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Diagnosing Public Sector Corruption & Implementing Anti Corruption Programs: A Framework for Practitioners

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Approaches, Results and Lessons”

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Abstract

Civil society-led anti corruption interventions have scaled up considerably over the last decade, leading to an unprecedented level of proliferation of toolkits and methodologies available for replication. More often than not, there is a tendency to blindly replicate successful models and approaches without paying attention to contextual and institutional factors. This paper responds to the growing need of practitioners to take a step back and consider or even reconsider their approach toward diagnosing and implementing anti corruption programs without prescribing any one “right” solution. Rather, the author introduces an analytical framework consisting of five distinct steps to analyze, diagnose, map and assess ongoing or envisioned projects, encouraging practitioners to consider the overall environment and strategic parameters that underlie a specific instance of corruption so as to logically and specifically tailor their project towards achieving the best impact possible. The paper bridges the divide between theory and practice by laying out what type of tools may best work on what level of intervention, suggesting to not just follow any one toolkit or framework of analysis, but thinking “politically” about how the anti-corruption agenda can be best strengthened and taken forward through soundly construed projects at the grass-root level.

I. Context

There is unanimous agreement today that corruption severely undermines development, causes severe distortions to resource allocations and contributes significantly to the continuing grip of debilitating poverty over millions. Alongside the growing awareness on corruption and its concomitant effects, there have been concerted efforts within and outside the state institutions to control, roll back and eliminate corruption. Of particular interest is the growing interest in stimulating anti-corruption initiatives from the 'demand side' of the governance equation – namely, civil society-led movements and initiatives that reflect a growing repertoire of tools and employ a wide range of tactics ranging from confrontation to collaboration to hold public institutions accountable.

Anti-corruption and good governance are today the top agendas for most development partners. Significant resources have been channeled to various stakeholders during the last two decades in support of the anti-corruption and good governance agenda. OECD governments now spend over US\$ 10 billion a year on governance interventions. Recent years have also seen a burgeoning interest in the theme from private foundations and philanthropies like The Open Society Institute, The William and Flora Hewlett Foundation and the Bill and Melinda Gates Foundation. Availability of independent resources has also stimulated the demand side as evident from the growing range of networks and coalitions that now dot the governance landscape.

Despite these enablers, tangible outcomes on the ground have been far from encouraging. Evaluations have shown the limitations of programmes designed to strengthen rules based approaches through civil service reform, anti-corruption measures, rule of law programmes, democracy support, or attempts to improve the investment climate (World Bank 2008; NORAD 2009). There is also a growing recognition that institutional models cannot be transferred into very different social and political environments. A recent stocking taking initiative of citizen engagement in promoting transparency and accountability (DFID/OSF 2008) notes that though democratic transitions in Africa, Asia, Europe and Latin America over the past two decades have strengthened civil liberties and political freedoms, there has been more limited progress in opening up government decision-making to public scrutiny and citizen participation. Opening up the public sector to enhanced probity and scrutiny remains a formidable challenge.

However, despite the emergent concerns and the slow progress, there are growing instances of innovative, small scale but highly effective initiatives that offer us an opportunity to delineate critical strands and provide us with interesting lenses to understand tools, techniques and strategies that could be scaled, replicated or adapted to inform and influence anti corruption work in diverse contexts.

II. Fighting Corruption in the Public Sector: Changing ‘rules of the game’?

As anti-corruption initiatives start focusing sharper on public services and programs that impact directly and visibly at the livelihood level, the nature and character of corruption is also mutating into new forms and migrating into new terrains. To illustrate, a Member of a State Legislative Assembly (MLA) in India shared with this author that he has instructed his ‘people’ to leave health, education and the employment scheme alone and start targeting highway tolls and road constructions for rent seeking activities. When probed for the reasons behind this, the MLA responded that “these sectors have higher levels of scrutiny now and my electorate is much more vigilant”. In another similar case, a public works contractor revealed that he has orders from the ‘higher ups’ not to cheat in the construction of roads under a national flagship program that was supposed to improve access for rural livelihoods; however, he was assured of ‘ample opportunities’ in other construction projects. The national program had more stringent audits and also, importantly provisions for community engagement. These are not isolated cases. There is enough evidence that extraordinary forms of corruption are slowly becoming a high risk activity as civil society attention and engagement are increasing day by day. Localized as they are, these initiatives haven’t yet reached a critical mass to leverage substantive systemic changes. At best, they work as effective deterrents at very micro levels. But a closer look at these micro projects could perhaps help us in decoding the DNA of an effective anti corruption strategy on a scale that would lead to tangible and far reaching changes.

Traditionally, public sector corruption has been manifesting in three realms (Schwenke 2002). In certain sectors like education, health, and justice, it is common to find school teachers, health care providers, and police charging extras for services, seeking small favours, or using public facilities and materials for their own marginal personal gain. Such forms of ‘petty corruption’ thrive in most developing and transitional country contexts and were to a large extent accepted by the public as a needed corrective to systems that fail to deliver a living wage for public officials. In contrast to this, public sector corruption in some other sectors is often large in scale, hidden from view, and controlled by the few most powerful. In energy, environment, the private sector, and in some situations in the justice and political parties sectors, deals are made that result in enormous distortions to the economy to the benefit of the few, at the cost of the many. These often are based on major infrastructure projects seeking special market advantage, or securing access to powerful positions.

In the middle ground between hidden but large scale corruption and common and visible but petty corruption, a wide variety of forms of corruption exist that often start small but grow into enormous drains on the economy. For instance, in the energy sector, massive misuse of meter payment systems resulting in the dramatic loss of sales from energy production (e.g. in Bangladesh one half of the electricity supplied by the Power Development Board ends up as system losses through mismanagement and falsified meter readings) is echoed in the political party system, as vote buying undermines the democratic process. The elites pursue their interests in this middle ground of corruption, where they benefit from advantageous treatment and favoured access to scarce resources. Corrupt government officials also find ample opportunities in the middle ground by using their positions to extract a wide

range of payments from the public, from claiming salaries for “ghost teachers,” charging business people “fees” for permits and business licenses, receiving payments to influencing the decisions of judges and magistrates, charging “handling fees” at customs offices, and a multitude of other examples in all public sector activities where public officials come into regular and unsupervised contact with the general public.

