Chapter 3»
Accountability

Civil society and accountability

Although there exists an array of mechanisms presently applied to enforce accountability within government, corporations and civil society, there is a seemingly widening distance between the institutions and their constituents. A general decline in the participation of the public in national and local elections, due to persistent public mistrust in leadership, has resulted in a 'democracy deficit', whereby the formal trappings of democracy are attended with ever-diminishing actual substance (Naidoo, 2003). While, in many respects, corporations have begun to take their social responsibilities more seriously than they did previously, their activity within the economic sphere, particularly within the financial sector, has demonstrated how far these entities' practices fall short of giving due consideration to the wellbeing of society.

Within this context, civil society continues to retain high levels of trust in the eyes of the public. A vibrant civil society has been seen as the way to restore trust in social institutions, by promoting active citizen involvement. However, questions have nevertheless been raised regarding the degree to which CSOs are accountable, not only in the management of funds, but, most particularly, in respect of the community to whom the organisations purport to be of service.

In this chapter, we will attempt to unravel the meaning and implications of accountability for civil society in practice. This will be done by tracing the root concepts for the practice of accountability and then examining some of the difficult questions raised as a result of this investigation. Each of the main mechanisms and frameworks for accountability will be presented, and their strengths and weaknesses explored. Following this, careful consideration will be given to the challenge of civil society accountability in diverse community contexts.

The nature and importance of accountability

Accountability defined

Within any institution that serves a role in society, there are generally mechanisms in place to ensure that the actions of the institution are in accordance with the norms that society has a reasonable expectation will be upheld. These are the limits and rules that an institution accepts, or are imposed upon it, to promote trust in the functioning of the institution.

On the most literal level, 'accountability' implies being held to account for one's actions. When actions are judged as being right or appropriate, this judgement is made in relation to certain ideas as to what should or should not be done and whether the action was suitable for the context in which it was applied (Bovens, 1998). Therefore, we can say in more precise terms that accountability involves the justification for a set of actions, in terms of relevant norms, as appropriate to a particular context.

The reason it is necessary for institutions to have mechanisms of accountability in place is that society has certain legitimate expectations regarding the role the institution is supposed to fulfil, and expects it to uphold certain standards of practice. For example, we expect that a corporation will not use funds for purposes other than those that are designated, and that the state will not channel public funds to pay for private expenses. These expectations are held because it is understood that society can only reliably function if these principles are respected and that the consequence of not adhering to these principles will be a loss of credibility and gradual breakdown of trust.

Accountability can also be viewed in ethical terms. Society collectively judges that certain ideals should guide institutional actors. A corporation should be guided by ideals, so that, for example, it treats its workers with dignity. Government, it is generally held, should live

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It is the ideal of public service that leads ministers to resign in the British parliamentary system when there have been errors or misconduct within a government department under their leadership, even if the minister was not personally responsible up to the ideal of public service. It is this ideal of public service that leads ministers to resign in the British parliamentary system when there have been errors or misconduct within a government department under their leadership, even if the minister was not personally responsible (Marshall, 1991).

Another dimension of accountability is that an institution has obligations towards constituents or stakeholders. These are the people the institution serves, or from whose actions the institution gains the power or legitimacy to act. Within a democracy, government gains power to act through the vote of the general public, so the government should be answerable to the people. From an environmental vantage point, we can also say that society, and especially industry, only has the power to act due to the resources that the earth bequeaths, which, in turn, entails that we should collectively be responsible in our actions towards the environment.

In reality, these dimensions of accountability intertwine and overlap. For example, through the ethical ideal of democracy, we come to realise that a government should be responsive to the constituents, who are the citizens of the state. This, in turns, leads to rules being put into place for elections, which become the functional basis for accountability in practice.

Accountability is necessarily a matter of degree. No institution can be completely unaccountable as this would lead to chaos, since there would be no internal or external controls. Certain rules and feedback mechanisms are necessary just for the processes, products and services to take place on a reliable basis. If these controls were not in place, the right hand would not know what the left hand was doing and there would be no way to coordinate effective action.

All institutions within society are governed by sets of regulations according to which certain standards of accountability are legally held in place. The formalistic legal level is a narrow interpretation of the functional dimension of accountability. Laws set the standards according to which an institution functions in society. When these rules are violated, the institution is likely to be legally liable for its actions. Enron, for example, subverted the rules that guided accountancy practices, which ultimately led to the indictment of the chief executive. However, there may also be principles or standards of accountability which are not legally enshrined, but should still be upheld by the institution, since these conform to ethical norms that lie beyond present practice. In these cases, citizens might advocate that these standards become established in law. As an example, in the years leading up to the 2008 financial crisis, there had been a widespread use of subprime mortgages in the United States. The companies selling these mortgages were acting unaccountably, since they did not act in good faith to the customers, even though in the locations where they were operating, their practices did not formally break any laws.

