

Swiss Agency for Development

Analysing informal local governance institutions: practical guidance

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Analysing informal local governance institutions: practical guidance SDC/IDS/Helvetas/Swisspeace

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1 Introduction

1.1 What is the objective of this analytical framework?

The objective of this analytical framework is to support a politically informed and context-tuned analysis of a particular range of non-state institutions involved in local governance processes. While state institutions are key actors, in many parts of the world important governance functions — service delivery, dispute resolution, representation and electoral politics — are influenced or mediated by institutions that operate wholly or partly outside the formal structures of the state. This framework focuses on a particular kind of actor, called informal local governance institution (ILGI), and provides guidance on how to analyse the role they play in local governance.

However, given their various degrees of informality and sometimes less visible way of operating, it can be difficult to grasp exactly what ILGIs actually are and do, and how they influence local governance. In order to facilitate the analysis, this framework guides reflection, discussion and learning on:

- 1. What ILGIs are present and relevant in a given context?
- 2. What functions do ILGIs perform, and how is this articulated with state functions?
- 3. What power resources confirm and reinforce ILGIs?
- 4. What is the basis of ILGIs' legitimacy as a governance actor?
- 5. What are the interests and incentives that condition how ILGIs operate?
- 6. What are the implications for 'good governance' of ILGIs' role in local governance?

The goal of this framework is to structure a process that generates awareness and understanding about the role and influence of ILGIs in local governance. In helping to explain outcomes and practices, the framework also helps to identify possible sources of constraint and opportunities for change.

1.2 What are informal local governance institutions (ILGIs)?

Before starting the analysis, it is useful to reflect on what IGLIs are. This is very different from context to context. Even within a particular context, different kinds of ILGIs can operate in different ways and the category of 'traditional authority', for example, might need to be broken down further. Furthermore, one may encounter different degrees of informality from a hidden status to the formal recognition by the state. Nevertheless, there are a few characteristics that the type of institution this frame focuses on share in common:²

This analytical frame was developed as part of an SDC DDLGN learning project, in partnership with HELVETAS Swiss Intercooperation, swisspeace, the Institute of Development Studies and research partners in Macedonia, Mali, Mongolia and Tanzania. The analytical frame was developed by Sarah Byrne (HELVETAS), with contributions from Corinne Huser (SDC), Harald Schenker (SDC), Lukas Krienbuehl (swisspeace), Miguel Loureiro (IDS) and Shandana Khan Mohmand (IDS). The frame builds on four case studies (Macedonia, Mali, Mongolia and Tanzania), an e-discussion within the network and a literature review, all of which can be accessed from www.shareweb.ch/site/DDLGN.

This list of characteristics and definition is drawn from the Literature Review (Mohmand 2015: 16-17). For the purposes of this framework, we understand institution as both (a) socially shared rules and (b) actors and organisations that are rooted in, and base their authority on, these informal socially shared rules. From a policy and practical perspective, this definition allows us to identify tangible actors with which we may interact, rather than limiting our analysis to more abstract interactions and processes. For policy and practical purposes, insisting on a clear separation between *institutions* and *organisations* is not particularly helpful in understanding the phenomenon that we hope to capture here.

Characteristics of ILGIs:

- a) They are state-like to the extent that they enjoy general local territorial authority and deliver services.
- b) They stand in ambiguous, variable and contested relationships to the formal state apparatus.
- c) Intermediation between 'their' populations and the external world constitutes a significant part of their activities.

The following are some examples based on research conducted within the frame of DDLGN:

- Traditional authorities leaders selected according to custom or tradition, which may
 or may not be recognised by the state (for example, customary authorities in Mali or
 Tanzania). They may play an important role in regulating access to resources such as
 land, as well as in conflict resolution.
- Religious authorities representatives of different religious institutions, for example imams or priests (for example, the Orthodox Church and Islamic Religious Authorities in Macedonia). They may play an important role in transmitting information to citizens and in conflict resolution.
- Homeland/migrant groups in a context of migration, associations of people with family roots in a particular region (for example, homeland associations in Mongolia).
 They may play an important role in connecting citizens to services and in mobilising resources for investment.
- Informal or semi-formal sub-municipal governance structures (for example, mesna zajedneca in Bosnia). They may play an important role in ensuring citizen participation.

To know more about these examples, please take a look at the case studies available at: www.shareweb.ch/site/DDLGN. While it is not excluded that this framework could be used to analyse other kinds of institutions, it has been developed specifically for analysing the above defined group of institutions.

1.3 Why is it important to analyse ILGIs?

In many contexts, IGLIs have considerable influence over how large parts of the population interact with governance processes: what information they access, how they vote in elections, and even to what extent they participate in deliberative forums. At the local level, development outcomes in a number of key fields are shaped to a greater or lesser extent by decisions made or influenced by ILGIs. In some places, they may even substitute the state by providing services. These non-state institutions that play a role in governance can be both drivers and restrainers of local democracy and social inclusion.

Patterns and sources of authority are complex and varied, and our understanding of governance risks being incomplete if we hold on to narrow conceptualisations of politics and governance based only on formal state institutions, or on direct interactions between the state and individual citizens. Rather, interventions can be more effective when informal institutions and relationships are taken into account.

1.4 When might this framework be useful?

This analytical framework is designed to complement existing SDC analytical tools, particularly those related to political economy analysis. It can be used as a diagnostic aid throughout the PCM cycle, to

- Deepen a stakeholder analysis this framework is an additional layer to a more general stakeholder analysis. The framework is intended to provide a more in-depth analysis of a particular kind of actor, whose influence may in some contexts be less readily visible. If a stakeholder analysis indicates that IGLIs are significant, this framework is intended to help reach a more fine-tuned and well defined analysis of what exact roles they play.
- **Problem-driven analysis** the framework may be useful in analysing a particular 'problem', if SDC suspects that ILGIs play a role. There are a number of public issues that are fully or partially regulated by ILGIs, whether officially or not. If these actors and their governance role are not taken on board, project interventions may not work out as expected. In such situations, the framework is useful to understand the situation better and gain insight into how interventions can be adapted.
- **Context analysis** the framework can play a useful role in a context analysis, shedding light on different informal aspects of governance. Such an analysis of how governance works 'on the ground' may be useful in designing interventions that take into account the broad range of actors that produce local governance.