An interesting development observed over the last 5-10 years is that the risk of engaging in petty corruption, especially those that are extortionary in nature, has significantly increased with the increased watchdog role of civil society, especially with increased applications of anti corruption and social accountability tools and increased media glare. Parallel to and in many ways, catalyzing this trend has been the promulgation of new legal instruments like the Right to Information (RTI) Act, Procurement Act and the like which have given a new and potent dimension to anti corruption initiatives. The RTI is now seen to be the most powerful instrument to expose and fight corruption, both of the petty and grand varieties.

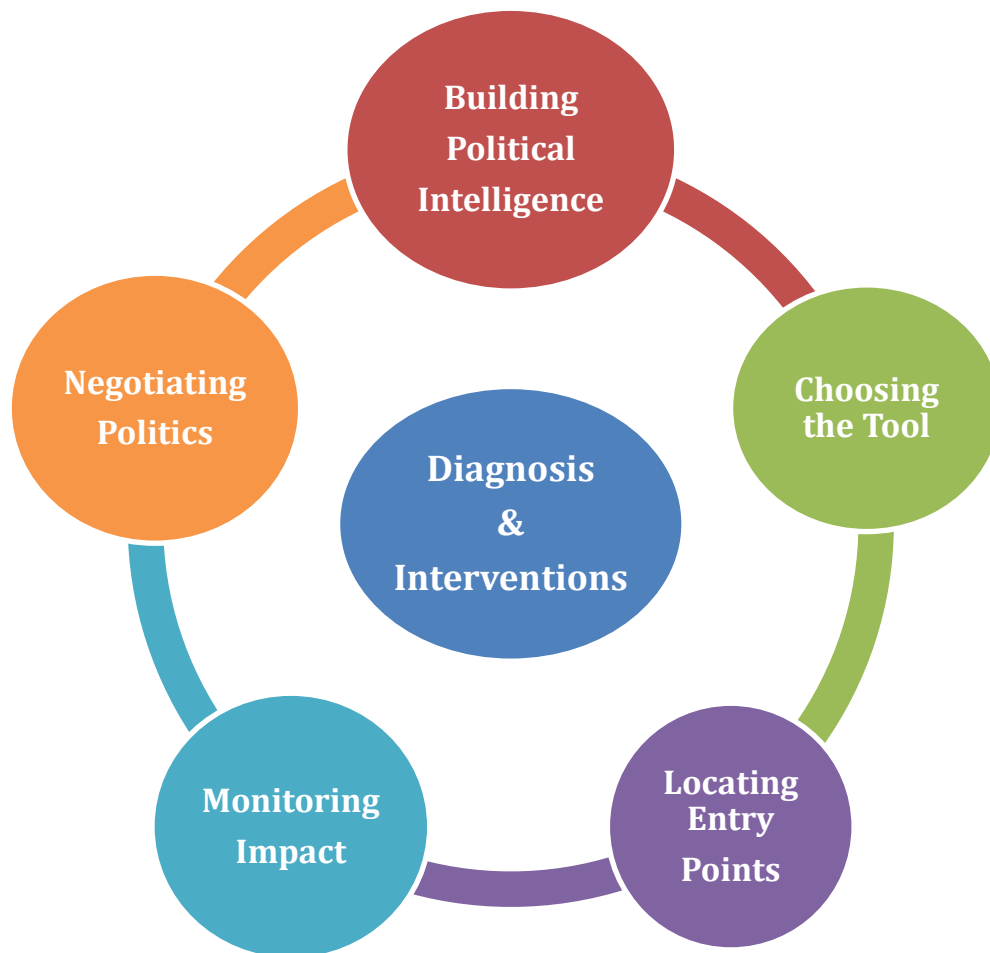
The other key enabling factors has been the stupendous growth in media channels. To quote an example, south Asia is under the coverage of more than 200 television channels, many of them catering to local audiences. In this increased competition for capturing audience, corruption related stories have come in quite handy. Sting operations, hidden camera scoops and the like have made corruption equivalent of a spectator sport and worthy of prime time viewership. Further, the spread of ICT tools like cell phones have also created opportunities for ordinary citizens to become investigative reporters. And, the rapid proliferation of new social media tools like Facebook, YouTube and Twitter has multiplied possibilities of exposures and public shaming and more importantly, give anti corruption champions the cloak of invisibility to escape highly repressive governments. In fact, interestingly, the frontiers of both corruption and anti-corruption are fast evolving and changing their character and content.

However, what remains unchanged is the increasing recognition to the power of hard evidences to give anti corruption efforts more teeth. Whether the challenge is to mobilize public opinion, galvanize political will or to seek judicial recourse, anti corruption efforts are increasingly relying on the power of empirics. The wide proliferation of social accountability tools like Citizen Report Card, Community Scorecard, Public Expenditure Tracking Surveys, Integrity Surveys, GAP Analyses, Public Hearings, social Audits and the like point to the power of data generated outside state domains to catalyze and trigger effective anti corruption initiatives. One can safely surmise that we are witnessing the emergence of an Audit Society that is radically recasting the lens through which public sector corruption is viewed and the norms by which citizens engage with public institutions while demanding greater accountability, transparency and responsiveness.

III. Analyzing and Diagnosing Corruption in the Public Sector: Five themes for consideration

The rest of this paper attempts to delineate potent demonstrated approaches and strategies in analyzing and diagnosing corruption in government and public sector programs. A central premise argued in this paper is that the emergent Audit Society runs the risk of being a victim of the tools of diagnosis and in the process overlook critical aspects like political economy, social mobilization and negotiating power structures resulting in the undermining of legitimacy, representation and eventually its very own existence. The ready availability of ‘downloadable’ manuals has made access to tools and techniques quite easy. In many cases the novelty of the tool drives the diagnosis rather than the questions that need to be answered or probed. Central to this debate is also the emergent concerns regarding the quality of diagnosis and analysis. Most of the social accountability tools lack definitive protocols and are subject to highly varying levels of adaptations thus opening up spaces for critiquing and questioning. The question of capacities and competencies also loom large.

In trying to frame the key points for discussion, an attempt has been made to identify five key themes that inform and influence the praxis of analysis and diagnosis, as depicted below.



These themes have been identified after reviewing selected secondary materials and also, based on the author's own experiences over the last 15 years. We now proceed to discuss these themes in detail:

1. Building political intelligence while designing the intervention

While designing the strategy for anti-corruption work, it is imperative that we develop a good understanding of the political economy in which the intervention is embedded. Political Economy Analysis (P-E Analysis) aims to situate interventions within an understanding of the prevailing political and economic processes in society - specifically, the incentives, relationships, distribution and contestation of power between different groups and individuals - all of which greatly impact on outcomes.

