean creating new habits for stakeholders. In the user committees, ward platforms and councils, democratic decision making based on deliberation and mutual accountability can be practiced.

In this manner, promoting spaces for government–citizen interaction for discussion of the performance of all stakeholders (including INGOs), and aiming for collaboration, may be more productive than confrontational strategies, especially where a past history of violence or confrontation has made the citizenry conflict averse. Such collaborative networks and groups can be very effective in providing spaces for deliberation and collaboration, when they are based on power sharing principles and with clear common objectives.

In addition, the experiences researched suggest that if NGOs practise 'downward accountability' as an organisation (aid accountability) to ensure consistency between their organisational behaviour and their programming, this opens up a space for others to practise information sharing and dialogue. Thus, NGOs not only become better positioned to work on public or social accountability, but also create space for others to do so. Capacity building and the creation of space can help cultivate mutual understanding between citizens and local government on roles and responsibilities, open dialogue around concerns, and even lead to corrective measures. The cases also show how important it is to be aware of power relations,

and how these may hinder participation of certain groups in these spaces. 'Downward' or aid accountability can, then, be a 'breeding ground' for public or social accountability.

The provision or emergence of socially inclusive spaces where the various stakeholders – including traditional leaders, religious leaders and other non-state power holders – can discuss roles and responsibilities around a concrete project such as water, a bridge, or local planning, can contribute crucially to building trust. Promoting this kind of dialogue on a very public platform surfaces the issue of how everyone will behave towards each other, which makes behaviour more predictable; and the predictability of behaviour contributes to trust (Marc *et al.* 2013).

## 5.2 Working with elites and the poor

Intermediary organisations that ensure inclusion of poor and marginalised women and men can offer them their only way to participate in decision making and be heard. However, even with such intermediaries on their side, whether they are actually given the space to do so depends on elite actors. Despite a rise in understanding of this phenomenon and in attempts to counter it over the past decade, elite capture is still a very real risk. Yet elites have the necessary contacts, capacities and experience to deal with local government officials and navigate around the 'gatekeepers' of both public spending and aid resources.

One strategy for countering their undue influence is to 'even out' the diverse actors' influencing power by building the capacities of the marginalised. All three case studies but especially the Bangladesh and Mozambique ones are doing this to some extent. More time and energy could be fruitfully invested in developing practice and skills for:

- ☐ Negotiation, communication, budget literacy, legal literacy, among both citizens and local government officials.
- ☐ Improving relations between marginalised men and women and those who are supposed to represent them, such as council members.
- ☐ Better and more direct connections between marginalised people and those providing services and resources, such as banks or microfinance institutions, public and private services, internet, NGOs and INGOs.
- ☐ Knowledge on rights and responsibilities, laws, procedures, knowhow about how government works, and civic education.
- ☐ Psychological aspects such as self-confidence and self-esteem.
- ☐ Basic education (primary school, secondary school, general knowledge, maths and language).

Another strategy for countering elite capture and power is to bring elites on board as allies in the empowerment of the poor. As is demonstrated so well by the ward platforms in Bangladesh, the elite and the poor can be brought together (in that case by NGO intermediaries) to collectively address the needs and even the rights of poor people. In the Sharique project, specific funds are allocated for projects that address the needs of the poor, and those projects must be identified by the poor, elaborated during the local planning process. This forces the council members, normally from elite groups, to consider the needs of the poorest in their community.

The cases, then, do seem to provide qualified support for some of Malena *et al.* (2004)'s assertions that social accountability mechanisms provide a means to increase and aggregate the voice of disadvantaged and vulnerable groups. The vital qualifications are that:

- these spaces are not hijacked by groups working in their own self interest, either economic or political. In fragile contexts, these are particularly important aspects that practitioners need to be aware of;

- poor and marginalised men and women feel comfortable attending and raising questions. In highly hierarchical societies, certain members of the community may not feel able to raise issues and ask questions in such public spaces, and may simply not attend;
- what is discussed is understandable to people who may have had no education and may not understand the language or terminology used by officials or NGOs.