The framework is concerned solely with supporting SDC and partner staff to better understand the context in which they work. In order to do this, it suggests certain avenues of inquiry, which may need to be supplemented or adapted in different contexts. The framework does not, and cannot, define or prescribe what programmatic steps should or should not be taken based on its analysis.

1.5 Who is this framework intended for?

This framework has been developed in the frame of a DDLGN learning project and is designed for use by SDC and partners.

In most cases, it is advisable to associate local researchers or experts who have in-depth knowledge of how ILGIs function in a given context. This can provide an additional complementary perspective to that of SDC staff and regular implementation partners.

In contexts of diversity, it will be important to consult with people belonging to different social groups. Members of one social group, particularly if urban-based, may not be fully informed about the functioning of different social groups' rural informal local governance institutions.

It may also be useful to include international colleagues or people from outside the context, for example peers from another country office. They can play a useful role in highlighting context-specific assumptions.

1.6 How should this framework be used?

The first step in using the framework is to clarify the specific, operational purpose of the analysis. The framework is designed to be relatively generalisable, but its use will be most effective if a precise question or problem is identified. The aim of the framework is not simply

to lead to a report (output), but rather to guide a learning process that generates and synthesises knowledge (outcome).

This framework can be used to structure analysis in the form of either or both:

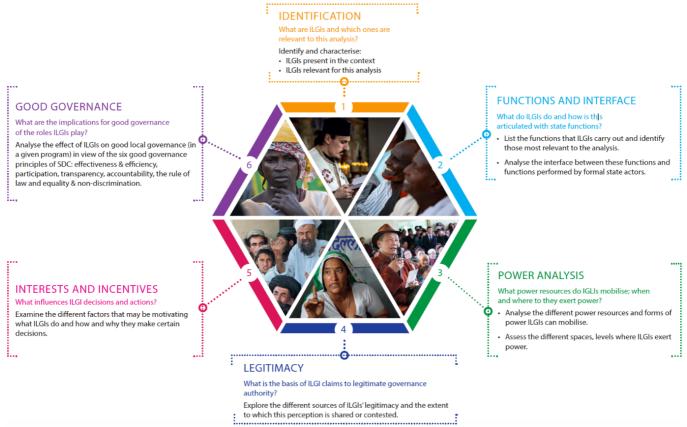
- a) practice-oriented research
- b) a reflection workshop with a small group of stakeholders.

If SDC and partners do not have comprehensive experience working with such actors, it may be useful to start with research. This can include literature review, interviews and other data collection techniques. If SDC and partners already have knowledge and experience related to these actors, then a workshop may be useful to gather and synthesise the knowledge and discuss operational implications. In the latter case, it may still be useful to invite local experts as resource persons.

Covering all of the elements of this framework in a participatory workshop context will likely take two days. Alternatively, a selection could be made of the elements that are considered particularly relevant for a certain context.

2 A framework for analysing informal local governance institutions

This framework consists of six core components: different lenses through which IGLIs can be analysed. Together they produce a comprehensive analysis of who ILGIs are, what they do and why, as well as a basis for reflecting on what this means for SDC and partners' work. Even though we present these components separately, in practice they interact with and affect each other. That is why they should be seen as an interactive whole and why there are certain points of articulation among them.



The following sections provide more detailed guiding questions for each of these components and suggest tools that may be used to conduct analysis. Links are provided for existing SDC tools and those newly developed/adapted for this framework are included in the annexes. Links to the relevant sections of the *Literature Review* co-produced with this analytical frame are also indicated.



Identification

What are ILGIs and which ones are relevant to this analysis?

Objective

If this analysis does not build on a previously developed stakeholder analysis, it may be necessary to invest in some preparatory work on defining who exactly ILGIs are. It is advisable to first establish a basic profile of ILGIs or the particular institution of interest given the scope of the analysis. This will vary depending on the focus of the research, whether it is a broad context understanding (which would look at many IGLIs) or whether it is to understand a very specific process (which may look one particularly relevant ILGI). This step is also useful for producing a shared understanding among the research/analysis team.

What to look for

- ILGIs are not a homogenous group, keep in mind that there can be considerable variation from place to place.
- The role and status of IGLIs is not always constant in time. ILGIs may be dormant at one point in time, and later 'revitalised'. For example, in some contexts the role of ILGIs diminished under communist rule but (re-)gained prominence afterwards.
- In some contexts, ILGIs are contested institutions. For example, their perceived 'traditional' role may be rejected in favour of social institutions that are perceived to be more 'modern'.
- In divided societies, knowledge about the role of ILGIs rooted in different social groups may not be shared
 outside of the group. It is important to include a broad range of informed stakeholders in an analysis of this
 type.
- It may be useful to develop a loose typology of ILGIs in order to help define which ones are relevant for the analysis.³ On this basis a more specific profile of the ILGI(s) of interest can be developed.

Guiding questions

Listing and categorising

- What informal institutions, organisations and actors are present in the context? What kinds of institutions, organisations and actors operate largely outside of the state system and work through socially shared and often un-written rules?
- Are there political implications at stake in using labels like 'traditional authority'?
- What are the local names and categories used for ILGIs?

What about ILGIs' overall role and significance in relation to the issue at stake?

- How do ILGIs describe their own role?
- How do the following perceive ILGI's role: (a) women and men belonging to different communities, (b) local governments, (c) other local actors (CSOs, private sector actors)?
- How has the role of IGLIs changed over time (a significant landmark can be used for measurement, i.e. a
 peace agreement or legislation pertaining to ILGIs)?

Further reading and tools

To read more on defining and delimiting ILGIs, please see section 4 of the *Literature Review*. For a tool to assist developing a typology and profile, please refer to Annex 4.1.

