Accountability as Resistance[[1]](#footnote-1)

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“Beggars can’t be choosers” (idiomatic expression)

“'You are going to be the proud owner of 25 million people,' [Colin Powell in reference to an Iraq invasion ] told the president. 'You will own all their hopes, aspirations, and problems. You'll own it all.' Privately, Powell … called this the Pottery Barn rule: You break it, you own it.”(Woodward, 2004, 150).[[2]](#footnote-2)

“Do not be discouraged by resistance, be nourished by it.” Dr. Steve Maraboli

On March 10, former US President Bill Clinton publicly apologized for championing policies that destroyed Haiti’s rice production in front of the Senate Foreign Relations Committee. Clinton testified that “I have had to live everyday with the consequences of the loss of capacity to produce rice crop in Haiti to feed those people because of what I did.” This apology was for championing *lower* tariffs on imported US rice as well as food aid that has systemically undermined the long term food production of Haiti and thereby its food security. Clinton explicitly stated that it was necessary evaluate policies by simply the amount of aid given, e.g. the yearly average of over $50 million in gratuitous US surplus beans, corn, rice, and cracked wheat. Rather, it was important to consider the overall affect of the aid as well as whose interests were being served by the particular form of aid adopted. Arguably, the multi-year food assistance programs to Haiti that spent over $23 million on ocean freights to deliver $67 million worth of commodities benefitted US shipping interests over the interests of Haitians receiving that aid (CEPR 2012). Clinton’s apology was not for allocating funds poorly, e.g. spending more money on transporting food than on local production of that food. [[3]](#footnote-3) Rather, his apology centered on how helping- that is, the large flows of food aid into Haiti—harmed them. As recipients of aid, Haitians weren’t allowed to be choosers. They had to take whatever form of help they were given.

The example of US food aid to Haiti raises questions about what kind of say, if any, recipients of help[[4]](#footnote-4) should have about the form of the help given to them. Should those providing food aid and other types of development assistance be responsive to the preferences of the beneficiaries of such aid? The answer depends partially and importantly on one’s understanding of accountability. For different forms of accountability can distort or co-opt the revealed preferences of beneficiaries in ways that serve the interests of power-wielders. It can also justify prioritizing the preferences of some beneficiaries over others in ways that reify and re-enforce certain power dynamics among benefactors and beneficiaries. What primarily motivates this project is *not* the desire to punish INGO wrongdoing, but the desire to incentivize the creation of new choices for beneficiaries. By investigating the dominant models of INGO accountability, I hope to find the missing pieces of accountability that can facilitate self-correction and improve the choices available to beneficiaries. To return to the case of Haiti, I seek to find the missing piece of accountability that would prioritize stopping the long-term effect of food aid on Haiti’s local food production.

Interestingly, there were plenty of accountability mechanisms regulating the distribution of USAID during the distribution of Clinton’s food aid to Haiti. Such mechanisms, though, prioritized the US domestic political and economic interests over the interests of beneficiaries. In fact, Leif Wenar describes the USAID budgeting process as “a system of heavy accountability that hinders poverty relief” (2006, 12). This way of prioritizing can be seen in how the US state department deploys USAID money to reward (or punish) the governments’ strategic allies, what is commonly known as leverage. Christopher Barrett and Daniel Maxwell (2005) call the advocacy groups representing the interests of agribusiness, some Non-Governmental Organizations, and ocean carriers an “iron triangle” of food aid that maintained pressure on Congress to continue aid. US food aid was responsive, but just not to beneficiaries’ preferences. Accountability mechanisms can be used to preserve the status quo as opposed to fix it.

So it is vital to ask whether a particular understandings of accountability encourages responsiveness to stakeholders generally, and to beneficiaries in particular. Or does that understanding facilitate the co-option of certain beneficiaries’ voices in order to legitimate existing choices? How does an understanding of accountability make beneficiaries’ complicit in the provision of unwanted or unjust help? In this paper, I explore how the prevailing understandings of accountability for International Non-Governmental Organizations (INGOs) [[5]](#footnote-13) can prevent us from identifying institutional reforms that can correct inadvertent and intentional wrongs.

The nature of this paper is best conceived as a kind of excavation project—that is, it examines three dominant models of accountability in order to reveal traces of what is “missing” in current practices and discourses of INGO accountability. It aims to find what is currently *not fully* realized but should be: current discussions of INGO accountability do not pay sufficient attention to the institutional mechanisms that can limit and resist unwelcome and unjust help from INGOs.[[6]](#footnote-14) I will call this form of accountability: accountability as resistance. Accountability as resistance aims to create an institutional space for acknowledging the tensions within INGO work,[[7]](#footnote-15) for preventing and minimizing the damage from and sometimes completely stopping unwelcome help, and thereby facilitating the agency of, as opposed to the mere presence of, beneficiaries. Such a space is difficult to do in organizations that conceive of themselves and each other(and perhaps more importantly, must portray themselves to donors and to the public) as “do-all-gooders.” By uncovering this missing piece of accountability, I seek to identify institutional reforms that could facilitate the choices of beneficiaries, reforms that would enable better choices for those who depend on another’s help.[[8]](#footnote-16)

I begin by reviewing three ways of conceiving accountability: *accountability as sanctioning, accountability as inclusion, and accountability as transparency*. I do so in order to show how the current conceptual lens through which we view accountability has constrained what we understand as and demand from “accountability.” I then argue for why accountability as resistance is needed to supplement these three dominant existing undertandings of accountability.

*Accountability as Sanctioning*

Discussions of INGO accountability often focus on the need for more sticks, that is punitive mechanisms necessary for enforcing standards’ violations. For instance, Michael Jennings (2012) has recommended enhancing the ability of beneficiaries to sue INGOs. The capacity to sanction is the enforcement mechanism (the teeth) of accountability, a method to constrain and limit those whose authority has transgressed relevant norms. Without such a punitive/exclusionary capacity, accountability can evolve into mere ceremonial displays. So one response to recent attempts to institutionalize standards for INGO accountability[[9]](#footnote-18) is to point out the lack of sanctioning mechanisms. Without any institutionalized mechanisms to enforce standards, accountability mechanisms can be easily bypassed when controversies do occur.