Initiatives to promote transparency and accountability in governance through civil society pressures are not risk-free. There is an element of uncertainty and unpredictability while working with change agents, many who facilitate change but many more who would obstruct the advancement of a pro-poor development strategy. With the growing application of social accountability tools and approaches, doing a P-E Analysis thus becomes increasingly important. Be it a Citizen Report Card, Community Score Card, Public Expenditure Tracking or a Social Audit, each tool varies in its nature of engagement and/or contestation with different actors and institutions. Different approaches are needed in different political contexts.

P-E Analysis strives to identify opportunities for change and its associated risks by looking at the rules and relations that underlie and affect the process of change. This is done by analyzing several overlapping dimensions of the problem: Institutional analysis looks at formal and informal rules that govern individual and group behavior in an institution. These rules may be embedded in cultural and social practices and sometimes mediate and distort the expected impact of a change measure. Political analysis provides an in-depth look at power relationships among and across different stakeholders which affect decision making and distributional impacts. Social Analysis explores social relationships across households, communities and social groups and their degree of inclusion and empowerment in the change process. Economic Analysis looks at the economic incentives (prices, subsidies, taxes etc.) that influence choices/decisions to affect change and the distributional impact of reform. These analyses go beyond conventional technical solutions to a problem by anticipating risks and opportunities before the proposed intervention. This not only informs the pace, choice, design and sequencing of reform measures, but allows a management of the risks that are identified so that they are less likely to obstruct the reform process.

There are different tools available for different levels (country, sector and project) to carry out a P-E Analysis. The following table summarizes some of the popular tools of P-E Analysis used at different levels with an indication on the methodology, timelines and required competencies (Hasan, 2010).

Table 1

Levels of Analysis	Tools	Approach, Time, Technical Expertise
MACRO/ COUNTRY	<p>Drivers of Change (DFID)</p> <p>Analyzes political, economic, social and cultural forces that inform change in a regional and country context and links this understanding with an identification of the key policy and institutional “drivers” of change that provide the context for poverty reduction. Looks at the dynamic interaction between three sets of factors – Structures, Agents and Institutions</p> <p>Power Analysis (SIDA)</p> <p>Analyzes actors, interest groups, and structures to uncover where the real power in a society lies and how power is distributed geographically, institutionally and socially. It might also point to the kind of power being exercised, and how this power is perceived.</p>	<p>Approach: Literature Review; Interviews; Field consultations</p> <p>Time: Medium-Long</p> <p>Technical Expertise: International and Local expert consultants</p> <p>Approach: Desk reviews; secondary research; complemented by interviews and questionnaires; panels of independent experts, surveys of well informed people, public opinion polls, and focus group discussions</p> <p>Time: Short-Medium</p> <p>Technical Expertise: Country experts</p>
MESO/ SECTORAL	<p>Sector Governance Analysis Framework (EC)</p> <p>Analyses the core governance issues at sector level and in particular how power and politics influence sector performance and results. Goes beyond legal frameworks, formal institutions and processes in trying to understand the political economy underpinning the functioning of a given sector in terms of rules, interests, resources and power. Focuses on three core elements of governance in a particular sector: context, actors as well as governance and accountability relations</p> <p>The Political Economy and Political Risks of Institutional Reform in the Water Sector (WB)</p> <p>Aims to estimate the ‘political risk’ associated with implementing a series of institutional reforms at the sector level. Looks at who is affected by the reform (‘interest groups’), what their ‘interests’ are and whether/how they can ‘influence’ the reform process; political risks associated with reforms and; risk mitigation and management</p>	<p>Approach: Literature review of government documents, media reports, Interviews with actors who do research in that area</p> <p>Time: Medium; align with the domestic sector calendar so that it feeds into e.g. annual reports to parliamentary sub-commissions, the budget preparation cycle or key consultative events with sector stakeholders.</p> <p>Technical Expertise: Joint exercise between Sector and Governance specialists</p> <p>Approach: Interviews, meetings, workshops with various interest groups and government officials</p> <p>Time: Lengthy, includes a strategy to influence the reform process</p> <p>Technical Expertise: Use of Delphi Method – employing experts to provide missing information on, and perceptions of political risks associated with, a proposed reform.</p>

Levels of Analysis	Tools	Approach, Time, Technical Expertise
MICRO/ PROJECT	<p>Stakeholder Analysis Matrix</p> <p>Focuses on the power, influence, and proximity of individuals and interest groups to a particular policy reform. Matrices can be used to plot two or more of the following variables: the degree to which the policy reform will impact stakeholders; the level of interest in a specific policy reform; the level of influence that the stakeholder has to facilitate or impede policy design and implementation; the level of resources that stakeholders possess and are able to bring to bear in the policy process.</p> <p>Force Field Analysis</p> <p>Maps and understands the various forces (such as stakeholders, habits, customs, attitudes) acting on (for example, resisting or supporting) a proposed change or policy issue; it also assesses the source and strength of resistance to, or support for reform.</p>	<p>Approach: Workshops, Interviews</p> <p>Time: Short, within 1-2 weeks but also depends on number of workshops, interviews</p> <p>Technical Expertise: Sociological or anthropological training is helpful, as is a background in political science. Local knowledge, including contacts with local experts, is crucial. Those carrying out the analysis must thoroughly understand the reform and the recent sector history.</p>

At the micro-project level, carrying out a P-E Analysis as part of the design of the intervention provides many crucial information and maps out existing and potential enablers and disablers that may impact significantly on the project processes and outcomes. Drawing upon some practical examples, we can delineate five phases in designing an effective P-E Analysis at the project level (Hasan 2010):

Phase 1: Identifying the Problem. The first step in this exercise is to identify the underlying problems / vulnerabilities / challenges that need to be addressed. This would require an in-depth analysis of the actors who are adversely affected, the chains of cause-effect relationships and the urgency for change. A systematic approach to problem identification often results in zeroing in on issues right at the beginning and thus, facilitate the development of well focused strategies and interventions.

