

**THE EXTENT TO WHICH CIVIL SOCIETY ORGANISATIONS  
ARE EFFECTIVE AND ACCOUNTABLE IN SERVICE  
DELIVERY TO THE COMMUNITY IN MOROGORO PARA  
LEGAL CENTER**

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ARE EFFECTIVE AND ACCOUNTABLE IN SERVICE  
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LEGAL CENTER**

**By  
Masoy Clara**

**A Dissertation Submitted in Partial Fulfillment of the Requirements for the  
Award of Master Degree in Public Administration of Mzumbe University**

**2015**

## CERTIFICATION

The undersigned certifies that he has read and hereby recommends for acceptance by the Mzumbe University a dissertation entitled “**The Extent to which Civil Society Organisations are Accountable and Effective in Delivery of Service to the Community in Morogoro ParaLegal Centre**”, in a fulfillment of the requirements for the award of Degree of Master in Public Administration.

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Accepted for the board of School of Public Administration and Management

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**CHAIRPERSON, SCHOOL OF PUBLIC ADMINISTRATION AND  
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## **DECLARATION**

**AND**

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I, Masoy Clara, declare that this dissertation is my own original work and that it has not been presented and will not be presented to any other University for a similar or any other degree award.

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## **DEDICATION**

This work is dedicated to my parents Mr and Mrs Masoy, brother and sisters and my lovely friends who gave me physical, social and psychological support during the course of study.

To, all I am grateful.

## **LIST OF ABBREVIATIONS**

|       |   |
|-------|---|
| CSOs  | Civil Society Organizations                             |
| FCS   | Foundation for Civil Society                            |
| ICNPO | International Classification of Nonprofit Organizations |
| MPLC  | Morogoro Para Legal Center                              |
| NGO   | Non-Government Organizations                            |

## **ABSTRACT**

This study sought to examine the extent to which Civil Society Organisations (CSOs) are effective and accountable in service delivery to the community. The study was conducted in Morogoro at Morogoro Para legal Center (MPLC). Specifically this study intended to examine the nature and functions of Morogoro Para Legal Center, the extent to which MPLC is effective in service delivery, instruments of accountability, their effectiveness and the main challenges. A case study research design was employed whereby using 50 respondents were selected through purposive and cluster sampling techniques.

Data obtained through questionnaire, documentary review and interview found the functions of the MPLC as; enhance access to justice among women and children, establish rural paralegals to ensure the grassroots community receives legal services nearby. Beneficiary members do not access to legal aid services easily. Capacity-building, empowerment; partnership and governance are effective instruments of accountability.

The main challenges that hinder effective accountability are inadequate fund, low level of awareness of community members, poverty among members in the community, inadequate manpower, lack of internal democracy and accountability and high dependence on external funds.

Finally the researcher recommends; agencies for legal rights should ensure the grassroots community effectively receives legal services thereby conducting seminars for the society to understand and advocate for their rights ,agencies for legal services to strengthen and deliver their services to their stakeholders effectively so as to create awareness of their rights, on governmental organizations agencies should strengthen capacity-building along with empowerment; and governance as these are effective instruments that enhance accountability and should raise awareness of community members on the matters that affect their life along with increasing manpower for improving performance with consideration of establishment of their own sources of fund rather than external funds dependence.

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## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.0 Background to the problem**

Edwards (2004) says that civil society organization comprises the totality of voluntary civic and social organizations and institutions that form the basis of a functioning society as opposed to the force-backed structures of a state (regardless of that state's political system). Hegel saw civil society as “a social formation intermediate between the family and the state” (Mautner, 1999, p. 96). Marx and Engels drew a distinction between civil society (the ensemble of socio-economic relations and the forces of production) and the state (the super structural manifestation of class relations inside civil society).

A “civil society” is seen as the socio-sphere located between the family, the state, and the market and operating beyond the natural confines of national societies, polities and economies (Edwards, 2000, p. 15). This study has based on this definition because it tries to describe the role of civil society and especially NGO to fill in the spaces in a healthy democracy and not to substitute for government.

Global, political and economic reforms during the 1990s brought about a rapid increase of registered Civil Society Organizations (CSOs) in Tanzania (TenMet, 2009). This increase was coupled with the need for establishing more liberal and democratic systems of governance, among others.

The establishment of CSO's is associated with the neo-liberal version with ideas about the ‘third sector’ or the ‘non-profit sector’ that developed in the US in the 1970s and 1980s. Its philosophy is that there is a group of organizations that are neither controlled by the state nor the market, but which play an essential role in facilitating the operation of both. It owes much to the Tocquevillian emphasis on associationalism and is linked to neo-liberal ideas about minimizing the role of the state. CSOs can be described as all organized activity not associated with major institutional systems; government and administration, education and health delivery, business and industry, security and

organized religion. They include faith based organizations, cooperatives, trade unions, academic institutions, community and youth groups (Common Wealth Foundation, 2004).