For example, see the typology developed in the ILGI case study from Mali, available at www.shareweb.ch/site/DDLGN.



Functions and interface

What do ILGIs do and how is this articulated with state functions?

Objective

The second component of the ILGI analytical framework is to get a better understanding of what kind of role(s) ILGIs play in local governance. The aim is to get a general picture of the specific domains in which they are important actors and to trace out the role they play in different decision-making contexts.

What to look for

- ILGIs carry out a range of governance functions, which depend on the context and also on individuals. Try to get a general sense of the patterns, and identify the functions that are most significant, for local people and in relation to the SDC intervention in question.
- Some functions can be more visible than others. To the extent possible, try to probe for the 'behind the scenes' governance functions.
- ILGIs can be both dividers and connectors, drivers and restrainers of local democracy. Take into consideration
 the diverse range of possibilities, and that these roles can change from issue to issue or depending on local
 leadership.
- The interface between IGLIs and state institutions is important for understanding local governance. This interface is different in different contexts, depending on historical and political relations.

Guiding questions

What functions do ILGIs perform?

- What do ILGIs define as their main functions?
- For what issues do the following approach ILGIs for assistance: (a) women and men from different groups, (b) local governments, (c) other local actors (CSOs, private sector actors)? What issues? Why?
- Are there issues for which ILGIs are the main decision-maker? Are there issues for which IGLIs are the main convenor/actor that brings people together? How was this status accorded?
- Are there issues on which ILGIs speak for or represent a certain constituency? What is the constituency?
 What are the issues? How have ILGIs become the representative?

How do the functions ILGIs perform relate to state functions?

- What are the specific domains in which both ILGIs and local government/state representatives are active (i.e. justice, education, conflict mediation, tax collection, land governance, etc.)?
- Have ILGIs' governance functions (see 4.2) been officially recognised by the state? What form does this recognition take, and is it attached to any specific conditionalities?
- Do ILGIs enjoy significant influence within state institutions, or do they act separately?
- Is the distribution of decision-making responsibility (and accountability) between ILGIs and local government clear to different groups of women and men?
- Are there particular issues on which ILGIs and state institutions have common or divergent interests?
- For the most important functions identified, do ILGIs complement, substitute, accommodate or compete with the state (see section 4.3)? Has this relationship changed over time?

Further reading and tools

Please refer to the *Literature Review* (Sections 1 and 2) and <u>Informal Institutions and Democracy</u> (Helmke and Levitsky (2006). For tools to map these functions and interactions, please refer to Annexes 4.2 and 4.3.



Power analysis

What power resources do IGLIs mobilise?

Objective

The third component of the ILGI analytical framework is a basic power analysis, examining the basis ILGIs draw their power from and how and where they exert power. The aim is to generate a better understanding of how ILGIs achieve and maintain a certain position within society. The analysis of ILGIs' power should be closely linked to an analysis of the basis of ILGI's legitimacy (component 4), which gives insights into why, how and to what extent IGLI's power is considered 'rightful' by different stakeholders.

What to look for

- ILGIs' power is often based on a mix of factors, including social or spiritual status, knowledge and experience, financial resources, negotiation capacity, networks and recognition by the state or donors/NGOs. This mix includes both material and tangible elements (like financial resources) and less tangible elements, like knowledge.
- The power of ILGIs is often based on community-level, unwritten rules and customs. While these may be based in tradition, they adapt and change over time.
- A commonly used framework is to distinguish between three dimensions of power: the formal and observable
 exercise of power (visible power), power or bias that operates behind the scenes (hidden power) and
 internalised beliefs about power relations (invisible power).
- It may also be useful to distinguish between different forms of power: power over, power to, power with and power within.

Guiding questions

- What are the sources of ILGI power?
- To what extent do IGLIs exert power over, power to, power with and power within? How do these different dimensions of power work to shape possibilities?
- To what extent do ILGIs operate
 - Visible power (observable decision-making, making and enforcing rules)?
 - o Hidden power (setting the agenda)?
 - o Invisible power (shaping meaning)?
- In what kinds of spaces do ILGIs operate
 - o Claimed?
 - o Invited?
 - Closed?
- At what levels do ILGIs operate (and how are the levels connected):
 - o Household?
 - o Local?
 - o National?
 - o International?

Further reading and tools

To read more on this topic, please refer to www.powercube.net and A Combined Political Economy and Power Analysis (Mejía Acosta and Pettit, 2013). For tools to support this analysis, please refer to Annex 4.4.



Legitimacy

What is the basis of ILGIs' legitimacy?

Objective

The fourth component builds on the previous three and tackles the question of legitimacy. Legitimacy refers to the perception of the 'rightfulness' of a particular rule or ruler. Without legitimacy, power can only be exerted through coercion or force. The objective here is to understand better the basis of ILGIs' legitimacy and how this legitimacy is perceived by different actors.

What to look for

- A legitimacy analysis gives insight into to what extent and on what basis different actors accept or reject ILGIs'
 governance role, as well as insights into people's expectations of governance authorities.
- Perceptions of legitimacy can vary greatly some ILGIs may seem very legitimate to the local population and very illegitimate to the state or international actors (and vice versa, for example). Donor interventions can have impacts on perceptions of legitimacy of various actors, often unintendedly.
- Actors value different legitimacy bases differently some may give greater emphasis to what IGLIs actually do, and others may rather emphasise history and tradition.
- Like power relations, legitimacy perceptions can change over time.

