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Making Accountability Count

Accountability is now a buzzword in contemporary development debates. It is central to development policy, whether government accountability (as a central component of good governance), corporate accountability (promoted by a swathe of standards and codes), or civil society accountability (claimed by people and organisations from the bottom up). Yet with so many competing ideas, interpretations and practices, it is sometimes unclear how improved accountability is directly relevant to the lives of poor and marginalised people. In order to build accountable institutions that respond to claims by citizens, it is crucial to understand how accountability matters, for whom, and under what conditions it operates. This *Policy Briefing* looks at who benefits from improved accountability and focuses on how people claim accountability in practice.



Peter Neuell

Key questions

What is accountability?

Accountability takes different forms, depending on the institutions involved. When accountability works, citizens are able to make demands on powerful institutions and ensure that those demands are met.

Why does accountability count?

More responsive institutions enable people to realise their rights and gain access to resources.

What helps improve accountability?

A range of factors influence accountability relationships, including legal frameworks, citizen engagements, how people understand accountability, and state-market relations. Citizens use a range of informal and formal strategies to demand accountability.

What is accountability?

The concept of accountability describes the rights and responsibilities that exist between people and the institutions that affect their lives, including governments, civil society and market actors. In practice, accountability can take a number of different forms, depending on the institution in question. In general, relationships of accountability have two important components:

- **answerability** (the right to get a response and the obligation to provide one) and,

- **enforceability** (the capacity to ensure an action is taken, and access to mechanisms for redress when accountability fails).

Work by the Development Research Centre on Citizenship, Participation, and Accountability (Citizenship DRC) across Africa, Asia and the Americas has shown how accountability is fundamentally a relationship of power. When accountability works, citizens are able to make demands on powerful institutions, and ensure that those demands are met.



Making Accountability Count

Why does accountability count?

Accountability shapes people's ability to realise their rights. Rights are important because they affect people's access to resources, services and institutions. If poor and marginalised groups are to realise the right to water, health, housing or a living wage, they need responsive institutions. Responsive institutions have an obligation to provide an account of their actions (or inaction), and also the means to address failures. More responsive institutions can enable people to realise their rights, and gain access to the resources they need.

Constitutional and legal protection of rights is important, but as Citizenship DRC research in Kenya and South Africa shows, legal frameworks are insufficient if governments do not have the capacity to fulfil their commitments. In some cases, such as India, governments are complicit in violating people's rights and ignore their own progressive legal frameworks. People sometimes seek more radical ways to secure their rights when there are few channels of representation and little access to justice. This can result in violence, such as the conflicts over oil in Nigeria.

In order to be credible, processes for managing and resolving conflict over resources and claiming rights have to demonstrate accountability. For many groups, accountability is not an end itself but a process that is critical to realising basic rights. A Citizenship DRC study illustrates how garment workers in Bangladesh wanted accountability from their employers not only to make corporations fulfil their obligations, but as a means to improve their working conditions and livelihoods.

What helps improve accountability?

The conditions under which institutions are accountable vary by country and context. Key cross-cutting factors that can improve the responsiveness of powerful institutions to poor and marginalised groups include:

- **Legal and constitutional provisions:** Legal frameworks and constitutional protection of key rights are critical, but enforceability of these provisions is often missing. Governments often violate rights as well as protect them. In South Africa, the constitution gives people the right to water, but the government has been unable to fulfil this right in practice. Some people have used the courts to demand that the government take responsibility for implementing the right to water, but for many, access to the justice system is limited.
- **Histories of protest and citizen engagement:** The politics of accountability are deeply affected by traditions of

Types of accountability

Political accountability

- Consists of checks and balances within the state including over delegated individuals in public office responsible for carrying out specific tasks on behalf of citizens.
- The state provides an account of its actions, and consults citizens prior to taking action in order to enforce rights and responsibilities.
- Mechanisms of political accountability can be both horizontal and vertical. The state imposes its own horizontal mechanisms, such as ombudsmen and parliamentary audit committees. Citizens and civil society groups use vertical mechanisms, such as elections and court cases.

Social accountability

- Focuses on citizen action aimed at holding the state to account using strategies such as social mobilisation, press reports and legal action.
- Addresses issues such as citizen security, judicial autonomy and access to justice, electoral fraud, and government corruption.
- Provides extra sets of checks and balances on the state in the public interest, exposing instances of corruption, negligence and oversight which horizontal forms of accountability are unlikely or unable to address.