Edwards and Hulme (1998) define accountability as having numerous features. The features may include a statement of goals, transparency of decision making and relationships, honest reporting of what resources have been used and what has been achieved. Accountability may also encompass an appraisal process for the overseeing of authority(ies) to judge whether results are satisfactory, and concrete mechanisms for holding to account (i.e. rewarding or penalizing) those responsible for performance. According to Common Wealth Foundation (2013), accountability is guided with principles such as transparency, information sharing, responsibility, financial management, integrity, individual values and independence. Slim (2002) defines CSOs accountability as the process by which CSO holds itself openly responsible for what it believes, what it does and what it does not do, in a way which shows it involving all concerned parties and actively responding to what it learns.

Civil society performs the following functions: raising awareness and understanding of development policies, laws and regulatory institutions; providing opportunities for stakeholders to communicate with governance institutions and elected representatives by especially giving voice to marginalized groups; offering enriching input into discussions about development policy and implementation strategies by suggesting and advocating new perspectives, policies and methodologies; making citizens more aware of what socio-economic development decisions are being taken, by whom, from what options, on what grounds, with what expected results, and with what resources to support implementation;.(Common Wealth Foundation, 2004).

Different accountability mechanisms have been developed to facilitate CSO's accountability. These include, participatory budgeting, public expenditure tracking, monitoring of public service delivery, investigative journalism, public commissions and citizen advisory boards. These citizen-driven accountability measures complement and reinforce conventional mechanisms of accountability such as political checks and

balances, accounting and auditing systems, administrative rules and legal procedures (Malenaet al.2004).

The CSO has a wide number of stakeholders or beneficiaries. International Non-Governmental Organization Accountability Charter(2006) identifies a wide range of stakeholders such as international stakeholders (staff, board, supporters, subsidiaries, local partners, volunteer, members); Donors and external partners( governmental and non-governmental); Regulatory bodies; Organizations to be influenced by NGO activities; Ecosystems (who cannot speak for themselves); beneficiaries and parties affected by NGO operations, the media and public at large.

Apart from having a paramount role in the society and promotion of development, CSO's meet various challenges such as poor or nonsystematic participatory approaches (as they depend on government felt need for extending invitations for CSO's, some CSO's operate in local constituencies but are not accountable to the government or people they serve they feel that they are accountable to the funders, most strong CSO voices may not represent large section of the society since many of them are located and based in urban (ESRF, 2006).

Civil society organizations need support from other sector especially from the government. Due to the challenges they face in their activities the following are measures to strengthen their roles to their beneficiaries; opening up the budget support process to joint performance assessment framework for discussion by CSO's and other stakeholders, raising the level of participation in policy dialogue, strengthen mechanism for CSO's accountability and transparency while safeguarding their independence and autonomy (ESRF, 2006). Thus, the present study was set to provide a critical understanding of the CSOs effectiveness and accountability to their beneficiaries. Specifically, the study examined CSO roles, challenges and the mechanisms within the CSO in performing their roles so as to suggest for appropriate interventions to improve their roles to the beneficiaries.

## **1.1 Statement of the Problem**

In Tanzania the level of accountability of CSO's to their clients is doubtful. According to the research by The Foundation for Civil Society (FCS) on the public perception about CSO accountability, there is a need to lift up accountability of CSO's to their beneficiaries from 53% in 2008 to 80% in 2013 (FCS, 2009). It is argued that the increase in number of CSO's in Tanzania over years does not correlate with the development the country experience. Shivji (2004) also found that CSO's in Tanzania faced with a big problem of balancing between upward accountability (to donors and government) and downward accountability (to beneficiaries). The authors further note their long run effect is having unsustainable development projects. The above cited studies pose a number of issues regarding effectiveness and accountability of CSO's to their beneficiaries in Tanzania. Therefore the study examined the extent to which CSOs were effective and accountable to the beneficiaries in one of the CSOs and for this matter, The Morogoro Para Legal Centre (MPLC).

## **1.2 Objectives of the Study**

### **1.2.1 General Objective**

The general objective of this study was to examine the extent to which MPLC was effective and accountable in service delivery to the community: A case of Morogoro Para Legal Center.

### **1.2.2 Specific Objectives**

Specifically this study intended to;

- i) Examine the functions of Morogoro Para Legal Center
- ii) Find out the extent to which MPLC is effective in service delivery
- iii) Examine instruments of accountability and their effectiveness
- iv) Examine the main challenges for effective accountability and the way they were addressed.