Of course, there are different methods of sanctioning INGOs. INGOs can be sanctioned when they are denounced in ways that cause reputational damage (Grant and Keohane, 2005), fined, have criminal penalties imposed, future donations or funds withdrawn, have members quit or employees fired. Typically, these sanctioning mechanisms work retrospectively—that is, they punish after the perceived harm has been done while incentivizing INGOs to listen to the grievances of accountability holders prospectively. Sanctions can be used as threats and thereby strengthen the bargaining position of accountability holders. But accountability as sanctioning is importantly an ex post facto phenomenon, whose primary aim is to take power away from erroneous and abusive power-wielders.

The two main ways of sanctioning INGOS though are fiscally and legally. Fiscal accountability occurs when funding is withdrawn in light of the performance of the INGO. In this way, donors and boards can be given primary responsibility for this sanctioning method of accountability. The second main way of sanctioning INGOs is legal accountability. INGOs must comply with a wide variety of laws (i.e. non-profit legislation, International Human Rights Law, local and national laws) as well as legal and quasi-legal mechanisms such as contracts, Memoranda of Understanding, or Joint Policy Agreements” (Cavill and Sohail 2010, 235-6). In order to be effective, INGOs often must operate with national mandates and support. When they don't, they can be punished by being kicked out. The punitive dimensions of these forms of accountability can create perverse incentives. By targeting those who are trying to help, the penalties can become part of the problems facing INGO accountability, e.g. fear of being sued or losing funding can create incentives to fail to self-criticize or correct one’s policies.

It is important to notice who controls the capacity to sanction when searching for missing pieces of accountability. For neither legal nor fiscal accountability as sanctioning is necessarily controlled by those most directly affected or most vulnerable to the actions of INGOs (beneficiaries). Few organizations give the power of fiscal accountability to beneficiaries. For instance, organizations on the vanguard of participatory development such as Save the Children UK do not allow the poor to penalize agency personnel or redirect resources against staff wishes (Wenar, 2006, 17). Here INGOs do not seem to follow the Brazilian practice of participatory budgeting (Souza 2001). The power to sanction fiscally or legally, therefore, is typically top-down or top-enabled. According to Wenar (2006) “[r]ich individuals are entirely unaccountable to the poor for discharging their responsibilities to aid. If rich individuals fail to provide enough resources to address severe poverty, or fail to direct their resources in ways that relieve poverty, they face no sanction whatsoever. The power of any collection of poor people to penalize any collection of rich people for generating insufficient or ineffective development aid is virtually zero” (9). Those who adopt primarily a sanctions approach to accountability tend to downplay the importance of actually

Here Jennifer Rubinstein’s work (2007) on surrogate accountability holders is instructive. For Rubenstein (2007, 617) stresses how beneficiaries “are often too weak to (help) sanction power wielders. This weakness can be due to accountability holders' poverty, ill-health, illiteracy, social or political exclusion, and the dangers of organizing collectively. It is exacerbated by the absence of domestic and international institutions that make sanctioning powerful actors (especially transnational actors) easier.”[[10]](#footnote-23) Rubenstein concludes that in an unequal world we must rely on second best solutions, forms that are “feasible under conditions of inequality but deliver as many of the benefits of standard accountability.”[[11]](#footnote-24) Hence, Rubenstein recommends surrogate accountability. She recommends that surrogate accountability be evaluated by different normative criteria than standard accountability.[[12]](#footnote-25) I agree with Rubenstein that surrogates may be necessary and valuable for advancing the interests of beneficiaries.

However, I am more worried about the ways that these second-best forms of accountability become reified. Put bluntly, it is fairly common for organizations to prioritize the well-being of the organization over those of some beneficiaries when they do conflict. Ironically, accountability as sanctioning can discourage listening to beneficiaries and inflict high costs on beneficiaries who pursue sanctions.

To illustrate this point, consider one of Jen Rubenstein’s own examples of the predatory sexual culture found in refugee camps. For some refugee relief workers demand sexual favors in exchange for providing food, what is known as transactional sex. In writing about transactional sex, Jen Rubenstein (2007) reports that  “some (not all) female refugees who engage in what some call ’exploitative’ and others call ‘transactional’ sex with NGO workers in West Africa do not want those workers held accountable by NGOs. As one woman said to investigators, “[i]f I tell you the name of the NGO worker I have sex with, he will get fired, and then how will I feed my child and myself? (Zinisa [2004](http://journals.cambridge.org/action/displayFulltext?type=6&fid=1970708&jid=JOP&volumeId=69&issueId=03&aid=1965104&bodyId=&membershipNumber=&societyETOCSession=&fulltextType=RA&fileId=S0022381600005843#ref044)).” The economic dependency on the relief workers engaged in transactional sex becomes a reason to discount the women’s preferences about firing those relief workers. As Marilyn Frye reminds us, being in an oppressive situation can often place a person in a double-bind—that is, facing choices in which all alternatives are harmful and undesirable. Taking the “known” choice can be safer than trying to change the choices given. For this reason, the relationship between interests and stated preferences are more likely to be complicated and tension-filled.

For my purposes though, what is important to stress is how sanctioning and responsiveness can be in tension. Rubenstein writes that “if an NGO fires the worker who had sex with the woman just quoted, this cannot easily be described as accountability to the woman, because she rejects the standard that the NGO is utilizing.” Rubenstein implies that accountability is responsiveness to preferences expressed about currently fixed choices. But as Larry Bartels noted, when opinions are “shallow, confused or misinformed, responsiveness may be no more edifying than unresponsiveness.” Boston Globe Larry Bartels (page 2 of hard copy). In other words, the issues is never should one be responsive or not, but how one is responsive. To do otherwise will ironically guarantees that the punitive dimensions of sanctioning prevent self-correction.