Managerial accountability

- Focuses on financial accounting and reporting within state institutions, judged according to agreed performance criteria.
- Mechanisms include auditing, to verify income and outgoing funds.
- New trends in managerial accountability are moving towards incorporating different indicators of financial integrity and performance such as social and environmental audits.

social mobilisation. Popular expectations of the obligations of government and other institutions to protect rights and deliver services make a difference to how accountability is achieved. In India, tribal groups, through a long history of protest, have secured legal protection for their land. Mining corporations, with the tacit consent of the Indian government, are now trying to take this land, so the existing legal protection gives tribal people more scope to resist.

- **Democratic space:** An independent legal system, free and fair elections, a critical media and an engaged civil society are key pre-requisites, but not sufficient conditions, for achieving accountability. Spaces which enable people to participate in the workplace or within communities also shape their ability to hold powerful institutions to account. For example, in Mexico, citizen water management committees helped to address failures of accountability between users and providers of water.
- **Cultures of accountability:** Different understandings and practices of accountability reflect the social context in which they exist, creating different expectations of rights and responsibilities and how they can be achieved. In Mexico, the word 'accountability' does not exist in local languages, but the concept of 'reciprocity' does. Reciprocal practices have been important to promoting greater accountability between the government

and indigenous groups in the absence of formal institutional mechanisms.

- **State-market relations:** It is harder to hold governments to account if they are heavily dependent on a natural resource – especially when the extraction of that resource is dependent on international corporations. In the Niger Delta, conflict over oil is exacerbated by the lack of formal channels for marginalised groups to claim their rights. The powerlessness they feel in the face of institutional breakdown often leads to violence as a form of protest.

What strategies do people use?

People demand accountability to achieve a range of objectives - from access to housing, to protection for workers' rights, to living in a healthy environment. Research into how citizens mobilise around their rights highlights the diverse and imaginative ways in which people construct their own tools of accountability, often when states fail to take action, or private institutions ignore local obligations. These strategies include:

Direct action in Kenya: Kenya is a signatory to the Convention on Political, Economic, Social and Cultural Rights which provides for the right to housing, even though there is no provision for this in the Kenyan constitution. In Mombasa, international recognition for a struggle by a tenants' association for the right to adequate housing helped the group gain momentum and confidence. When the

“ Accountability is fundamentally a relationship of power. When accountability works, citizens are able to make demands on powerful institutions, and ensure that those demands are met. ”

local government proved unresponsive to their demands, residents used direct action to challenge the lack of accountability, by physically preventing the construction of unauthorised housing structures. This shows how combining leverage from an international legal framework with direct action can be an effective approach to improving accountability.

Citizen water management committees in Mexico: Struggles for accountability by rural indigenous groups have focused on how to ensure the sustainable management of a rapidly declining watershed in Veracruz, Mexico. Major petrochemical industries have been draining the watershed for use in urban areas downstream. Without immediate action, the water supply will disappear in the next decade, as pressure increases from deforestation, erosion, and the growing demands of urban areas. There are many different government agencies involved in managing the watershed, with often competing interests, including traditional structures such as *ejidos* (communally held plots of land), urban and rural municipal governments, federal agencies for the environment and for indigenous affairs, and international

conservation organisations. The lack of space for citizen participation led to a breakdown in communication between rural and urban communities, with periodic outbreaks of violence. In this case, the citizen water management committee has proved a successful mechanism for increasing accountability between the indigenous communities and the numerous institutions involved.

Public hearings in India: Public hearings are seldom held in advance of a major industrial development in India, despite a formal obligation to do so. Alternative citizen hearings have provided a space for people to make their voices heard, and an arena where state and industrial representatives have been required to give an account of their actions. NGOs collect evidence from other communities who have experience with similar industrial developments to those proposed. This has led to well-informed ‘People’s Development Plans’ being presented at citizens’ hearings.

Community-based organisations in the Niger Delta: Youth groups and women’s organisations have formed in reaction to perceived collusion between government

and the oil companies operating in the Niger Delta, leading to conflicts over oil. These groups represent communities in the Niger Delta who are not being heard through formal channels, and they often clash with powerful official institutions, such as local chiefs and elected officials. Community-based organisations have created a space to articulate concerns about corruption and mismanagement of oil revenues by the government, but they also raise new questions about who represents the communities’ interests and how people in the Niger Delta can gain control over the natural resources in the region.

Combining negotiation and protest in the USA: The movement for a living wage in the United States simultaneously used a variety of strategies to demand accountability. In some cases, groups worked within formal structures, through direct negotiations with municipal government. In others they engaged in public protest, in order to create pressure on the government to respond to their demands for a living wage. This combination of strategies has led to the adoption of the living wage by a growing number of municipal governments.

