

UNIVERSITY OF UTRECHT

Multiple Discourses and Micro-Politics

A Framework for Analysing Legitimizing
Processes of Small Development NGOs

Guido van Ingen

3467104

Abstract

Key words: discourse, micro-politics, NGO, legitimacy, accountability

This thesis is concerned with the concept of legitimacy in relation to small development NGOs. The world of development NGOs is fragmented and diverse, allowing for no single unified discourse, but suggests a world of multiple discourses in which the NGOs are involved. Assuming an actor oriented approach allows for insights in the multiple directions and dimensions of the concept of NGO legitimacy. The micro-politics of NGO practices stand at the base of the giving of meaning to symbols relating to legitimacy and the legitimating processes itself. This in turn is shaped by the multiple discourses that the NGO is engaged in, in respect to its different stakeholders. This thesis suggests a framework for analysing legitimacy of small development NGOs, based on the micro-politics and multiple discourses of these NGOs.

Table of Contents

- Introduction..... 3
- 1 The NGO 6
 - 1.1 Deconstructing ‘NGO’ 6
 - 1.2 Political in what terms? 8
 - 1.3 NGOs within Civil society..... 10
 - 1.4 Conclusion 12
- 2 Exploring Legitimacy..... 13
 - 2.1 Multidimensional legitimacy 13
 - 2.2 Constructing legitimacy through multiple audiences..... 14
 - 2.3 The role of accountability in legitimizing processes..... 16
 - 2.4 Conclusion 19
- 3 The Politics of Legitimacy 20
 - 3.1 Different politics 20
 - 3.2 (Micro-) political tools concerning legitimacy 22
 - 3.3 Conclusion 24
- 4 Conclusions..... 25
- 5 Literature 26

In the encounter with the NGO actors it soon turned out there was no single story to tell of what the NGO was, what it wanted, and what it did. Not only were NGO actors' practices differentiated, the organizational image presented to beneficiaries was also different from the one given in project correspondence with the donors or the one played out in social movement events. It became obvious that the NGO did not work according to one single rationale or discourse, but availed of a repertoire of multiple discourses. Some of these were contained in the reports, speeches and other statements through which the management and staff presented the NGO to the outside world. Others remained invisible in the everyday practices or were kept hidden from certain stakeholders.

Dorothea Hilhorst, 2000

Introduction

A lot of the recent debate on development aid or development cooperation is focused on the deficiency, inefficiency or failing of development initiatives. It is often a bleak picture of 60 years of so much active development aid that has led to so little progress. In other words, it is a quest for legitimacy of 60 years of development work. Is an organisation devoted to development legitimate when measures of success are ambiguous? And to whom do these 'successes' matter? Such processes take place on all levels within the development field, from the plush offices of ministries and multinational organisations, to the man in the tropical mud constructing a rural health clinic. And maybe more importantly: to who are they communicated? And in what way? The moral term legitimacy has conventionally been used in Western political theory as referring to the state. (Atack 1999 : 857) But it is in the same way relevant to organisations within civil societies.

In the recent decades, the practical implementation development theory occurs more and more through the activities of non-governmental organisations (NGOs).¹ This represents part of the 'on-the-ground' reality of development activities. So how do these concepts of accountability and legitimacy relate to the 'on-the-ground' practice? Any writing concerning the practices of NGOs is faced with the insurmountable task determining what in fact constitutes an NGO. It is estimated that between 21.000 and over a million of such organisations exist² and each of these is organised in a different way, constituted by different people, with different purposes and intents. This plethora of difference creates a world in which making any general statement is precarious at best. But what is found in each of these organisations is the fundamental question of legitimacy, and to what extent this is represented by accountability. Unlike for example a regular company or a political party, the donor and recipient are not one and the same person or group, which sets the stage for such issues

¹ Development NGOs have existed for long time, in the form of missionaries aid for example. When the development industry started to take shape after the 1950s, it was mostly states that would give Official Development Assistance (ODA) bilaterally; closely related to the global politics of the Cold War. When halfway the 1980s ODA rose sharply, the role of NGOs became more entrenched as governments sought ways to diffuse capital 'to those who need it most'. (Riddell 2008 : 36)

² The estimates vary according to different parameters used, based on organisational capacity. The estimate of 21.000 comes from a 2003 rapport of the Union of International Associations and the 'over one million' is based on Thakur and Saxena (1999 : 14), who estimate that this number is almost reached in India alone. (Riddell 2008 : 53-4)

differently. For example, the taxpayer receives public goods or services after paying taxes, or you receive a product after having paid at register in a shop. In this way the 'donor' is transformed into the 'recipient' and simultaneously a closed network of accountability is formed, however flawed at times. This is unlike NGOs: which have separate donors and recipients, allowing for a more complicated network of accountability and at least a double perspective on legitimacy.

In the recent years, more attention is being given to such themes in the development sector, mostly following the meagre results development aid has produced - while so much effort seems to have been made. It is in this light that I choose not to go into the debate concerning the different approaches to development. For example, the question of whether a people is better served by an organisation involved in capacity building (governance oriented) or should focus its resources on serving the poorest. Instead I will focus on how, through micro-politics, the accountability of NGOs is relevant to their legitimacy. In order to avoid more geopolitical issues I will not focus on big NGOs (BINGOs), who in the past decades have grown out to have become major players on a global scale. Instead, I would like to move the lens towards the operations of small development NGOs, consisting of not more than a handful of people, classified by the much quoted Korten (1987) as 'second generation NGOs'.³ This also excludes donor-NGOs and humanitarian (first generation) NGOs. It is precisely within such a narrow focus that there is more room for personal 'on-the-ground' agency, for both the NGO employee as for the recipient; contrary to the more systemic approaches and entrenchment in protocol, that coincide with larger amounts of capital available or lack of 'on-the-ground' activities. By introducing this personal agency, an actor-oriented discursive analysis is more tangible and easier to construct. This in turn leads to processes of legitimacy occurring within the social context of the NGO to be less diffuse.

In this thesis I look at the development debate from a 'humanities'-perspective, as opposed to the more systemic approaches often found in development studies. I believe that beside the economic figures, development indices and sociological approaches, the humanities offer a unique perspective on the development debate and can act as a binding factor in this extremely interdisciplinary field. It allows for a meta-perspective on the practice of representation and of signifying, which is in fact a source for much of the debate between 'Southern' and 'Northern' scholars on the issue of development (see *Text Box 2*). Being based in the humanities, when I look at the development field, it is precisely here, on the edge of the debate, that I can find the strongest incentives to participate in the field. It can be formulated as a contested paradox of 'helping to become equal' and therefore affirming inequality. This paradox can be found in all layers of development work and is explicit when taking a more meta-perspective on the field. Ambiguously though, it is filled with the most discouraging examples, but at the same time provides a treasure-trove for inspiration and is

³ Korten understands the second generation NGO as small-scale, self-reliant local development NGOs. Yet, Korten's generational framework for defining NGOs is limited in that it generalizes NGOs in 3 categories. The first is limited to humanitarian (relief) aid; limiting the second generation spatially (village or neighbourhood), in a time-frame (project life) and most importantly: strategically (only service provision, excluding advocacy and awareness); and fixing the third generation by adding a more political dimension and less focus on service delivery. (Korten 1987 : 148) While in reality such generalisations can rarely be made to stick - and in fact many small development NGOs are active in both service provision as well as in advocacy and awareness rising.

abundant with successes. It is this strong relation of academic theory with on-the-ground practice that can tangibly bring out the concepts of accountability and legitimacy on all levels. To do so, I will use a constructionist approach, which I understand as “[t]hings don’t *mean*: we *construct* meaning, using representational systems – concept and signs”(Hall et. Al 2011 : 25). In this way, terms and concepts are a dynamic (social) process, instead of a static label. By applying this dynamism to NGOs, I attempt to treat NGOs not as ‘things’ or fixed entities. Instead, in the words of Hilhorst, “[..]in order to understand why certain organizations appear and find legitimacy as NGOs, it is imperative to take on board a more dynamic understanding of what constitutes an organization” (Hilhorst 2000 : 15).