I would like to examine the question of transactional sex from a different perspective. Are there ways that the INGO can give these refugee women better choices? The current discussion assumes that the choices available to these refugee women are “the only options.” In this way, those who were responsible for enabling the beneficiaries’ bad choices can hide behind their intentions to help. In other words, the intention to punish the responsible relief workers masks how the aid organizations are avoiding their obligations to beneficiaries. *If the choice is between firing one’s sexual exploiter or having one’s children starve, and if accountability is only understood as giving retrospective approval for that firing/sanction, then it would appear that NGO accountability to clients is certainly undesirable. But if we understand accountability as a way to make organizations live up to their responsibilities incurred by the activity of helping, it is possible to provide different choices.*

Thus, I am less trusting of the decisions of power-wielders (or surrogate accountability holders) to determine when and which surrogates are needed. Just as beneficiaries need choices about what kind of aid they receive, they also need choices of surrogate accountability holders. Exclusive reliance on certain accountability holders can function to merely reinforce the legitimacy of the existing system of aid and thereby serve the interests of the powerful, understood as local NGOs, INGOs, local governments, or even local elites. Second best accountability cannot consistently avoid the problems faced by traditional model of accountability—that is, relying on preferences of individuals whose vulnerability become reasons for dismissing their preferences (because they are “more easily manipulated” or “desperate.” Recognizing the ways in which surrogate accountability holders and power-wielders influence the range and substantive content of choices available to beneficiaries, though, reveals the need to incentivize the provision of new options. One cannot divorce that the question of sanctioning and self-correction from responsiveness to beneficiaries’ preferences

*Accountability as Inclusion*

The second form of accountability, *accountability as inclusion,* provides influence and thereby some control by giving beneficiaries a direct and indirect presence in decision-making processes. Accountability as inclusion has many different names, e.g. downward accountability, [[13]](#footnote-26) co-governance,[[14]](#footnote-27) voice accountability, and representative accountability.[[15]](#footnote-28) While there are important differences among these different subtypes of accountability, an assumption underlying all of these accounts is that influence comes with voice in deliberations. Access and presence alters descriptions, justifications, and ultimately negotiations that determine final decisions. It adopts a “fire alarm” as opposed to a “constant surveillance” approach to accountability since it allows those affected by INGOs’ actions to report and activate the “alarm” when unanticipated consequences or horrible outcomes are expected to arise. In this way, having communicative relationship with those who are directly or indirectly impacted by INGOs’ help improves the decision-making processes and thereby the outcomes. Thus, accountability as inclusion provides institutional channels that allow INGOs to adjust their action in accordance with preferences of those affected.

Grant and Keohane (2005) note that power-wielders can take account of the preferences of beneficiaries in two different ways: what they call the participation and delegation models of accountability. Participation stresses the need for those *affected by policies to have some direct control*. Grant and Keohane describe the principles that guide the participation model of accountability:

A fundamental principle here is that, ideally, individuals ought to be free to make decisions for themselves, since nobody can both know and care for your interests as well or as much as you do. A second principle is that people should be treated equally. It follows that where collective decisions are required, each person ought to have an equal say. Legitimacy depends on full participation. Further, public power is legitimate only to the extent that decisions serve the interests of the people as a whole, which is interpreted to mean to the extent that the outcomes of decisions reflect what individuals desire. For these reasons, people with power ought to be accountable to those who are affected by their decisions (31).

This first model of accountability emphasizes the importance of the *direct* participation of beneficiaries.[[16]](#footnote-29)

For instance, Oxfam GB (OGB) engages in accountability as participation by employing a stakeholder survey and hosting an Annual Assembly to listen to and respond to stakeholders’ views and concerns. Similarly, Save the Children (SCF) has a The ‘Children as Stakeholder Policy’ that states “the children who are intended to benefit from their work should be involved in the development, implementation, and evaluation of programme, policy, and advocacy work.” Perhaps, the best example of accountability as inclusion can be found in practices of participant development and co-governance. These development projects allow beneficiaries to help design implement and evaluate INGO projects.[[17]](#footnote-30) All of these mechanisms attempt to provide an institutional mechanism for creating voice within institutions. Actively seeking input and critical evaluations of those affected by the INGOs’ policies.

In contrast, the delegation model of accountability emphasizes the importance of power-wielders responding to and being controlled by those who ***have properly authorized*** them. One of many important insights from Grant’s and Keohane’s article is that unlike domestic democratic practices where the people authorizing and the people holding accountable are the same, accountability holders in the international arena are not typically the same as the authorizing agents. For this reason, they identify adopting seven alternative mechanisms for holding international institutions accountable (See Figure 2).[[18]](#footnote-31)

Figure 2. Seven Mechanisms of Accountability in World Politics

Mechanism Accountability Holder Power Wielder

Hierarchical Leaders of organization Subordinate

Supervisory States Multilateral organization and its executive head

Fiscal Funding agencies Funded agency

Legal Courts Individual official or agency

Peer Peer organizations Organizations and their leaders

Public reputational Peers and diffuse public Individual or agency

The delegate model of accountability as inclusion occurs when clients and beneficiaries are indirectly present.[[19]](#footnote-32) For instance, INGOs can select members of the local government, local elites, and Southern NGOs to be the “representatives” for those affected by INGO policies.[[20]](#footnote-33) In this way, the delegate model relies on representatives[[21]](#footnote-34) or surrogates for beneficiaries to not only sanction, but also to identify needs[[22]](#footnote-35) and convey desired solutions to these needs.

It is easy to imagine that these two models of accountability would expand the kinds of preferences that are articulated and argued for. To the extent that participation reflects the strength and intensity of one’s policy preferences, more inclusion would signal having a stronger and louder voice at the table. And one’s negotiation skills depend on being at the table (but also not on the menu).[[23]](#footnote-36)

However, to the extent that delegates can have different and sometimes contradictory interests from beneficiaries, and the extent to which some beneficiaries can have different and contradictory interests to other beneficiaries, accountability as inclusion can face an important challenge. More specifically, they risk what Cathy Cohen calls secondary marginalization—that is,  “process of exclusion of a subgroup of a marginalized community that functions outside the normative rules that determine community membership and power.” Secondary marginalization can function to increase the power of local elites and INGOs by legitimating the outcomes while suppressing alternative voices. The selection process for choosing who can speak and who has the authority to represent the groups’ interest can suppress critical evaluations instead of bringing these criticisms to light. It is a form of epistemic violence, that Kristie Dotson called “smothering.” Or to keep with the fire alarm metaphor, only some members get to pull the fire alarm.

*Accountability as Transparency*

Accountability as transparency is a form of surveillance, violations of rules must be noticed if they are to be enforced and sanctioned. “Noticing” violations requires information. According to Andreas Schedler’s helpful discussion of accountability and answerability,[[24]](#footnote-37) transparency requires two different kinds of information. The first is being informed about decisions. Hence transparency is almost a form of book-keeping that provides information about policies adopted and costs incurred. In contrast, the second kind of information is about explaining how decisions were reached. In other words, accountability requires providing justifications for the decisions made. Open access to actionable information and the decision-making processes are valuable to the extent they provide some control over the decisions that impact the lives of beneficiaries. They provide opportunities to reflect on and reassess revealed preferences.