The relevance of accountability for civil society

To understand the importance of accountability within civil society, it is necessary to consider the general role of civil society and how it emerges. The most fundamental aspect of civil society is that of citizens coming together to advance a shared idea for the good of society. As citizens, we might be aware of improvements that can be made to our own or neighbouring communities, such as helping children who should be getting a better education, isolated elderly people, or abandoned animals that require taking care of, or reducing the number of unnecessary deaths from curable diseases in impoverished countries.

Civil society organisations reflects the myriad paths and perspectives that can be taken towards improving society. Including organisations such as trade unions and universities, as well as clubs that bring people together for shared activities such as chess and football.

Where citizens are conscious of a wrong or a situation that should be addressed in society, it is the duty of the citizen to act conscientiously to work towards ensuring change and improvement. This is a superlative ethical duty that is voluntarily taken, beyond the requirements of law. It addresses the ideal role of citizens, to promote reciprocity among people, communities and the environment. Although Bob Marley chanted, ‘Stand up for your rights’, he could equally have sung ‘Stand up for your duties’, since this is as much an integral part of the meaning of citizenship (Linklater, 1998). While citizens can act on their own accord to promote conscientious action, it is much more effective for people to work in groups. This is where civil society comes into being as an active sphere.

Therefore, civil society is the space where citizens come together to act conscientiously to effect change and improvement within society and for the community. The range and diversity of civil society organisations reflects the myriad paths and perspectives that can be taken towards improving society. These include organisations devoted to weighty issues, such as global poverty and climate, established institutions that promote representation or learning, such as trade unions and universities, as well as clubs that bring people together for shared activities such as chess and football.

The efforts of citizens working together to promote change has, throughout history, brought about real and lasting improvements for society. Movements such as the suffragette movement, the early development of trade unions and abolitionism shaped the institutions and wellbeing of humanity. The right of women to vote, decent labour standards for workers and the ending of the slave trade can all be traced to the bold actions of citizens mobilising through civil society.

The levels and scope of accountability

The practice and advancement of accountability, whether within civil society or in institutions with which civil society interacts, varies. They depend on the purpose of the civil society activity and the level of engagement. Where the purpose of an organisation is to deliver services, the considerations of accountability pertain to the micro level and are orientated towards relevant local factors. Civil society is often directed towards efforts to change and improve national policies at the meso level so as to advance the recognition of a group or the appropriate realisation of a human right. In circumstances where the structure of governance is inadequate for the proper fulfilment of state duties, civil society may aim to refine the rules of governance that will be legitimately acknowledged at a global or regional level (Naidoo, 2004).

In reality, all these levels interact and are interdependent. The micro level of service delivery often requires attention to the meso level of policy formation. Similarly, the macro level of rules of governance effectively frames both. Part of the challenge for civil society organisations is to be mindful of the interrelationships among these levels, so that when providing a service at a local level, they are also aware of the influence of government policy for the effectiveness of the service provision. Similarly, CSOs that work in advocacy at the macro and meso levels should consider the influence that their activities may have on individuals and communities at the local level. The geographical use here of macro (global and regional), meso (national) and micro (local), has a limitation since even at the local level you can have governance and policy struggles that need to be fought.

In South Africa, for example, one of the fights civil society engaged in immediately after Nelson Mandela was elected was to push for a Domestic Violence Act, which has significantly empowered organisations working to combat domestic violence. Investing energy at the policy level can reduce the number of people you need to support the direct delivery of services.

However, policy change is often more difficult than simply running a particular project. It also needs to take account of the wider context of governance at the macro level. The ability to change policies can be restricted if the governance framework is flawed. In apartheid South Africa, when I was trying to work with my colleagues to change the education policy, we were limited in terms of what we could achieve, since the whole governance at the top, which determined what policy was adopted, was undemocratic, unjust and racially biased.

When James Wolfensohn headed up the World Bank, civil society advocates would sometimes get to a point where the management of the World Bank would agree with the policy being pushed by civil society. However, we were sometimes told that the Board of the World Bank, the Bank's governing body which determines the framework for policy making, would not support that view. Closer examination of the governance of the World Bank revealed that it was governed on a one-dollar, one-vote principle. Even though the World Bank mainly made policies that affected poor countries, these countries had very limited power within the governance of the Bank. Consequently, over the last two decades civil society organisations have been addressing not only governance deficits at the national, provincial/state and local levels, but also at the transnational and global levels of governance.