In the following chapters I will cover the issues on how to define NGOs, legitimacy and accountability. In the first chapter I will outline the concept NGO, by deconstructing it. By this I mean to look at the different parts of what the negative relation to for example government means for the term itself and how this negative relation often leads to a definition based on ‘what it is not’. Then I will briefly go into the meaning of politics in relation to NGOs, followed by placing NGOs in a broader societal context. In order to do so, I will use the concept of civil society as descriptive for the role of NGOs. In the second chapter the concepts of legitimacy and accountability take shape in relation to the functioning of NGOs. I argue that legitimacy is a process instead of a static label or ‘thing’; in other words: it is a socially constructed and dynamic. The role of accountability within the legitimating processes is exacerbated in the world of NGOs, due to the division between ‘donor’ and ‘recipient’ because there is no closed network of accountability automatically available. These two chapters form the ‘code’ (Hall et al. 2011 : 38) or particular development discourse concerning the concepts NGO, legitimacy and accountability. In the third chapter I will place these concepts within the political realm of NGOs and - more specifically - within the social or micro-political space that NGOs operate in. This will provide insight in how the concepts or symbols are given shape, which within a particular discourse help to define legitimacy.

1 The NGO

William Fischer states that “[t]here is little agreement on what NGOs are and perhaps even less about what they should be called” (Fischer 1997 : 447), and many with him. The difference between different academic authors and the use of such terms comes from the generalisations about the NGO sector, obscuring the tremendous diversity characterising the sector. In the textbox (1) below is a list of abbreviations and acronyms of just some of the terms used to classify different NGOs. In the following section I use a deconstructionist approach to define the term ‘NGO’ and propose a working definition for this thesis. First I analyse the term itself, focusing on the ‘negative’ prefix of NGO: defining the term by what it is not. Following is a discussion of the politics and micro politics in NGOs, determining its conceptual structure. Then the relation of NGOs to civil society will be briefly discussed in order to be able to produce a more clear definition within a broader societal context.

Text box 1: Abbreviations and Acronyms

BINGO	Big NGO	CBO	Community Based Organisation
BONGO	Business-organised NGO		
DONGO	Donor Organised NGO	GSO/GRSO	Grass-roots Organisation
GONGO	Government Operated NGO	ISO	Intermediary Support Organisation
GRINGO	Government-run NGO	LDA	Local Development Organisation
INGO	International NGO		
NNGO	Northern NGO	MSO	Membership Support Organisation
NGNPO	Non-governmental, Non-Profit Organisation	PO	Peoples Organisation
		PVO	Private Voluntary Organisation
QUANGO	Quasi-Autonomous NGO	VO	Voluntary Organisation
SNGO	Southern NGO		
COME ‘N GOs	NGO entrepreneurs which never or only briefly operate	CSO	Civil Society Organisation (not always an NGO)

1.1 Deconstructing ‘NGO’

The abbreviation NGO means: a *non*-governmental Organisation. Yet, the definition of an NGO is not as straightforward as it might seem. The negative prefix seems to determine the nature of the organisation by what it is *not*. Starting by ‘un-relating’ it to government, regular companies and militant organisations, the analysis will go into the organisational aspect, followed by a brief discussion of the judicial aspects relating to NGOs.

The ‘non-governmental’ part is problematic at least, both in theory and in practice. The term was first coined by the UN, stipulating in article 71 of the UN charter (1945) that “[..] NGOs could be accredited to the UN for consulting purposes” (Martens 2002 : 271). According to Martens, the subsequent use of the term NGO became common and often substituted by other terminology used to define for example non-state international bodies or civil society movements. (Martens 2002 : 271-2) In the same UN article, there is not a clear definition of what an NGO really is, but reference to how it is used is made through several examples, like the International Police Association (IPA) and the Sikh Commonwealth. Whereas the IPA is constituted by members of the police force - who are civil servants to a government -, the Sikh Commonwealth actually was part of a separatist movement speaking up for an autonomous Sikh state (Khalistan) within the Republic of India. Both were later

excluded from the list of possible consultants to UN practice. Respectively on the basis of political alignment by the IPA, which included 850 members from apartheid South-Africa, and on the basis of political purpose and utilised means, since the Sikh Commonwealth intended to be (part of) a government by means that could include violence, separating it from India (another UN member state). It is specifically this negative connotation of the term, i.e. the 'non' of 'non-governmental', that has been subject of debate, which will be described in the following paragraph concerning the politics of NGOs.

Following the same division, NGOs can be distinguished from other non-government organised groups by looking at the goals/mission and at the means of achieving these. When looking at the goal of NGOs, they differ from regular companies and organisations in that the NGO advances the interests of its members or universal goals, instead of pursuing (private) profit. In doing so, NGOs are defined by being not-for-profit. When looking at the means of achieving these goals, another differentiation can be made with respect to the use of violence; it being militant action or actively inciting violence through media or speech. In this manner, NGOs can be distinguished from for example militant secessionist movements or guerrillas. Neither of these differentiations – by goals or means – is clear-cut. For example, some companies have a separate branch doing development work in a similar way to development NGOs, as part of corporate social responsibility programs. In this way, the mission, practices and organisational structure define it as NGO, but its link to the mother-company prevents it from being defined as such. When looking at the non-violent division, it is worthwhile to note the difficulty of defining violence without also referring to juridical definition. In doing so, some activities by NGOs can be classified as non-violent in a physical manner, yet as violent to economic groups or political systems. A clear example of this is animal rights activism organisations, but in addition also “[..] many well-established NGOs operate on the borderline of illegality.” (Martens 2002 : 279)

Having briefly looked at the distinctions that can be made following the first two letters of the abbreviation, a further distinction can be made with respect to the last word: organisation. Often difference in organisational structures is used to define the term used for an organisation. For example people speak of grass-roots organisations (GROs) in order to distinguish these membership-based, locally autonomous groups from groups of urban intellectuals working more as intermediary support organisations (ISOs). (Fischer 1997 : 448) But these organisational structures can also refer to the geographical origin of the organisation, such as a 'Northern NGO' (NNGO) or a 'Southern NGO'(SNGO). What is important to note is that this more than a description of its geographical location of origin, since the terms are a problematic at least. (see *text box 2*)

Text box 2: Othering and differentiation in the development debate: 'North' and 'South'

The following are excerpts from a book review by Lawrence Cumming of Ahmad Mokhbul's book *Understanding the South: How Northern Donor Agencies and NGOs Understand the Needs and Problems of Southern NGO Clients*.

"First, the good news: this is a published contribution to the discourse on international aid and North–South relations by an informed spokesperson from the global South. This is an event to be celebrated in a field dominated by Northern experts, a fact poignantly underlined by the author's own literature review(Chapter 2) and his comprehensive bibliography—if, indeed, such reminders were needed.

[...]

Unfortunately, the study is not without its shortcomings, starting with its title, a formulation that would seem to suggest two somewhat different possible meanings. The first might be the means or the process by which "Northerners" come to know "the South." The other might be the nature of the understanding that they have of that "South." The book is more about the latter than the former, though, in that, it is less than wholly successful. Indeed, the title might be said to be somewhat exaggerated in the light of the ground the book actually covers."

Source: *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, vol.14: 3 (2003)

The issue of legality and questions on whether a transnational NGO can be a legal person are part of an institutional approach to defining NGOs. In what way an NGO can be a legal person and under what jurisdiction it falls will be omitted here, since this is almost as diverse as the number countries in the world, which all have their own legislation concerning NGOs. Whilst several attempts have been made to create supranational standards on how to deal with multinational NGOs, most of them have failed during the planning phase, due to lack of consent between participating states. "Instead of developing a body of criteria for NGOs, international law focuses on the status of NGOs under national jurisdiction." (Martens 2002 : 277) Then, how do NGOs relate to the government of national states? In the following section I will pay attention to the role of politics in relation to NGOs, concerning both national (party) politics, as well as intra-organisational (micro) politics.

1.2 Political in what terms?

As discussed above, the term NGO involves far more than the sum of its parts: an NGO is not simply an organisation that is 'not involved' with the government and national politics. This is true for some organisations where political neutrality seems to be the basis on which the organisation runs, such as the peace brigades (see *text box 3*). In many cases the terms 'politic' and 'government' (or the non-alignment to them), have to be stretched or shrunk to fit the picture. The relation to national politics is a problematic one, since some political parties in fact start out as non-governmental organisations, changing their goals as they grow in power or importance. Consider for example the close ties existing between large NGOs such as the labour unions in the early twentieth century with the labour parties that started to flourish in that era. Hilhorst gives several examples of NGOs that are in part political parties, which were often constituted through oppositional political alignments or partisan organisations. Sometimes these are also referred to as People's organisations (POs). (Hilhorst 2000 : 3-5) But an important difference is that a politically motivated NGO can in fact remain non-political in the sense that they are "[..] not primarily interested in promoting candidates for political office."