Accountability myths

- **Myth 1: Accountability is a new challenge.** The lack of accountability in many contexts is not new – it is often the result of long-standing patterns of exclusion and corruption. But we need to address the ways in which globalisation has changed the respective rights and duties of governments, private companies and civil society organisations.
- **Myth 2: Accountability is a problem for developing countries.** Accountability deficits exist worldwide, and Citizenship DRC research suggests that communities campaigning for change face similar challenges wherever they are.
- **Myth 3: Accountability is about creating checks and balances on state power.** It is, but given changing patterns of power, it is about much more than this. Globalisation means that increasingly we have to address the accountability of intergovernmental bodies, private companies and civil society organisations.
- **Myth 4: Social reform is generated through the law.** Legal provisions and legally protected rights are key, but they only go so far. Just as the law can generate social change, social change can bring about significant changes in the law.
- **Myth 5: Horizontal mechanisms of accountability deliver the most effective results.** They are important, but need to be combined with vertical, informal and citizen-led initiatives. Accountability is not just something that is provided by states to citizens. Citizens can create it from below.
- **Myth 6: Approaches that work in one country can be applied directly to other locations.** Distinct institutional, economic, social and cultural factors will determine which initiatives are successful and ‘owned’ by local groups and which are less effective.
- **Myth 7: Accountability is apolitical and technocratic.** It is not. Particularly when there are resources at stake, accountability reforms challenge powerful interests that benefit from lack of transparency, low levels of institutional responsiveness, and poor protection of citizens’ rights. Structural barriers and hierarchies can prevent poor and marginalised groups from claiming their rights, even when programmes exist to promote state, civil society or private sector reform through improved transparency or capacity-building.
- **Myth 8: Accountability is about financial accountability.** Transparent frameworks for tracking public finance and expenditure are crucial, as are initiatives on taxation. But in the absence of broader rights that empower people to demand a say and receive a response, these mechanisms are unlikely to be effective.
- **Myth 9: Everyone benefits equally.** Without attention to issues of intra-community accountability and adequate channels of representation, new mechanisms for inclusion and participation may just reproduce the status quo.

Making Accountability Count



Oga Steve Abah

Community groups in the Niger Delta have been mobilising to demand accountability from oil companies and the government

What are the implications for policy?

What these examples show is that accountability can rarely be provided from above. More effective reforms will be those that harness existing momentum within civil society, connect to existing government and citizen initiatives, and engage the private sector in a fuller debate about its responsibilities. Often these are informal, local and political in contrast with traditional approaches which tend to be national in focus, narrowly targeted at institutional reforms and regarded as technocratic interventions (see Box 2).

An enabling architecture for accountability needs to:

- **Clearly define legal rights and obligations.** Rights can be an accountability tool but they are not necessarily so. When people mobilise to claim rights, they also demand accountability.
- **Have a process for accessing, reconciling and enforcing rights and obligations.** It is as important to address accountability processes as much as the *outcomes*. This is crucial to realising the answerability element of accountability.

- **Improve vertical as well as horizontal mechanisms of accountability.** Accountability needs to exist *within* governments. But it also needs to exist *between* governments and citizens, and between citizens and other institutions.
 - **Raise awareness about accountability mechanisms.** Information about who can use them and how is critical to people making demands for accountability.
 - **Support citizen-led accountability initiatives.** These are important because they address accountability failures in very direct ways.
 - **Engage private and civil society organisations.** Governments are key to improved accountability but the private sector and civil society groups are also core targets of accountability reforms.
 - **Improve donors' own accountability.** Donors need to be more accountable to people they aim to support—and who they pressure to reform.
- Substantive improvements in accountability will enable poor and marginalised groups to have a central role in achieving change.

Additional resources

Peter Newell and Joanna Wheeler (eds) (2006) *Rights, Resources, and the Politics of Accountability*, London: Zed Books.

Peter Newell and Niamh Garvey (2004) *Corporate Accountability to the Poor? Assessing the Effectiveness of Community-Based Strategies*, IDS Working Paper 227. Brighton: IDS.

Peter Newell and Shaula Bellour (2002) *Mapping Accountability: Origins, Contexts and Implications for Development*, IDS Working Paper 168. Brighton: IDS.

www.drc-citizenship.org

Credits

This *Policy Briefing* has been written by **Peter Newell** and **Joanna Wheeler** and edited by **Alison Dunn**. It draws on the collective research of the Citizenship DRC, an international collaborative network of researchers and activists, working in Bangladesh, Brazil, India, Mexico, Nigeria, South Africa and the UK.

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