If you are a non-profit organisation mainly delivering services, the challenges of accountability are different from those of an organisation that is trying to influence policy. They are also different from those of an organisation that is primarily trying to change structures of governance. Accountability systems and the way you seek to show your accountability will vary according to your focus. Furthermore, remember that today more and more NGOs are involved in delivery, in policy and in governance. We should bear in mind that there are a lot of policy think tanks that are also NGOs, which do really important work but are not connected to those that are doing actual service delivery on the ground. This does not mean that every organisation trying to influence policy also has to have delivery of projects and programmes. However, if there is no accountability towards the people affected by the policy changes these organisations propose, then they need to work in alliance and partnership with others which are directly accountable to communities. Otherwise the criticism can be justifiably levelled that their policy demands are being made from an experiential vacuum.

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One of the key issues I want to reiterate in relation to this is the length of time it takes for success to be achieved or impact to be measured. If you are trying to deliver a project or programme, within one to three years you are likely to see some results – a measurable increase, for example, in the numbers of children attending school or women accessing safe shelters. However, if you are trying to change the governance of the World Bank, you are probably talking about a 10 to 20 year time frame. Because interventions at the level of policy and governance require more time and more perseverance, they don't fit into bilateral agencies' development funding cycles. Everyone wants to see quick returns, something that is sometimes called the 'magic bullet' of development. Even though changes at the governance and policy levels can deliver the biggest impact, they are the hardest to fund and hardest to resource.

When we ask ourselves what is driving accountability and civil society accountability today, we need to recognise that people in rich countries and countries with stronger democratic traditions can learn from those of us in poor countries or who have weaker democratic traditions. This is because 20 years ago, our governments were challenging the legitimacy of civil society on the basis that we were not elected, even when they themselves in some cases had not been democratically elected. Due to the fact that we had to deal with these pressures for so long, you tend to find that the oldest and actually the best codes of ethical conduct for the NGO community were developed in developing countries. For instance, SANGOCO (South Africa National NGO Coalition), the organisation where I worked before CIVICUS, adopted a code of ethical conduct in 1997. When we adopted ours we discovered that there were equivalents in Uganda and elsewhere that had been adopted 10 years earlier because of the pressures there to be accountable and establish legitimacy.

At the same time, I think it's vital that civil society groups don't become too inward-looking about accountability, or too bogged down in bureaucracy. It's important to keep a perspective, not just on our own accountability, but on our role in holding others to account. It is important, too, that we should not expect the same accountability mechanisms from civil society organisations, acting in the public interest, and businesses, whose primary reason for existing is to deliver profits to shareholders.

Accountability at the global level

On 20 November 1999, the world was confronted with scenes of mayhem as thousands of demonstrators converged on Seattle to campaign for a fair global trading system at the World Trade Organization (WTO) conference being held in the city. Although these demonstrations were the most vociferous public display against the WTO, they were only the outward manifestation of criticism that had long been directed by civil society organisations against multilateral institutions.

In the wake of the Seattle protests, critics questioned civil society's legitimacy to forcefully press their agenda on democratically elected governments. As *The Economist* (1999) noted, the organisations at these demonstrations 'may claim to be acting in the interests of the people – but then so do the objects of their criticism, governments and the despised international institutions'. Although wary of the enthusiasm of the anti-capitalist activities, the magazine did not so much condemn the liveliness of the protests as the claim by organisations to be representing the poor while advocating policy agendas that might even be inimical to their interests. After all, '…governments and their agencies are, in the end, accountable to voters. Who holds the activists accountable?… Who elected Oxfam?' (Slim, 2002).

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This question is particularly striking in light of the role civil society organisations have come to assume in the international domain. The last 25 years has seen the resurgence of a vigorous civil society that positions itself to directly challenge governments, corporations and multilateral institutions on internal policies and practices. Bypassing traditional notions of sovereignty, organisations composed of concerned citizens see themselves as standing in solidarity with the marginalised and oppressed, and as actively guarding the sanctity of the environment. The credibility that the civil society organisations hold is essential for their standpoint to be taken seriously.

Although democratic governments are elected by the people and therefore have their legitimacy grounded in representation, the actions of the state, even in a democracy, can be and often is misguided, irresponsible or wilfully destructive. Whilst elections serve as a fundamental mechanism for accountability by which to ensure that the formation of the government to some degree reflects the will of the people, periodic elections are not sufficient to ensure that in the intervening periods the state does not act in ways that are contrary to the wishes or interests of the citizen body or global community. One does not have to look far to find instances of democratic governments quashing human rights, cutting essential social services or launching unnecessary wars.