(Uvin and Weiss 1998 in Martens 2002 : 281) In fact, these lines between NGO activities and national politics are anything if not blurred.

Text box 3: Peace Brigades

The following is a brief mission statement of the Peace Brigades International (PBI), outlining their hallmark political neutrality. It in fact is the basis for their continued successes and continued range of activities across the world.

“PBI is an international NGO that has been promoting nonviolence and protecting human rights since 1981. Our work is based on the principles of non-partisanship and non-interference in the internal affairs of the organisations we accompany.

We believe that lasting transformation of conflicts cannot be imposed from outside, but must be based on the capacity and desires of local people. Therefore we do not take part in the work of the organisations we accompany. Rather our role is to open political space and provide moral support for local activists to carry out their work without fear of repression.

Our unique access to information and our objectivity increases our credibility with all parties to the conflict and gives us access to authorities nationally and internationally.”

(<http://www.peacebrigades.org/about-pbi/> accessed on 17-01-2013)

At present this is still one of the major criticisms in the development field: how can an NGO execute its mission unbiased, and to what extent is it still ‘non-government’ if it is dependent on funding from national governments? It is poignantly phrased by Ian Smillie when, describing the funding situation of Canadian NGOs, he notes that “[w]hen the CIDA [Canadian International Development Agency] sneezes, Canadian NGOs reach for their Vitamin C!” (in Edwards and Hulme 2002 : 160). This describes the intricate relation that many NGOs have with the government, mostly aided by the flow of capital from donor to organisation. The UN also refers to this problem in later amendments to article 71, where it states that: “[..] the requirements are an established headquarters, an executive organ and officer, a democratically adopted constitution (providing for the determination of policy by a representative body), an authority to speak for the members, and *financial independence from government bodies* [italics added]”, but the membership may be composed of members designated by governments, unless this would interfere with the free expression of the view held by the organisation. (Martens 2002 : 274) This clearly involves an institutional approach to defining an NGO along its organisational structure and financial dependence. Yet, as noted earlier, both remain to be problematic.

Not only the composition and modus operandi of an NGO is what blurs the line between NGO and government, but also the field in which both operate: public services. It can be the case that the state is lacking funds or will to intervene in problematic situations; it often happens that NGOs take over the public services. Sometimes to alleviate aggravated human suffering in the form of emergency relief aid or to fill in a vacuole left by the government in for example the healthcare sector or the educational system. (see also Textbox 7: *SAPs and Latin America*) It is sometimes the government who contracts NGOs to fill these sectors. It is here where dependency theory has a strong foothold,

describing the way in which the government turns away from its responsibilities in the public sector when NGOs (or other donors) have taken up a more permanent function.

Yet there is another side to politics: “[a]lthough NGOs may present ethical judgments as neutral standards of judgement that stand outside political contest [...] these judgements are essentially political.” (Fischer 1997 : 458) From this perspective, politics lie at the very heart of NGO existence and practice. It is this type of politics that concerns the questions of accountability and legitimacy in a non-formal way. By this I mean to differentiate between formal/informal politics and formal/informal legitimacy. By formal politics I mean national/regional (party) politics as opposed to the more social informal power politics inherent to social relations as described by Foucault. (Foucault 1975) Formal legitimacy is legitimacy governed by institutions and law, contrary to legitimacy of for example NGOs on a moral basis, constructed socially through discursive practice.

1.3 NGOs within Civil society

However laden and ambiguous the term ‘civil society’ is within academic debate, it is important when analysing what an NGO is, since NGOs are part of civil society and therefore defined by it. In the following paragraphs, I will briefly give an overview of what is seen as civil society and relate it to the definition of NGOs.

According to the UNDP “[c]ivil society constitutes a third sector, existing alongside and interacting with the state and market” (UNDP 2006 : 1). While this definition of the UNDP seems to communicate an open mind within development discourse, it remains to be one of the most contended concepts of the last decades. For example, Stephen Orvis (2001) argues that western thinkers are not at all unified on defining what civil society is and what it can do. He states that historically, Hegel, and in more extreme terms Marx and Gramsci, saw civil society as a site outside the influence of the state. They assumed that it would be domineered by certain interests or bourgeoisie and therefore not capable of creating an egalitarian democracy amidst capitalist societies. Yet most western political philosophers propose to see civil society as the birthplace of a balanced society, like Tocqueville or Schmitter. (Orvis 2001 : 20) But in these Western oriented terms concerning democratic political life, it does not capture the full array of traditional non-Western associational and political life (see *Text Box 4*). It is important to note, however, that civil society is (partly) autonomous in relation to the state, but it does inherently recognize the state, since its citizenship and autonomous relation is dependent on it. In this way, civil society is constituted by groups, networks and organisations that “[...] promote their shared interests, either alone or through interaction with others, with the state, with markets and with individuals” (Riddel 2008 : 302).

Text Box 4: Civil Society in Africa of African Civil Society?

The literature on the role of civil society in Africa can often be divided between an optimist and a pessimist view. In his analysis, Stephen Orvis (2001) suggest a different approach that both clearly limits the concept of civil society as well as it allows for a more cosmopolitan framework for analysing civil society. The pivotal concept in his article is democracy and whether or not it constitutes a major part of what civil society represents. He compares several studies, from both African and non-African scholars on the issue; coming to the conclusion that mostly a narrow, idealised *Western* version of civil society is suggested. In order to use the same concept in a non-European (African) setting, he argues, it needs to be more comprehensive so as to include the broad array of collective activity and norms that form African society – ‘democratic’ or otherwise. Liberal democratic norms and ideology have spread over the continent and have influenced discourse everywhere, but the proceedings of governance also run along what is often described clientilism, ‘tribalism’ and prebendalism.

Orvis convincingly argues that these norms which seem to heavily influence African political life and affairs surrounding government capital, are in fact not always originating from ethnic strife and/or personal greed, but are simplified expressions of the complex and often conflicting moral networks that exist in contemporary African society. In effect, when using a term such as civil society, it is imperative to include these political realities in its definition. This implies that the extent of democratisation or formation of conventional democratic society and its institutions are not a measure for the strength of civil society. In fact, civil society can impede this process. (Orvis 2001 : 33) Therefore, “[...] African civil society is more rooted in and representative of African society as a whole than the pessimists have admitted, but also less internally democratic and less likely to support liberal democracy than the optimists assert.” (Orvis 2001 : 17)

As discussed in the textbox above, it is necessary to broaden ones understanding of civil society to (at least) include non-western associational and political life. By viewing civil society in narrow terms, NGOs operating within a framework of local civil society attempting to strengthen or support it, could in fact be opposing it or forcing it in a direction not shared by the people it concerns, leading to accusations of oppression and neo-colonialism. For example in Uganda, where at least 7,000 registered NGOs operate, it is said that civil society is hijacked by western NGOs, attempting to shape it according to western norms of what should constitute a civil society. (WRR 2010: 204) Therefore, I assume a broad definition of civil society, allowing for a broad political definition and including non-Western approaches to constructing society. As NGOs are a part of civil society (Atack 1999 : 855, Edwards & Hulme 1996 : 35-6) they fall under the same broad definition. This is important when considering the immense array of NGOs within the equally broad definitions mentioned above. Within the development debate however, often the definitions for civil society organisations (CSOs) and NGOs overlap. The distinction between the two is formed by the formal organisational structure of an NGO, whereas a CSO also is constituted by informal networks and associations. For NGOs however, by being part of civil society, means that they are shaped by it, and consequently so is the discourse and discursive practices shaped by them. For legitimacy and accountability this means that these concepts also cannot be universal, but are constructed differently everywhere.

1.4 Conclusion

Considering the debates concerning the use of the term NGO and its related terminology, it seems that no specific definition can be accurately drawn that will describe the 'typical NGO'. In fact, in the face of the immense diversity, no generalisation should be made. Yet it is necessary to constitute a general working definition for this thesis, with the intended purpose of analysing the discursive practices of NGOs and the people constituting them that are part of the processes of accountability and legitimacy. As argued above, the negative prefix determines to a large extent what an NGO is: non-government, non-profit and non-militant. An NGO is not inherently political in the conventional sense of the word, but it can be, and therefore be involved in local or national politics. But more importantly, an NGO is inherently political due to the normative aspect of its teleology: making the world a better place. An NGO therefore is a normative organisation, within civil society, whose members are actively involved in creating and influencing discourse. This discourse is dependent on each actor involved in actuating discourse, but also on the civil society they originate from.