### **1.3 Research Questions**

- i) What were the functions of Morogoro Para Legal Center?
- ii) What were the indicators of effectiveness and to what extent were the services effective?
- iii) What were the instruments of accountability and their effectiveness?
- iv) What were the main challenges for effective accountability? and how were they addressed?

### **1.4 Significance of the Study**

The results and recommendations from this study expected to be useful in for stakeholders and policy makers for the betterment of the performance of Civil Society Organizations in deliver services to beneficiaries and all segments of the community in Tanzania. Moreover, the completion of this research is a partial requirement for the researcher to be awarded her master's degree and without which the award is defy.

### **1.5 Scope of the Study**

Geographically, this study was conducted in Morogoro region covering portion of the Morogoro municipality. Objectively, the study focused on the roles civil society play to the community they are serving, the challenges they face in the course of delivering their roles and identifying some measures to alleviate challenges and therefore improving CSOs' performance.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 Introduction**

This chapter aims at reviewing the literature based on this study; it further provides conceptual definitions, Theoretical part and empirical part.

#### **2.1 The Genesis of NGOs**

##### **2.1.1 Neo Liberalism- Rolling Back the Role of the State**

Neo-liberals have an interest in casting the “nonprofit sector” as an independent third force, and obscuring the role that many nonprofit organizations have historically played in close cooperation with government in creating and sustaining the welfare state. The term “neo-liberalism” implies downsizing the state, slashing state support for programs (including those to nonprofit organizations) and placing most other human activities on to a more market-based footing. Neo-liberals entertain the view that civil society is entirely self- sustaining. In fact neo-liberals go further by suggesting that when government is too involved in the social, cultural and economic regulation of society that it acts as a barrier to the effective operation of nonprofit organizations (Salamonet al. 2000:5).

Third sector organizations may be classified into four basic categories. Funding agencies or fund-raising intermediaries (e.g., the United Way) generally do not provide services themselves but “channel resource to those who do”. Member serving organizations (e.g., business and professional associations, and trade unions) are directed towards the service of their immediate members rather than to the public at large. Public benefit organizations (e.g., nursing homes, day-cares and other social service organizations, cultural institutions) “exist primarily to service others, to provide goods or services (including information or advocacy) to those in need or otherwise to contribute to the general welfare”. Religious organizations (e.g., churches and religious societies) are involved in the pursuit of “essentially sacramental and religious functions” (Salamonet al. 2000:5: 54).

Civil society organizations are vital in service delivery to beneficiaries in the following ways; first, the mandate of contemporary nonprofits is “to do good works”; to provide service to the community (Kendall, 2000:2). The third sector is engaged in the delivery of a wide variety of services which are both tangible (clothing, shelter, food, training, health) and more intangible (counseling, support, collective worship). While some of the service activities of the sector still fit a traditional charity model of noblesse oblige, much of the service provision is offered through grass roots community-based organizations that are close to the concerns and perspectives of the communities they serve.

Advocacy is a second area of nonprofit activity. In its broadest sense advocacy can take a number of forms such as public education about an issue or societal problem, or more direct advocacy/lobbying directed at improving the conditions of a particular client group or aimed at what are considered to be laws or policies that are unjust or against the public good. Third sector organizations contribute to an ongoing “public policy dialogue” (Kendall, 2000). Susan Phillips makes a useful set of observations concerning the contribution of the third sector in this regard:

The advocacy role of third sector organizations has been a critical one for broadening the democratic experience in the post-war period. Community groups served as institutions which facilitated involvement and voice within the political process. Governments guided by a reform liberal/social democratic framework provided funding for the advocacy role to allow “organizations of women, Natives, disabled, official language minorities and poor people to be heard among the voice of the economically powerful (James and Hailey, 2009). During the long post-war boom a publicly supported advocacy role for nonprofit organizations helped to facilitate enhanced societal inclusion.

Thirdly, nonprofit organizations can often play a ‘mediation’ role within society. That is to say, nonprofits can bring together people across a spectrum, like a geographic area involving various neighborhoods, where they are able to work out issues and help develop a common understanding, a consensus or compromise (Kaldor et al, 2003: 46).

This ‘mediation’ role is very much an aspect of third sector organizations’ part in the building of “social capital” and the maintenance of social cohesion within society.

### **2.1.2 Reforms to Strengthen the Private Sector**

Donors have provided support to CSOs for several decades, and it remains a priority for many (James and Hailey 2009). OECD data indicate that flows to and through CSOs are estimated to account for approximately 10% of official aid flows (OECD, 2009). Funding to CSOs is most often channeled through Northern-based CSOs and North-South partnerships, which receive donor financial support to implement projects and programmes targeting Southern CSOs.