Often it is only the dissent of citizens that can forestall governments from going down a path that is unhealthy or dangerous for the social good. Civil society is a domain where people can gather and organise together to act on interests that are shared, not only among themselves, but with society and the global community as a whole (Nerfin, 1986; Korten, 1990). The civic space is an arena where citizens can take a step back from the work of governing or the business of corporate affairs, and ask with an open mind and a compassionate heart: Are we acting properly as a society or global community? Are we looking after the most weak and vulnerable? Are we properly educating our children and tending the sick?

The direct action of civil society to provide services to the marginalised and oppressed is a channel by which the conscientious acknowledgement of suffering can be followed by a commitment to give. Citizens may voluntarily come together through CSOs and conscientiously offer to support individuals and communities where help is needed, but for which government services are either unavailable or inadequate. Time and again, as wars, tsunamis and epidemics affect distant parts of the globe, civil society organisations have been at the forefront of helping victims and rebuilding communities. Civil society has the potential, then, to serve as the conscience of global society, though only to the degree that it properly assumes its exemplary role.

In practice, there are two models or paths that CSOs adopt in their civic activities. One is to serve as interest groups acting competitively in the public sphere to advance their particular interests or beliefs. In this model, organisations advance their constituencies' interests without considering how this might affect the broader community, or other groups in society.

Alternatively, a civil society organisation can understand its role as acting upon a duty towards society as whole, by advancing the common good or promoting human rights through the particular cause that it serves. For this latter path, the obligation rests upon the CSO to prepare the best case to demonstrate that the objectives it seeks to realise are in the shared interests of society or the community being served. In other words, for CSOs to serve as the conscience of society, the criticism that is directed against current social practices and institutions needs to be directed inwards, to ensure that the position being advanced is, in actuality, reasonable and justified.

Within all human societies there is a propensity for error and delusion that can lead to the perpetration of injustices. For this reason it is always necessary that there should be a conscience that raises critical questions, whispers loudly so that everyone can hear, points out faults and errors and acts as a constant agitator (Arendt, 1972). But for that standpoint to be tenable, organisations need to engage in introspective reflection, to guard against errors in their own judgement.

It must also be remembered that levels of authority are related to issues of power, privilege and influence. For example, the level of authority that CIVICUS has is limited, even though it is broader-based in terms of its membership than Oxfam, because Oxfam has a brand name, it has a media machine, huge amounts of resources, money from governments where it is based, and so on. However, I don't think authority is static; it ebbs and flows. A practical example is the Centre for Youth and Social Development in the state of Orissa in India, whose authority increased significantly during the super-cyclone, because the state was unable to address the crisis effectively. The ability of CSOs, led by the centre – which is managed by a visionary leader, Jagadananda – to engage with immediate problems was so significant that government had to defer to them with regard to decision-making as to how to deal with the effects of the super-cyclone on the local community.

In addition, the authority of civil society organisations grows when there is a sense that the government in power has very little legitimacy. During the apartheid era the authority of civil society in South Africa was significantly higher than that of government. Anything a civil society leader said would carry more weight, even within the mainstream media, than what was said by government, because the government was seen to have such a deep legitimacy deficit.

Civil society dynamics: Relations between donors and civil society organisations

Although they may sometimes earn a limited amount through revenue, organisations within civil society are most commonly dependent on the contributions of donors who share a belief in the cause that the organisation seeks to advance.

Donor support within civil society takes various forms. NGOs commonly receive the support of a few major donors, generally foundation or country donors. Trade unions, some religious institutions and some campaigning organisations, such as Amnesty International and

Greenpeace, are membership organisations. Many organisations rely on fundraising from the general public, often combined with major donor support. I should note in passing here that in terms of thinking about income there are other models that seek to reduce dependency on major donors. For example, Age Concern England (ACE), seeks to raise income by selling insurance services to over-50's.

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Where civil society organisations receive support primarily from a few major donors, as is most commonly the case, the dynamic that necessarily develops between the organisation and the donors can often prove highly influential in shaping activities and projects. In particular, since the donor is able to choose which projects to finance, this allows the donor to monitor the design and application of civil society programmes.

In one respect this relationship with the donor, an inevitable component of civil society dynamics, serves as a crucial channel by which organisations are held accountable. Civil society organisations receive funds provided voluntarily and so must constantly prove themselves to donors if their funding is to continue. Hence, CSOs are forced to operate on a 'perform or perish' principle, which can be effective in ensuring that they reach certain standards in their programmatic activity (Naidoo, 2004). In reality, if organisations do not perform as resource providers think they should, they often perish. However, the drawback of this relationship is a tendency for the priorities and discretion of the donor to become a key factor in determining the structure and content of civil society programmes.

