GOVERNANCE AND FRAGILITY

What we know about effective governance programming in fragile contexts

OXFAM

Within and Without the State

Within and Without the State (WWS) is a DFID-funded programme running from 2011-14, piloting approaches to working with civil society to promote more accountable governance in fragile contexts. WWS is working in four countries – South Sudan, Yemen, Afghanistan, and the Occupied Palestinian Territory and Israel (OPTI) – and also has a strong emphasis on capturing and sharing its learning with others.

This paper reflects much of the programme experience gathered from WWS over the last two years. Further details and more information are available from the case-studies and publications listed in the 'Resources' section on page eight.

Key learning from WWS

The four WWS focus countries present very different examples of fragile contexts and have taken a variety of approaches to governance programming. Experience captured from WWS does not therefore provide a 'model' for governance programming in fragile contexts, but we hope it offers critical insights and key learning points which will be useful to others working in this area.

1. Effective governance programming

WWS experience demonstrates that it is possible to do effective governance programming in fragile contexts, and that such work is essential to tackling fragility, building stability and resilience, and overcoming poverty.

Oxfam puts 'active citizens and effective states' at the heart of overcoming poverty. Even in a context where it is necessary for the organisation or wider international community to meet basic needs (because the state is unable or unwilling to do so), it is still possible and relevant to work on strengthening governance. Indeed, failure to do so may be to institutionalise or 'normalise' fragility.

Detailed context and power analysis can reveal appropriate entry points for programme work. 'The state' is not homogeneous; even a weak or unwilling state may have levels of governance, departments, or particular officials interested in promoting change. Approaches to governance work can also be adapted for more restricted contexts: governance can be developed as a strand within other work-streams, for example livelihoods, as this may prove less threatening to a government nervous about the role of civil society; and activities can be designed which emphasise *constructive engagement* rather than *confrontation* with the state.

Experience from South Sudan

Oxfam in South Sudan has a historical focus on humanitarian programming and had previously undertaken limited development work. WWS provided an opportunity for the country programme to innovate around governance, and has successfully developed activities to promote accountability between citizens and the state, including organising public forums and

Young people debate governance issues, National Youth Debate, Kabul, 2013. Photo: Joen Van Houdt

WWS capacity building workshop for Lakes State civil society network, February 2013. Photo: Crispin Hughes.

dialogues, delivering training in good governance, and enabling citizen feedback on proposed legislation.

This work has also acted as a catalyst for the rest of the programme, encouraging the whole team to probe deeper, consider new perspectives, and explore new areas of work. Oxfam in South Sudan is now exploring working in challenging new thematic areas, such as the extractive industries, and is considering new strategic partnerships. This only seemed possible once WWS had demonstrated that it is possible to start a long-term governance programme in a fragile context.

2. Working with civil society

Working with civil society is an appropriate entry point – but is not sufficient to promote good governance. Civil society should be supported to *engage constructively* with duty-bearers, and programme strategy may include linking civil society to other influential non-state actors and institutions.

Citizens in fragile and more authoritarian states have less opportunity to participate in governance, and less voice and power, than those in democratic states. This may raise a question as to whether working with civil society is an effective strategy in fragile contexts – or whether Oxfam should instead focus on building state capacity, strengthening other institutions, or creating and protecting civil society space.

Experience from WWS suggests that working with civil society, particularly with groups which represent women and the poorest and most marginalised people, can be effective. It builds on Oxfam's expertise

in strengthening civil society and our strategic commitment to supporting 'active citizens', and ensures that programme work is actually driven by the voices and experiences of poor men and women.

But to achieve change it is necessary to work with both citizens and duty-bearers on developing a 'social contract' (see below). WWS has focused on building the capacity of civil society not only for its own sake, but to *enable it to engage effectively and constructively with the state*. It has also promoted positive opportunities to allow this to happen.