2 Exploring Legitimacy

“Instead of asking ourselves whether a representation corresponds to reality, we should be concerned with the *workability* and *legitimacy* of a representation.” John Law (1994 : 26)

In the previous chapter, the question as to what is an NGO, or to be more exact, what does NGO represent has been discussed and I have suggested a working definition, or rather a limitation as to what NGO can mean. The next step is to see whether this is a workable representation, but more importantly, to what extent is it a legitimate representation? By representation I mean the social practice of giving meaning to a (shared) concept through communication. By being a legitimate representation, an act of representation is an attempt to approximate a shared reality.⁴ In the case of an NGO, it is the way discourse is formed in relation to its mission and actions. I argue that legitimacy is in fact not a static label obtained through various steps, but a dynamic process. Legitimacy is socially constructed and formed by discursive practice. Then the question whether the NGO is legitimate is could be transformed to the question whether the NGO adheres to the dominant discourse or not.⁵ The process of legitimacy is key to understanding the development discourse concerning NGOs. In the following paragraphs I will argue that processes of legitimacy are constructed through multiple audiences, making NGOs a multifaceted representation of not only their mission statement and moral judgement, but also consisting of multiple actors. The question concerning legitimacy, then, is multidimensional and multidirectional, both as a concept as well as with regard for which actor legitimacy is being constructed. I will briefly discuss the role of accountability within the processes of legitimacy and describe different forms of accountability.

2.1 Multidimensional legitimacy

In order to speak of legitimacy for NGOs, it is necessary to determine what it in fact entails. Edwards (1999) refers to it as “[..] having the right to be and do something in society – a sense that an organization is lawful, proper, admissible and justified in doing what it does, and saying what it says, and that it continues to enjoy the support of an identifiable constituency” (Edwards 1999 in Lister 2003 : 176). Further elaborating on this, Ossewaarde et al. (2008) distinguish four basic dimensions of legitimacy: normative, cognitive, regulatory/institutional and output legitimacy. Additionally, following Lister (2003) and Atack (1999), I assume also that the dimensions of legitimacy are differently constituted in relation to different actors. For example, the normative claim that an NGO is doing-good functioning as a claim to legitimacy towards its donors is hardly the same form of legitimacy as is required by local authorities or other NGOs active in the same field. Yet, the claim to ‘do good’ is the most visible form of legitimacy, wielded by most NGOs and is found in their professed missions. It rests on the fact that there is a moral obligation to help those less privileged⁶

⁴ However, a representation remains to be an approximation of reality; it carries a symbolic function of reality that is socially constructed, rather than mimetic or performative properties. (Hall et al. 2011 : 25-6)

⁵ “[A development discourse] identifies appropriate and legitimate ways of practising development as well as speaking and thinking about it.” (Grillo as quoted in Hilhorst 2000 : 18)

⁶ Which can be based on several different explanations, such as: solidarity; in response to human suffering; to contribute to human development; to extend and enhance the fulfilment of human rights; because of inequalities and the growing gap between rich and poor; to secure a safer world. (Riddel 2008 : 141)

that stands semi-uncontested within the development debate. The question *how* this is achieved is a principally different matter.

This claim to 'do good' can be considered the normative dimension of legitimacy. It is often the most visible form of legitimacy, since it is used in advertisement and fund raising campaigns and is usually represented in the mission statement of the organisation. It stands to reason that this form of legitimacy does not operate separately from the other dimensions of legitimacy, but sits in the full spectre of legitimacy concerning NGOs, which in turn is necessary for NGOs to operate properly. The different dimensions of legitimacy can, at times, seem contradictory or mutually exclusive, but the full legitimacy of NGOs is constructed through a balance between the different dimensions, valued differently in respect to different actors.

One of the most clearly visible obstructions to the normative dimension of legitimacy has to do with the second dimension of legitimacy: regulatory or institutional legitimacy. The action of development practice is in fact an intervention in- and breach of state or institutional sovereignty. Therefore, the authority in a country in which an NGO is seeking to operate first has to give permission to the NGO to do so, relating institutional legitimacy to the NGO. In this sense, the regulatory or institutional legitimacy of the organisation depends on the moral justness and (inter)national recognition of its task. While Ossewaarde et al. (2008 : 44) mainly refer to INGOs, the same obstruction applies to nationally operating NGOs. By this I mean that also a local NGO can only achieve institutional legitimacy if it is also recognised by the local authorities. The infringement on the sovereignty of the local order - either democratically constituted or otherwise - still accounts for an institutional barrier, however low or high.

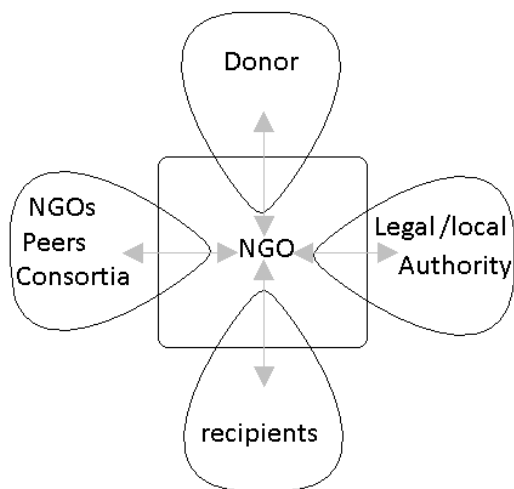
The third dimension of legitimacy lies in the potential of the NGO to actually be able to address the problems it wishes to solve - as professed in their mission. This legitimacy has a close relation to what Kaplan describes as 'organisational attitude' and 'acquisition of skills' (Kaplan 2000 : 518-9). By this he means the organisation of capacity and more importantly, the confidence that the organisation has in respect to these capacities. These are the means to reach the goals set in the mission statement and these means are for a large part intangible (Kaplan 2000 : 520-1, Ossewaarde 2008 : 44) This means that the cognitive dimension of legitimacy is mainly constituted by the relation between the professed mission and the organisational capacity and potential to fulfil this mission. It can be a more social form of legitimacy, in that it is rooted in claims and perceptions. The legitimacy following from the social processes and perceptions is therefore liable to be 'lost in translation' or can be constructed without full reference to reality. However, there remains a material aspect in that potential of an organisation is in part also expressed in tangible assets.

The fourth dimension of legitimacy is constituted by the output of the NGO in relation to the mission. (Ossewaarde et al. 2008 : 45) This is the most tangible part of legitimacy, where the actions and results are measurable parameters of legitimacy. Accountability plays a large role in this dimension of legitimacy, as will be made clear in the following section. It is important to stress though, that these dimensions of legitimacy do not follow a chronological or hierarchical order, but occur simultaneously. The different dimensions will in each instant be either more or less represented, as different audiences require a different mix of the four dimensions of legitimacy. For example, the recipients of aid will be far more interested in the output legitimacy, than for example the local authorities who in turn will be more interested in cognitive and regulatory legitimacy. Yet a mix of all

four is generally required. More importantly, the need to adapt the discourse of legitimacy to each situation is telling for the fact that legitimacy is a process in itself, instead of a static label that can be obtained through a universal process.

2.2 Constructing legitimacy through multiple audiences

Legitimacy can be understood through various ways and analysis of the term is often linked to accountability. Edwards and Hulme (1996) state that “[NGO] claims to legitimacy are premised at least in part on the strength of their accountability, particularly to the ‘poor’ [...]. NGOs do not have to be member-controlled to be legitimate but they do have to be accountable for what they do if their claims to legitimacy are to be sustained” (Edwards & Hulme 1996 : 14). Implied here is the problem of multiple audiences to which an NGO can be held accountable and with whom legitimacy is being constructed. This includes the beneficiaries of NGO activities, the donors supporting the NGO, the people constituting the NGO, its members, legal authorities, but also other NGOs. These different audiences are not always separate or autonomous, and processes of legitimacy overlap or can even be conflicting within a single NGO. For example, a NNGO will try to constitute its legitimacy in relation to its national activities, while its beneficiaries are looking for legitimacy on a very local scale. Or, to further complicate the matter: at the same time, the Southern Partner of the NNGO might be in conflict with local regulatory bodies, impeding the work of the NNGO who is not in conflict and has ‘established’ itself as a legitimate NGO in relation to the same regulatory bodies. Also, the different interests vested in the accountability process can be conflicting within the same actors who can be both staff and donor/recipient/legal authority/etc.