The influence of donors over civil society organisations manifests itself in several ways. Primarily, the method by which the organisation manages, reports upon and evaluates its programme largely takes place within frameworks that are required or recommended by the donor. Within the context of international development, the foremost methodology that has been adopted within organisations is the Logical Framework Approach (LFA). While the LFA has proved useful in ensuring that the programme being implemented is systematic and internally coherent, the framework has nevertheless been widely criticised as being reductionist in its analysis. In particular, it could be said to focus on narrow metrics of impact to be accomplished within the time frame of the project, generally around three years, rather than on whether the project is appropriate for the community (Ebrahim, 2002).

Moreover, the continuation of donor support is often accompanied by conditionalities which the organisation is required to apply in order to demonstrate that its practices conform to donor demands. The choices and priorities of the donor often follow from geopolitical realities. Country donors have insisted that products or tools that are directed towards development projects are purchased from the country funding the project ('tied aid', as it used to be called). The consequence has often been an unnecessary waste of donor funds, inefficiencies and the use of tools that are inappropriate to the local community where they are being applied (Fowler, 2000).

The power that donors hold in relation to civil society programmes can lead to CSOs practising 'upward accountability' towards the donor to ensure that their requirements, priorities and criteria are met, rather than 'downward accountability' towards the community, principles and ideals that are central to the organisation's mission (Najam, 2003).

Another complicating factor today is the blurring of the lines between civil society, the corporate sector, and government. On the one hand you have several civil society organisations that are developing income-generating businesses and are straddling the corporate arena. For example, the Grameen Bank in Bangladesh has one of the biggest cell phone companies in the world. But on the corporate side you can have corporate giving coming directly through the Ccorporate Ssocial Rresponsibility department which can lead to a lack of clarity. For example, American Express have set up the American Express Foundation within non-profit law. It has the status of a non-profit entity, so while they might be a donor, they are also part of the galaxy of civil society organisations and institutions. There is a good body of knowledge from the European Foundation Centre and the Council on Foundations, the two umbrella bodies for the US and Europe, who have come together and developed a set of accountability principles, but the whole environment is much less straightforward than it needs to be.

Assessing impact

In recent years impact assessment has emerged as the principal means by which civil society organisations that serve, represent or advocate for communities are held accountable. The discourse of 'impact' emerged from the practice of cost-benefit analysis and environmental impact assessment within development projects. Impact assessment has, however, moved beyond solely economic and environmental aspects to include social or cultural dimensions. The fashion for impact assessment has been reinforced by an emphasis on results-based management that emerged from business practices, and has been adopted within the public sector to support the drive towards greater efficiency; and within civil society in response to donor expectations of demonstrable results.

The fashion for impact assessment has been reinforced by an emphasis on results-based management that emerged from business practices

There's no doubt that impact assessment has some strengths as an accountability method. It can give some indication of the effectiveness of programmes; close monitoring of the effects of activities also allows organisations to evaluate, learn from mistakes and make improvements; and it can also provide an evidence base for a programme's continued support. Yet there are a number of difficulties with using 'impact' as the main frame of reference for civil society accountability. Impact may not always be obvious, may be hard to trace, and harder to attribute. The pressure sometimes placed on NGOs by donors, including foundations and trusts, which are, in terms of their registration status, non-profit civil society organisations themselves, turns the potential of philanthropy into what I term *foolanthropy*. Too often the quest is for instant success or a quick return on investment, which means that false claims are made about progress. Huge pressure is put on recipient organisations to present progress. In an attempt to please donor organisations, they often do so in ways that do not necessarily tell the full truth. This tendency has often led to programmes and services not being sustainable once the donor interest in the initiative wanes.

Where an organisation faces pressure in an environment where it is competing for a limited amount of funds, it can lead to grandiose presumptions that a change in society is attributable to the organisation's programme, when the reality is far more complex. Since it is so difficult to meaningfully demonstrate medium-term impacts where a myriad of entwining factors come into play, the temptation is to focus on tangible and quantifiable results, usually short-term impacts. This not only affects the quality of the assessment, but also the nature of the activities undertaken, which are often guided by the concern to quickly show impressive results, with organisations becoming focused on meeting short-term needs rather than addressing the underlying problems or local institutional dynamics.

The capacity-building framework and capabilities approach

Whereas the primary concern of participatory mechanisms is the direct interaction with community members as a mode to promote conscientious development, the capacity-building framework is concerned with the ways by which the community can be concretely strengthened through civil society activity.

A dilemma that is faced by civil society or any institution that aims to promote a benefit through service provision is the risk that this will induce a dependency by the recipients on the service. Those services that hold such a risk are certain types of aid or welfare that enable the recipient to survive, but do not help the individual or community to emerge from their present situation. This can lead to a situation where the individual or community becomes progressively more dependent on the provision of the service, meaning that skills for self-sufficiency or community sustainability atrophy, creating a vicious circle.