Conducting a Force Field Analysis (FFA) helped the **Evelio B. Javier Foundation, Incorporated** (EBJFI) to design an intervention in the public procurement processes in the Philippines. The FFA revealed the weaknesses of the Bids & Awards Committee Observers (BACOs), a civil society-led forum to stem corruption in the procurement processes; BACOs faced a 50-60% drop-out in their ranks. Building onto this information EBJFI implemented the BAC-CSO Observers' Interface/Dialogue which resulted in the creation of two powerful regional networks which subsequently become the model for 15 other provinces.

Phase 2: Analyzing the Problem. This phase necessitates an understanding of the context for change as the first step. There are several factors that may affect or perpetuate the problem. These can be social and economic inequalities, power relations, corruption, social organizations such as caste systems, ethnic groups, traditional authority and political competition. Patronage networks and clientelism are other common features in many Asian contexts and often influence the access to public goods and services as well as economic benefits. These phenomena may also influence the functioning of formal institutions and lead to the rise of informal ones. Mapping institutions is thus the second part of this phase. It allows an understanding of the context in which stakeholders operate, how it shapes their interests and incentives and to identify change agents. For example a project may be interacting with local government officials, regulatory agencies, village councils, religious institutions, NGO's, the media and the private sector.

Phase 3: Identifying the stakeholders. At this step the analysis is taken deeper to identify different actors in the setting and understand how the status quo and the proposed changes to it may affect them in different ways. There are several ways of categorizing stakeholders: the duty bearers and the rights holders, otherwise known as the supply side versus the demand side actors; the powerful and the powerless actors; the winners, losers or neutral actors and the champions and opponents of the proposed change measures. In all of these stakeholders it is important to locate their power, interests, incentives, agenda and constraints in either maintaining the status quo or pushing forward for reforms. *Power*, for example is defined as the ability of stakeholders to influence political decision-making process and policies according to their interests. Power can be measured as the access to or control of specific assets. Understanding *interests* on the other hand, means assessing whether stakeholders will use their assets to influence change. Rent seeking behavior is also very prevalent in South Asian contexts and significantly shapes the *incentives* of actors. What is particularly useful in this exercise is to identify the reform champions and secure their commitment, mobilize support and deal with the opposition with regard to the reform agenda.

Phase 4: Assessing the Risks. At this stage it is important to conduct a risk analysis to foresee any major unintended impacts that may arise while affecting change. For example, some powerful interest groups may obstruct reform efforts; there could be political instability; and social tensions may arise. Depending on the future costs and benefits of the reform efforts, stakeholders may support or oppose the reform efforts, which in turn may be strong and weak depending on how influential they are.

In general there are three types of risk. Risks may be directly controllable, may arise from the wider institutional and policy environment and is thus controllable by other decision makers and risks which arise from exogenous factors and controllable by none. Responding to these risks can take one of three forms: *transferring* the risk to a willing third party, *tolerating* it after ensuring that the cost of taking action may prove harmful or *containing* it at an acceptable level.

Phase 5: Developing a Strategy. The analysis made above may give several pointers on the choice, timing and sequencing of the intervention to deliver best results. For example it may inform which interventions are likely to work, keeping in mind the political economy and the needs of local stakeholders. Practitioners face a whole range of problems such a lack of political will, vested interests and unorganized citizenry. In general, a strategy may necessitate basic awareness raising campaigns and engagement / negotiation tactics or hinge on more confrontational activities.

More specifically, is important to influence the system of incentives and restraints acting on powerful interest groups. Projects which challenge the political and economic status quo is very likely to face resistance, and in such cases, strategies need to be formulated which strengthen the change agents to overcome or evade the obstacles. At times the first step might be to mobilize public opinion and organize the voices of those who would benefit from change.

A P-E Analysis can identify the allies with whom an organisation needs to build coalitions. In some cases, building support among local elites and negotiating with the local government precedes consultations with the wider community.

To provide a more vivid example of how a P-E lens changes a project's approach and informs its activities, data from an ongoing social accountability project is used to map the key variables as depicted in the table below. This project aims at empowering Dalit (a socially disadvantaged group) women by training them in social audit techniques to hold the local government accountable and be responsive to their needs.