Financial transparency is one of the most popular methods for improving INGO accountability. After all, most INGOs have monitoring requirements for donor funded projects (for example, log frames, Annual Impact Reporting, Global Impact Monitoring, performance assessments, strategic evaluations, reports, disclosure statements). Similarly, INGOs tend to release simple financial reports publicly available at the community level (Cavill and Sohail, 235). Transparency International (TI) has long called for actions to make information more accessible and open in an effort to let communities know what is happening around them and to flag potential corruption and mismanagement. It also allows for the systemic study of best practices and bolsters INGO legitimacy. In this way, accountability as transparency assumes that the openness of policy outcomes and widening access to information is vital for facilitating responsiveness and self-correction.

Financial accountability, though, focuses on how money is being spent (or revenue generated from projects) as opposed to measuring the quality of the help given. In this way, the tendency to promote fiscal transparency might bias the objectives of an organization in ways that privilege the contributions of INGOs over the impact of those activities on beneficiaries. One can more easily point to the caloric benefit provided to Haitians (15% for the entire population) than to the long-term potential harm to Haitian food security. For this reason, it is not enough to say the information needs to be transparent. It is also necessary to identify which information needs to be transparent. Do INGOs need to reveal policy outcomes,[[25]](#footnote-38) financial expenditures, or explanations of how decisions are made (not only which projects are funded but also why certain strategies/partners are chosen)? According to Joe Carens (2006, 270), “At a minimum they have to say how they go about selecting the projects they fund and why this way of selecting projects is justifiable in terms of this general obligation to do more good rather than less.”

Moreover, the information must be accurate and reliable. Some self-regulating initiatives require using unbiased information or disclosing any bias. Initiatives, such as World Association of Non-Governmental Organization (WANGO) Code, warn against claiming representativeness where it has not been established and the Code of Conduct on Images and Messages requires permission of any person depicted in an image before it may be used and that any person involved in a situation that is being depicted have the opportunity to tell their own story (Hammer, Rooney and Warren, 2010, 12). Note that the provision of inaccurate information can seriously harm INGOs, e.g. when Save Darfur Coalition reported that the deaths had reached 400,000 instead of 200,000.[[26]](#footnote-39)

Finally, information needs to be actionable. Archon Fung, **Mary Graham and David Weil (2009, 76) have demonstrated that successful transparency mechanisms enable accountability holders to act. The example they give that illustrates the importance of the usability of the information is the grading of New York City’s restaurants. The public does not need to know how many rat hairs separate a “C” from a “D” restaurant. They only need to know that from a health perspective, they should prefer to eat at an “A” restaurant. In this way, information can facilitate choices that preferences. Archon, Graham, and Weil stress that providing information can prohibit as opposed to support self-correct. Hence, conveying all information about an INGO does not necessarily promote “successful” accountability; rather, it must be embedded in the decision-making routines of stakeholders.**

***Interactions and Problems?***

**Note that to function correctly, that is promote self-correction and responsiveness, these different understandings of accountability need to reinforce each other. Financial audits can uncover the corruption and fraud that lead to legal sanctioning. Similarly,** beneficiaries cannot properly participate, let alone sanction, unless they have accurate information about an INGO. Tracking how different models of accountability interact is therefore crucial to assessing the overall impact of accountability mechanisms. Treating mechanisms of accountability in isolation can inadvertently mask the continued vulnerability and destructive dependency of beneficiaries on accountability holders.[[27]](#footnote-40)

For each of these understandings of accountability can also *reinforce* the vulnerability of some beneficiaries. For they can encourage INGOS to misrepresent beneficiaries’ preferences and the impact of policy outcomes. In this way, these accountability mechanisms can re-inscribe the hierarchical and detrimental relationships between givers and receivers. If one relies on others to get information, sanction, and to select one to participate, then it is not surprising that sometimes relying on those good faith efforts of their surrogates can be misplaced. To the extent that institutions have motives to present policy outcomes positively, to include participants who agree with them, and to avoid penalties, accountability measures can avert attempt to increase the choices available to beneficiaries.

One conclusion that could be drawn from Grant and Keohane’s long list of the accountability mechanisms in the global world is that there are multiple and sufficient kinds of global accountability. Similarly, one of the most notable features of INGO accountability is the sheer number of accountability holders. This list includes international organizations, local governments, staff, donors, clients, media, the general public, boards, foundations, members, Southern NGOs, Partner INGOs and regulatory boards (see Figure 1).

Figure 1: Potential Accountability Holders

The existence of so many accountability holders suggests that accountability needs to be viewed relationally and multi-dimensionally. Again, the interactions among accountability-holders are crucial to promoting self-correction.

[[28]](#footnote-41)

The quality of the relationship that exists between accountability holders and power-wielders can bear importantly on whether responsiveness leads to self-correction. Given the dynamic and relational nature of accountability, it appears that more workable standards of accountability might need to be flexible, or at least capable of adjusting to the changing nature of whose vulnerability blocks responsiveness and self-correction.

The sheer number of different accountability-holders for INGOs also suggests that conflicts among different stakeholders are likely to occur. After all, beneficiaries can have different and conflicting preferences about what kinds of aid should be given or even the desirability of some forms of aid.[[29]](#footnote-42) Just as people can disagree about conceptions of the good life, people being helped can disagree about what constitutes “good” help.[[30]](#footnote-43) The diversity of beneficiaries’ preferences makes it impossible to understand accountability simply as listening to preferences of beneficiaries.[[31]](#footnote-44) An underlying and vital part to any understanding of INGO accountability has to address how that INGO should prioritize different the preferences of beneficiaries and of different accountability holders. To the extent that different beneficiaries may compete for scarce resources and their preferences oppose one another, INGOs need to recognize how satisfying the preferences of some beneficiaries may come at the cost of abandoning others.[[32]](#footnote-45)

*Accountability as Resistance*

Recall that the purpose of my exploration of contemporary models of accountability was to find *traces* of the missing pieces of accountability. Consequently, it is not a coincidence that accountability as resistance resembles and often shares certain features with accountability as sanction, accountability as inclusion and accountability as transparency. Refusing help can be seen as a form of punishment. Choosing one accountability-holder over another can be seen as participating in decision-making and therefore as accountability as inclusion. Having the information to choose among INGOs’ help relies on accountability as transparency. Given these shared features, I will begin by identifying what is distinctive of accountability as resistance.