Such visible and invisible power relations reflect on decision-making processes and how they actually work in practice. Transparency in the workings of local governance processes, both formal and informal, would in itself contribute to improving understandings of when and where citizens could and should participate. Time is a key ally in attempts to overcome longstanding traditions of unequal power relations. In Nepal, women interviewees stated that their awareness had increased about their right to participate in collective decisions over the years and that they were slowly starting to exercise this right even though the patriarchal social structure often prevents them from being very active in user committees. But more may be needed to include the poorest people, achieve actual changes and ensure that corrective measures are implemented.

## 5.3 Working with multiple accountabilities

In all three case studies, accountability involves numerous actors. The greatest impact on poor citizens' daily lives may be made by actors not located in local government at all. But while public audits and ward *shavas* do offer opportunities to invite all stakeholders into discussion, negotiation and deliberation, the question arises, to whom are these actors then accountable?

The recognition that there are multiple accountabilities at stake in any development project points us towards a 'mutual accountability' frame. In such a frame the starting point would be to clarify in a mutually accountable way goals and objectives (whose?), mandates (whose?), the identification of a common interest, roles and responsibilities (whose?), and the use accountability for learning (whose?). Promoting own accountability in a very public way is one avenue for creating habits and understandings related to the accountability of the state to citizens (as in Nepal). Another avenue is strengthening the capacities of institutions and groups to hold government accountable and simultaneously working to improve their own accountability to constituents (as in Mozambique with *conselhos consultivos*, Bangladesh with union *parishads* and ward platforms, and Nepal with user committees).

Our case studies did not set out to assess the results of these three accountability initiatives. Yet no paper on aid interventions today would be complete without some consideration of the strong focus on results that currently pervades aid management.

The current results-based management approach tends to run counter to some key directions suggested by our findings. Typically, working directly with and for the poor requires investments, especially of time, to understand who they are, where, and what their concerns are, to understand the visible and invisible power relations that affect them, and encourage and facilitate their participation in decision making. This would then call for carefully attuned programming, including some kind of initial poverty mapping, actor mapping and possibly power mapping; work to develop the capabilities of the poor and marginalised; and measures to provide elites and power holders with incentives to include poor people's perspectives in their decision making. Donors today are tending to pursue their avid quest for results by contracting suitable local NGOs to deliver their programmes at scale. 'Suitability' is defined in terms of ability to deliver on particular pre-set activities which tend to revolve around building the capacity of governance actors in financial management, reporting and planning. It is not defined in terms of the capacity to slowly build local NGOs' capacities to work with and for the poor, play facilitating or intermediary roles, provide downward or aid accountability and

feedback on their actions. There is a real danger that the current drive for results will distort programming and aid management away from things we should be doing to things we find easy to demonstrate we are doing. As Andrew Natsios, former Administrator of the US Agency for International Development (USAID), has pointed out, 'those development programs that are most precisely and easily measured are the least transformational, and those programs that are most transformational are the least measurable' (Natsios 2010: 1).

The table presented in Section 1 set down the many different labels and types of accountabilities, in an attempt to differentiate the variety of types, actors, lines of accountability and associated practices. The table and the three cases themselves show that several types and practices of accountability are manifest in any one situation, sometimes overlapping, not connected in linear ways, and in fact quite tangled and messy: much more of a 'complex accountability ecosystem'[23] than a neat vertical dyadic relationship. Within this complex ecosystem, INGOs and donors need to be aware of their own lines of accountability as well as state–citizen accountability dynamics, and of just how fluid and tangled these may all be. Attempting to identify results in this complex ecosystem is a difficult and thankless task at the best of times, and the results-based logic that currently dominates the management of development aid is at odds with the nature of complex ecosystems.

For accountability initiatives, fragile settings represent particularly stony ground where it is hard to thrive. The very fragility denotes a lack of trust between states and citizens, so that while accountability initiatives are particularly needed, they are also particularly likely to flounder. There is still much to learn about how to increase the accountability of states and governments to citizens in settings where not only the state but often citizenship too is fragile. We hope to have made a small empirically grounded contribution to this endeavour.

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[23] We acknowledge our debt to Albert van Zyl of the International Budget Partnership for this term, which seems to us to capture the nature of accountability better than any other definition or term we know.

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