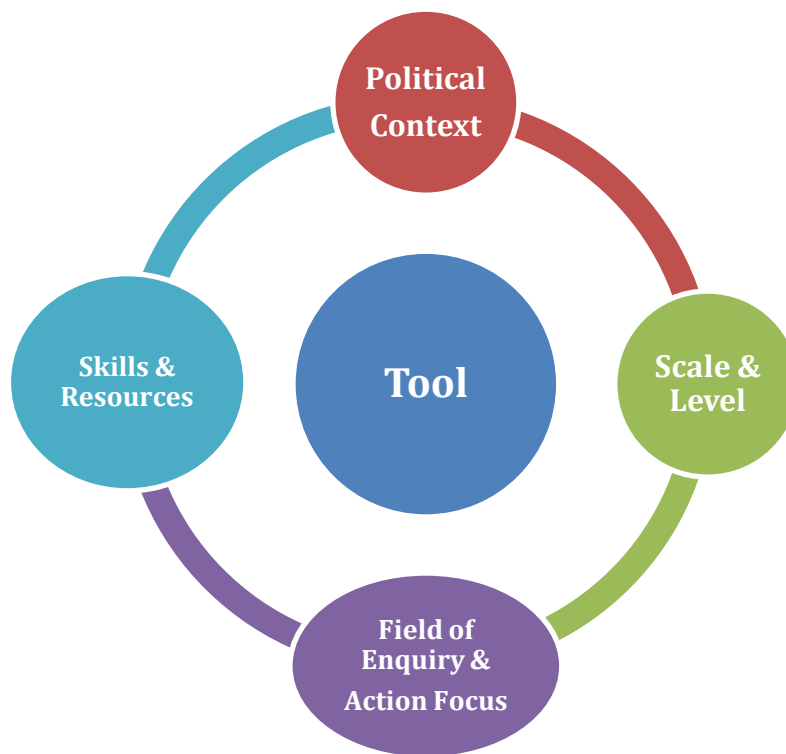
Table 2

Phases	Example of a Conventional Project Design	Political Economy Issues	Suggested Tools and Approaches for P-E Analysis
1. Problem Identification	Vulnerable, exploited and unorganized Dalit Women who are excluded from local governance	Specific problems, vulnerabilities, challenges which are aligned with the needs of the community Establish cause and effect relationships	Informant Interviews; Focus Group Discussions
2. Problem Analysis	Lack of awareness of rights and entitlements of Dalit women; Patriarchal system, male dominance and tradition keeps Dalit women out of local governance ; Rigid and Non responsive attitude of the local Govt officials; Dalit women do not know the relevance of the Gram Sabha (Village Council) and do not attend	General: social and economic inequalities, power relations, corruption, social organization (caste systems, ethnic groups, traditional authority), political competition, patronage networks and clientelism Specific: functions of formal and informal institutions: local government officials, regulatory agencies, village councils, NGO's, the media and private businesses.	Problem Tree Analysis; Workshops with key stakeholders, Focus Group Discussions, Participatory Rapid Appraisal; Information Interviews
3. Stakeholder Identification	Dalit women; Elected Representatives; Village Council Members; District Level Govt. Officials; Youth Groups; Local CBO's; Networks of women's collectives	Categorizing stakeholders: the duty bearers and the rights holders; the powerful and the powerless actors; the winners, losers or neutral actors and the champions and opponents Locate their power, interests, incentives, agenda and constraints in either maintaining the status quo or pushing forward for reforms.	Stakeholder Analysis Workshops; Focus Group Discussions, Individual Interviews Construct an Importance / Influence Matrix and/or a Supportive / Constructive / Antagonistic / Destructive Matrix

<p>4. Risk Assessment</p>	<p>Forced migration of beneficiaries due to drought; Receptivity of participants to training exercises; Effective participation of women in Self Help Groups; Inefficiency and Lethargy of Political System; Unforeseen obstructions to change processes by various interest groups</p>	<p>Foresee major unintended impacts - e.g. powerful interest groups obstructing reform efforts; political instability; social tensions</p>	<p>Risk Assessment Workshops, Risk / Impact Matrix, Risks in the Log Frame</p>
<p>5. Strategy Development</p>	<p>Organization, mobilization of existing SHGs to claim and access their share in the development benefit; Capacity building and training in using progressive legislations to claim rights; Information creation, dissemination and application; Creation of the pressure groups through Networking and alliance building; Constructive engagement through Lobbying and advocacy</p>	<p>General: Awareness raising campaigns / engagement / negotiation tactics / confrontational activities?</p> <p>Specific: Influence the system of incentives and restraints, e.g. identify the allies with whom an organisation needs to build coalitions, negotiating strategies with the local government or inform the nature of information and communication campaigns.</p>	<p>Strategy: Timing, Choice, sequencing, communication/negotiation,</p> <p>Outcome: Choosing the right social accountability tools: CRC, CSC, Social Audit, PETS etc.</p>

2. Choosing the ‘Tool’ for Intervention: Asking the right questions and reviewing competencies before the method

The agenda of governance and anti corruption has increasingly moved from anecdotal references to evidence based ones. Also, the nature of engagement has transited from confrontational forms to collaborative ones. Given the history of antagonism and mistrust between the state, civil society and the market, new skill sets and competencies have to be built within these actors to move them to positions of constructive engagement. A good case in point is the universe of social accountability / anti corruption tools (also referred to as demand side tools). It is now well understood that the ‘fit’ of a particular tool depends on four critical elements: *political context, scale & level of intervention, action focus, and skill sets and resource requirements.*



- a. *Political context:* The prevailing context and the responses of political institutions impact on the roll out of a chosen tool. Diagnostic tools differ in their methodologies ranging from desk-based research to social mobilization. Tools that rely heavily on direct involvement and engagement of people like public hearings, and community scorecards run heavy risks of confronting and contesting political structures and processes. However, on the other hand, due to the inherent nature of its engagement with politics, these tools also give an opportunity to engage with political structures meaningfully. Therefore, as discussed in the previous section, reading the political signals well becomes critical while implementing an anti corruption or social accountability tool.

- b. *Scale and level of the intervention*: Diagnostic tools rely on the strength of representation and objectivity while highlighting key aberrations and observations. Tools based on scientific survey principles have the capacity to create diagnostic indicators and generate findings at various scales – village to national. While, tools that rely on localized social mobilizations can create deep diagnosis on a specific context, but cannot be applied across geographies to generate predictive or generalized findings.
- c. *Field of Enquiry & Action Focus*: This is an extremely important issue to consider while choosing the tool. Each of the commonly used tools has by design certain thrust areas where its potency is best demonstrated. There also cases where multiple tools can be used for the same purpose. These diverse scenarios are depicted in the following two tables:

Working in a post conflict context in Nepal, Helvetas introduced the Public Audit Practices (PAP) in all its community infrastructure projects. The PAP consists of three major steps contributing to enhance participation of poor and excluded communities in planning, implementation and monitoring of a particular project. (1) **Public hearings** were carried out to inform and ensure commitment & consent of all stakeholders towards the project and it is done in the preparation phase; (2) **Public reviews** were carried out for monitoring the progress of the project and it is done during the implementation phase. Some major activities are presentation on the project progresses, clarification of issues raised, and revision of work plan as per the decisions and; (3) **Public audits** were held to furnish information on all cash, kinds and human labour incurred in the project and it is done after the project completion. Some major activities are formation of “Public Audit Committee”, preparation/presentation of final audit report, clarification of issues raised, and decisions in case of embezzlement or improprieties.

Table 3

Field of Enquiry	Suggested Tool
Quick Assessments on Compliance – Access, Coverage, Achievements	Surveys, FGDs
Estimates, Extrapolations, Trends, Predictions	Surveys, CRC, PETS
Corruption, Leakages	Public Hearings, CRC, Surveys, PETS
Problem Solving, Grievance Redress	CSC, Public Hearings
Process Monitoring – behavior of personnel, quality of services, regularity, reliability	CRC, CSC, PETS
Outcome Monitoring – errors of inclusion/exclusion, Vulnerabilities	CRC, CSC, FGDs
Empowerment, Social Mobilization	CSC, Public Hearings, FGDs

CRC – Citizen Report Card; CSC – Community Scorecards; FGD – Focus Group Discussion; PETS – Public Expenditure Tracking Surveys

Table 4

Action Focus	Suggested Tool
Diagnosis – Understanding the issue better	CRC, Surveys, PETS
Analysis – Exploring the issue deep	CSC, FGDs
Mobilizing & Engaging with Constituencies	CSC
Policy Reforms	CRC, PETS
Cutting edge service reforms	CSC
Enhancing Transparency & Accountability at local levels	Public Hearings
Rights based advocacy	CSC, FGDs, Public Hearings

- d. *Competencies & Resource Requirements*: Bringing evidence to the fore and using the power of diagnosis to leverage reforms and changes require specific competencies and resources and also, operate over different time frames as the following table depicts