Accountability as resistance is a form of institutional nay-saying. While other accountability mechanisms emphasize the need for inclusion, access to information, and sanctioning mechanisms, accountability as resistance explicitly refers to the capacity to veto—that is, to deny, limit, and prohibit certain actions of INGOs. Accountability as resistance focuses on institutional reforms that support the ability of beneficiaries to reject unwelcome or unjust help as well as to slow, minimize, reduce that unwanted help.[[33]](#footnote-46) Accountability as resistance recognizes the kind of dignity that can be found in foot-dragging.[[34]](#footnote-47)

Accountability as resistance is distinct from accountability as sanctioning because its intention is not primarily or necessarily punitive. Its function is protective, and works prospectively as opposed to responding retrospectively to rule violations. Sometimes, how one holds a “helper” accountable is by severing the relationship. The need for accountability as resistance emerges from the recognition that the dependency of beneficiaries on surrogates and power-wielders often does not allow them to punish those actors without simultaneously hurting themselves. While accountability as sanctioning tries to prevent harms by using (or threatening to use) sticks, accountability as resistance tries to improve the bargaining position of beneficiaries by walking out. I assume that the capacity to reject existing choices is integrally tied to the ability to generate more options. My position strongly resembles the ideas of Catharine MacKinnon and Charles Lindblom who argue that the inability to say “no” implicates one’s ability to say yes. For the ability to say “no” is crucial for having a meaningful choice, as opposed to simply surrendering to the options life gives you.[[35]](#footnote-48)

Again, accountability as resistance emphasizes the importance of developing the political capacities of beneficiaries to refuse, limit, or delay help.[[36]](#footnote-49) Let’s return to the choices available to those refugees engaging in transactional sex. If the choice is between firing one’s sexual exploiter or having one’s children starve, and if accountability is only understood as giving retrospective approval for that firing, then it would appear that NGO responsiveness to clients is certainly undesirable. But if we understand accountability as a way to make organizations live up to their responsibilities to provide food to refugees, then accountability as resistance requires creating alternative institutional choices that allow beneficiaries to resist existing forms of “help.” According to this way of thinking about accountability, an organization that hired sexual exploiters could justifiably be held responsible -- “fined” so to speak-- by guaranteeing the food supply to women who were sexually exploited by their employees. Facilitating conditions of resistance, in this case of unwelcome sexual relations, is a responsibility of those who help in that they can assist reducing harms and creating “better” choices for beneficiaries. As Colin Powell aptly reminds us about the Pottery Barn Rule, “you break it, you own it.” Underlying my conception of accountability as resistance is the belief that the creation of better choices can be inextricably tied to the ability of clients to say “no” to certain kinds of help. It is not enough to think of accountability as resistance as a kind of exit right but as a kind of entrance pathway as envisioned by Sigal Ben-Porath (2010).

Similarly, another example of institutional nay-saying can be demonstrated in how the Irish Non-Governmental Development Organizations (NGDOs) has verbally committed to downward accountability that aims to assist clients in their ability to exercise their rights, both by educating about their right and by identifying those to whom they can make claims. In a similar fashion, accountability as resistance would facilitate beneficiaries’ ability to criticize and even thwart INGO efforts as a way to offset the power differentials that can exist between clients and INGOs and thereby promote more equitable relations. Leonard argues that “Perhaps the greatest hope for international aid reaching its intended recipients is to cut out the middle man and send the funds directly to those on the field, empowering those receiving aid to organize politically to develop their voice all the while” (Leonard, 2009). Similarly, Matthew Winters claims that “multilateral aid is more likely to reach its targets if the targeted populations are capable of political action.” Ironically, developing beneficiaries’ capacity to say “no” collectively or individually may improve the quality of help provided. Cass Sunstein also contends that “Better outcomes can be expected from any system that creates incentives for individuals to reveal information to the group. … organizations might ensure that more than one group is working on the same problem, in order to increase the likelihood that information will be revealed that would otherwise be absent” (72 Why Societies need Dissent).The ability to say no then is vital for producing alternative choices and for fostering the competition among INGOs that can be vital for incentivizing self-correction.

So far my discussion of accountability as resistance has been in admittedly general terms. To provide some more concrete examples, I turn to the psychology literature on organizational accountability, specifically in the work of Lerner and Tetlock (1999). Lerner and Tetlock reviewed the psychological research on accountability and found that, if done improperly, accountability mechanisms can actually reinforce and amplify existing cognitive biases. Lerner and Tetlock are clear that the conditions that promote accountability are complex and will depend on a number of contingent factors such as the character of the decisions makers and the difficulty of the decision. That said, they proceed to identify several conditions that encourage organizations to correct mistakes as opposed to merely justify those mistakes. First, they (257) found that “after people have irrevocably committed themselves to a decision, learning of the need to justify their actions will motivate them …toward self-justification rather than self-criticism.” In order for accountability processes to be able to detect and correct errors, organizations should adopt procedures that facilitate self-criticism before decisions have been made. Second, Lerner and Tetlock found that self-criticism is more likely to occur when agents are asked to justify the decision-making process, not simply the outcomes of that process. Third, Lerner and Tetlock maintain that accountability mechanisms should be designed so that justifications for either outcomes or decision-making processes should be to an audience whose opinion is not “known.” Unknown audiences have the effect of promoting “preemptive self-criticism.”[[37]](#footnote-50)

Drawing on Lerner’s and Tetlock’s work, I identify three institutional practices of accountability as resistance. In other words, each of these institutional features together will improve beneficiaries’ institutional capacity to nay-say. The first is the need for ex ante forms of refusal. Accountability as resistance needs to be located in the early stages of planning, funding decisions, and other decision-making processes of INGOs. It tries to adjust or prevent unwelcome help before that help actually occurs as opposed to sanctioning bad behavior or using participation to redstamp decisions that have already been made.[[38]](#footnote-51) In this way, accountability as resistance recognizes the importance of resisting the cognitive biases that INGOs have to positively evaluate their actions. Edwards and Hulmes (1995, 190) note that “Internal evaluations are rarely released and what is released comes closer to propaganda than rigorous assessment.” Similarly, Leif Wenar (19) writes that

all parties (besides the poor) have an interest in projects being evaluated positively, and that there are few mechanisms of accountability in place to check this tendency. Aid agencies have an interest in positive evaluations, since these positive reviews will conﬁrm their image of effectiveness and possibly help with fund raising…It is also true of evaluators who are hired as outside consultants for larger projects, since these consultants know that their future employment may turn on a favorable review of the project of the agency that employs them. Even in-house evaluators, like those who work in the institutionally insulated evaluation department of the World Bank, know that the way to get ahead is not to ﬁle too many reports that their agency’s projects have failed.