Guiding questions

- Are there particular governance domains where ILGIs are perceived to be legitimate governance actors? What domains, and why? To what extent is this perception shared or challenged, by whom?
- Is the legitimacy of informal local governance institutions' governance role in one of the domains above contested by another authority (state actor, civil society, international actor etc.)? On what basis is the legitimacy contested?
- Is there a particular process that legitimates ILGIs governance role (i.e. an election or customary leadership selection)? How is the legitimacy of the process viewed? To what extent are perceptions shared or challenged (i.e. by state authorities or women and men from different social groups)?
- Is there a particular service or output that legitimates IGLIs' governance role (i.e. they are a particularly effective service provider in a certain domain or provide access to resources)? How is the legitimacy of the output or service viewed? To what extent are perceptions shared or challenged?
- Is there a particular set of beliefs or customs through which ILGIs governance role may be legitimated? How do ILGIs themselves view their relation to these beliefs or customs? What is the view of state authorities and women and men from different social groups? To what extent are perceptions shared or challenged?
- Are there other actors (domestic or international) that help to legitimate ILGIs, for example by working with them or recognising them in laws, peace agreements, constitutions, etc.? How is this legitimisation viewed? To what extent are perceptions shared or challenged?

Further reading and tools

To read more on this topic, please refer to section 3 of the *Literature Review*. See also <u>Political economy analysis with a legitimacy twist</u> (Norad, 2010) and <u>Concept Brief: Legitimacy</u> (McLoughlin, 2014). For tools to support this analysis, please refer to Annex 4.5.



Interests and incentives

What influences ILGIs' decisions and actions?

Objective

The fifth component of the ILGI analytical framework delves into what motivates ILGI decisions and actions, trying to generate a deeper understanding of why the local governance setting is how it is. If the first component looked at *what* IGLIs do, and the second and third looked at *how* they are able to do certain things, this component explores the question of *why*? What drives ILGIs' in/actions? This question is closely linked with the following component, where we analyse the effect on the quality of governance.

What to look for

- Interests and incentives can range from very concrete factors like bribes to abstract and pre-conceived ideas about the role of different groups in society, for example.
- Interests and incentives can spur actors to action, often in ways we might not expect: to increase or withdraw involvement, to promote or block initiatives, to recruit others or prevent them from participating, etc.
- Interests and incentives can be differently interpreted by different actors and can play into strategies in ways that are not immediately obvious. There can also be contradictions between these different motivating factors.
- Actors may not be fully aware of the extent to which different interests and incentives are motivating actions.
 Understanding more about these motivations implies interrogating and making explicit factors that may be taken for granted.

Guiding questions

Relationships

- Who do ILGIs rely on to stay in power, maintain or increase their influence?
- How do they reward or thank their supporters (patrons or clients)? How to they punish those who don't support them?

Motivations and interests

- What are the motivations of ILGIs to fulfil their responsibilities?
- · What are their preferences and strategies for achieving them?
- Who gains from the status quo (in a particular domain)? Who is advocating for change? Who would benefit and who would lose from the specific changes being advocated? What is their capacity to promote or block these changes?

Incentives and constraints

- What are the political/economic/social incentives for ILGIs to be involved in local governance/decision-making in specific domains (either on a personal or institutional level)?
- What are the constraints on the power of ILGIs? Are these constraints based on state or customary/traditional rules, and who enforces the constraint?
- What sources of revenue do ILGIs depend on? Who controls that source of revenue and how does this
 dependence shape their incentives?

Further reading and tools

For more on this topic, see <u>A Combined Political Economy and Power Analysis</u> (Mejía Acosta and Pettit, 2013). For tools to support this analysis, please refer to Annex 4.6.



Good governance

What are the implications for good governance of the roles ILGIs play?

Objective

The fifth component of the framework analyses 'good governance'. The aim here is to analyse how IGLIs' governance role(s) – and the way they perform it – affects the quality of local governance.

What to look for

- Good governance is a cross-cutting theme for SDC.
- A good governance analysis implies analysing the quality of governance this case both IGLIs' own governance as well as their effect on the broader governance context.
- A good governance-oriented analysis of ILGIs as a governance actor is useful in understanding how the local governance system works, but also in starting to identify potential entry points for interventions.
- In order to have a more focussed discussion, it may be useful to refer specifically to a particular governance domain (land governance, justice, security) or issue (i.e. access to information, service delivery) or ILGI function (i.e. information broker, mediator).
- The principles may appear to be at an abstract level. To bridge the gap, focus on concrete examples and cases which are cited by interviewees/participants.

Guiding questions

Effectiveness and efficiency

- To what extent is the institutional performance of ILGIs driven by a results-orientation, with financial and human resources optimally engaged?
- How do people perceive the efficiency and effectiveness of ILGIs?

Participation

- To what extent are women and men from different social groups connected to the ILGI-led social and political processes that affect them?
- To what extent do ILGIs create inclusive spaces and processes in which they can express their views, and to what extent do ILGIs take these views seriously?
- Do ILGIs rather foster or impede inclusive participation?

Transparency

- To what extent do women and men from different social groups, in particular those directly affected, have access to relevant information about ILGI decision-making (including insights into criteria, implementation and effects)?
- How (and with whom) do ILGIs share information?

Accountability

- To what extent can women and men from different social groups hold ILGI decision-makers accountable?
- To what extent are different control and sanction mechanisms of ILGIs present and effective?
- What is the balance between formal and informal accountability mechanisms that affect ILGIs' power?
- To what extent do ILGIs hold other decision-makers accountable?

The rule of law

- To what extent are women and men from different social groups equal before the law (when ILGIs are law-makers, judges or law enforcers)?
- To what extent do IGLIs contribute to or constrain respect for human rights? To what extent do they adhere to rules and regulations

Equality and non-discrimination

- To what extent do women and men from different social groups have equal access to ILGIs?
- Do they support and intervene on behalf of all women and men equally?
- Do ILGIs make and implement proactive public policies to mitigate exclusion?

Motivation

- Are ILGIs supportive of one or more of the good governance principles?
- What are the motivations, incentives and disincentives for ILGIs to promote or constrain the realisation of good governance principles?

Further reading and tools

To read more on this topic, please refer to SDC's DDLGN Policy Paper and section 2 of the *Literature Review*. For tools to support this analysis, please refer to Annex 4.7.