Table 5

Tool	Time Frame	Competencies
Public Hearings	Short (1 day)	Moderation / Trust Building
Citizen Report Cards	Medium – Long (6-10m)	Research, Survey & Analysis, Advocacy
Community Score Card	Short (3-5 days)	Moderation, Institutional links
Focus Group Discussions	Short –Medium (10 -30 days)	Moderation, Content Analysis
PETS	Medium to long (3-6 m)	Research, Survey & Analysis

A major observation in relation to the widening repertoire of anti corruption diagnostic tools is that the lack of proper protocols and standards has given rise to vastly differing applications. A classic example is

that of 'social audits'. There are numerous observed applications of social audits that differ vastly in methods and rigor. This proliferation of differing and contestable methods runs the danger of undermining the relevance and legitimacy of tools. This danger is amplified in the context of many state institutions now 'institutionalizing' many of the tools; in many instances, critical protocols have been severely compromised to generate 'favourable' results. There is a clear and an urgent need for practitioners to evolve protocols and maintain rigorous standards of applications.

3. From 'symptoms' to 'reforms': Implementing a Nuanced Strategy to Locate Appropriate Entry Points

The greatest challenge faced in many instances is to move from diagnostic pointers to tangible changes. This is the stage when statistics and data bytes need to be transformed into communicative and advocacy initiatives and strategies grounded in political realities need to be evolved. Reviewing emergent experiences from different contexts, certain strategies can be delineated to understand this transition better:

- a. "Positioning the tool/approach': Semantics matter when advocating around issues diagnosed by a tool. While taking on a visible 'accountability' or 'anti corruption' agenda sometimes bring in immediate results, the impacts may not last in the long run. Very often, in an environment characterized by reform champions and social mobilization, an accountability agenda may work well as there exists the necessary 'push' and 'pull' conditions. However, in environments characterized by low levels of demand and high levels of resistance or in cases, where existing relations between the civil society and the state is confrontational, the 'big bang' accountability agenda may not work, and in some cases may prove to be counterproductive. In such instances, a more nuanced and strategic approach is needed. Identifying 'low conflict' issues and quick wins – like targeting service improvement in general or improving access to service in particular gives a smoother segue for anti corruption work. This is also area where a good P-E Analysis could flag up potential pathways to make inroads. Interestingly, in some cases calling the initiative, 'Building Integrity' instead of 'Fighting Corruption' seems to garner better buy-in from the state actors!
- b. Brokering strategic partnerships: Improving governance involves the supply and demand sides. The key challenge and opportunity is to design operational mechanisms that link voice of the citizens with responsiveness of the state. As a path breaking paper (Goetz and Gaventa, 2001) pointed out: "...it is important to study public sector reforms (the supply side of responsiveness together with citizen-voice initiatives (the demand side). Considering the two together can help to illuminate not just the more obvious point that the effective use of 'voice' by service users may help to generate better service outcomes, but also the fact that public services can actually help to build both 'voice', in the sense of creating new client groups with shared interests, and a point of access to the state". This is where the role of an interlocutor to coalesce and catalyze stakeholders becomes paramount. One major area where diagnostic tools run into difficulties is in locating incentives for the public

sector. While the incentives for citizens is very well understood and is reflected in the design of the tools themselves, the political and executive incentives are often not very clearly etched out. Partnerships in this case become tokenistic and characterized by a large degree of mistrust. It is thus quite critical that prior to the actual implementation of a diagnostic tool, a consensus creation process should be set in motion whereby each stakeholder is made aware of the intent, character and implication of the tool. One of the powerful experiences in this regard comes from the pre-launch stage of Citizen Report Cards in contexts where such initiatives are nonexistent or in a nascent stage. Before the CRC is actually implemented, a participatory exercise called 'Critical 9' is carried out with all major stakeholders. Though initially conceptualized as a P-E Analysis tool, experiences have shown that the Critical 9 is an important consensus building exercise which allows all stakeholders to rate the enablers and disablers associated with the tool, share perceptions and apprehensions and collectively come to a consensus regarding the use of the tool (Thampi 2011). What is also emerging as critical in the process is the need to create this buy-in and consensus across different levels in the government hierarchy; relying on just a reform minded champion at the top could be counterproductive as such initiatives are often the first anti incumbency casualty whenever there is a change of leadership.

- c. Credibility of the proponent: Just as the message is important, so too the face of the messenger. However scientific and objective the data is, if the image of the proponent is coloured – politically or otherwise, the data will have no value. In a highly politicized space, very often objective diagnostic data can very easily be discredited as 'politically motivated' misinformation. Numerous examples can be located in recent history ranging from the globally known Corruption Perception Index of Transparency International to micro level public hearings whereby serious and well meaning information was easily trashed as biased and motivated ones. The other major issue is of representation – when a party produces information and then proceeds to act on it on behalf of a larger (often disempowered) community. One key trend observed in recent years is the growing schism between 'social movements' and 'civil society'. The former represented by informal and local groups coalescing around locally relevant issues and the latter, represented by (often) urban centric, heavily funded NGOs advocating and articulating agendas without any grounded constituency. Quite often, international development partners have favored working with NGOs in the voice arena, given the NGOs greater capacity to deal with the technical and financial aspects. However, a number of case studies documented recently as part of an evaluation of citizens' voice and accountability (Menocal & Sharma, 2008) reveal that NGOs may not be the most effective intermediary to deepen and widen the universe of citizens' voice. Key critiques forwarded include: (a) socio-economic and cultural barriers between NGO staff and the grassroots beneficiaries often limit the former's ability to truly reflect the interest of the latter; (b) there is a risk of being co-opted by the interests of institutional funders (e.g. INGOs, governments etc.) that may impact adversely on the stated objectives of the intervention; and (c) the need for transparency and accountability applies as much to NGOs as it does to state institutions and on this count, many NGOs fall short; with the mushrooming of civil society organizations in the last two decades, issues of quality, motivation and integrity are very much in the forefront of discussions today.

