CARE Governance Programming Framework

CARE's work in the field of governance has grown considerably within the last ten years. Governance has been identified as an underlying cause of poverty by most CARE country offices, and represents a crucial element of many COs' theories of change. At all levels of the organisation there has been growing support for governance-related programming, including increased efforts to document and define the portfolio of work, the appointment of more governance advisors, and a greater number and range of events designed to discuss and promote governance activities.

While many country offices are doing governance work, CARE has no common understanding of governance concepts and little consistency in its strategies for addressing governance challenges. To help address this gap, and as a first step toward a broader process of building coherence across CARE's governance work, we have sought to develop this Governance Programming Framework (GPF). The GPF builds on and complements existing CARE frameworks such as HLs and Women Empowerment.

1. Objectives of the Framework

The GPF is not meant to be a prescriptive document, but rather a dynamic and flexible tool to help frame our governance work. It provides a preliminary theory of change to promote internal reflection, and aims to establish a common governance language within CARE to help:

- coordinate our governance efforts across CI members and country offices;
- encourage a more structured discussion on the role that CARE can legitimately play in addressing weak governance;
- improve programme design and plan contextually appropriate programming;
- improve impact assessment by laying the basis for common governance indicators;
- strengthen learning by focusing reflection and research around a clear set of questions and assumptions.

2. CARE's approach to governance

The question as to why some people have less access to resources and opportunities than others in their society is essentially a political question: less to do with simply the *quantity* of resources or opportunities available but rather how, and by whom, public decisions are made and resources collected and allocated. CARE believes that poverty, like gender inequality and discrimination, is created and maintained through unequal power relations and the resulting unequal distribution of resources and opportunities, with a damaging and disproportionate effect on women and girls.

'Governance' is a complex concept that can be explained and understood in many ways, but in its broadest sense, governance is the exercise of these power relations in the public arena—the "rules of the game". It's about who is able to influence public decisions and who isn't? Who creates or enforces these "rules"? Governance is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a dynamic, political process through which decisions are made, conflicts are resolved, diverse interests are negotiated, and collective action is undertaken. The process can be influenced by formal written codes, informal[1] but broadly accepted cultural norms, the

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[1] We recognize the existence of informal and formal actors that engage in governance spaces. While we believe that this division (between formal and informal) is helpful, we also recognize that in reality this division is not clear cut. Actors may participate in certain procedures as formal participants, but also may act as informal influencers in that same process. Procedures and institutions may also be informal or

charismatic leadership of an individual or individuals, the use of force, coercion or patronage - or often, a combination of these.[2]

For CARE, **good governance** is the *effective, participatory, transparent, equitable and accountable management of public affairs guided by agreed procedures and principles, to achieve the goals of sustainable[3] poverty reduction and social justice*.

This broad definition allows for the development of *local* definitions of good governance. The way power is exercised depends on historical, political, economic and cultural context, so there is no one blueprint for governance. We need to understand the structures, relationships and norms – formal and informal – that govern how power is exercised in a given context in order to identify the most effective ways of promoting change.

CARE adopted a **rights based approach (RBA)** in 1999, and this approach is core to our governance work. It urges us to look beyond the symptoms of poverty to understand and address the root causes of poverty and injustice; it requires that the vulnerable and the marginalised take centre stage in the design of our programmes and measurement of our impact; and it also requires that development goals be framed as entitlements with both claim holders and corresponding duty-bearers.

Among poor and marginalised people, CARE is increasingly working to support **women and girls**, as in many societies they are among the people that face the greatest challenges in exercising their rights. Overcoming these challenges requires addressing social norms and institutions that foster gender-based abuse or discrimination, exclude women from positions of public influence and confine them to subordinated roles. The Women's Empowerment Strategic Impact Inquiry[4] has significantly strengthened our thinking and programmatic work around women's empowerment and this focus is at the heart of our institutional identity.