### **2.1.3 The Evolved Gap between the Public and Private Sector in Public Service Delivery**

Civil society organizations remain to be important agents of service delivery to the community due to the fact that the government cannot hold each and every responsibility to its citizen, with this regard therefore Civil society organization has been mandated to hold some responsibilities in provision of services to members of the community the service of which is much more efficient due to the scope and specialization of particular services that are offered as compared to the services that are offered by the government. For instance Johns (2000) posits that it is civil society and not the state that “supplies grounding of citizenship and is hence crucial to sustaining an open public space”.

In terms of who they are accountable to, the situation of CSOs are said to have "downward accountability" to their partners, beneficiaries, staff and supporters; and "upward accountability" to their trustees, donors in expense of the government (Edwards and Hulme, 1998; Ebrahim, 2003 quoted in Jordan, 2003). Lloyd (2005) adds that NGOs are inwardly accountable to themselves for their organizational mission, values and staff and horizontally accountable to their peers.

Lloyd (quoting Young, 2000) believes that this concept of accountability changes its nature of being a disciplinary mechanism over that of the entire government. He adds: that CSOs are accountable to multiple stakeholders not only ensures that decisions are

effective in meeting the needs of those interests, but also forces decision to be made in a more equitable and fairer manner.”

#### **2.1.4 The Emergence of the “Third” Sector (NGOs)**

Kaldor et al, (2003a) amongst others, argue that the emergence of the “third” sector i.e NGOs is a function of the space left by the declining reach of the state coupled with a growth in globalisation and the emasculation of local political ability. For example, Edwards (2000) argues that the phenomenal growth in NGOs, especially since the Cold War, has arisen for three principal reasons. First, Edwards sees a powerful combination of a move away from a belief that free trade and liberalisation is the only recipe for growth and poverty reduction together with a dawning awareness that NGOs are no longer there just to pick up the pieces that fall through the cracks.

Consequently, NGOs have become forces for alternatives and transformation themselves. Second, there has been a growing awareness that involving NGOs is a cost-effective public relations activity. This is especially so for organizations (most obviously the World Bank - see, for example, Zammit, (2003) that are under attack. Equally, NGOs are cost-effective in partnerships. Third, it is increasingly apparent that few people trust governments and that trust of business is in decline. NGOs offer additional and more attractive - channels for popular participation and they can give a voice to the margins.

##### **2.1.4.1 Civil Society**

We understand “civil society” as the socio-sphere located between the family, the state, and the market and operating beyond the natural confines of national societies, polities and economies (Anheier and Themudo, 2002, p. 193). .it is important to remind ourselves that the role of civil society – and especially NGO – is to fill in the spaces in a healthy democracy and not to substitute for government (Edwards,2000, p. 15).

Civil society has been a shifting and contested concept since at least the time of Hobbes and Locke (Robertson, 1986). Hegel saw civil society as “a social formation intermediate between the family and the state” (Mautner, 1999, p. 96). Marx and Engels

drew a distinction between civil society (the ensemble of socio-economic relations and the forces of production) and the state (the super structural manifestation of class relations inside civil society). Edwards (2004) says that civil society organization comprises the totality of voluntary civic and social organizations and institutions that form the basis of a functioning society as opposed to the force-backed structures of a state (regardless of that state's political system).

The key features of successful civil societies which emanate from various definitions include the following: separation from the state and the market; formed by people who have common needs, interests and values like tolerance, inclusion, cooperation and equality; and development through a fundamentally endogenous and autonomous process which cannot easily be controlled from outside.

The experience of developing countries highlights a wide range of such organizations, from large registered formal bodies to informal local organizations, the latter being far more numerous and less visible to outsiders. These include traditional organizations (e.g. religious organizations and modern groups and organizations, mass movements and action groups, political parties, trade and professional associations, non-commercial organizations and community based organizations).

Recent years have witnessed a considerable upsurge of interest throughout the world in CSOs, which are now recognized as strategically important participants in the development process and an effective Arguments in favor of CSOs include:

- CSOs are perceived as more flexible, participatory and responsive to local needs of the poor - all prerequisites for sustained development. State bureaucracy and corruption erodes finances and policies are often motivated by institutional, political and even kinship interests. These policies are typically urban based, delivering to politically favored areas (Lehmann, 1990) CSOs can counter this by targeting pockets of poverty better.
- CSOs can potentially foster and support grassroots organizations to become more numerous, sizable, resourceful, and self-reliant. Also, grassroots contacts enable CSOs to provide critical information on potential crisis and thus contribute to early warning systems.

- Typically, CSOs require less financial inputs than government agencies and therefore are more cost effective, an attribute that is important in financially constrained third world countries.
- CSOs can be more resourceful and innovative as they involve local communities in the identification and resolution of development problems which are more cost effective, more sustainable, and more compatible with community values and norms.
- Over and above these direct development roles, CSOs also have a very important advocacy role to play in promoting effective governance.