3 What are the implications for SDC and partners' work?

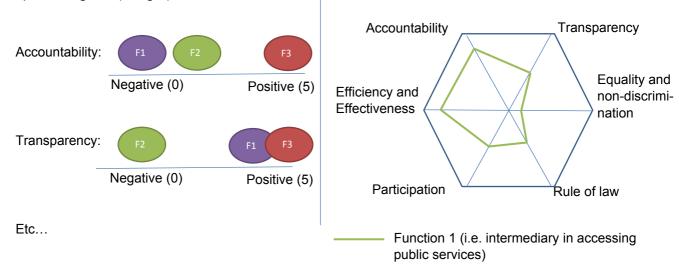
The IGLI analysis framework aims to structure a process that generates awareness and understanding about the role and influence of ILGIs in local governance. In helping to explain outcomes and practices, the framework also helps to identify possible sources of constraint and opportunities for change. This section focuses on bringing together the different elements of the analysis, relating them to the precise question or issue at stake (*i.e. the specific, operational purpose of the analysis*), and identifying entry points for possible interventions and operational recommendations. The aim is to identify a series of entry points for contributing to changes in ILGIs' performance according to good governance principles (accountability, transparency, equality and non-discrimination, rule of law, participation and efficiency and effectiveness).

3.1 Identify and prioritise changes

The first step is to identify and prioritise important changes (outcomes) with regards to what ILGIs do (functions and interface) and how they do it (good governance). In other words, analyse ILGIs' good governance in relation to a selection of their most important or relevant functions.

Start by identifying the ILGI functions that are relevant to *the specific, operational purpose of the analysis*. Select the 3–6 most important functions. Reflect on ILGI's 'positive' or 'negative' impact on good governance for each of these functions. Assign a value of between 1 and 5 (5 being the most positive).

This can be represented graphically with a series of line graphs (the diagram at left, below), or spider diagram (at right):



Looking at the line diagram/spider diagram, it is possible to identify what the major gaps and needs for change might be in terms of good governance. Questions to ask include:

- Where are the most important and pressing gaps, or areas where good governance is weak?
- What gaps are most problematic for members of particular disadvantaged groups?
- What gaps are most problematic for achieving SDC and partners' envisaged outcomes and impact in relation to the issue at stake (i.e. is weak ILGI accountability affecting service delivery outcomes?)
- Where do you see potential for IGLI good governance strengths to influence other governance actors or governance systems?
- Reflecting back on your analysis under steps 5 and 6 what are the reasons for motivating or explaining ILGI performance in terms of good governance?

On the basis of the analysis of gaps and potentials, formulate and prioritise changes that SDC and partners could contribute to. In formulating priorities, consider:

- What kinds of changes in IGLIs' impact on good governance would SDC and partners like to contribute to?
- What change processes are already taking place, and how would these affect the envisaged change?
- What kind of influence could SDC and partners have on the envisaged change, and how does this fit into our mandate?
- Are SDC and partners considered legitimate actors in working towards this change?
- Who else is working on related issues?
- What kinds of changes are ILGIs themselves committed to?
- Who are the particularly influential change agents amongst ILGIs?

Note and prioritise the key changes in the form of outcome statements.

3.2 Define change pathways and identify entry points for action

After identifying changes or outcomes in IGLIs' impact on good governance that SDC and partners would like to contribute to, the next step is to define change pathways and entry points

for action. Start with the outcome statements defined in 3.1, above. For each of the changes SDC and partners would like to contribute to, identify how the power, legitimacy and interests and incentives of ILGIs could help or hinder. Summarise the key relevant points, referring back the earlier analysis (components 3–5). For each of the envisaged changes, note the relevant opportunities and threats in the columns at right.

Component	Implications for Envisaged Change 1	
Interface with state	What potential opportunities for achieving change arise from ILGIs' interface with state institutions?	
institutions (2)	What potential threats to achieving change arise from ILGIs' interface with state institutions?	
Dower (2)	What potential opportunities for achieving change arise from the dimensions, spaces and levels of ILGIs' power?	
Power (3)	What potential threats to achieving change arise from the dimensions, spaces and levels of ILGIs' power?	
Logitimony (4)	What potential opportunities for achieving change arise from IGLIs' source and scope of legitimacy?	
Legitimacy (4)	What potential risks to achieving change arise from IGLIs' source and scope of legitimacy?	
Interests and	What potential opportunities for achieving change arise from IGLIs' interests and are positive incentives?	
incentives (5)	What potential risks to achieving change arise from IGLIs' interests and disincentives?	

Analysing the opportunities and threats posed by interfaces, power relations, legitimacy and interests and incentives, define the most feasible **entry points**, if any, through which SDC and partners could contribute to this change:

- What opportunities and threats are within the scope of SDC and partners' influence?
 What practical steps (outputs, activities) could be taken to seize the opportunities or limit the threats?
- Can we find ways to limit IGLIs' negative impact on good governance? Can we find ways to increase or strengthen their positive impact on good governance?
- Are there specific topics where the effectiveness of governance or of local public service delivery would be improved by bringing ILGIs more on board? What would this imply?
- How can we build upon different forms of legitimacy? What are the implications for our own legitimacy of working more or less closely with IGLIs?
- How does an understanding of the different dimensions of power help us to identify ways that change happens in a particular context? Are there some hidden or invisible powers that might hinder our proposed changes?
- Do we want to influence ILGIs' current interface with state institutions? Or their interaction with other powerful actors? What would this imply for our own relationships with these actors?
- How would the proposed actions interact with other SDC interventions, including those in other domains?
- What are our preferred modalities of interaction (see below) and what are the associated risks?