- d. **Building complementary competencies:** There is a clear distinction between the science of diagnosis and the art of advocacy. One calls for integrity in applications and interpretations and the other, creativity and strategic orientation. Though constructive engagement is very built in to most of the diagnostic tools, actual skills on the ground often are weak. Most civil society interventions have emerged or find legitimacy in their opposition to the state and very often, contestation becomes a legitimate form of engagement. This legacy of engagement can be seen in the character of skills and competencies embedded within organizations. While, skills for rights based advocacy and non violent protests are commonly located, those of negotiation and working with polarized stakeholders are rare. This lack of capacity very often reflects in the inability of good diagnosis to translate into desired changes. Often, the tools of constructive engagement stand in stark contrast to the highly polarized relations between state and civil society in practice. For groups who are more activist-oriented with a wide membership base and who are used to taking a confrontational position with the government, this shift of strategy could be difficult to internalize as well as convincing their membership base. On the other hand, groups whose traditional competencies include research and analysis need strong exposure to advocacy and social mobilization skills to be effective. The other major constituency that needs to be oriented is the media. Public dissemination being one of the key components of many anti-corruption tools, the media is a natural ally and a critical partner. However, media interpretations of data and information generated through various diagnostic tools often tend to be biased, misleading and often subjective. This could very well undo all the preparatory work on constructive engagement and derail the environment of trust that was carefully built. One strategy followed successfully in the case of a tool was to have media capacity building right at the beginning of the intervention, preparing the media well in advance on the need to report and interpret data in an unbiased manner. Data interpretation workshops are also help prior to the release of the findings to build awareness and ability to report factually.

4. Monitoring Impact: Moving beyond the ‘usual suspects’

In general it has been observed that assessing corruption trends and impact of anti-corruption measures on actual levels of corruption continues to face major methodological, political and operational challenges (Chene 2008). A popular assessment tool in many anti corruption projects is ex-ante and ex-post surveys that often capture perceptions and experiences related feedback on general or specific nature of corruption. However, by and large perception based surveys are not seen to be robust, though this approach may well be the best possible solution in a situation where no relevant objective data is available. Perceptions may be influenced by factors others than knowledge, experience or incidence of the various forms of corruption. The media, individual levels of information or even general attitudes with regard to the government in place may play a role in shaping perceptions. Capturing actual experiences of those who were involved (whether as victims or as colluders) often lend more legitimacy and credibility to the information being generated. Further, these surveys also fail to clearly ‘isolate’ the effects of a particular intervention, unless the questions focus on specific aspects of the intervention. Another major challenge is that anti-corruption initiatives cannot realistically be expected to produce meaningful results in the short term. This is especially true for small scale projects that operate for one

to two years. Further, there could also be ‘spill over’ or ‘ripple effects’ that could have made impact on a larger scale than originally anticipated.

All these point to the need to think outside the box while developing output and outcome indicators in the context of small scale interventions. While these conventional indicators maybe useful it is useful to conceptualize a different set of indicators that may capture critical information on both process and outcomes and more importantly, identify ‘intermediate indicators’ that could be of value while thinking about scaling or deepening initiatives. Building on to an earlier work (Thampi & Balakrishnan 2005), an attempt is made here to present five potential indicators to look at while discussing impact of small scale short term projects.

1. Extent of multi stakeholder engagement: Involvement of three key stakeholders - citizens or civil society, institution being held accountable, and the enforcing/policy making institution
2. Width of citizen involvement: Participation of different relevant segments, including the poor and corporate citizens
3. Long term interlocking involvement of stakeholders: Duration of involvement
4. Statutory or quasi legal nature of relationship empowering civil society
5. Extent to which process generates compliance and provides deterrence

Extent of multi stakeholder engagement:

While the anti corruption initiatives can emerge from civil society or be promoted by the state, the successful implementation and impact of these measures require a response from the other stakeholders. Hence, the first criterion for assessing the potential of a particular initiative is the extent to which it offers a systematic role for the three stakeholders – State, Polity & Civil Society. If the scope of the initiative is limited to the interface between the civil society and policy makers or between the civil society and service providers, the strength of the accountability mechanism will fall short on the processes that enable the long route of accountability to become effective.

Width of citizen involvement:

While the leadership from civil society in an initiative may be grounded in a small segment of the population, its strength would depend heavily on the extent to which it offers opportunities for participation to all relevant segments of society. This becomes particularly significant in terms of involvement of underprivileged segments such as households in poverty, minorities and women, as would be relevant within the framework of the particular issue on which accountability is sought to be strengthened. In some instances, the involvement of powerful corporate citizens would be seen as a source of strength for the initiative.

Long term interlocking involvement of stakeholders:

While some initiatives emerge in the context of specific or immediate local issues, the processes that emerge have much relevance into the future. Hence, the strength of the initiative to make a sustained impact depends heavily on the manner in which it gets institutionalized. This dimension is of strategic

importance since the demands placed by the initiative may be such that one or more of the interacting stakeholders would want to move out of the process after the initial phase. But the processes envisaged under the initiatives may blend into other activities that have statutory support, and draw the stakeholders into longer term involvement on multiple activities and strengthen the initiative.

Statutory or quasi legal support for a role for civil society:

While the role of state institutions is usually well defined by legal frameworks, the role for civil society is often placed outside the scope of such frameworks. The ability of anti corruption initiatives to generate procedures or mechanisms where civil society gathers a more formal role, in relation to the specific issues being addressed, is a good indicator of the strength of civil society in the long run. This could be a one-off event to start with or a more formalized and permanent institutional space like in the case of procurement monitors in the Philippines.

Extent to which process generates compliance and provides deterrence:

Given the problem solving focus with which anti corruption initiatives emerge, the depth of impact of the effort is a function of the wider acceptance of the principles and processes being promoted. The more visible dimension of this impact is the manner in which the initiative is able to foster compliance with the processes being promoted without being directly supervised, and the seriousness with which state institutions act to deter non-compliance.

The body of information on anti corruption accountability initiatives in different parts of the world can offer valuable lessons to institutions and leaders promoting the cause. The key to facilitating a wider awareness and greater preparedness to promote anti corruption efforts accountability probably lies in identifying those initiatives that can be seen as “learning exemplars” (as opposed to “best practices”) and sharing information on the same in a simple and structured manner. Incorporation of the above indicators would enhance our ability to observe these learning exemplars much better.