Different legitimating processes follow from different actors involved. However generalizing, it is important to note the wide range of sources for potential legitimacy as opposed to assuming legitimacy to be inherent to the characteristics of the NGO. (Lister 2003 : 179) The relation of NGOs to each of the following actors is generalised and is not representative of the hugely diverse characteristics within each set of actors. The following paragraphs serve merely to illustrate in general terms the different relational spheres in which processes of legitimacy are shaped. In the figure on the left the different actors are displayed overlapping, since actors can belong to multiple groupings. Arrows signify the

directions of accountability and legitimating processes. Within the NGO these processes also take place.

First and foremost, the legitimating process starts with the people acting on behalf of the NGO (*staff*). They automatically have to legitimate their work for the NGO in the process of identifying themselves as representative of this particular NGO. This is a complicated process and is often enacted between the different staff members without necessarily leading to unified identity. (Hilhorst 2000 : 17) What is more important is that within a small NGO, it are also these actors that relay the legitimacy of the NGO are less bound by protocol and more personal in their representation than those bound by larger organisations with a more clearly defined organisational identity. At the same time, internal authorities in an NGO can further complicate the processes of legitimacy, by

creating tensions on what constitutes the identity and therefore legitimacy of the NGO. Some NGOs are Membership Support Organisations (MSO) and legitimating processes take place between its *members*. The members in this case can simultaneously constitute donor and beneficiary, making the legitimating process less complex by merging several of the actors involved.

Donors of NGOs often require a detailed, systemised form of accountability in order to construct legitimacy. This can be done bilaterally, through for example reports of activities and transparency of financial records, or through third parties that act as intermediary or carrier of legitimacy, such as certifying organisations like Fair Trade. Just as NGOs, donors are not a homogenous group and are as diverse as the numbers they come in. These donors can be organisations, but also private supporters, each creating different processes of legitimation. The fact that donors have started donating is a sign of conferred legitimacy of the NGO, but to ensure the continuing of the same relation, the legitimacy has to be continually constructed, therefore, remains an on-going process.

The legitimacy towards the target public (*recipients*) of NGO activities, is often expressed through the success (or lack thereof) of achieving the professed mission. First, the legitimacy of the NGO has to be ascertained socially in order for the recipients to consent to the NGO intervention, by for example stating the NGO mission or by social relations with the staff/members. In the case of NGOs involved in advocacy and lobbying, it involves also 'obtaining' the right to represent the beneficiaries by the NGO. (Lister 2003 : 177) This legitimacy is in part constructed through normative discourse (mission statement) but also continuously through systems of output legitimacy. (Ossewaarde 2008 : 44) The same as with the donors, this is an ongoing process whereby for example continued output (and accountability therefore) is evaluated within recipient groups, ideally resulting in a continued re-evaluation of the legitimacy of the NGO. This process of downward output legitimacy is contested, since sometimes a non-involvement mentality reigns, suggesting that 'recipients should be happy with whatever they get' and need not be involved in accountability and output legitimacy processes.

Legal authorities (local government, judicial bodies) perhaps follow the most systematic process of legitimacy in that they follow a (more or less) static framework. Although the institutions and laws governing the NGOs vary from country, sometimes leading to NGOs being subject to multiple legal orders, legitimacy of NGOs is predetermined by its legal configuration. Beside the judicial aspect, also local governments are part of this, sometimes operating outside the legal framework, allowing for clientilistic and prebendalistic governing systems to further complicate the relation with the NGO.

There are often multiple NGOs operating in a single field or geographical area, especially in the so-called 'donor darling' areas such as Bangladesh or Kenya. This can be on a cooperative basis (see *text box 6*) or cause for competition (see *Text Box 5*). In either case, the legitimating processes also take place between NGOs.

Text box 5: NGO quarrels

Dorothea Hilhorst describes in her thesis the struggle and quarrels that exist between Philippine NGOs in relation to using the term NGO as a claim-bearing label.

“Working out what organizations are proper NGOs is not merely an academic exercise, it is also of importance to the organizations it concerns. In the Philippines, the matter of fake NGOs is taken very seriously. Karina Constantino-David (1992:138) distinguishes “three major types of NGOs in the Philippines which *hide under the cover of development* but are rarely set up for economic and/or political reasons” [...] Identifying fake NGOs is not a neutral occupation, it is political. Processes by which organizations attribute ‘genuine-ness’ or ‘fake-ness’ to themselves and others are conflictive and power ridden. In the Cordillera, I found most NGO actors involved in these processes. Competition over funds, popular support, and space in public discourse was strong and it was common to find NGOs accusing *each other* of being fakes. When Staff members of X were convinced that Y consisted of “opportunists looking for self-enrichment”, staff members of Y implied with same ardour that X represented a “cover organization for politically subversive activities”. These struggles over which organizations are entitled to call themselves NGO are important. They imply that we cannot say what an NGO *is*, according to some positivistic traits, but have to view an NGO as a contested, often temporal outcome of organizing processes.” (Hilhorst 2000 : 14-5)

2.3 The role of accountability in legitimizing processes

The concept of NGO accountability immediately conjures up images of thumb-thick rapports, transparency readings and is mainly oriented towards the donor. I argue that that accountability has the potential of being multi-directional and is a significant part of legitimacy and does not necessarily produce transparency. Though not in all cases, accountability is often closely related to the NGO practices. Especially in academic context, the legitimacy of NGOs is often directly related to the output-accountability of the organisation. Output accountability is formed by the relation between the normative mission statement and the output of the organisation. (Ossewaarde et al. 2008 : 43-4, Riddel 2008, Edwards & Hulme 1995) Following Hilhorst, I suggest to make a principle distinction between rational accountability and moral accountability. Below I briefly outline both in relation to the legitimacy process.

Hilhorst argues that rational accountability is a systematic approach assuming a machine-like configuration of organisations where there is a clear division between the accountable actor and the ‘authorities’ it is accountable to. The actors follow procedure and actions are documented, resulting in the before mentioned rapports that should convey transparency.⁷ (Hilhorst 2000 : 136) It is important to note that rational accountability concerns a form of ‘interpretative accountability’, resulting from the empirical difficulty of measuring and assessing impact and effectiveness of NGO

⁷ This process of making the operations of an NGO visible is at the same time a sense-making exercise. (Hilhorst 2000 : 137) By opening the organisational relations to scrutiny from the outside, a power play is enacted, similar to the discipline described in Foucault’s notion of the Panopticum of Bentham. (Foucault 1995 : 200-9)

interventions in an uncertain world.⁸ (Edwards & Hulme 1995 : 11, Riddel 2008) In most literature on accountability, this is the type of accountability that NGOs are concerned with. Although it is recognised that NGO accountability is multidirectional, i.e. towards all the different stakeholders, the reality and the principal critique is that it is mostly aimed at the donors, infringing on legitimacy processes towards its other stakeholders. Another problem is that rational accountability stands in tension with the concept of autonomous NGOs. By being transparent and adhering to for example donor driven forms of accountability, an NGO will be in danger of being entrapped in the agendas of others. (Edwards & Hulme 1995 : 38) This poses a problem for the internal legitimacy of NGOs – or rather for its staff or members. A key issue here relates to the problem of the converging of these different issues. It becomes clear that rational accountability is also socially constructed in different contexts, due to the difficulty of measuring and assessing the effects and impacts and the different stakeholders involved. Yet the lure of objectivity and transparency places extra emphasis on this form of accountability, both on the ground and in academic literature.

Moral accountability on the other hand is inherently more dynamic, without any pretence of objectivity, bypassing the empirical problems concerning rational accountability. It basically operates on a principle described by Durkheim as a 'moral contract'. The breaking of the contract is then sanctioned through institutions (law) or through *social mechanisms* of exclusion and correction. This includes an everyday reality of moral accountability that is not possible in rational accountability. In the latter the end product is transparency in which "[...] the accountability process should not distort the accounts" (Hilhorst 2000 : 136). Where rational accountability operates hierarchically, moral accountability, through its everyday occurrence, also/mostly operates horizontally. This process of horizontal accountability revolves around the axis of everyday- or micro-politics in an organization or society. If we assume that both forms of accountability operate in the legitimating processes, it is clear that the transparency suggested by the use of rational accountability will in fact be obscured by the moral accountability processes operating simultaneously. For example, "[s]taff members bring their social networks and everyday discourses to the NGO work. Clients are also relatives, colleagues also godparents of one's children, and government officials also former colleagues" (Hilhorst 2000 : 14). By introducing kinship and personal relations into the arena of accountability, the processes conveying transparency are likely to be counteracted due to multiple or conflicting interests of the actors involved. Added to this is the social dimension of measuring and assessing effectiveness and impact of development interventions, which is not an inherently objective process.