#### **2.1.4.2 Accountability**

Slim (2002: 12) defines CSOs accountability as: “the process by which CSOs holds it openly responsible for what it believes, what it does and what it does not do in a way which shows it involving all concerned parties and actively responding to what it learns.” Jordan believes that accountability is the basic principle of responsible practice for any institution, be they public, private or CSOs.

In contemporary political and scholarly discourse ‘accountability’ often serves as an conceptual umbrella that covers various other distinct concepts. It is used as a synonym for many loosely defined political desiderata, such as transparency, equity, democracy, efficiency, responsiveness, responsibility, and integrity (Mulgan 2000b: 555; Behn 2001: 3-6; Dubnick 2002). The term ‘has come to stand as a general term for any mechanism that makes powerful institutions responsive to their particular publics’ (Mulgan 2003: 8).

Particularly in American scholarly and political discourse ‘accountability’ often is used interchangeably with ‘good governance’ or virtuous behaviour, as was already illustrated by the usage in the American bills. Accountability in this broad sense is a no-opposite concept, a concept ‘without specified termination of boundaries’ (Sartori 1970: 1042). For O’Connell (2005:86), for example, accountability is present when public services have a high quality, at a low cost and are performed in a courteous manner.

Considine, an Australian scholar, squares accountability with responsiveness, but in the very broad sense of ‘the appropriate exercise of a navigational competence: that is, the proper use of authority to range freely, across a multirelationship terrain in search of the most advantageous path to success’ (Considine 2002: 22).

Koppell (2005) distinguishes no less than five different dimensions of accountability – transparency, liability, controllability, responsibility, responsiveness – that are each ideographs and umbrella concepts themselves. Such very broad conceptualisations of the concept make it impossible to establish empirically whether an organisation is accountable, because each of the various elements needs extensive operationalisation itself and because the various elements cannot be measured along the same scale. Some dimensions, such as transparency, are instrumental for accountability, but not constitutive of accountability, others, such as responsiveness, are more evaluative instead of analytical dimensions.

Accountability in this very broad sense is basically an evaluative, not an analytical concept. It is used to positively qualify a state of affairs or the performance of an actor. It comes close to ‘responsiveness’ and ‘a sense of responsibility’, a willingness to act in a transparent, fair, and equitable way. Elsewhere (Bovens 1998), I have called this active responsibility, or responsibility-as-virtue, because it is about the standards for proactive responsible behaviour of actors. Accountability in this broad sense is an essentially contested concept (Gallie 1962: 121), because there is no general consensus about the standards for accountable behaviour, and they differ from role to role, time to time, place to place, and from speaker to speaker.<sup>1</sup>

#### **2.1.4.3 Dimensions of accountability**

There are three dimensions of the accountability issue that have been raised against NGOs: *transparency*, *legitimacy* and *performance*. The question of transparency came at a time when massive flows of public and private funds are known to be flowing towards this sector, sometimes in competition with funds that were traditionally going directly to government.

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<sup>1</sup> See Fisher (2004:510) for similar observations about the use of ‘accountability’ in the European context.

For example, Edwards and Hulme recorded in 1998 that total aid from Organization for Economic Cooperation and Development (OECD) member countries channeled through NGOs rose from 0.7 percent in 1975 to 3.6 percent in 1985, and at least 5 percent in 1993-94---some US\$2.3 billion in absolute terms.

At the same time, Jordan (2003) relates how journalists have made an issue of an NGO CEO who gets paid more than the Prime Minister of Netherlands and about an alleged trading of relief supplies in exchange for sexual favors in Africa. Sustainability points to a series of articles published by *The Washington Post* which exposes alleged mismanagement of resources in The Nature Conservancy, one of the oldest environment groups in the U.S whose history dates back to 1915.<sup>2</sup>

Grant (1998) and Bothwell (2004) wrote about the huge 1992 scandal about Bill Aramony, CEO of United Way America, who was discovered to be using large amounts of donations for his personal pleasures. The global terrorism scare is contributing to the transparency question as some quarters accuse some NGOs of being used as fronts to channel funds for terrorist organizations (Jordan, *ibid*).

Commonwealth Business Council (2003) and Constantino-David (1997) warn of unscrupulous, enterprising parties setting up their own NGOs to take advantage of the thriving industry. Sustainability (*ibid* :7) quotes Jonathon Porritt, former head of the Friends of the EarthUK, as saying that “*NGOs are beginning to recognize that all the things that we have been telling companies to do, in terms of ethical standards of behavior, also need to apply to the NGOs themselves...*”. In reality, the multitude of NGOs that have mushroomed in the last two decades is dominated by small NGOs operating in limited areas with one or two projects that neither have the consciousness nor the resources to institute accountability measures.