SDC and partners could consider different potential ways to interact with ILGIs and to bring ILGIs into existing relationships and networks. **Collaboration modalities** could include:

- Considering ILGIs systematically in stakeholder mapping and conflict sensitive programme management (CSPM).
- In contexts where IGLIs are the acknowledged legitimate governance authority on certain issues (i.e. land governance, conflict mediation), identifying different possibilities to work with them on the basis of defined theories of change and when doing so would enhance the achievement of SDC programme objectives.
- Bringing ILGIs into alliances on specific issues (i.e. into alliances against violence against women and girls).
- Consulting with ILGIs during processes of programme planning.
- Inviting IGLIs to events organised in the context of the programme (i.e. governance assessments).
- Reaching out to ILGIs on particular issues (i.e. to seek their support or ideas on access to education for girls).
- Mitigating the risks of ILGIs' possible negative role or risks to other relationships of associating with ILGIs (i.e. where ILGIs are in competition with other partners).

Regardless of the scope of the envisaged change, it is useful to trace out a change pathway, to be sure to have well understood and defined the relationships between the envisaged changes, actionable entry points and collaboration modalities.

On the basis of the above analysis, prepare the appropriate planning documentation for the proposed interventions and interactions, including a monitoring, evaluation and learning plan for the identified change pathways.

4 Annexes

4.1 Identifying ILGIs

ILGIs can be identified and mapped using stakeholder mapping. The map should also include other relevant stakeholders (for example state institutions) as the interface between ILGIs and state is key to the second component of the analytical framework. The analysis may wish to focus in particular on key stakeholders.⁴



- Brainstorm a list of all the possible ILGIs in a given context.
- Write the list on a flip chart or board.



- Looking for common and different features, group the listed ILGIs into different categories.
- Use categories from the context, or new ones for this study.
- Assign a colour to each and write names on coloured cards.



- Identify the issue at stake for this analysis. This is the centre of the map. Label rings for key, primary and secondary stakeholders.
- Identify whether each of the different ILGIs are key, primary of secondary stakeholders.
- Place the ILGIs on the map.
- Add in other non-ILGI key and primary stakeholders.

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For a definition of these terms, see SDC PED Network Tool 1 Stakeholder Analysis, p.3.

4.2 An analysis of functions: what do ILGIs do?

This framework builds on a series of case studies of IGLI performance conducted within the frame of a DDLGN learning project. On the basis of analysing what ILGIs actually do in each of these contexts, the following list of functions was defined. For purposes of analysis, it may be useful to focus in on a selection of functions that are most relevant for the context/issue being analysed. For example, the functions performed with respect to land governance or education. Note that this list only refers to *governance functions* and is *not exhaustive*.

Governance function	Description
Brokering information	Serves as an intermediary communication point in information flow; passes along messages; provides feedback towards citizens and state actors.
Connecting	Connects people to different authorities and services (state and non-state) and vice versa.
Monitoring	Monitors the local political context or the delivery of services.
Mediating	Mediates local conflict within the community; finding common ground.
Advising	Provides advice on personal and family issues, as well as how to deal with state authorities.
Representing	Represents and participates in advisory councils and meetings on behalf of the community.
Leading	Acts as the (elected) leader of a group of people or membership based organisation.
Mobilising	Raises awareness among community and motivates citizens to act/participate.
Judging	Provides judgement on the basis of a specific (customary) legal framework.
Enforcing	Ensures compliance and that rules and expectations are followed.
Legitimating	Provides support for different initiatives, thereby granting them credibility and legitimacy.
Rule-making	Participates in making and re-producing written and unwritten rules and codes of conduct.
Investing	Invests own funds, or generates funds from external sources for local investments.
Providing services	Provides state-like services, such as education or security.
Providing welfare	Provides welfare-support to community members in need.
Exploiting	Seeks to derive benefit from constituents for own private gain.
Dividing	Seeks to create or deepen divisions within society or between social groups for own benefit.

4.3 Analysing the interface between ILGIs and state institutions

The interface between IGLIs and state institutions consists of different kinds of interactions. The table below provides four different models of how the relationship between state institutions and informal local governance institutions can be characterised.⁵ Note that neither the state nor ILGIs are homogenous entities. Depending on the aim of the analysis, it may be useful to either generalise or disaggregate them (for example, to look at the role of the courts, army, parliament, etc. separately). Also, roles can sometimes be mixed, i.e. partially complementary and partially accommodative.

In the context of this framework, a useful analysis is to place each of the key ILGI functions (see 4.1) in one of the four quadrants. For example, when ILGIs function as information broker, does this complement, accommodate, substitute or compete with the information flow between state institutions and citizens? Further, SDC and partners could reflect on strategies to move the interface for a particular function from one quadrant to another. For example, the identification of common interests/objectives may open up possibilities to change the nature of the interaction from one of antagonism to synergy (i.e. to move into the upper left quadrant).

	When state institutions are perceived to be effective (in a particular domain)	When state institutions are perceived to be ineffective (in a particular domain)
When state and informal local government institutions' objectives converge (are compatible)	Informal local governance institutions complement state institutions	Informal local governance institutions substitute state institution
When state and informal local government institutions' objectives diverge (are incompatible)	Informal local governance institutions accommodate state institutions	Informal local governance institutions compete with state institutions

Complementing: The upper left corner quadrant combines effective state institutions and convergent (similar) objectives. Often, such institutions 'fill in gaps' either by addressing issues not dealt with by state institutions or by laying the groundwork and ensuring a supportive environment. In this interface, ILGIs often enhance the efficiency of state institutions. A key distinction is that ILGIs to not simply exist alongside state institutions, but rather they play a key role contributing to a more effective delivery of state functions.

Accommodating: The lower left quadrant combines effective state institutions with divergent (different) objectives. In this interface, ILGIs find a way of working with the existing state institutions, while seeking incompatible objectives. They do not directly contest or compete with state institutions, but rather 'make do' and resist in different ways. IGLIs often accommodate when they dislike the outcomes generated by state institutions but are unable to change or openly violate the rules. However, although accommodating ILGIs may not enhance the efficiency of the performance of state functions, they may contribute to stability by dampening demands for change.

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⁵ The table and descriptive text are drawn from Helmke and Levitsky (2006).