⁸ For example, a project aimed at making a group of people less vulnerable to problems concerning poverty can measure its output of certain projects, e.g. the training of farmers, teachers or healthworkers, measuring the relative health/education/agricultural produce before and after. But it cannot, based on the Duhem-Quine proposition, determine what factors actually did or did not improve the situation, and therefore relate it directly to the project that is being evaluated. Also the wider social and geographical impact concerning the sustainability of a project/programme of any projects is too complex to assert any sensible parameters. (Riddel 2008 : 166-70)

Text Box 6: NGO consortia: alternative platforms for accountability and legitimating processes

Following the concept of moral accountability, another platform to extend the reach of the concept would be to incorporate more horizontal accountability between NGOs in the form of consortia, or within the organisational structure, such as through cooperative organisational structures. An NGO consortium functions as a platform for 'peer review' or 'judgement by peers'. In many places an NGO Consortium has been formed in order to regulate NGO operations in a specific area. Such a consortium meets on a regular basis and forms a space in which NGOs operating in the area can harmonise their operations. This is in line with the current development paradigm put forward by scholars (Nelson 2007, Riddell 2008, Kaplan 2000, Mitlin et al. 2007) and endorsed in recent declarations such as the Paris Declaration (2005) and the subsequent Accra Agenda for Action. Also it offers a space for further accountability by peers in the form of reviews of development interventions. And a third function is described by Hilhorst as a dispute between two NGOs that has been brought before the consortium. By clustering the knowledge of the 'local' and the operations of NGOs into an authority, judgements can be passed that are deemed to be legitimate and objective by the involved actors. Yet also this is subject to more social dimensions, possibly resulting in a different outcome, as described by Hilhorst's account of the dispute brought before the consortium: "[i]t was considered that this project was an example *par excellence* of bad co-ordination between NGOs and moreover that this situation was due to CWNGO. The project co-ordinator of CWNGO who was present at the meeting told me later that the criticism was so harsh that she had not seen a chance to defend CWNGO. She had simply taken on the blame and apologized. (Hilhorst 2000 : 146)

Even though the rational accountability processes usually flow only vertically upward from the 'South' to the 'North' (Elbers 2012 : 22), the introduction of moral accountability plays a major role in the operations of small NGOs precisely because of the interrelated actors. This ascribes a possible source of power and agency to an audience often omitted when assuming a purely rational approach to accountability. For example, through moral accountability, the beneficiaries of NGO intervention have a direct influence over the functioning of the legitimacy and accountability processes. However, it is also a potential source for distorting insights: "[moral accountability] is associated with opaqueness, with the muddied workings of rumours, slander and vengeful acts, often in the realm of illegality. This association has little to do with the noble idea of pressuring people to fulfil their moral obligations, but with competition and dirty politics" (Hilhorst 2000 : 137).

2.4 Conclusion

Considering the multitude of actors involved in the processes of constructing legitimacy and accountability, I argue that legitimacy is multifaceted and multidirectional. The different dimensions of legitimacy are accentuated differently in relation to each actor. Due to the separation of donor and recipient in development interventions, accountability takes on a more pronounced role than in other organisations. Directly related to legitimacy, and specifically output legitimacy, is the rational form of accountability, where documented records of output are compared to professed missions and/or objectives of NGOs. Even though the measuring and assessing of impact and effectiveness of development interventions is empirically ambiguous and also socially constructed through discourse, it is given great importance in everyday practice and academic literature. But this form of accountability does not cover the more interpersonal aspect of NGO operations. Moral

accountability, based on Durkheims 'moral contract', is based on the personal relation of the NGO staff in relation to the other actors. Both these forms of accountability are set within the legitimating processes; the tensions in- and between each form of accountability influencing the legitimating processes. The different spheres or actors involved shape the outcome of the tensions between each form of accountability and the legitimacy process, resulting in a dynamic and inadvertently social process.

3 The Politics of Legitimacy

These existential issues of legitimacy are socially constructed and not a static label that, once obtained, will permanently hold. Then how are these dynamic processes formulated? I argue that this happens by means of both internal and external politics of NGOs. For example, a village may decide whether or not to support the presence of an NGO on the basis of needs, national politics or kinship with one of its employees. This choice is inherently normative and socially constructed on the basis of cultural codes. It is then not only the output or rational accountability that factors the legitimacy, but also the social motivations. The internal politics of the organisation present an important part of structuring the discourse shaping the various processes of legitimacy. In the following I will discuss the different types of politics influencing the legitimacy of NGOs, and more specifically, the function of legitimacy within the politics concerning NGOs. In other words, I will attempt to place the concepts of accountability and legitimacy in social power relations that form this specific development discourse within small development NGOs.

3.1 Different politics

I introduce the term *micro* politics⁹ in order to differentiate between what can be considered as conventional politics and the discursive practice of giving meaning to phenomena in a personal context. By conventional politics I mean the national or institutional politics, but also the more broad perspective of discursive politics. As addressed in chapter 1, the institutional or party politics is inevitably linked to the local development discourse and the construction of NGO legitimacy. During the 1980s and early 1990s many authors assumed that NGOs would offer a preferable alternative to state organised development. A sort of ‘magic bullet’ that could be fired of in any direction and would still hit the target. (Edwards & Hulme 1996 : 5, Riddell 2008 : 37-9) They would “[..] be unburdened with large bureaucracies, relatively flexible and open to innovation, more effective and faster at implementing development efforts, and able to identify and respond to grass-roots needs” (Fischer 1997 : 444). But the ever increasing professionalization and increasing size of NGOs makes this argument stick less well. Complaints previously reserved for regional or international organisations such as the UN on the increasing overhead costs and bureaucracy, are now also directed NGOs. (McCusker 2008 : 117-25) The following gloom of the 1990s and disillusion with the impact of NGO oriented development shows that in many ways, the same constrictions apply to NGOs as to state oriented development. In some ways NGO politics then are similar to national/party politics, in the broad sense, but also including the micro politics evident in human relations, especially when concerning power.

On a global scale, criticism and accusations of imperialism addressed to Western oriented development organizations are part of the development debate. Authors such as Harvey (2005, 2010) and Mitchel and Rosati (2006) link the policies following the western paradigm of development theory to the further spread of (neo-)liberal ideology. Harvey speaks of neo-liberalisation as either a “[..] *Utopian* project to realize a theoretical design for the reorganization of international capitalism

⁹ Politics of power in personal social relations between members/staff of NGOs and with other actors, as described by Foucault as part of the micro-physics of power (Foucault 1995 : 27). The micro-physics of power are understood to be the ‘grass-roots’ workings of power relations; not merely a reflection of the macro-power structures governing society, but it roots power in behaviour and (constructed) bodies of individuals involved in the power-play.

or as a *political* project to re-establish the conditions for capital accumulation and to restore the power of economic elites [italics in original]" (Harvey 2005 : 19). He argues that the utopianism of the neoliberal argument has mainly been used as system of justification and legitimation for the measures taken to achieve the political goal. Even though much of this political goal is being achieved through ODA¹⁰, the implementation or the use of these funds is often run through NGOs. (Atack 1999 : 857) These NGOs, such as USAID, are often becoming a conveyer of the same policies that have led to the need for external aid. (see *Text Box 7*) Both Harvey and Mitchell and Rosati see this occurring within a broader framework of capitalist driven globalisation (Mitchel & Rosati 2006 : 152). Development networks are inherently part of this in that they are potential tools for neo-imperialist groups or states.

