

DEFINITIONS

LEGITIMACY

Legitimacy refers to perceptions by key stakeholders that the existence, activities and impacts of CSOs are justifiable and appropriate in terms of central social values and institutions. Legitimacy is grounded in the perceptions of stakeholders in the larger environment in which the organisation is embedded.

L. David Brown and Jagadanada, January 2007

Legitimacy is “the right to be and do something in society – a sense that an organisation is lawful, admissible, and justified in its chosen course of action.

Edwards 2000

ACCOUNTABILITY

Accountability is “a responsibility to answer for particular performance expectations to specific stakeholders.”

L. David Brown and Jagadanada, January 2007

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. Accountability is not the only means through which individuals and organisations are held responsible for their decisions and actions, but also the means by which they take internal responsibility for shaping their organisational mission and values, for opening themselves to external scrutiny and for assessing performance in relation to goals.

Charles Mutasa, 2007

OUTLINING THE ISSUE

Strengthening the role and voice of civil society and improving CSO development effectiveness relate directly to issues of legitimacy and accountability. If CSOs leave questions about their legitimacy and accountability unanswered, they risk undermining organisational identities and capacities that depend on values and voluntary commitments (Brown and Jagananda, 2007).

There are different dimensions that determine CSO legitimacy: (a) official legitimacy as determined through legislation and government recognition; (b) democratic legitimacy is determined in relation to CSO primary constituencies and the public at large; and (c) legitimacy of purpose is determined by expertise and value added in particular in policy and programme areas.

Accountability in CSOs is very complex and multi-dimensional. CSOs are usually not accountable to any one set of clearly defined stakeholders. As diagram 4 (below) shows, CSOs face a web of accountability. Moreover, accountability claims often compete with each other, with upwards accountability (to donors) often prevailing over downwards accountability (to beneficiaries).

CSO accountability lines run in four directions: **upwards** to donors, governments and foundations, **downwards** to their primary constituents – poor and marginalised populations – **inwards** to the organisation’s staff, members and Board, and **horizontally** to peers and partners (Kovach et al. 2003).

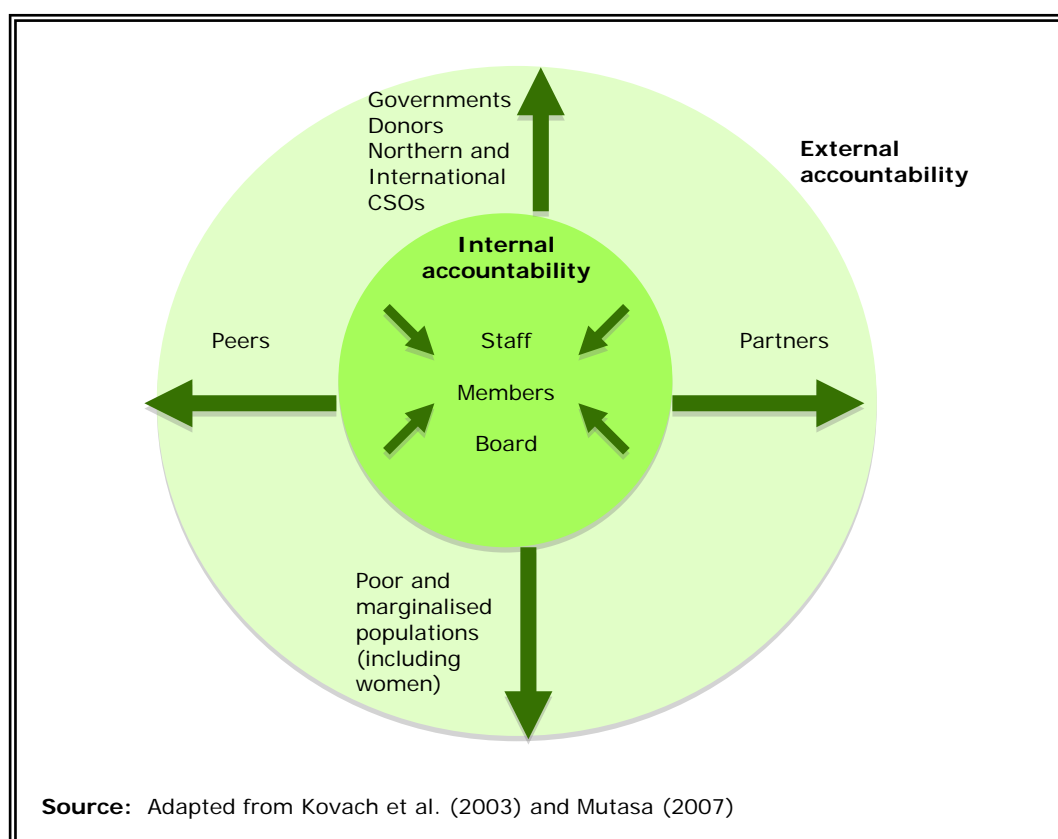


DIAGRAM 1: THE CSO ACCOUNTABILITY WEB

A number of issues and questions may arise from the distinctly complex nature of CSO accountability.