Substituting: In the upper right quadrant, ILGIs and ineffective state institutions have convergent (similar) objectives. Like with complementary ILGIs, substituting ILGIs seek compatible outcomes to state institutions. However, they exist in an environment where state institutions are not capable of effectively carrying out certain functions. Thus substitutive ILGIs do what state institutions were designed or planned – but failed – to do. Substituting institutions tend to exist where state institutions are weak or lack authority.

Competing: The final, lower right, quadrant brings ILGIs together with ineffective state institutions and divergent (different) objectives. In such an interface, the two types of institutions may coexist but they are incompatible. However, state institutions are weak and not able to bring IGLIs under their control, thus ILGIs present a strong alternative to state governance. Because they are based on very different systems and procedures, the rules and decisions of state and ILIGs may be quite different and it is very difficult for people to adhere to both sets of rules and decisions at the same time.

4.4 Analysing power

The following are a selection of power analysis tools that may be useful for this analysis.

Tool	What it is particularly useful for
'The 5' power resources From SDC Political Economy and Development, part of a package of three basic tools: stakeholder analysis (1), drivers of change (2), the expected reform impact (3). www.shareweb.ch/site/DDLGN	This tool is useful in analysing and visualising the different power resources actors can mobilise (position power, financial power, expert power, negotiation power, networking power). Part of SDC's Drivers of Change guidance, the tool highlights how different power resources can be brought to bear on policy advocacy processes.
The power cube www.powercube.net	The power cube is useful in unpacking the multi-dimensionality of power, looking at its different forms, spaces and levels. It is intended to be used as a basis to strategise on how to build, shift or influence power.
The power matrix www.justassociates.org/sites/justassociates.org/files/mch3_2011_final_0.pdf (see p. 11)	The power matrix illustrates how different aspects of power interact to shape the challenges and possibilities of political action and citizen participation. The matrix distinguishes different dimensions of power (visible, hidden, and invisible) and describes different manifestations and operations of 'power over', 'power within', 'power with' and 'power to'.

4.5 Analysing legitimacy

Analysing ILGIs through the lens of legitimacy implies looking at the basis of their claim to legitimacy and the extent or scope of their legitimacy. The following simple typologies can guide and structure a reflection on these issues:

On what basis are ILGIs considered legitimate (as a governance actor)?

Informal local governance institutions (as well as state institutions) draw their legitimacy from different sources. The following criteria are some options to consider, keeping in mind that perceptions may differ between different communities and actors (government, CSO, donors, etc.). ILGIs may draw on more than one of these sources and may pivot between them when

expedient to do so.⁶ For more on these sources of legitimacy, please refer to the *Literature Review*.

Source of legitimacy	Example	
Custom, tradition or everyday practice – the legitimacy of ILGIs is based on their being 'culturally embedded' in local contexts	 ILGIs legitimate their authority with reference to tradition within a particular social group, including traditions on selecting leaders on the basis of family heritage (which may or may not conform to democratic norms). ILGIs take decisions in ways that are considered socially just in the context, for example through consensus. 	
From the exercise of public authority (i.e. by being effective decision-makers) – the power to take decisions and the legitimacy to do so are mutually constitutive	When an ILGI decides about rights, such as water or land use rights, the observance of these rights reinforces the perception that ILGIs are the legitimate authority to take this decision.	
By providing services – ILGIs' legitimacy is based on output, what they actually do including a sense of a common political community – shaped by religion, tradition or political ideology.	 People believe that ILGIs will fairly adjudicate land claims – ILGIs are considered legitimate because they perform their functions with fairness (possibly in contrast to state institutions) Informal local governance institutions are perceived to provide better quality education in the educational institutions they run, compared to state schools. 	
International or external legitimacy – recognition by external actors (including national governments), which has an impact on internal legitimacy	 The national legislative framework officially recognises the role of ILGIs in certain domains. International actors working in fragile contexts prefer to work with ILGIs instead of state institutions, perceiving them as being more stable. 	

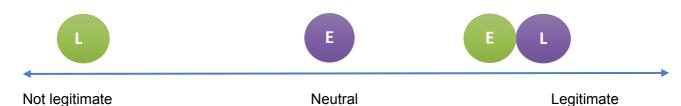
What is the extent and scope of the claim to legitimacy (as a governance actor)?

To explore the extent and scope of ILGIs legitimacy, consider: legitimacy with regards to what? Each relevant topic or issue or service should be listed, and the relevant opinion groups can be identified. These will both require discussion. Opinion groups can include different groups within the community (i.e. disadvantaged groups, particular social groups) or outside (different parts of the government, different elements in the international community).

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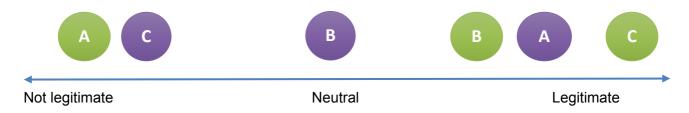
There are other options for defining the sources of legitimacy. For example, Norad's guidance on 'political economy with a legitimacy twist' (2010) identifies: input or process legitimacy, output or performance legitimacy, shared beliefs and international or external legitimacy.

This can be represented graphically as follows. Assign each opinion group a colour. In this case, there are two opinion groups, group 1 (purple) and group 2 (green). Write the different issues on coloured cards, so that each group has a card in their colour with the issue written out. In this case there are two issues, land (L) and education (E). The following diagram represents an answer to the question: *ILGIs are considered legitimate to govern what, by whom?*



In this representation, the purple opinion group (circles can also be adapted to include the importance of the group in size or influence) finds IGLIs legitimate governance actors on land governance and is neutral about their legitimacy concerning education. The green opinion group, on the other hand, thinks ILGIs are legitimate governance actors for issue education, but not land.

Alternatively, one might want to look at just one particular issue (i.e. access to water) and look at different kinds of ILGIs (and governance actors in general). Then one would substitute different kinds of actors for the issues. That could look like this (letters as actors, colours as opinion groups): Who is considered legitimate to govern access to water?



In this case, the green opinion group finds actor A the least legitimate and C the most, and the purple group has the opposite opinion.