WWS civil society partnerships have included not only constituted groups such as community-based organisations (CBOs), and local and national non-government organisations (NGOs), but also unions, religious groups, informal youth movements, and others. WWS has seen that it is important for Oxfam to use its power as a 'broker' to link such civil society groups with other powerful non-state actors and institutions that can support their advocacy – including the private sector, universities, media, and elite groups.

Experience from Afghanistan

In Afghanistan, WWS has adopted this 'triangulated' approach of strengthening civil society, linking it to other powerful non-state actors, and developing opportunities for engagement with the state. WWS has built the capacity of the Afghan Civil Society Organisations Network for Peace (ACSONP), providing training around organisational management, governance issues, and methods of political engagement. It has also helped ACSONP to build strategic partnerships with other influential actors such as the business sector, religious leaders, and

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the media. And it has brokered opportunities for civil society to engage with the state at national, regional, and local level through events such as national debates and peace hearings, and community forums.

3. The social contract

In fragile contexts, traditional 'demand-led' advocacy may not always be appropriate as it may be seen by government as a challenge. The social contract model enables civil society to engage constructively with the state.

In fragile contexts, demand-led advocacy (where citizens make demands of the state) may not be appropriate as the state may have neither the will nor the capacity to meet these demands. Experience from WWS shows that the social contract can be a useful tool to promote *constructive engagement* between citizens and state, and promote accountability and good governance.

The social contract refers to the agreement of citizens to submit to the authority of government in exchange for protection of their rights and access to services, security, and justice. Citizens will refrain from anarchy and respect the law; government will govern according to law, and promote peace and development. Developing a social contract in a fragile context will be the product of ongoing explicit and implicit negotiation between different interest groups and a range of formal and informal power-holders; the resultant contract will not be a static agreement but will be subject to renegotiation and changes in circumstances.

The advantage of using the social contract model in governance work is that it emphasises the roles and responsibilities of *each party* (citizens and government), and shows that by engaging with each other and taking a collective problem-solving approach (rather than by confrontation or challenge)

MP/public dialogue, South Sudan

In South Sudan, there are currently few mechanisms by which citizens can engage with power-holders, and MPs rarely go back to visit the constituents who elected them. Public dialogues organised by WWS are creating spaces for communities to question their local MPs – and build trust and accountability between them.

Before the dialogues, MPs sign a commitment to participate for the good of their communities and the state; communities pledge to perform their roles and meet their obligations (such as desisting from violence and cattle raiding) so that government can function effectively. Initial consultation with communities helps to identify the issues they would like to raise. MPs are briefed on these issues and invited to a village meeting

a week later. A month after the dialogue, the community and MP are visited again to assess progress.

Hundreds of people attended the MP/public dialogue in Wulu, Lakes State, in February 2013. Community member Mary commented: "Those MPs said, 'If you vote for me, we will provide boreholes and tools for the community.' I want to ask the MPs where those things are now." MP Moses Aier Maneyiel said: "The people elected me to represent them in Parliament… so I need to know what their concerns are… to be their voice." MPs were able to explain why some issues had not been addressed and to reassure constituents that they were making progress on others, demonstrating accountability and building trust with the community.

they can work together to build a more effective state. This can help prevent a negative backlash from a state with authoritarian tendencies which may be nervous about the role of civil society, and give each party a realistic expectation of what the other can do.

WWS has used a number of successful techniques to promote engagement between citizens and duty-bearers, including: policy days – where communities meet policy makers to discuss a specific topic (Gaza and the West Bank); public forums bringing together government officials, civil society organisations (CSOs), and institutional post-holders to discuss accountability issues (South Sudan); targeted meetings with key individuals to present evidence or information (all contexts); MP/public dialogues connecting communities and elected representatives (South Sudan); and working via informal/traditional leaders to reach state institutions (particularly Afghanistan).

4. Gender as a driver of conflict and fragility

Experience from WWS demonstrates that women and men are differently affected by conflict and fragility, and that gender inequality is *itself* a driver of fragility.