Fundamental to CARE's governance approach is the notion that citizen participation is important as a right in itself as well as a means to reduce poverty. Amartya Sen[5] argues that citizen participation has an *intrinsic value* of enriching the life of social beings through political freedom; an *instrumental value* through attracting attention to their opinions and demands; and a *constructive value* as it constitutes a social learning mechanism and allows society to form values and priorities. Similarly, the World Bank's Voices of the Poor studies[6] showed that powerlessness and lack of voice are crucial components of poverty, as viewed by the poor themselves. Through engagement in policy, the poor can be empowered by having their demands and knowledge legitimised, by increasing their capacity to influence decisions that affect their lives, and by challenging the status quo.

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formal and in either case may facilitate the process of negotiated development or undermine it. The label formal/informal does not imply greater or lesser legitimacy; it does however, enable us to explore whether the procedure, institution or actor is acting within a regulated context or outside.

[2] Adapted from the Global Commission on Governance Definition

[3] An important issue is that of intergenerational equity, where decisions that are made now, for example on the use of natural resources, may have far-reaching consequences in the future.

[4] There are obvious links and overlaps between the WE and Governance frameworks, and many WE framework sub-domains are relevant to governance. The two frameworks reinforce each other and should be jointly applied to address the causes of gender discrimination and exclusion more holistically and systematically. How the two frameworks align with and talk to each other deserves some in-depth reflection and needs to be the result of a rich dialogue among different teams and COs. This will be explored further in the process of validating this framework. For more information on the WE SII and WE framework see http://pqdl.care.org/sii/default.aspx

[5] Sen, Amartya, *Development as Freedom*, Oxford, Oxford University Press, 1999

[6] http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPOVERTY/0,,contentMDK:20622514~menuPK:336998~pagePK:148956~piPK:216618~theSitePK:336992,00.html

Another core governance concept is '**negotiated development**'. Negotiated development relates to the various interactions between public authorities and citizens that result in the equitable fulfilment of citizens' political, economic, social and cultural rights. In order for processes of negotiated development to achieve desired outcomes, it requires (1) that governments are effective, accountable and capable to engage with citizens, (2) that citizens have the knowledge and capacities for claiming and exercising their right to participate in public decision making, and (3) that there is a safe, inclusive and effective space for citizens to engage in negotiating different collective and individual interests in the management of public affairs.

Across the world, CARE has experience in working with governments to improve their policies, programmes and services and with civil society organisations to strengthen their capacity to influence policy makers and hold them to account. CARE also has experience working in the middle arena, facilitating processes that bring key stakeholders from both sides together. However, in many cases, stakeholders are not empowered to relate or negotiate on the same terms, making it difficult to achieve good governance in practice. Negotiated development is in fact "about empowering stakeholders to relate on more even terms, and to hold each other accountable".[7]

3. The Governance Programming Framework (GPF)

The following figure presents a preliminary framework for CARE's governance programming. The GPF is represented by the Figure below which is a pyramid with three buildings blocks (or "domains") at the base. The arrows represent the real-world interaction between the three domains. The fourth building block (capstone) represents impact achieved through engaging with the lower three blocks.

The pyramid conveys the following **theory of change**: "*By empowering citizens, by promoting more accountable and effective public authorities and by expanding spaces for negotiation between citizens and authorities, we can achieve development and democratic impact. Change needs to take place in all three domains in order to achieve this impact*". The GPF applies to all levels; local up to global. The GPF is not prescriptive, but is flexible to help CARE offices identify the most meaningful contribution to change in a given context.