Note that the objective of the exercise is not to produce a perfect picture but rather to provoke and structure discussion around for what exact issues ILGIs are considered as legitimate governance actors and to what extent there is a consensus on this assessment.

4.6 Analysing interests and incentives

Analysis of interests and incentives is the basis of most standard political economy analyses. For a selection of tools and literature, please refer to the GSDRC topic guide: www.gsdrc.org/topic-guides/political-economy-analysis. For SDC political economy analysis tools see Annex 4.4.

4.7 Analysing 'good governance'

Several SDC local governance analysis tools can be adapted to support analysing the extent to which ILGIs practice and contribute to 'good governance'. For more information on these tools, please see the DDLGN Learning Project on Local Governance Assessments (2011), available at: www.shareweb.ch/site/DDLGN.

4.8 List of research questions used for case study research

The following are a list of research questions prepared for a case study on ILGIs in Mali. They may be useful in designing further case studies. *NB: these questions are not to be used in a predefined chronological order (like a questionnaire), rather they are to be used selectively depending on the interlocutor/interviewee.*

Role and place of traditional and religious authorities in local government and in the implementation of the Algiers Accord on Peace and National Reconciliation in Mali.

- Can you identify the different traditional and/or religious authorities in your municipality or local community, bearing in mind the cultural differences?
- Using specific examples, what role do each of these traditional and/or religious authorities play in local government? (e.g. mobilising the community; disseminating public information; representing the community; mobilising local resources/taxes; resolving conflicts, etc.)
- Are these roles limited to specific areas of public life? Which ones? (e.g. land management, taxes, mediation in conflicts, civil justice, etc.)
- In your opinion, in what way do the roles played by the traditional and/or religious authorities in local government strengthen, or weaken, good governance?
- In the implementation of the Algiers Accord, what role and place do you see for the traditional and/or religious authorities in the prevention, management and resolution of conflicts?
- Do you know whether there are major reforms under way that concern the traditional and/or religious authorities? If so: what reforms? If not, why not? What can be done to ensure that they are informed, able to participate and are involved?

Relations with the institutions of territorial authorities (collectivités territoriales) – decentralised state services, local communities (collectivités locales) and 'social' communities

- In your local community, what are the shared and diverging interests between the various traditional and/or religious authorities and the institutions of the territorial authorities?
- Can you give any examples of conflicts between the traditional and/or religious authorities and the institutions of the territorial authorities?
- Can you give any examples of cooperation between the traditional and/or religious authorities and the state institutions of the territorial authorities?
- Do any risks arise when the traditional and/or religious authorities are involved in local government? If so, what risks?
- Which traditional and/or religious authorities are opposed or in favour of the major reforms concerning decentralisation envisaged by the government through regionalisation, the creation of regional development agencies, or the involvement of traditional and customary authorities in local and national public management? Why?

Power, influence, legitimacy and legality

• Why do the various traditional and/or religious authorities play a part in local government (motivation/interests)?

- In your local community or authority, how do the various traditional and/or religious authorities influence the processes of local government? (e.g. publicly, informally, invisibly)
- What are the power bases of the traditional and/or religious authorities? (e.g. their social or spiritual status, their knowledge, their legitimacy and the legalities of the republic; their capacities to negotiate; their financial resources; their networks)
- In your view, is it legitimate for the traditional and/or religious authorities to play a role in the processes of local government in the implementation of the Algiers Accord? Why?
- Some social groups take the view that the traditional and/or religious authorities are not legitimate actors in local government? Why?
- How are relations among the different traditional and/or religious authorities? (e.g. cooperative, conflictual)

4.9 Entry points for integrating a reflection on ILGIs in existing SDC tools

Tool	Entry points
Stakeholder mapping • How to Note on the Working Tool Stakeholder Analysis (SA) in the context of SDC's Project Cycle Management	 Ensure that the stakeholder mapping also considers actors like ILGIs that go beyond 'the usual suspects' and that may influence outcomes in relatively hidden ways. There may be certain 'blind spots' in our usual analysis. Annex 2 of the How to Note (p. 12) lists a number of actors. Here ILGIs could be included under both/either political system or opinion makers. It may be useful to break down categories such as community leaders, religious leaders or aristocrats to capture different ILGIs. Consider the possibility of IGLIs to serve as persuasive mediators (Annex 3, p.13), particularly in contexts of weak state legitimacy.
Stakeholder mapping SDC/ PED Network - Tool 1: Stakeholder Analysis	 Ensure that the stakeholder mapping also considers actors like ILGIs that go beyond 'the usual suspects' and that may influence outcomes in relatively hidden ways. There may be certain 'blind spots' in our usual analysis. Component 4 of this framework – legitimacy – could contribute analysis to the PED network's stakeholder mapping's consideration of legitimacy (Step 3). It may be useful to reflect on the role of IGLIs in re-producing the elements of unequal gender relations outlined in Step 5 (the gender trap).
Drivers of Change SDC/ PED Network - Tool 2: Drivers of Change	 An analysis of the role of ILGIs could be integrated transversally into this tool, depending on context-specific factors. IGLIs could be included in the list of actors (p. 8). Component 4 of this framework – legitimacy – could contribute analysis to the consideration of legitimacy (Step 2). Component 5 of this framework – interests and incentives – could contribute analysis to the force field analysis (Step 5) and identification of interests (Step 3).
Conflict analysis tools	 An analysis of the role of ILGIs could be integrated transversally into these tools, depending on context-specific factors. ILGIs may be important actors/parties to include in the conflict mapping and the needs-fears analysis. It may also be useful to reflect on the role of ILGIs in reproducing the structural dynamics at the roots of the conflict tree, as well as their potential role as channels or catalyst in the multi-casual role model.
Gender in practice: a tool- kit for SDC and its partners	 An analysis of the role of ILGIs could be integrated transversally into these tools, depending on context-specific factors. It would be useful to look at the role of IGLIs in re-producing inequitable gender relations particularly when it comes to analysing 'endogenous social processes' (Sheet 5).

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