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<sup>2</sup>See David Ottaway and Joe Stephens, ‘Nonprofit Land Bank Amasses Billions’, *Washington Post*, 4 May 2003 (footnote 131 in *SustainAbility...*).

#### **2.1.4.4 CSOs and Service Delivery: Lessons from Developing Countries**

There is already a substantial body of literature from which to draw lessons on the operational experiences of CSOs in service delivery in developing countries. Of particular importance are a number of recent impact studies of the role of CSOs in development. The main findings of the studies, most of which focus on NGOs, up to 1996, are analysed in the OECD/DAC NGO Evaluation Synthesis Study (Riddell, 1997).

Additional reviews of these recent CSO evaluations can be found in Fowler (1999) and Biekart (1998). CSO service delivery projects are the dominant type of CSO activity included in this study. For example, the Danish NGO Impact Study is based on a review of 45 projects in Africa, Asia and Latin America, of which 20 were concerned with delivering social services, 10 with improving income or productive capacity, and 15 with institutional support to civil society (Oakley, 1999).

Furthermore, an important study is Robinson and White's (1997), which analyses the specific role of CSOs in service provision. This study was based on an extensive review of documentation of CSO service provision in the South. It argues that while CSOs play an important role, especially where state provision is weak and the private sector caters to the better off, there are a number of common deficiencies with the services provided by the CSO sector.

These include: limited coverage; variable quality; amateurish approach; high staff turnover; lack of effective management systems; poor cost effectiveness; lack of co-ordination; and poor sustainability due to dependence on external assistance. The conclusions of these and other studies are mixed in regard to a number of criteria reaching the poorest, quality of services, efficiency and cost effectiveness, and sustainability.

#### **2.1.4.5 Accountability for what, to whom and how**

The new era of good governance that pervades all types of institutions (from government to business to non-profit) is a product of NGO advocacy. In "Overview of Accountability Initiatives", Dombrowski (2006) reviews a vast list of accountability

mechanisms that have been instituted by NGOs, corporations and international multilateral institutions. Lloyd (citing OECD 2000) notes that OECD recorded 246 voluntary codes of conduct for business.

In “Codes of Conduct for Partnership and Governance: Texts and Commentaries”, Kunigi and Schweitz (1999) have compiled a rich collection of NGO codes, national laws, business sector codes and principles, U.N. resolutions and statements, codes for specialized activities and global framework documents that foster accountability for different purposes among its signatories. Sidel (2003) reviews a host of self-regulation schemes in 17 countries in Asia in “Trends in Nonprofit Self-regulation in the Asia Pacific Region: Initial data on initiatives, experiments and models in seventeen countries”.

U.N. resolutions signed by member governments on maintaining environmental integrity, ensuring the rights of women, achieving inclusive social development, among others, and most recently the Millennium Development Goals, are excellent examples of how NGOs have succeeded in pressing governments to tie their performance against their public commitment to achieve measurable poverty reduction targets. Unfortunately, the advocates themselves have been slow to practice what they preach.

A survey of 600 NGOs worldwide by a team of researchers at University of Warwick revealed evidence that many had suspected all along. Most NGO respondents to the survey gave no thought to the issue of their own accountability (Scholte, 2003 quoted in Jordan, 2005). Among the reasons they cited were: it’s too expensive, the real accountability problem is with governments/private sector and they do not see the relationship of this to their mission (ibid, p.12).

So, why is accountability important to CSO’s? First and foremost, as has already been previously discussed, is the matter of public trust. The Independent Sector points out that “*Public trust is the single most important asset of the nonprofit and philanthropic community*”. Sustainability highlights how public opinion research has consistently shown NGOs to be enjoying high levels of trust (some popular international NGOs have

higher trust ratings than some global companies), and that both governments and companies have had no option but to take notice (p.37).

However, public trust in NGOs is neither tenured (like the fixed term of elected officials) nor permanent. Marschall (2002) admits that it takes many years for NGOs to build up a good reputation and only one bad move to lose it. This is echoed by Dombrowski (2006) who warns that the damage of one misdeed may impact across the NGO sector. Thus, NGOs need to exercise the responsibility of being fiduciaries of public trust. The imperative of such responsibility is that NGOs must practice the same if not higher levels of accountability than what they demand of governments and corporations in order to continue to enjoy the confidence that they currently hold from the public.

Anent to the matter of public trust, civil society remains to be an important element of democracy. Johns (2000) posits that it is civil society and not the state that “*supplies grounding of citizenship and is hence crucial to sustaining an open public space*”. As such, civil society needs to be as, if not more, credible than government in order to keep the wheels of democracy turning.

McGann and Johnstone (2006) are therefore concerned about how NGOs are becoming “coopted” by certain institutions like the World Bank which has given them an increasing role in bank decision-making in response to their criticism. They warn of NGOs becoming a new special interest group rather than articulators of citizens’ concerns.