In fragile contexts, where programmes are dealing with issues of violence, conflict, and weak or authoritarian governance, there may be an assumption that addressing gender inequality is not possible or relevant, or is simply not an immediate priority. But experience from WWS shows that addressing gender inequality is essential to governance work in fragile contexts and will actually improve its effectiveness.

A strategic gender review of WWS, conducted in July 2013,* confirmed and highlighted the fact that conflict and fragility affect women and men differently and that a gender neutral (i.e. gender blind) approach to governance work will maintain an unjust status quo. It also highlighted the extent to which gender inequality is itself a *driver* of fragility: in South Sudan, for example, high bride price fuels cattle raiding and conflict between tribal groups; in Gaza, patriarchal values create a sense that leadership is about self-interest rather than protecting the community; in Afghanistan, women may be 'given' or 'taken' to settle community disputes and conflicts; and women's exclusion from public life and decision-making in *all* fragile contexts means public policy will only address the needs of half of the population.

The WWS gender review recommended both a 'push' and a 'shift' to address these issues. The 'push' aims to strengthen the gender element of the programme and ensure that all activities and strategies maximise the opportunity to address gender inequalities in power and participation. The 'shift' refers to a change in thinking about how to work on gender issues – to better understand gender inequality as a driver of fragility, and to approach it as a way to address the root causes of fragility, making programming more effective.

New emphasis on gender in WWS

As a result of the recent review, WWS focus countries have planned how they will adapt programme practice. South Sudan had previously partnered with organisations working on gender, and attempted to address gender inequality both at community/household level and in national-level advocacy. It now plans to strengthen the gender element of its WWS project by: undertaking more context and power analyses with a gender perspective; conducting partner assessments and building new partnerships with women's rights organisations and those that can best support a women's rights agenda; and working directly with groups of men to shift attitudes and practice at household/community level.

In Yemen, WWS is planning to develop a focus on building the capacity of emergent youth and women's organisations working with a specific women's rights agenda. Capacity building will be delivered through intensive mentoring and accompaniment, and WWS will broker opportunities for youth and women activists to engage with duty-bearers.

5. Understanding informal power

In fragile contexts, significant power may be held by informal or traditional power-holders such as tribal and religious leaders – or by business interests or elite groups.

WWS experience has highlighted the extent to which power in fragile contexts may be held not by the state but by informal power-holders, such as tribal, traditional, or religious leaders.

These informal power-holders may act either as 'blockers' or 'enablers', preventing change which they do not see as desirable, or being able to influence formal power-holders in the state to achieve change. Strengthening governance may also involve working to improve the accountability and transparency of these informal power-holders, and ensuring they exercise their own power in the interests of citizens and communities.

This underlines the importance of conducting detailed power and context analysis to reveal where informal or hidden power lies in any particular context, how to target the source of power, and who can help to influence power-holders. Power analysis should be built around multiple sources of information including formal data and the 'word on the street'. Analysis should be revisited frequently as power is constantly shifting in fragile contexts.

A Push and A Shift, Light Strategic Gender Review of WWS Programme, Jenny Enarsson for Oxfam, July 2013

WWS's experience also shows that it is important to find new and innovative ways to build relationships and work effectively with informal power-holders. This may include working to better understand their context and world view, taking a flexible and informal approach to engaging with them, and involving them as stakeholders in activities from the start in order to build their trust and encourage their 'buy-in' to the work.

Experience from Afghanistan

WWS has become increasingly aware of the role of religious leaders *(Ulema)* in shaping attitudes and practices in Afghanistan, and of the possibility of harnessing their potential as change-makers. WWS has therefore worked to make new connections with religious leaders, understand more of their context and how they work, and build their understanding of gender and governance issues by inviting them to various meetings and forums with women leaders. This has helped to shift attitudes and build co-operation; some Mullahs have now suggested that women qualified in Islamic law could work together with them on resolving conflict, tackling harmful traditional practices, and expanding the culture of tolerance.