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[7] Stuckey, "Towards an understanding of governance."
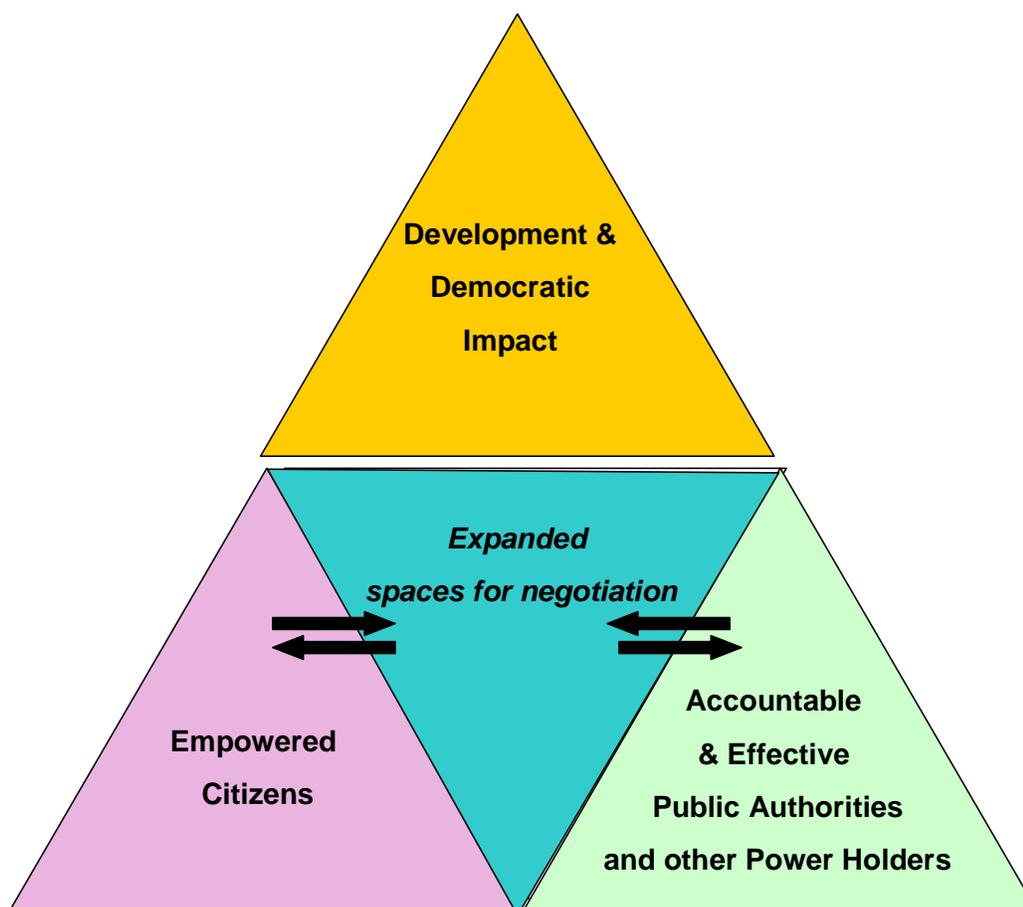
We have broken down the three domains into a number of sub-domains. These are programmatic areas that need to be addressed to achieve overall progress in the domains, and ultimately, development and democratic impact.

. **Table: Key Sub-Domains of the Governance Programming Framework**

Empowered Citizens	Expanded Spaces for Negotiation	Accountable and Effective Public Authorities and Other Power Holders
Sub-domains	**Sub-domains**	**Sub-domains**
• Rights awareness and access to information • Agency and voice	• Institutionalised spaces • Popular spaces • Inclusion	• Transparency and access to information • Responsiveness and

• Representation • Internal accountability • Collective action • Social accountability	• Dialogue and non-violent resolution of conflicts	accountability • Provision of services • Provision of justice and rule of law • Accountable customary institutions • Media, private sector, religious authorities and other power holders

1ˢᵗ Domain: Empowered Citizens

This domain is concerned with enabling the poor and marginalised, and particularly women and girls, to be aware of their rights, to be capable of claiming their rights and to having a stronger voice to demand change. In short, the aim is to enable the poor to become active and empowered citizens.

Not all individuals have equal capabilities to participate as citizens. This can be rooted in their lack of **awareness of their rights and responsibilities**, a lack of skill and confidence to **express their views** in public spaces, and in their position in unequal social structures such as gender, ethnicity, class, caste, and so on. Women, especially those coming from lower social classes, face significant challenges in speaking and acting confidently in public. Their inclusion can become a mere tokenistic exercise, and while quotas for women's representation are a first step towards increasing their voice, there is still much to do to support women's meaningful participation.