5. Re-Politicizing the Anti Corruption Agenda

A challenge universally acknowledged by both practitioners and advocates of anti-corruption is that of the lack of political will in fighting corruption. A recent needs assessment survey undertaken by the CIVICUS Participatory Governance Programme, identified lack of political will as the principle obstacle in promoting participatory governance (CIVICUS 2007). However, ‘political will’ often remains elusive as a concept for any effective intervention. A recent work (Malena 2009) attempts to demystify the nebulous nature of political will by unbundling it to three distinct but mutually reinforcing elements: *political want*, *political can*, and *political must*. ‘Political want’ relates to incentives, supporting anti corruption initiatives not due to external force, but arising out of clearly perceived individual and/or institutional interests. Demand side interventions need to be extremely sensitive to the issue of political want and need to highlight incentives for both the governed as well as the governors. ‘Political Can’ is about capacities and competencies. Developing governance skills and establishing mechanisms and conditions that enhance the ability of state actors to diagnose and respond to governance contexts are key elements of nurturing political will. Effective anti-corruption work requires minimum capacities at both

demand and supply sides. Amplifying voice without preparing the ‘ear’ to listen to the same is an exercise in futility. ‘Political Must’ is the final tipping point that converts intentions to actions. The impetus for this can come from peer pressure, political leadership, social movements and media. It, thus becomes critical, to create a broad-based coalition of stakeholders to give anti-corruption interventions the needed support and pressure from multiple levels.

It has been argued elsewhere that the discreditation of many (if not most) contemporary models of governance interventions has been the result of a conscious or otherwise strategy of ‘de-politicization’ (Wil Hout & Robison, 2009). By distinguishing between the ‘demand side’ and ‘supply side’ actors and actions in the governance equation and by treating politics exclusively as a part of the problem, most interventions have reduced governance to the level of a technical construct that can be driven and managed as part of a techno-deterministic model of change. The complete bypassing of legitimate political spaces and subversion of political processes has contributed to the crisis of legitimacy among the key stakeholders of change. On one hand, an increasingly challenged and discredited polity is accused of short-changing the democratic dividends by renegading on its mandate and vested authority, while on the other, a non representative and elitist civil society is seen to be a wilful or otherwise collaborator to an agenda of change that articulates the processes of inclusion but relies on the practice of exclusion (Harriss, 2002; MirafTab, 2004).

However, there is a dawning realization that politics is the driver of change and ultimate cause of people’s security and access to justice. A recent report succinctly sums up the case: “Research has shown that **political context and process** is central to shaping the way politicians and policy makers decide for or against progressive changes that can deliver legitimate, capable, accountable and responsive states (DFID/UK Aid 2011). It is also useful to recollect here that during the course of the 2008 Presidential Election Campaign in the US, Senator Barack Obama made a compelling remark that resonates strongly in the context of the current discussions: “There is no shortage of plans here. There is no shortage of policy papers. This is not a technical problem. It’s problem of politics. It’s a problem of getting a big enough coalition of people who are organized, inspired, mobilized and will then put pressure on those who are elected...in order to get it done”¹.

There are ample evidences now to show that anti corruption initiatives need to navigate the complexities of power and politics if they want to be effective in the long run and address systemic changes. However, in practice there is often a tendency to align with reformist leaders in the executive branches and avoid the complexities of interfacing with political structures. This inability, either by design or default, to engage with political institutions and processes could perhaps best explain why the proliferation of many ‘pilot’ interventions fail to provide the critical momentum to change policies and practices in the larger context. The challenge in the coming years will be to bring politics back into the governance and anti-corruption discourse and praxis by locating legitimate spaces and channels for the poor to engage with political structures, processes and actors that rely on representation and negotiation.

¹ ‘Obama Analyzes New Hampshire Performance’, January 9, 2008. www.npr.org. Quoted in Odugbemi & Jacobson, 2008.

From Political “brakes” to Reform “accelerators”: The New Paradigm²

Demand side initiated tools and approaches are finding champions among political leaders quickly. A good illustration of this transition is the social audit of public services in Delhi initiated by the Chief Minister (Head of the Provincial Government) of Delhi, Mrs. Sheila Dixit. In September 2005, Mrs. Sheila Dixit invited an independent non-profit organization, the Public Affairs Foundation (PAF) Bangalore to monitor the outcomes of key public services in Delhi using citizen feedback on the service providers involved. The People’s Audit covered 14165 respondents in Delhi and elicited focused feedback on user’s experiences across nine public services.

Challenges in implementing the audit were manifold. For one, hitherto institutional experiences hinged around using the power of public feedback as a civil society-led accountability mechanism. This was the first time that the “instigator” happened to be from the other side (state)! Secondly, there was a huge political risk. To what extent will a technical exercise like this insulate itself from unexpected political undercurrents? Also, will the Chief Minister renege on her promise to come clean with the findings publicly. An early strategy adopted was to create a common understanding among the utility managers on the intent of this “audit”. It is interesting to note here that the Chief Minister was not too comfortable with the phrase “Citizen Report Card” and instead, suggested the term “Social Audit”; the reasoning was that Report Cards conveyed a notion of evaluation and assessment from outside, while Social Audit would reflect a more transparent and open initiative by the state. However, during the initial interactions with the utility managers, it was clear that a majority of them was not comfortable with the term “audit”. Repeated presentations had to be made to assuage all misplaced concerns on this; ironically, it was the illustration from the Bangalore Report Card that convinced many utility managers of the neutrality and diagnostic power of this approach.

The preliminary findings from the study were presented to the Chief Minister, her senior officers and the utility managers on May 25, 2006. The findings were reviewed and discussed threadbare and the openness exhibited by the Chief Minister to acknowledge shortcomings was remarkable; interestingly, the Delhi Jal Board (Water utility) of which she is the Chairperson was the worst rated in terms of overall satisfaction. Whenever a utility manager came up with a positive secondary statistic (like the overall pass percentage for schools), she would immediately point to the overall messages indicated by the end-users and asked them to pay attention to that. Her message was very clear “I appreciate all the financial and physical data put out by all of you, but at the end of the day, as a political leader and as the Chief Executive of this government, my interest is on what people in the ground say about the services”. It was quite clear that this informed public feedback gave her a new and powerful perspective to address issues of public service delivery that are far removed from the mumbo-jumbo of official statistics. The draft findings were then circulated to each service/department head to review them thoroughly and pose any queries or clarifications. The final report was drafted end of August and on September 4, 2007, the Chief Minister released the findings to the public at a press conference. Acknowledging the findings as a clear indicator to the government to focus more on the pro-poor sectors, the Chief Minister also announced that a high-level committee will be set-up to address the concerns that have come out of this audit and also, to assist individual departments and utilities to draft actionable measures.

² Extracted from Thampi (2011).

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