In contrast, services that build the skills of recipients, or provide the ability or opportunity to gain such skills, enable the recipients to become empowered or increasingly self-subsistent. This can also enable recipients potentially to confront the underlying issues that have created the challenges they face. The capacity building framework is a model which allows us to consider whether the civil society programme serves to strengthen and empower the recipient of the service and thereby avoid inducing dependency. The services likely to build capacity are those such as education, where skills or knowledge are cultivated, or health, which strengthens capacity by enabling the participant to be free from harmful disease.

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Another perspective on capacity-building developed by the esteemed economist and philosopher, Amartya Sen, focuses on functioning of freedom as the most fundamental element of development. Sen's theories were developed in response to the prevailing orthodoxy that development consisted primarily of economic growth, according to which a state may industrialise and thereby raise the overall income of citizens (while taking little account of differences of distribution). However, the consequence of the narrow promotion of economic growth was that in the short to medium term there was little provision or improvement of social services, leading to unnecessary suffering. Sen argues that rather than the goal of development or public policy being to maximise economic growth, it should instead aim to increase the capabilities or freedom of the population (Sen, 1999). There has since been further development of this approach to include 'wellbeing' as a key indicator of development, which has an additional benefit of being inclusive of all sections of society, including older people and those with disabilities, whose interests are not traditionally considered in development (Lipman, 2009).

The implications for civil society accountability are that the fundamental measure by which a programme should be assessed is whether it has increased the capability of individuals and communities to achieve their potential. This provides a framework by which the maximising of impact can at least be qualified within certain parameters so as to be sure that it strengthens the community rather than causing dependency.

An exemplary model as to how this framework has become established within civil society is the microfinance programme of Grameen Bank. Rather than provide direct poverty relief to indigent women in Bangladesh, Grameen Bank provides a micro loan by which the individual can start a small business, which can then be paid back progressively. The strength of such an approach is that a loan is provided which would otherwise only be available at usurious rates. However, the loan is only for a very small amount, enough to start a business that is suitable for the local context. As such, the participants in this programme gain income and skills by which to establish their livelihood on a self-subsistent basis (Hassan, 2002)

Based on the ideas of Sen, a 'sustainable livelihoods' model has been developed whose emphasis is strengthening the capacity of the community to provide for its own subsistence. The livelihood approach aims to assist a community primarily by learning what the livelihood assets are that already exist in the community, and how these can be strengthened. Such assets may be health, access to education and sources of credit. Attention is also given to the vulnerability factors faced by the community, which determines how the livelihood assets may be used reliably. Also considered are the livelihood strategies generally adopted by community members in the context of the problems they face and how these practices can be improved (IFAD, 2009).

Codes of conduct

In response to the growing calls for civil society accountability, there have been serious collective efforts by CSOs towards self-regulation, which have steadily gathered momentum. The central focus, in this regard, has been the development of codes of conduct that uphold principles and standards to which CSOs are required to adhere. These codes have been prepared at the national, regional and international levels, as well as for certain sectors. A 2006 study reviewed 35 such codes of conduct, including the Code of Conduct for Somali NGO Networks (Lloyd and de las Casas, 2006), Humanitarian Accountability Partnership International and the Pakistan NGO Forum Code of Conduct.

While the proliferation of codes of conduct shows that civil society organisations do not take their obligation to be accountable lightly, there are weaknesses that remain pervasive among these codes of conduct. Foremost among these are that the codes are generally voluntary and do not have legal enforcement mechanisms. Many of the principles and standards that are laid out effectively remain aspirational. Moreover, many CSOs do not have the means or institutional structures to put such standards in place (ibid.).

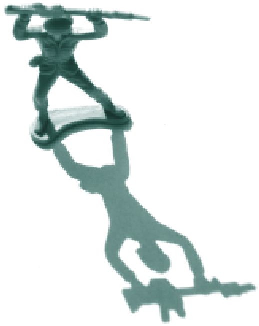
There are, nevertheless, a number of codes that include enforcement mechanisms, demonstrating greater promise as an effective method of accountability. One such mechanism is the requirement that an organisation assess its compliance with the code and submit a work plan as to how compliance will be achieved where this falls short. Another common feature is a complaints mechanism, to which stakeholders can turn when civil society organisations fall short of acceptable standards (ibid.).