Also integral to this domain is to understand how citizens organise and **take collective action** to claim rights and fulfil responsibilities. There are many different ways in which poor and marginalised people can engage with the state, participating both in formal ways (such as local participatory planning and budgeting) and through informal means (such as campaigning, demonstration etc.). Strengthening horizontal and vertical links so that community groups can work on common agendas and link to the national debates is also critical.

Empowering poor and marginalised people, however, raises questions of **representation**. Civil society representatives typically tend to be the better skilled, connected and funded in society, and mostly male. Women's organizations, especially grass roots organizations representing disadvantaged social sectors, face severe constraints in entering historically male-dominated institutional spaces and putting women's needs on the agenda. CARE needs to be aware of and address unequal power relations within civil society, making sure that civil society members speak on behalf of a representative set of interests and are **internally accountable** to their own constituencies. This also has implications for CARE's own accountability.[8]

This domain also encompasses building civil society's capacity to hold power holders to account. Accountability typically operates through "horizontal" (state checks and balances), "vertical" (electoral systems) and "diagonal" mechanisms. While horizontal and vertical mechanisms relate to the second domain, diagonal mechanisms refer to the direct engagement of citizens with horizontal accountability

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[8] This has clear implications for CARE itself, as a power holder and member of global civil society. While CARE has developed a Humanitarian Accountability Framework setting out its own accountability commitments to stakeholders, it does not yet have a well-developed Accountability Framework covering its broader (non-humanitarian) commitments. Some CI members and COs are taking steps to share more information with the public and are proactively involving beneficiaries in the design, monitoring and evaluation of programming. This is an area in which CARE needs to improve as a whole, and should be looked at especially closely in country offices working on governance issues.

institutions, through budget monitoring, public hearings, scorecards for public services, etc. This **social accountability** programmatic area is one in which CARE is increasingly working.

Programming could involve working at different levels (from the local up to national) and with a range of organisations (from community-based grass-roots groups to national advocacy platforms) in a range of **sub-domains**:

- **Rights awareness and access to information:** Increasing citizens' knowledge of their rights and how to realise them, and how to access information.
- **Agency and voice:** Strengthening poor people's agency by building their capabilities to voice their demands and enhancing their negotiations skills.
- **Collective action:** Building citizens' capabilities to organise and take collective action in both formal (e.g. participatory planning) and informal spaces (e.g. campaigning), from local to national levels.
- **Social accountability**: Furthering citizens' capacities to hold public authorities and other power holders to account and supporting their engagement with citizen surveillance mechanisms such as budget monitoring, score cards, monitoring of service delivery etc.
- **Representation:** Increasing awareness of unequal power relations in civil society and making sure CSOs are representative of their constituencies.
- **Internal accountability**: Ensuring CSOs' and CARE's good internal governance.

The **hypothesis** for this domain is:

If we build poor and marginalised people's capabilities and political-civic consciousness and support them to undertake collective action, then they will be able to more effectively engage in governance spaces and influence decisions that affect their lives.

2nd Domain: Accountable and effective public authorities[9] and other power holders

For CARE, public authorities are responsible for ensuring the realisation of basic political, social and economic rights of their citizens. In this domain, CARE works directly with public authorities to improve their ability to fulfil their obligations and be more transparent, responsive and accountable, especially to our impact groups – women and other poor and marginalised populations.

Public authorities' accountability exists when public power holders have the obligation to show, explain and justify their behaviour and face the threat of sanction for any failures in fulfilling their duties. In describing a relationship between power holders / duty bearers and those affected by their decision and actions, accountability implies the obligation to:

1. Share timely and relevant information in a manner that is accessible to all stakeholders, and to provide clear justification for the decisions that have been made (answerability).
2. Be responsive to the views of stakeholders in decision making. This implies meaningful participation (stakeholder engagement) at all stages of the decision making cycle - in planning, implementing and judging policies and programmes for their impact. It requires that participation inputs of stakeholders translate into policies and practices (responsiveness).