Text Box 7: SAPs and Latin America

In the seventies, Latin America was often the playground for neoliberal theorists who comfortably secured US interest on the continent by means of for example Structural Adjustment Programs (SAPs). These extensive programs followed a strong neoliberal line, demanding lower import tariffs and opening borders to (mostly U.S.-) trade. Also it involved large cuts in government spending, resulting in a withdrawing the state from the public service sector. Some have gone as far as to include healthcare and education in privatization programs, leaving these sectors unfunded and depleted. The social reach of the education and healthcare sector subsequently dwindled to only include the wealthiest who were able to afford private education and healthcare. The weak economies that previously relied on import substitution industry (ISI) programs were often not able to fill the gap left by the state, leaving millions unemployed and without proper healthcare, housing and education. This in turn has led to the steep rise in urbanisation and sprawling shanty towns or favelas, leaving Latin America to be the continent with one of the highest urbanisation rates (75% in Latin America, vs. 52.1% worldwide) (UNSHP 2010). The filling of the gap by foreign NGOs can be seen as a major political tool to influence national policy and by some authors such as John Perkins (author of the controversial *Confessions of an Economic Hitman*) is actively being used to further geopolitical interests of intervening nations, not shunning (mass)murder, blackmail and exploitation and including direct lines to the development agencies and NGOs. Beside these more wild-west accusations, in US national policy on aid the link to US national (economic and security) interests is explicit. (Riddel 2008 : 94-6) And with at least 30% percentage of all official development assistance (ODA) worldwide being funnelled through NGOs (Riddel 2008 : 48), a cross pollination of government interests and NGO activities is not unthinkable. For the US, through the tying of aid (directly linking national interests to the giving of aid) substantial swathes of ODA are funnelled through NGOs that are accounted for as ODA, and not multilateral aid which is set at 10% (vs. 30% worldwide). (Riddel 2008 : 57)

¹⁰ Official Development Assistance (ODA) is usually bilateral aid between states of through an agency (closely) affiliated to the state.

But development aid can also be analysed using a discursive approach.¹¹ Escobar (1995) for example, following Said's notion of Orientalism, states that "[d]evelopment has relied exclusively on one knowledge-system, namely the modern Western one" (Escobar 1995 : 13). He convincingly argues that since the Second World War a global language has been formed. This language in effect 'creates' development, underdevelopment and the subjects of development, in a similar process to Austin's performative utterances. (Leezenberg & De Vries 2012 : 290) The language is part of the development discourse, and actively shaping discursive NGO practices based in the development discourse. In effect, this undermines the legitimacy of Northern NGOs (NNGOs) by aligning them with imperialist ideologies.

But perhaps the most important political factor contributing to the processes of legitimacy and accountability are the micro-politics of NGOs. The NGO faces the different discourses constituted through the interaction with different stakeholders, but is in fact not a unified entity. The process of legitimacy takes place first within the NGO, by forming a shared conceptual map between the staff/members. Even though such a shared conceptual map may be created to make the functioning of the NGO possible, it is carried out by its separate staff members. (Hilhorst 2000 : 17) The construction of such a conceptual map can occur along the lines of consensus, as suggested by the Chicago School: "[communication] makes a meaningful experience of differences, altering individualities in light of the other, making life together a product of those differences" (Katz et al. 2010, pp.117). However, the inherent normative nature of NGOs and NGO actions, make the construction of legitimacy a political act. The micro-political reality and power relations involved in legitimating processes, make that it is not merely consensus that underlies the legitimating processes, since it is often not a middle ground of all ideas and interests involved. Instead, the dynamism of micro-politics is better suited to serve the different discourses the NGO is engaged in, allowing for sometimes fragmented or outright conflicting discourses concerning the same NGO. (Hilhorst 2003 : I, 14) It is from within the framework of the micro-politics of the NGO, that all contacts with the other stakeholders come forth, in effect, making it central to any analysis of NGO discourse concerning legitimacy.

3.2 (Micro-) political tools concerning legitimacy

"If much of NGO everyday politics centres around convincing one's own people and others about particular readings of what the organization is, does and wants, then this entails disputes over language." (Hilhorst 2000 : 17)

Since the process of legitimacy is multi-directional from the perspective of the NGO – e.g. towards donors, beneficiaries or local authorities – the internal politics of the NGO form the platform where different conceptual maps collide and are formed: the shared conceptual map of the NGO employees comes into contact with the conceptual maps of different stakeholders, at different times. The

¹¹ Using Foucault's discourse – a way of representing knowledge at a historically specific time – and looking at a particular topic to lay bare its inherent power relations of production of meaning. This means not looking only at the material (i.e. economic/structural) aspects of power, but allowing for discourse to contain the creation of bodies of actors and power relations between them. In the case of Escobar (1997), this refers to the 'creation' of under-developed countries through discourse and the consequential maintenance of inequality.

process of legitimacy is then part of the discourse that is constituted by both the NGO and the stakeholders. This means that the NGO is involved in multiple discourses, relative to the different stakeholder. It is within the discourse that the representations of for example the NGO mission or its output are given meaning. In this light it means that within the discourse, certain symbols can be used to communicate a sense of legitimacy. Thus, these symbols have the potential to be used as political tools. In the following sections, I will briefly overview the changing of symbols/language that have the potential to serve as political tools within the development debate.

Contrary to De Saussure's assumption that language is static, I argue that the representation through language in discourse is of a processual nature, allowing for the giving of meaning to vary over time. (Leezenberg & De Vries 2012 : 234-5) This means that as the development discourse changes over time, so do its symbols and language. Over the last few decades the development discourse has in broad lines moved from modernisation/industrialisation (1940s-1950s), to Cold War political rhetoric and macro-economic merits (1960s-1980s), to Millennium Challenge promises (1990s) and into ideologies of harmonisation and monitoring (2000s-now). This in turn changed the meaning of symbols such as political orientation, north/south relations, accountability and monitoring. One of the more recent declarations, but in the line of many such declarations, is the Paris declaration (see Text Box 8). In this declaration the brooding problems of monitoring and evaluation, and harmonisation and ownership are addressed and now feature prominently in the development discourse. It is specifically these, often donor-driven declarations, which fill the debate with new jargon. And by doing so, the donors inadvertently force NGOs depending on their funds, to adopt a similar speech.¹²

¹² It is important here to make the distinction between the declared objectives (mission) and the speech act, without going into the actual effects of such declarations or the merit and realism of the goals set.

Text Box 8: *The Paris Declaration*

“Beyond its principles on effective aid, the Paris Declaration (2005) lays out a practical, action-oriented roadmap to improve the quality of aid and its impact on development. It puts in place a series of specific implementation measures and establishes a monitoring system to assess progress and ensure that donors and recipients hold each other accountable for their commitments. The Paris Declaration outlines the following five fundamental principles for making aid more effective:

1. Ownership: *Developing countries set their own strategies for poverty reduction, improve their institutions and tackle corruption.*

2. Alignment: *Donor countries align behind these objectives and use local systems.*

3. Harmonisation: *Donor countries coordinate, simplify procedures and share information to avoid duplication.*

4. Results: *Developing countries and donors shift focus to development results and results get measured.*

5. Mutual accountability: *Donors and partners are accountable for development results.”*

Source: <http://www.oecd.org/dac/effectiveness/parisdeclarationandaccraagendaforaction.htm>
(Accessed on 19-03-2013)

Considering the renewed emphasis that is being put on issues of ownership, alignment through the use of local systems, and *mutual* accountability, development discourse is given shape. However, as noted before, there is not one particular dominant discourse, due to the multitude of discourses an NGO is involved in. Yet, when considering the role of micro politics that govern the discourses from a NGO centred perspective, it is not unthinkable that such a new rhetoric will ultimately influence each of these discourses, and more specifically donor related discourses. For example, a northern donor seeks legitimacy of the NGO it is donating to, through the perspective offered by current (northern) development discourse.¹³ The NGO will seek to shape discourse in its favour, by appropriating symbols from the northern development discourse in order to obtain the funds. This is not to say that it is merely a political act with no or little effect in practice, but that there is a political dimension to this appropriation.

Following from this, the use of for example southern partners (to promote local ownership) becomes in part a political act. Within the micro politics of NGOs, this is further disseminated to the other stakeholders in the NGO. Contrary to Lister (2003 : 188), I argue that it is not conformity to dominant discourse that sets the use of such symbols and conveys legitimacy. Instead it is through the multitude of discourses and micro politics of small development NGOs, which the same actor (the

¹³ It is not to say that the Paris Declaration sets the dominant discourse, in fact, I argue that the Paris Declaration is one of the results of the northern (donor) development discourse.

NGO) is involved in these discourses, that the use of these symbols (and that support the legitimating processes) is disseminated. Following the previous example, it is the quest for legitimacy towards the donor - that promotes the use of southern partners – which is then transferred to these southern partners. They will then legitimate themselves as such; in a way, re-identifying themselves as a new political dimension of their already 'southern' reality.