A further critical aspect is the content of the codes and the type of accountability that these emphasise. Since country and regional codes of conduct have often been developed in response to pressure from donors and the state, they tend to emphasise priorities pertaining to organisational management, especially the management of finances. However, within such codes of conduct, there is very little mention made of accountability towards the community, and relevant standards, such as requirements for participation. The codes of conduct for sectors such as humanitarian aid tend to emphasise the technical aspects of service provision and how this should reach certain levels of quality, but do not include the importance of considering community dynamics when designing or implementing programmes (Lloyd, 2005).

From defensive to proactive accountability

So, how in practice can civil society organisations ensure that their programmes and policy demands have a legitimate basis within the social context and strengthen their accountability? After all, civil society as a vehicle for the mobilisation of citizens shares the same liabilities and weaknesses as do individual citizens, or indeed the institutions that civil society criticises. Practical accountability mechanisms can help ensure that the actions of civil society are demonstrably guided towards the wellbeing of the community and society.

I would argue that civil society organisations need to respond to the accountability debate in a more strategic way, and give more consideration to how they can take the lead in strengthening their own accountability. For example, when CIVICUS was trying to build support among international NGOs for an international NGO accountability charter, we approached several of the most prominent brand-name NGOs. Nobody disagreed with the idea; they all said it was an important area to be addressed, and that we should do it. However, all the public opinion surveys, even those produced by fairly conservative organisations, have shown that in the world today most people have high levels of faith in NGOs and other non-state actors, and low levels of faith, trust and confidence in government and business. Therefore, many of the leaders of the big international NGOs took the view that because they were already trusted there was no reason to invest resources in this area.



If we didn't take action to strengthen accountability, there would be an attack on us and we would have to address these issues on the defensive.

However, CIVICUS presented two reasons why they should. One was that trust should never be taken for granted; on the contrary, it's something that needs to be nurtured. The second was that if we didn't take action to strengthen accountability, there would be an attack on us and we would have to address these issues on the defensive. Sadly we were right. In 2003 a conference took place in Washington DC called 'Holding the Unelected Few Accountable,' organised by the American Enterprise Institute, a conservative organisation that could be characterised as President George W. Bush's and his Vice President Dick Cheney's personal think-tank. The whole tenor of the conference was that NGOs are undermining the sovereignty of nations; the organisers also criticised companies like Nike, for example, saying that by bowing down to the pressure from some NGOs to change their labour-hiring practices in Asia, Nike was also undermining sovereignty. That conference persuaded a lot of international NGOs to say 'let's get our act together'. These attacks gave impetus to the historic International NGO Accountability Charter which, while still young, is having an impact on the practice and accountability culture of the bigger international NGOs.

If we were to ask ourselves why this has become a big issue now, we would have to be honest with ourselves and say that actually this debate should have taken place 10 or 20 years ago. The reason the debate is happening, and why in the last eight years in particular it has become more urgent, is the discourse of the War on Terror, the curtailment of civil liberties and the shrinking of democratic space generally. According to CIVICUS' Civil Society Watch Programme, at least 60 countries around the world have passed or proposed laws in the last five years that restrict the role of citizens' groups, using the War on Terror as an excuse to justify that.

Even without these pressures, I would argue that there is still an ethical imperative to respond to this challenge. We should recognise that even if nobody is putting pressure on us, if we receive money in the name of people whom we are seeking to serve, if we expect to be heard at tables of governance, to talk to our governments and put forward our views on policies, ensuring strong accountability in our own activities is the right thing to do, not simply something we ought to do.

Accountability at the local level

Having examined some models for accountability, we shall now consider the dynamics of the local context and the importance of sensitivity and responsiveness to the community. While there is great diversity among the types of civil society organisations and their respective functions or purpose, for the most part all can be understood as serving a local community on various levels.

A community is not a single homogeneous entity, but an identifiable unit representing shared commitments among its members, one that overlaps, interacts and may come into tension with other identifiable communities.

The term 'community' is one that implies a shared meaning or purpose (Cohen, 1985) or interdependence of needs within a group of people. In this respect, a community can exist on many levels, wherever there are institutions that serve a common purpose or hold a set of needs. Hence, a village can be a local community, as can subgroups within the village, such as women or the poor. Every group that shares interests, such as musicians, farmers or activists can identify itself as a community. A society within a nation-state forms a community to the degree that there is a level of shared institutions and interdependence. Even the society of nations at the international level is sometimes referred to as the global community. Hence, a community is not a single homogeneous entity, but an identifiable unit representing shared commitments among its members, one that overlaps, interacts and may come into tension with other identifiable communities.