- **Full accountability is impossible** - Dealing with all the different accountability claims may be extremely difficult, and where stakeholders have different or contradictory interests, being fully accountable to all of them is impossible (Brown and Jagananda, 2007).
- **“Loose” downward accountability** - Rather than being grounded in contract or law, CSOs’ accountability to their constituencies is often shaped by a moral obligation that is generally rooted in their organisational mission and values. A moral obligation provides significant

scope for organisational choice and interpretation. As a result, the degree to which CSOs are accountable to their constituencies and the quality of the mechanisms they use to ensure this varies considerably from organisation to organisation (Blagescu et al., 2005).

- **Upward accountability bias** - Accountability may be skewed “upwards”, towards the most powerful stakeholders – governments and donors – weakening “downward” accountability towards constituents. As a result of this, the legitimacy and accountability of CSOs may become disconnected from its democratic base.
- **Accountability in North/South CSO relations**, and especially the need for Northern CSOs to be accountable to Southern CSOs, has also been an area of concern. Northern CSOs should demonstrate that they are demand-driven and are responding to the needs and capacities of their Southern counterparts. Relationships should be grounded in fundamental principles of good governance and human rights with an emphasis on inclusion, accountability, partnership, freedom to advocate, and effective participation as agents of development. Southern CSOs should guard against dependency and “upward” accountability towards the funding partner at the expense of “horizontal” and “downward” accountability.

Accountability within civil society should be understood as a positive enabler rather than as a matter of formal compliance with externally imposed obligations (Mutasa, 2007). Ultimately, the Open Forum’s vision of development effectiveness must be based on a broad understanding of accountability where all development actors should be held accountable for results benefiting poor and marginalised populations. It should also address the question of how to fully engage CSOs’ primary constituencies in holding governments, donors and CSOs to account for development effectiveness.

SOME GUIDING QUESTIONS

1. What elements do you think form the basis of legitimacy of your CSO as a development actor?
2. Can you describe the web of accountability for your CSO as well as the power dynamics that shape tensions within this web?
3. What guidelines could you suggest for CSOs, for governments, for donors, that would strengthen the most important forms of accountability to ensure CSO development effectiveness?
4. What should a CSO be accountable for? To whom? How?

USEFUL RESOURCES

Advisory Group on Civil Society and Aid Effectiveness, “Issues paper”, September 2007. Available at: <http://www.cso-effectiveness.org/-Advisory-Group-on-Civil-Society-.html>

Advisory Group on Civil Society and Aid Effectiveness, “Synthesis of Findings and Recommendations”, August 2008. Available at: <http://www.cso-effectiveness.org/-Advisory-Group-on-Civil-Society-.html>

Brown D. and Jagadananda, “Civil Society Legitimacy and Accountability: Issues and Challenges”, The Hauser Center for Non-profit Organizations, Harvard University and CIVICUS: World Alliance for Citizen Participation and Center for Youth and Social Development (CYSD), 2007. Available at: http://www.civicus.org/new/media/LTA_ScopingPaper.pdf

Mutasa c., “Accountability in Aid Effectiveness”, Afrodad 2007. Available at: http://www.afrodad.org/index.php?option=com_content&task=view&id=253&Itemid=109

Blagescu M., de Las Casas L., Lloyd R., - “Pathways to accountability – The GAP Framework”, One World Trust, 2005. Available at: www.oneworldtrust.org/index.php?option=com_docman&task=doc_download&gid=210&Itemid=59

Kovach H., Neligan C. and Burall S., “The Global Accountability Report: Power without accountability?”. London, One World Trust, 2003.

Report of the “North-South Civil Society Dialogue”, sponsored by the Advisory Group on Civil Society Aid Effectiveness, Nairobi, November 2007. Available at: <http://www.cso-effectiveness.org/-Advisory-Group-on-Civil-Society-.html>