Secondly, there is already a palpable decline in global funding for and signs of decreasing trust in NGOs. Net Official Development Assistance (ODA) from major donor countries---the major source of NGO funding---fell by 14% from 1992-95 and continued to decline until 2000 (CODE-NGO, 2000; Thindwa; NGO Position Paper, UNCSD). The global NGO boom is contrasted by a global funding slump. Sustainability quotes Chris Rose, former senior official of Friends of the Earth, World Wildlife Fund and Greenpeace, expressing concern that the ‘golden era’ of NGOs is

ending and suspecting that there is a real risk of a major downturn in the prospects for advocacy NGOs.

In terms of who they are accountable to, the situation of NGOs is quite complex (Lloyd and Casas, 2006). NGOs are said to have "downward accountability" to their partners, beneficiaries, staff and supporters; and "upward accountability" to their trustees, donors and host governments (Edwards and Hulme, 1998; Ebrahim, 2003 quoted in Jordan, 2003).

Lloyd (2005) adds that NGOs are inwardly accountable to themselves for their organizational mission, values and staff and horizontally accountable to their peers. Membership organizations (like grassroots, people's, or community-based organizations) are of course "laterally" accountable to their members. Lloyd (ibid) prefers this stakeholder model of accountability which promotes accountability to all those that are affected by an organization's policies.

Jordan (ibid) echoes Edwards and Hulme on NGOs being subject to multiple accountability and warn of the danger of having to "over account" (because of multiple demands) or "under account," as each overseeing authority assumes that another authority is taking a close look at actions and results. Edwards and Hulme warn of the danger that NGOs will focus accountability towards their most powerful constituency---referring to their donors. Effectively balancing among and responding to the needs of different stakeholders is the essence of NGO accountability (Lloyd and Casas, ibid).

In addressing the reality of NGOs of having multiple stakeholders, Slim suggests that they need to, first and foremost, define who their stakeholders are for each of their programs and how they will account to such stakeholders in the process. Like Edwards and Hulme, he recognizes that the level of accountability may not be the same for all stakeholders, therefore the need to identify primary and secondary stakeholders in every case.

Lloyd (quoting Young, 2000) believes that this concept of accountability changes its nature of being a disciplinary mechanism to that of a transformative power.

He adds: “[A]n NGO that is accountable to multiple stakeholders not only ensures that decisions are effective in meeting the needs of those interests, but also forces decision to be made in a more equitable and fairer manner.”

Of all these, downward accountability to beneficiaries is the most important because they are the reason why most NGOs exist (Lloyd and Casas, 2006), they lack the power to make demands on NGOs who usually claim to speak in their behalf (Lloyd) and they tend to be the most vulnerable sectors in society who do not have very many options and opportunities to speak (Neligan, 2003). Thus, accountability to beneficiaries is crucial to both fulfilling an organization’s mission and maintaining its legitimacy (Lloyd and Casas, *ibid.*).

In similar vein, Southern NGOs complain of a lack of accountability and the “new imperialism” of Northern NGOs who they claim are co-opting their agenda in the international arena and/or of non-disclosure of funds raised in their behalf (Lloyd, 2005; Commonwealth Business Council, 2003; Fowler, et al quoted in Slim, 2002) --- a concern that has also been raised by POs against NGOs in the Philippines.

#### **2.1.4.6 Current regulation of NGOS**

Currently there are about 3000 local and international NGOs in Tanzania. Some of these deal with gender, human rights, environment, advocacy, participatory development etc. All of them have been assisting in strengthening the civil society through informing and educating the public on various issues, for example, their legal rights or entitlements to services or by helping attune to Government Policies.

The activities of NGOs have increased since 1985 when major political, social and economic reforms were introduced. However due to various factors such as lack of information on who should register, inadequate information of what is an NGO and to some extent cumbersome process of registration, there are Organization which are not registered, but which quality to be identified as NGOs. There exist Umbrella Organizations, which have been formed in response to the need for NGOs coordination networking and information exchange, etc.

These factors call for a comprehensive policy, which will not only solve the immediate problems of NGOs, but assist in the promotion and development of the NGOs in Tanzania. However, this policy reiterates and retains all the fundamental principles of NGOs, that, is they are form, run developed or terminated only through free and voluntary acts of individual and association; are managed and controlled by members, trustees or directors independent of the Government but within the framework of liberties and constraints provided for in the laws.

#### **2.1.4.7 Justification for the NGO policy**

The Government encourages partnership with private sector to complement on government efforts and therefore NGOs have a role to play in the provision of social and economic services.