There are many ways in which considering accountability of civil society in terms of the community is important. Firstly, an organisation providing a service should be accountable towards those who are being served. The unique position of civil society is that, unlike a democratically elected government, which receives a mandate from the choice of the people, the willingness of a civil society organisation to serve a community generally arises from the voluntarism of the organisation, rather than at the request of the community itself. A civil society organisation acts from its mission to promote a good cause within a society. As such, it is crucial that the organisational vision corresponds to the community's needs and aspirations.

Secondly, the community as a unit of consideration represents not just the individuals directly served by a civil society programme, but the broader context of which the individuals are a part. Any activity that an organisation undertakes unfolds within a sphere of interacting socio-economic dynamics and institutions. A CSO entering a context should be aware of the possible effects of the programme beyond its direct application and be prepared to take a measure of responsibility for these.

Thirdly, a community will often have cultural values and institutions that to a certain degree define the way of life for community members. An organisation that introduces a programme into the community will necessarily interact with its local culture and can potentially disrupt that culture. While cultural change is inevitable, it is essential that the organisation be mindful that a legitimate basis for an intervention may disturb local cultural norms, and give consideration to the perspectives of the community members to whom these are of intrinsic value.

The issue of 'downward accountability' stems from the difficulty of demonstrating whether the activities of an organisation are relevant to the community and whether the organisation is answerable to community members on this account (Najam, 2003). While in most cases a community is likely at least to give formal consent to organisational activity, whether the community gives comprehensive consent to the content of a programme can prove far more contentious.The power gap between the often better educated and technically more skilled leaders of organisations, especially those who work in a professional capacity, and the volunteer members of community groups is extremely wide. It is therefore critical that the power differences are acknowledged up front rather than pretending everybody is starting from a level playing field. There is much scope for improvement to enhance greater levels of accountability to communities being served by NGOs and other civil society organisations.

The degree of community involvement, of course, very much depends on the nature of the civil society organisation and programme. A membership organisation, which provides a service primarily to its members, such as a trade union, is accountable to the community being served. An organisation that emerges from and is based within the community that it serves is likely to be close to the community. With an organisation that is based at a regional, national or international level, there is potentially, at the outset, a wide gap between the organisation and the community to which there is a purported commitment.

A perplexing matter to consider here is the role of religion within a community. The legitimacy of religious institutions can serve as an interesting counterpoint to questions about civil society legitimacy. In particular, the question can be raised with regard to religious practitioners: who are they answerable to in their actions? The specific issue of religious involvement within civil society will be examined in more depth in a later chapter.

Meeting the challenge of accountability

Just as it is better for citizens to act together than alone when conscientiously fulfilling duties to improve society, so it is better for civil society organisations to collaborate in considering how contextual dynamics should be taken into consideration in pursuing its goals. Since many communities share similar cultural or socio-economic characteristics, it is possible through deliberation to arrive at propositions and principles that reconcile contrasting values and complex social dynamics. To this end, it is important that, on the global level, there is a deliberative space wherein the intricacies pertaining to issues such as the relationship between culture and human rights, economic growth and well-being, and so on, are not presupposed but are considered collectively, from various angles, through active thought and dialogue.

In particular we need to actively and vigilantly recognise the following issues:

1. The NGO sector is not homogeneous and its diversity needs to be acknowledged at all times.
2. In attempting to draw lessons from other countries, we need to recognise that we cannot have a ‘one size fits all’ approach; local circumstances must be taken into account.
3. This process ultimately involves people, and people can bring a lot of their individual socialisation, baggage and ideological bias into play. Therefore the highest levels of integrity, transparency and openness need to be built into any process seeking to develop a self-regulation framework.
4. We need to ensure that it is not only service delivery organisations that are brought into the frame but also those that are orientated towards advocacy work.

5. We need to ensure that any self-regulation framework does not become a gate-keeping instrument and that it is open to reflection, evaluation and change over time.

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While efforts to develop accountability frameworks might appear to be daunting, the process can also be productive and developmental. It is critical, therefore, that whatever methodology a country, region or sector chooses to pursue, the very process of choosing the methodology should be an educational and capacity-building one. People should be empowered as a result of this process and the public at large should be engaged wherever possible. To meet this challenge we need to explore ways in which we can mainstream this process – For example, investigating how we can get public broadcasters and the media involved in promoting public discussion. We should also not rush the process: 'more speed less haste' should inform our approach.

In the long term, having effective accountability systems in place, systems that are respected by NGOs, trusted by the public, and work effectively for the particular social context in which they are applied, will lead to a more effective NGO community, with increased possibilities for new and sustainable indigenous resources.

Accountability is the missing ingredient. Its absence contributes to curtailing excellence in government, business and citizens' organisations. It is therefore critical that citizens' organisations implement working accountability practices, thereby maintaining the highest levels of accountability, transparency and legitimacy, while urging government and business to do likewise.