Wenar’s discussion of the institutional incentives that prevent INGOs from acknowledging and correcting problems is one of the main reasons that accountability as resistance is needed: the interests of INGOs and surrogate accountability holders do not necessarily line up with those affected by policies.

The second feature of accountability as resistance builds on Lerner’s and Tetlock’s finding about the importance of justifying decision-making processes, not just outcomes. In other words, INGOs should prefer decision-making processes that provide opportunities for nay-saying. For instance, accountability as resistance favors those processes that provide institutional mechanisms that resemble veto powers to those receiving help. A standard for evaluating the proper protocol for decision-making processes according to this form of accountability would be the extent to which procedures encourage dissent and provide opt-out options. So INGOs should not only have a formal complaint process (although too many INGOs lack such processes),[[39]](#footnote-52) but also be able to demonstrate whether (and how) these complaints impacted funding and planning decisions. Administrative reviews should assess the extent to which legitimate complaints were properly mediated. An impartial mediation board for INGOs could be established whose aim is to find creative solutions for the concerns that underlie and inform particular complaint.

Instead of understanding the ability to say no as primarily punitive towards INGOs, accountability as resistance tries to empower beneficiaries by giving them a veto power that facilitates the expansion of their choices. This form of accountability aims to redistribute the vulnerabilities that accrue to recipients of help. For instance, the vulnerability of INGOs can be the loss of reputation and subsequent donations. Again, accountability as resistance seeks to overcome the power inequalities between INGOs and beneficiaries by developing different ways that beneficiaries can say “no” and thereby generating alternative choices for beneficiaries.

The third feature of accountability as resistance addresses the question, “which beneficiaries should be given the ability to say “no” to INGO help. This feature is necessary because power can be cumulative. More specifically, INGOs’ alliances and connections with some Southern NGOs and beneficiaries can have the effect of marginalizing other beneficiaries and Southern NGOs. For this reason, the third feature of accountability as resistance is the need to bring in audiences whose preferences and opinion are not “known.” Recall Lerner and Tetlock’s insight that unknown audiences have the effect of promoting “preemptive self-criticism.” For this reason, it becomes crucial to expand beyond already established partnerships with Southern NGOs, third parties, and “good” clients to those whose views are less familiar.[[40]](#footnote-53) It would appear that one responsibility incurred by agencies that attempt to help others is to seek out and expand the input from a variety of beneficiaries and surrogates and to incorporate these perspectives into decision-making processes. Hopefully, this expansion can reduce the ways that long-term relationships can silence self-criticism. As I have argued elsewhere (Dovi, 2006), it is necessary to attend to the marginalization of the vulnerable. Thus, the third feature of accountability as resistance is extending invitations to those affected by an INGO’s actions whose reactions that INGO cannot anticipate. Accountability as resistance is importantly related to inclusionary mechanisms of accountability—that is, reaching out to those directly and indirectly affected by INGOs’ help.

Consequently, the need to reach unknown audiences encourages extensive publicity about an INGOs’ actions. (In this way, accountability as resistance can reinforce accountability as transparency). For instance, one local development project facilitated the citizens’ adequate monitoring of funds by making grants transferred to local school districts each month public knowledge via local newspapers (O’Dwyer and 2010). Such publicity about financial expenditures fostered the capacity of potential beneficiaries to act on that knowledge (enroll in those schools) and to resist the corruption of local officials. As can be seen, the overlap between accountability as resistance and accountability as transparency is readily apparent. The missing piece of democratic representation, though, refers to the need for institutionalized forms of nay-saying and to use transparency as a way to support resistance to unwanted help. After all, it can be difficult and time-consuming for donors to evaluate whether money is being spent in the ways that INGOs report, let alone in worthwhile ways.

As can be seen, my discussion of accountability as resistance is not exhaustive. At this point, I do not know how or the extent to which these three features of accountability as resistance fit together. This paper should be understood as an invitation to begin discussing the relationship between accountability and resistance—specifically, its role in the creation of new preferences by expanding choices. Having choices is crucial to fostering accountability because overreliance on any one institution can create conditions in which you “will take whatever they are willing to give.” For this reason, INGOs competition for their NGO partners (surrogates to beneficiaries) can be one way to boost resistance. Giving beneficiaries a choice of which INGO to turn to, e.g. rejecting Christian INGOs that make religious conversion a precondition for goods or services.[[41]](#footnote-54) If competition among INGOs is beneficial for accountability as resistance, then accountability should not be understood as an exclusively downward process of accountability.

By calling for INGOs to seek out and support nay-saying, I acknowledge an assumption that underlies this form of accountability—namely, the friction and conflict that surround INGO work can be necessary for facilitating responsiveness and self-correction. Although there is a lot of pressure to make poverty alleviation, or democracy promotion seem effortless and easy, e.g. “we’re just doing good”, I prefer INGOs to acknowledge the difficulties of and tensions within their work and even the slow speed that some structural changes can sometimes require. For instance, the promotion of self-empowerment can come in conflict with certain human rights and substantive commitments generated by INGOs mission statements. Instead of presupposing a “single, clear correct standard for measuring INGO activity”[[42]](#footnote-55), institutions may profit from institutional approaches that “that incorporates some recognition of the plurality of moral views and of the legitimacy of moral disagreement without succumbing to relativism” (Carens, 2006, 262). Accountability as resistance seeks to create a space for respecting the moral disagreements among actors by creating ways to reject coercive help. Thus, my understanding of accountability as resistance comes from a recognition of the moral messiness and competing conflicts that comes from advocacy in an unequal world as well as the need for an institutional space for difficult discussions and creative approaches to minimizing damage.