6. Building civil society capacity

Oxfam is able to draw on its long experience of building the capacity of communities and civil society organisations in long-term development work and can adapt many techniques and methodologies for work in fragile contexts.

In a context where the capacity of CSOs and non-state actors is weak, and particularly where citizens are unaware of their rights or the obligations of duty-bearers, it is vital for Oxfam to work to build the capacity of civil society. Here, Oxfam can draw on its long experience of capacity building and civil society strengthening, and many tried and tested approaches can be adapted from development programming. These include: organisational strengthening; raising awareness around rights, responsibilities, and governance issues; skills training in areas such as

social organising and advocacy; and mentoring and intensive support to particular groups by Oxfam.

WWS has found some approaches to be particularly effective in fragile contexts, including working through networks of CSOs to build capacity, strengthen solidarity, and raise the voice of the sector. In Gaza, WWS has worked through the Palestinian Non-Governmental Organisations network (PNGO) to build the capacity of the organisations within it; in Afghanistan, ACSONP has become an effective voice for CSOs involved in peace-building activities.

West Bank – mobilising communities. In the West Bank, WWS established 'community committees' at village level as a focus for mobilisation. The committees included representatives of the formal village councils, local CBOs, and the community, including women and youth. The committees were trained in community needs assessment and development techniques, which enabled them to draft development plans and advocate around these to the relevant duty-bearers. The model was extremely effective at raising the skills and confidence of individual activists and empowering the community as a whole. It also significantly enhanced the role of women and youth in public life in the target communities.

Yemen – strengthening civil society. Building on Oxfam's governance work over the past seven years, WWS provided the opportunity to strengthen three civil society networks in Hadhramout Valley to engage with local authorities and influence their decision-making.

The networks are being trained in the principles of rights-based development and the role of civil society in promoting good governance, and support is being given with fundraising and organisational development. Mutual coordination committees comprised of local authorities and members of the networks have been created, enabling network members to engage in local needs assessments and to ensure civil society participation in development plans and accountability in the allocation of resources.

Community committee meeting in Al Walajeh, the West Bank. Photo: Rola El Chami

MP Hon Rebecca Michael interacting with her constituents at the end of the MP/public dialogue, Wulu, Soth Sudan, February 2013. Photo: Crispin Hughes

7. Change IS possible

It IS possible to achieve change in fragile contexts, but it should not be short-term or measured only by conventional indicators and donor requirements.

WWS has many examples to share of changes and successes achieved in fragile contexts. For example:

• **In Yemen**, with support from WWS, the Civil Society Network in Ghail Bawazeer District conducted a participatory needs assessment which identified water and health as priorities. The assessment was shared with local authorities during their annual planning process, and the council agreed to fund a new health unit and water project from its 2014 budget.

• **In South Sudan** a highly-restrictive NGO bill, which would have made it harder for CSOs to operate, was revised as a result of lobbying by WWS and partner organisations, including consultation with civil society groups and lobbying of government officials. The bill has now been redrafted and is awaiting ratification. Lobbying around draft media legislation also resulted in the development of a more progressive bill than that which was first proposed.

• **In the West Bank** WWS trained community committees in five villages in participatory needs assessment, and supported them to engage positively with Palestinian authorities around better service provision. The process also successfully mobilised and empowered the community, particularly women and youth who were enabled to play a more active role in community life.

• **In Afghanistan** WWS partners organised peace hearings in three provinces. At the Parwan Provincial Peace Hearing in August 2012, the Governor was questioned in front of the media and a range of

issues were openly discussed – including ending violence against women and creating the security to enable women to participate in society. CSOs called for the issue of violence against women not to be ignored and for incidents of rape to be reported directly to the Governor, to which he agreed.

But the experience of WWS also shows that the pace of change is often slow because of the difficulty of the programming environment, and that the *process* followed may actually be as important to promoting good governance as the outcome.