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[9] Public authorities are understood here as institutions (both formal and informal / modern and customary) that undertake core governance functions, including protection from external threats and management of external relations, peaceful resolution of internal conflicts; and providing and facilitating the provision of a range of collective goods and services - Evans, P (2010)

3. Bear the consequences for the violation of duties, non-fulfilment of rights, poor or criminal performance. Consequences can include punishment, sanctions and/or redress (enforceability).

As earlier described, accountability operates through "horizontal", "vertical," and "diagonal" mechanisms and through informal/traditional and formal/procedural channels. Horizontal mechanisms refer to the constitutional mandate of certain institutions to check abuse and hold other state agencies to account. Institutions typically guaranteeing horizontal accountability in more mature democracies include constitutions, parliaments, branches of the judiciary and special "accountability agencies" like human rights commissions, auditors-general, independent electoral commissions and anti-corruption agencies. These tend to be known as 'political accountability' mechanisms. Vertical mechanisms refer to the relationship between the people and their representatives and include free and fair elections, civil society monitoring of representatives and the role of the media. Sanctions, in this case, are normally less formal, such as negative publicity. Diagonal mechanisms operate in a domain between the horizontal and the vertical dimensions and refer to the direct engagement of citizens with horizontal accountability institutions. Social accountability has been discussed under the first domain.

From a women's empowerment perspective, that the state has to be accountable for and advance gender equity is already broadly accepted. Most constitutions acknowledge women as having the same status and rights as men, and this is reinforced by various international conventions that have decreed the state is responsible for the creation of legal and administrative systems to protect women's rights and prosecute those who abuse them. While the rhetoric is in place, it is also recognised that public institutions still largely fail to be inclusive and accountable to women, or provide women with the tools and space to participate and hold the violators of their rights to account.

In this sense, it is important to go beyond traditional explanations attributing the failure of accountability systems to lack of transparency, capture of public resources (corruption) or capacity to be responsive to citizens' demands, and analyse why accountability systems have failed to respond to women's needs and rights, and how women can act as a constituency to demand accountability. The problem is that accountability mechanisms, especially in the "good governance" discourse, are usually evaluated in terms of their effective use to fight corruption and promote efficiency in service delivery, while they are very rarely scrutinized in terms of gender. Gendered accountability failures can take different forms, depending on whether governments fail to promote political accountability (by avoiding gender related issues or by not supporting gender equity commitments with adequate funds), fiscal accountability (by not monitoring the gender equitable distribution of resource), administrative accountability (by not setting up systems to detect patterns of discrimination in the treatment of women by public officials), or legal accountability (by failing to prosecute violations of women rights such as domestic violence, rape of all forms, including within marriage, gender-based violence, etc).[10]

While we recognise that public authorities play a central role in the development process, given the unique obligations the state owes to its citizens, at the same time we also acknowledge that non-state actors can supplement and in some cases replace state provision of services. This implies that other power holders, like the **private sector** and civil society, can act on behalf of the state and therefore bear the same responsibilities in terms of transparency, responsiveness and accountability. Other power holders, such as **religious authorities** and the **media**, can be equally influential in hindering or enhancing good governance.

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[10] Goetz, A.-M. and Hassim, S., 2003, No shortcuts to power: African women in politics and policy making, London: Zed Books

A common assumption is that governments and other public bodies do not meet the needs of the poor, excluded and vulnerable because they are corrupt and self-serving. While this may be true in many cases, there are also instances where the state, especially at local level, is willing but unable to meet its obligations due to a lack of human or financial resources, poor infrastructure, or a variety of other possible factors. CARE is increasingly working to support **decentralised governance systems** in order to bring the state closer to citizens and to deliver **better quality services**, especially for the poor.