Of course, promoting the capacity to resistance is sometimes going to make INGOs’ ability to fulfill their missions more difficult. Unfortunately, I cannot fully explore all my concerns/worries about accountability as resistance here. Let me just list a few: Resistance to help opens up the possibility that INGOs will face insurmountable obstacles, these exclusionary mechanisms could be co-opted by the “wrong” beneficiaries, allow the corrupt to profit, and slow down the distribution of desperately needed goods in times of crisis. Like other forms of accountability, this one can introduce additional costs and perverse incentives. Accountability as resistance only provides an opportunity, not a guarantee, for self-correction/responsiveness. Unfortunately, I cannot address these concerns here so I would like to provide two general responses to these worries. First, accountability as resistance is not supposed to go it alone. Its impact will significantly depend on how it interacts with other forms of accountability. In particular, it will depend on the ways that accountability as resistance reinforces other inclusionary mechanisms such as inclusion and transparency. Hence, I am not arguing that accountability as resistance is a “magic bullet;” rather, my claim is that the capacity to say “no” and to minimize unwelcome help has not been adequately developed and that INGOs have additional responsibilities (duties?) that stem from the task of helping others democratically. Furthermore, my excavation of accountability as resistance is aimed at envisioning new institutional ways to limit and take control away from power-wielders, ones that go beyond sanctioning mechanisms.

My second response to the list of potential problems with accountability as resistance is that accountability might not always be desirable. Accountability can be a “second order” good that can be trumped by the justice of the cause being pursued by the INGO. There can be situations when the urgency of a particular crisis trumps the need for accountability. Here I agree with Jennifer Rubenstein that justice norms can be more appropriate standards for evaluating INGOs behavior than representative/democratic ones. Basic survival can trump choice.[[43]](#footnote-56) Nevertheless, if INGOs are sincere about their desire to improve their responsiveness to beneficiaries and to self-correct, then there needs to be more room for accountability as resistance. After all, as Andreas Schedler reminds us, the point of accountability is to control power (at least partially), not to eliminate it. Sometimes leaving can change the power dynamics in ways that staying and inclusion cannot. Accountability as resistance is not a guarantee that INGOs will get it right, but it does create an institutional space for self-correction.