In South Sudan, for instance, WWS conducted an extended and participatory partner selection process, which contrasted with the usual donor practice of 'hand picking' partners to deliver on contractual obligations. The process was relatively time-consuming, but delivered huge benefits in terms of building capacity and fostering solidarity among a wider group of CSOs from which the partners were selected, and empowering the selected organisations to take responsibility for designing and delivering the project with Oxfam.

A good process at every stage (partner selection, project planning, delivery, follow-up etc.) can build capacity, confidence, trust, participation, and transparency among stakeholders (partners, communities, power-holders etc.). It may be slower to achieve concrete results, and harder to evaluate and justify to donors – but it will be important for its own sake, and may be essential to ensuring an environment in which good governance can be created in the long term.

For more detailed information about the impact of WWS, see resources below and on http://policy-practice.oxfam.org.uk/

Resources

Resources to support governance programming in fragile contexts

Programming in Fragile and Conflict Affected Contexts: A Learning Companion, Oxfam 2012
A detailed and practical learning companion for those interested in programming in fragile contexts.

Programming in Fragile and Conflict-affected Countries, Programme Policy Guidelines, Oxfam 2011
Provides guidance to programme managers and decision makers on designing and delivering programmes in fragile contexts.

Within and Without the State, Strengthening Civil Society in Conflict-affected and Fragile Contexts, Oxfam 2011
A research report based on a review of existing literature and interviews with representatives of INGOs, academic institutions, and donors, complemented by a scoping exercise undertaken in South Sudan.

Power and Fragility, Oxfam 2012
Based on research conducted by the Institute of Development Studies at the University of Brighton, this 12-page resource provides practical examples from Angola, Yemen, Myanmar and Rwanda, and offers guidance for managers on governance programming in fragile contexts.

Effective Programming in Fragile Contexts, Oxfam 2012
A two-page framework to support programme management in fragile contexts.

A Quick Guide to Monitoring, Evaluation, Accountability and Learning in Fragile Contexts, Oxfam 2013
A short resource for programme managers, and those involved in MEAL, in fragile contexts.

A Quick Guide to HR in Fragile Contexts, Oxfam 2013
A short resource which offers guidance on recruitment and retention of staff in fragile and 'hard to fill' contexts.

Resources about Within and Without the State

Programme case studies

- **Action Research in OPTI, Oxfam 2012***
(available from lfooks@oxfam.org.uk)

- **Citizens, State, and Good Governance, Oxfam 2013:** building the social contract in South Sudan

- **Building Civil Society in the West Bank, Oxfam 2012** a report of the Fostering Community Change programme

- **Within and Without the State, Oxfam 2013** overview leaflet

Useful blogs

- *Finding partners when civil society has been weakened by war (South Sudan)*

- *Building peace in Afghanistan, how civil society can make a difference*

- *The Group of 20 – advancing the constitutional agenda for women in Zimbabwe*

- *How realtime evaluation can sharpen our work in fragile states* Duncan Green's blog, From Poverty to Power (http://www.oxfamblogs.org/fp2p)*

All resources (except those marked*) are available on Oxfam's Policy and Practice website, http://policy-practice.oxfam.org.uk/

Cover photo: National Youth Debate, Kabul, July 2013. Photo: Joel Van Houdt.
Below: Young boy, Yemen. Political transition offers opportunities to strengthen governance in Yemen. Photo: Abbie Trayler-Smith

WWS EVIDENCE AND LEARNING
Much of the evidence and learning presented here was gathered at a WWS 'Learning Exchange' in Juba, South Sudan, in Sept/Oct 2013. The exchange was attended by staff from all four focus countries, who shared their experience, learning, and insights about governance programming in fragile contexts. WWS gratefully acknowledges their contribution. Other examples, quotes, and case studies have been gathered from the WWS programme over the last two years. For further information about evidence and learning from the *Within and Without the State* programme, please contact Louie Fooks, Communication and Learning Officer, on lfooks@oxfam.org.uk.

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Oxfam, November 2013

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