Key programming **sub-domains** include**:**
- **Transparency and access to information:** Strengthening public authorities' capacity and incentive to be transparent and provide citizens with accessible and appropriate information about public policy and spending.
- **Responsiveness and accountability:** Strengthening public authorities' incentives to engage with and respond to marginalised people's needs, including through decentralisation and support to local government.
- **Provision of services:** Strengthening public authorities' technical capacities to implement pro-poor policies and programmes and deliver quality services.
- **Provision of justice and rule of law:** Ensuring the existence and enforcement of legal provisions (including customary law) around citizens' rights and access to justice and security.
- **Accountable customary institutions:** Promoting inclusive and pro-poor traditional/customary authorities, ensuring they interrelate with the formal system.
- **Engaging other power holders:** Working with the private sector, media, religious authorities, and other power holders to build a more inclusive society.

The **hypothesis** for this domain is:

If CARE strengthens public authorities' capacity and incentive to be accountable, effective and responsive to poor and marginalised people, then public resources will be more transparently and equitably allocated and the poor will have access to better quality services.

3rd Domain: Expanded space[11] for negotiation

This domain is closely related to the previous two domains, and actually results from their interaction. A focus on interactions between public authorities and citizens avoids the oversimplification of 'supply' and 'demand' sides of governance, and emphasises that the focus should be on the relationship of rights and responsibilities (i.e. a social contract) between public authorities and citizens in all its different forms.

It underlines the importance of challenging unequal power relations and expanding the bargaining spaces between public authorities and broader society, which are critical to aggregating and channelling demands, identifying and negotiating among different groups' interests, and enabling public authorities to build consensus and legitimacy and respond effectively and equitably. It also emphasises the importance of other actors, such as the private sector, media or traditional authorities in challenging and addressing the root causes of poverty and social injustice. As mentioned above, these non-state actors are legitimate power holders and undertake core governance functions in some

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[11] As a way of addressing the perceived "democratic deficit" of representative democracies, more direct forms of citizen engagement in governance have opened up new arenas for public participation, often referred to using the concept of "space". The literature often refers to two distinct types of space: invited spaces (provided by the government/state, where civil society has a voice and vote) and popular spaces (where CSOs come together at their own initiative to channel unrecognised demands, protest, provide services, solidarity etc.). The boundaries between invited and popular spaces are flexible. Cornwall, A (2004), "Introduction: New democratic spaces? The politics and dynamics of Institutionalised Participation – IDS Bulletin Nr 35.

contexts, and it is crucial to analyse the full range of formal and informal actors in deciding how and with whom to engage.

In this domain, CARE works to strengthen existing formal/invited and informal/popular spaces for participation and representation, and the creation of new formal and informal spaces. Programmatic work under this domain can take different shapes, ranging from collaborative engagement to more confrontational activities, such as non-violent protests and campaigns. Much depends on the capacity and willingness of public authorities and civil society to engage with one another.

Creating space may not be sufficient, however. We also need to address whether the marginalised can challenge unequal power relations to influence decision-making outcomes. One concern is around inclusiveness; spaces can be co-opted by public authorities or dominated by those who can afford to use them at the expense of marginalised groups. It is important for women and other vulnerable people that command less technical knowledge to be able to safely engage in these spaces without fear of repercussions or a loss of dignity. At the same time, informal spaces and processes are incredibly important to channel demands of actors that are less capable (or willing) to be included in formal spaces, and are crucial to guarantee a healthy diversity of engagement and civil society autonomy.

Programmatic work could involve a range of **sub-domains:**
- **Institutionalised spaces:** Supporting the creation and/or strengthening of formal spaces for constructive dialogue and negotiation, and building capacities and skills needed by both civil society and public authorities to make these spaces effective.
- **Popular/informal spaces:** Supporting state-citizen interaction in non-institutionalised spaces and processes.
- **Inclusion:** Strengthening representation of less powerful CBOs/CSOs in decision making spaces, addressing barriers for poor and marginalised to access these spaces, and promoting fairer "rules of the game".
- **Dialogue and non-violent resolution of conflict:** Promoting non-violent resolution of disputes and conflicts between the state and citizens.

The **hypothesis** for this domain is:

If CARE can strengthen and expand formal and informal spaces where poor and marginalised people can negotiate and be represented, then decisions will better reflect their interests and resources will be allocated on a more equitable basis.