The other side of the coin is that through the same micro politics, 'the local' can exert influence on the discourse, allowing for a sense of agency and power in the face of what can be conceived as a 'northern' (neo-imperialist) discourse. In fact, the world of micro-politics allow for an appropriation of such symbols and the possibility that they in fact are given new meaning. In this way, a better sense of agency can be made out for small development NGOs and the involved stakeholders. (Hilhorst 2003 : II) While both approaches to the use of symbols are valid at the same time, the impact will vary from context to context, further stressing the importance of viewing these in the framework of micro-politics.

3.3 Conclusion

The discourse underlying the processes of constructing legitimacy for small development NGOs is shaped by many different political aspects. But the one of most interest from an actor oriented (NGO) perspective is the micro politics of NGO practice. It is within the NGO and its interaction with the different stakeholders that the different discourses are shaped and given meaning. By looking at the micro-politics, one is better able to analyse the different ways of giving meaning to legitimacy. It is also through micro-politics that one can understand how different symbols within the legitimating processes are used, and how they can allow for more agency of local actors - which are part of the various discourses. In sum, for a deeper understanding of the legitimating processes, I argue that it is necessary to adopt a more broad perspective on the use of such symbols. For example, taking symbols such as 'ownership', 'North', 'South,' or '(under)development' and placing them within the various discourses in which the NGO is involved instead of assuming them to be uniform and subject to only one discourse. This allows for more room for agency of the (local) actors involved than under a 'northern dominant discourse'-model often seen in academic development theory.

4 Conclusions

Viewing development discourse concerning small development NGOs as a unified discourse is problematic, to say the very least. As I have demonstrated, the diversity and the place of NGOs within civil society, gives a breadth to the concept that cannot be explained through a single discourse. Therefore, I suggest using the notion of multiple discourses when analysing key concepts from contemporary academic discourse, such as legitimacy, in relation to small development NGOs. As noted by various authors (Hilhorst 2000;2003, Lister 2003, Edwards & Hulme 1995), such plurality of a concept is equally important when considering the practices enacted by NGOs. The question of what defines an NGO is socially re-enacted in its quest for legitimacy in respect to its various stakeholders. I argue that the interaction of NGOs occurs multidirectional with its stakeholders. These include the donor and recipient of development interventions vertically and other NGOs and local legal authorities horizontally. The quest for legitimacy in respect to the various stakeholders, then, is plural as well. The generalization in the division of these actors is a crude but necessary step in order to be able to demonstrate the validity of the use of multiple discourses, but allowing for further expansion of the model.

The governing dimensions of legitimacy as a concept are four-fold, with each dimension being interdependent on the others and their relative importance differently emphasised in different contexts. The most visible being the normative claim to 'do-good' of a small development NGO, reflected in its mission statement. But this professed mission cannot be acted upon without taking into account the regulatory or institutional dimension of legitimacy, the capacity or cognitive dimension, and the output dimension of legitimacy. Extra importance is given to output legitimacy, because it relates directly to questions of accountability in more or less measurable parameters. In the same way as legitimacy, accountability is also multidirectional and socially constructed. By adding to the conventional rational accountability, the more social (micro-political) aspect of accountability – in the form of moral accountability – is telling of the complex nature of any legitimating process and the development discourse it takes place in. In fact, I argue that when analysing accountability and legitimacy in development practice, it is necessary to adopt a social, actor oriented perspective, because the concepts themselves are socially constituted within this framework.

Adopting an actor oriented approach as a framework for analysing the legitimating processes of small development NGOs, places the micro-politics of the NGO in the centre perspective. It is through the micro-politics that meaning is given to symbols that can be used in legitimating processes. By identifying such symbols within the various discourses, more analytical insight can be provided as to how the processes of legitimacy take shape. The fundamental importance of micro-politics is inherently complex, due to questions of locality and identity formation; the muddy politics governing social relations in small development NGOs; and the constant dynamics of the legitimating processes taking shape within the various discourses. This also gives more perspective on including the moral accountability into the quest for legitimacy, which is often omitted by assuming only a rational accountability approach, not including the micro politics of NGO practices. In light of the need to make the functioning of development aid more effective, I do not to deny the validity and necessity of a conventional and rational approach to NGO legitimacy. But in order to fully understand the workings of these processes and consequently improve on development aid, it is necessary to adopt a more broad perspective that also includes and recognises the social aspects of the legitimating processes.

5 Literature

Atack, Iain. "Four Criteria of Development NGO Legitimacy" in *World Development* vol.27 : 5 (1999)

Cumming, Lawrence S. "Mokhbul Morshed Ahmad, *Understanding the South: How Northern Donor Agencies and NGOs Understand the Needs and Problems of Southern NGO Clients*". *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, vol.14: 3 (2003)

Edwards, Michael and Hulme, David (eds.). "Beyond the Magic Bullet: Non-Governmental Organisations – Performance and accountability in the post-cold war world" Earthscan Publications Limited, London (2002)

Elbers, Willem. "The Partnership Paradox. Principles and Practice in North-South NGO Relations", PhD dissertation, University of Nijmegen (2012)

Escobar, Arturo. "Encountering Development: The Making and Unmaking of the Third World", Princeton University Press, New Jersey (1995)

Fisher, William F. "Doing good? The politics and Antipolitics of NGO practices". *Annual review of Anthropology*, vol.26 (1997) 439-464

Foucault, Michel. "Discipline and Punish: The Birth of the Prison", Vintage Books, New York (1995)

Hall, Stuart (ed.); Hamilton, Peter; Lidchi, Henrietta; Nixon, Sean; Gledhill, Christine. "Representation. Cultural Representations and Signifying Practices" SAGE publications Ltd., London (2011)

Harvey, David. "Freedom's just another word.." in *A brief history of neoliberalism*, Oxford University Press, Oxford (2005)

Harvey, David. "The Geography of It All" in *The Enigma of Capital and the Crisis of Capitalism*, Profile Books, London (2010)

Hilhorst, Dorothea. *The Real World of NGOs: Discourses, Diversity and Development*, ZedBooks, London (2003)

HilHorst, Dorothea "Records and Reputiation: Everyday Politics of a Philipine Development Organisation", PhD dissertation, Universiteit van Wageningen (2000)

Kaplan, Allan. "Capacity Building: Shifting the Paradigms of Practice" in *Development Practice* vol.10: 3-4 (2000)

Katz, E.; Peters, J.D.; Liebes, T. and Orloff, A. (editors) (2010) *Canonic Texts in Media Research; Are there any? Should there be? How about these?*, Polity Press, Cambridge

Korten, David. "Third Generation NGO Strategies: A Key to People-centered Development" in *World Development*, vol.15 (1987)

Law, John. *Organizing Modernity*, Blackwell Publishers, Oxford (1994)

Lister, Sarah. "NGO Legitimacy: Technical Issue or Social Construct?" in *Critique of Anthropology* vol.23 : 2 (2003)

Martens, Kerstin. "Mission Impossible? Defining Nongovernmental Organisations". *Voluntas: International Journal of Voluntary and Nonprofit Organisations* vol.13 : 3 (2002) 271-285

McCusker, Monique. *The Politics and Micropolitics of Professionalization: an Ethnographic study of a Professional NGO and Its Interface With the State*, University of Stellenbosch (2008)

Mitchell, Don and Rosati, Clayton. "The globalization of culture. Geography and the industrial production of culture" in Conway, Dennis and Heynen, Nik (eds.) *Globalization's Contradictions. Geographies of discipline, destruction and transformation*. Routledge, London (2006)

Mitlin, Diana; Hickey, Sam and Bebbington, Anthony. "Reclaiming Development? NGOs and the Challenge of Alternatives" in *World Development* vol.35: 10 (2007)

Nelson, Paul J. "Human Rights, the Millenium Goals and the Future of Development Cooperation" in *World Development* vol. 35: 12 (2007)

Orvis, Stephen. "Civil Society in Africa or African Civil Society?" In *Journal of Asian and African Studies (Brill)* vol. 36: 1 (2001)

Ossewaarde, Ringo; Nijhof, Andre and Heyse, Liesbet. "Dynamics of NGO Legitimacy: How Organising Betrays Core Missions of INGOs" in *Public Administration and Development* , vol.28(2008)

Riddel, Roger C. *Does Foreign Aid Really Work?* Oxford University Press, Oxford (2008)

UNDP. *UNDP and Civil Society Organizations. A Toolkit for Strengthening Partnerships* (2006)

Wagner, Antonin. "The Nonprofit Sector in Switzerland: Taxonomy and Dimensions" in Anheier, Helmut K. and Seibel, Wolfgang (eds.) *The Third Sector: Comparative Studies of Nonprofit Organisations* (1990)