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1. I would like to thank Carmen Pavel, Tom Volgy, Jennifer Rubenstein, Archon Fung, Gary Goertz, Ramiro Berardo, Houston Smit and Connie Rosati for their helpful conversations about this paper. [↑](#footnote-ref-1)
2. Officially, Pottery Barn does not make customers buy something that they break. [↑](#footnote-ref-2)
3. The cost of shipping food aid is not limited to Haiti. According to IRIN, “US taxpayers sent about US 140 million every year on non-emergency food aid in Africa and roughly the same amount to ship food aid to global destination on US vessels. Money that could have been used to feed more people.” http://www.irinnews.org/Report/89815/AID-POLICY-Millions-wasted-on-shipping-food-aid [↑](#footnote-ref-3)
4. Just a word about my terminology. I will refer to recipients of aid as “beneficiaries.” Given the nature of my project, I do not mean to imply that all who receive help, necessarily benefit from that help. Following Grant and Keohane (2005), I call agents who are responsible for making policy decisions that impact beneficiaries power wielders while those who are responsible for sanctioning power-wielders are “accountability holders.” [↑](#footnote-ref-4)
5. My excavation of the missing pieces of INGO accountability is admittedly an ambitious project and relies on adopting a broad theoretical lens. For instance, I consciously choose not to draw distinctions between the different kinds of INGOs, e.g. developmental INGOs and humanitarian INGOs, (although I do recognize important differences among them when relevant). Rather, I use the term generally to apply to those international organizations that have a common function—namely, to help others. These organizations might have different missions (e.g. poverty alleviation, policy advocacy, and democracy promotion), coordination problems (e.g. with Southern NGO partners or national governments), and even different obligations (religious motivations or best medical practices). Despite these differences, I am interested in the creation of institutional mechanisms that can improve the ability of beneficiaries to stop, adjust and hopefully, minimize harmful policies. [↑](#footnote-ref-13)
6. Help can be unwelcome because it adversely impacts an agent in significant ways, e.g. a violation of a person’s human rights, because of the person’s understanding of the experience, or even when a person’s priorities are misplaced. I recognize that there are conflicting notions of harm. Following Bernard Harcourt (1999), I also recognize how the harm principle is increasingly invoked so that it can no longer adjudicate between disputes. [↑](#footnote-ref-14)
7. For a discussion of the tensions within INGO work, see Joseph Carens (2006). [↑](#footnote-ref-15)
8. This vision is consistent with Martha Nussbaum’s capabilities approach to development (e.g. 1993; 2003). It recognizes that in some sense that ability to sanction requires choices, or at least the resources necessary to bear the costs of sanctioning. [↑](#footnote-ref-16)
9. Since the 1990s, there have been at least 309 self-regulating accountability initiatives worldwide. For example, The Humanitarian Accountability Partnership International (HAP-I) aims “to make humanitarian action accountable to aid recipients through promoting compliance with the HAP-I humanitarian accountability indicators, which are actionable and verifiable.” Similarly, The Sphere Project claims to “promote the active participation of affected populations as well as of local and national authorities, and is used to negotiate humanitarian space and resources with authorities in disaster-preparedness work.” In addition, the International Non-Governmental Organization Accountability Charter provides common guidelines for transparency and accountability, touching everything from governance to financial reporting. For a review of some of the leading self-regulatory mechanisms around the world, see Diana Hortsch, Case Study: Defining Responsible Advocacy: The International NGO Accountability Charter (Research Center for Leadership in Action, Robert F. Wagner School of Public Service, New York University, Working Paper), at Appendix B, available at http://wagner.nyu.edu/leadership/index.php. [↑](#footnote-ref-18)
10. Rubenstein acknowledges that these surrogates might not be as normatively desirable as those who are affected directly by INGO actions; however, these surrogates are a necessary part of international advocacy in an unequal world. [↑](#footnote-ref-23)
11. For Rubenstein, the standard model of accountability requires that accountability holders be able to sanction more powerful actors in order to guarantee that their obligations be met. [↑](#footnote-ref-24)
12. Of course, certain problems can arise from relying on “representatives” or “surrogates.” For example, local elites or Southern NGOs might be more privileged than direct beneficiaries, e.g. more educated or have more access to resources via their partnerships. To the extent that the interests of beneficiaries can conflict with their representatives, inclusionary mechanisms of accountability can be used to marginalize the preferences, perspectives, and interests of beneficiaries. [↑](#footnote-ref-25)
13. [↑](#footnote-ref-26)
14. [↑](#footnote-ref-27)
15. [↑](#footnote-ref-28)
16. [↑](#footnote-ref-29)
17. [↑](#footnote-ref-30)
18. One important contribution of Grant’s and Keohane’s models of accountability is how they expanded the kinds of actions and actors that can hold NGOs’ accountable. However, it is important to notice that with the expansion of different accountability mechanisms, the focus of accountability has shifted: it is no longer on whether those affected by the actions of a power-wielder should have a say—or even what kind of say—in holding an INGO accountable. The connection between being vulnerability to a power-wielder and to being an accountability holder is severed (or at least not as readily apparent). [↑](#footnote-ref-31)
19. Not surprisingly, this second form strongly resembles descriptive representation—namely, that members from marginalized or disadvantaged groups should speak for and represent the interests of those groups. [↑](#footnote-ref-32)
20. [↑](#footnote-ref-33)
21. For a discussion of who makes desirable representatives from marginalized and disadvantaged group, see Dovi [↑](#footnote-ref-34)
22. For a discussion of the policitized nature of needs, see Nancy Frazer’s GET CITE. [↑](#footnote-ref-35)
23. “’If you’re not at the table,’ Manuel Rouvelas, a prominent Washington lawyer, said of the lobbying blitz, ‘you’re on the menu.’” [↑](#footnote-ref-36)
24. Schedler notes that such an understanding accountability as a form of answerability presumes “imperfect information.” There will always be “unobserved and unobservable” actions that require power wielders to voluntarily (or non-voluntarily reveal the desired information). If information was opaque, then there would be no need for additional accountability mechanisms to guarantee the reliability and accessibility of that information. [↑](#footnote-ref-37)
25. [↑](#footnote-ref-38)
26. [↑](#footnote-ref-39)
27. So recognizing the increased number and variation of actors responsible for INGO accountability does not necessarily “capture” the relative vulnerability and potential loss of control that beneficiaries can have vis a vis INGOs. In fact, as was seen in Rubenstein’s discussion, the vulnerability of beneficiaries can sometimes be used to discount beneficiaries as accountability holders. [↑](#footnote-ref-40)
28. There are also hybrid directions such as “mutual” and “diagonal,” Anne Marie Goetz and Rob Jenkins, “Hybrid Forms of Accountability and Human Development: Citizen Engagement of a New Agenda,” Background Paper for Human Development Report 2002 (New York: UNDP, 2002). [↑](#footnote-ref-41)
29. For my discussion of better ways to exclude certain voices, see Dovi 2009. [↑](#footnote-ref-42)
30. Disagreements about what counts as good help should not be equated with mere academic quibbling. After all, recent empirical research has found that humanitarian aid can actually increase conflict (Anderson, 1999; de Waal, 1997 and Polman and Waters, 2010). Some have argued that aid increases poverty (author, year). For this reason, INGOs’ good intentions cannot be taken at face value for determining the worthiness of a project. [↑](#footnote-ref-43)
31. As Larry Bartels reminds us, it is “seldom straightforward to classify policies as responsive or unresponsive to public preferences.” Boston Globe Larry Bartels (page 2 of hard copy). [↑](#footnote-ref-44)
32. I would like to recognize that the process of identifying whose preferences are sought, responded to, and invoked is political. Notions of accountability will depend on the political context, e.g. whose preferences matter in terms of the groups favored by donors, the kinds of partnerships that exist with Southern INGOs and the scarcity of resources. Standards are not as fixed as we would like them to be. So the extent to which those affected by policy decisions need to be brought in might depend on the functions and contexts of the INGOs. [↑](#footnote-ref-45)
33. This aspect of accountability as resistance draws on Moratz and Bachrach’s discussion of the second face of power. [↑](#footnote-ref-46)
34. James C. Scott, Domination and the Arts of Resistance: Hidden Transcripts (New Haven: Yale University Press, 1990). 42. [↑](#footnote-ref-47)
35. For when choices are bad enough, I disagree that any ranking of these choices (let alone the act of choosing among one’s bad choices) should not be read as evidence of a person’s will. Choosing among bad choices denies “the moral magic” of being a chooser (Zwolinski, date). Again, [↑](#footnote-ref-48)
36. It follows that INGOs should track the effect that their projects on social capital (Candler and Dumont). For this reason, Quarter, Mook and Richmond have proposed an alternative form of accounting. Instead of tracking only financial outlays or even policy effectiveness, they maintain that it is important for INGOs to have a form of social, non-financial, accounting that provides a “systemic analysis of the effects of an organization on its communities of interest or stakeholders, with stakeholder input as part of the data that are analyzed for the accounting statement” (Quarter, Mook and Richmond, 2003, 3). [↑](#footnote-ref-49)
37. Otherwise, participants tend to shift their attitudes towards the expectations of the audience. [↑](#footnote-ref-50)
38. I recognize that accountability as sanctioning can also have a deterrence affect. However, accountability as resistance tries to create obstacles to offering certain kinds of help. [↑](#footnote-ref-51)
39. For instance, the INGO Charter of Accountability remains a “reporting only mechanism and does not include elements such as complaints and redress and/or third party monitoring” (Hortsch 2010, 15). [↑](#footnote-ref-52)
40. This recommendation might initially seem too demanding. However, it is consistent with Brinkerhoff and Brinkerhoff’s explanation of why INGOs partner in the first place—namely, “to open decision-making processes to promote a broader operationalization of the public good” (Brinkerhoff and Brinkerhoff, 2004, 255). [↑](#footnote-ref-53)
41. But INGOs ultimately have the power to choose which communities to help and might be less likely to choose communities that have and exercise the capacity to sanction (Wenar, 17). [↑](#footnote-ref-54)
42. This approach is illustrated in Thomas Pogge’s article cite as well as the self-regulating initiatives and institutionalization of INGO accountability standards. [↑](#footnote-ref-55)
43. Although I would argue that there can be serious costs in terms of the dignity of beneficiaries and the ability to redirect help where it is most needed. [↑](#footnote-ref-56)