NGOs address diverse issues ranging from lobbying, advocacy and human rights to service provision. They bring creativity, innovation and develop strong community links thereby playing a catalytic role in improving the delivery of various types of services, hence the justification of an NGO Policy which recognizes NGOs as development actors in their own rights. Given the increasing numbers of NGOs, there is need to enhance self-regulation, transparency and accountability of NGOs and establish modalities for interaction between NGOs and the state and between NGOs and other stakeholders.

#### **2.1.4.8 Objectives of the NGOS policy**

The overall objective of the Policy is to create an enabling environment for the NGOs to operate effectively and efficiently in the social and economic transformation of the country. Specific objectives of the NGO policy are:

- i) To provide an operational definition of NGOs.
- ii) To provide a broad framework for legal and institutional arrangements to facilitate the operations of NGOs of Tanzania.
- iii) To put in place registration procedures which are transparent, decentralized and which will facilitate better coordination of NGOs while safeguarding the freedom of association.
- iv) To strengthen the relationship between the Government and the civil society.

- v) To enhance mechanisms for collaborative relations between NGOs, the Government, funding agencies and other stakeholders.
- vi) To facilitate mechanisms for Government support to NGOs.
- vii) To promote transparency, accountability and awareness among NGOs themselves, the Government and other stakeholders.
- viii) To facilitate exchange and flow of information on NGOs activities in order to maximize utilization of resource and also share experiences or research findings

## **2.2 The Functions of CSOs**

Salamon *et al.* (2004:23) identified four major functions of CSOs – the service, the expressive, the advocacy and the community building function<sup>1</sup> – for convenience they grouped the CSOs into just two broad categories of functions according to the International Classification of Nonprofit Organizations (ICNPO).

Another study on the contribution of CSOs carried out by the CNP in 2000, the authors investigated if CSOs in different countries fulfill the service, the innovative, the advocacy, the expressive, and the social capital role (Salamon/Hems *et al.* 2000:5). As the methods used for this study were literature reviews, expert interviews, and focus groups, it does not deliver information how CSOs functions could be operationalised, either. The classification suggested by Salamon/Hems *et al.* (2000:5) comprises an identical set of five functions that are labelled slightly differently: service role, innovation role, advocacy role, expressive and leadership development role, and community building and democratization role (Salamon/Hems *et al.* 2000: 5).

### **2.2.1 Service function**

Salamon/Hems *et al.* argue as well that the services provided by CSOs involve some public or collective features and therefore often are “available to everyone regardless of whether they have been paid for or because those in need of them lack resources; or because the services require some special element of trust” (Salamon/Hems *et al.* 2000:5).

However, not all services provided by CSOs are only jointly consumable, non-rival or non-excludible (Kendall/Knapp 2000:108). They argue that service delivery “creates divisible or individual benefits”, which would include individual tangible services (soup, clean syringes) and individual intangible services (counselling interview, language course for migrants) as well.

### **2.2.2 Advocacy function**

Many definitions of the advocacy function inhere normative aspects or restrict advocacy to certain fields, like being a “progressive force for an enlightened and humane social policy” (Salamon/Hems et al, 2004) or to “protect the rights and promote the interest of specific groups of people – e.g., the physically handicapped, the elderly, children, and women”. Since it is not necessarily true that CSOs aim to make social policy more humane or advocate only for the interest of deprived groups, we look for a generic definition, which would also include advocacy activities of CSOs like pressure groups and professional associations.

Salamon/Hems et al, 2004, who identified different behaviors of CSOs to pursue advocacy, “Legislative Activity” and “Political Campaign Activity and Litigation” would represent public advocacy. “Boycotts” – “convincing a critical mass of public not getting involved in business with a particular institution” – would represent citizens’ advocacy and “Demonstrations” could be assigned to both sub-functions. “Programmatic Advocacy” – “the advocacy implicitly included in carrying out the primary function” of the organisation cannot be attributed definitely.

### **2.2.3 Charity function**

Referring to Wolpert, who introduces the charity role, charitable organisations “transfer resources from the more fortunate to the needy and can be assessed by metrics such as income differences between donors and recipients” (Wolpert 2001:131). Thus, the charity function implies all activities that aim at re-distributing resources, mainly financial resources, from groups who are better off to others.

## **2.3 Effectiveness of the CSOs in service delivery and their measurements**

### **Accessibility/reaching the poorest**

CSOs have taken increasingly prominent role as development assistance implementers in recent years, especially in fragile states where they often provide essential services which are traditionally under the responsibility of the public sector. With the growing influence of the non-profit sector over service delivery as well as their increased involvement in the development of national and international policies, the transparency and accountability of NGOs have become an emerging area of concern.

As resources channeled through the non-profit sector increase, NGOs are under greater scrutiny and pressure to demonstrate that they are using their resources in an efficient, accountable and transparent manner, and can be held accountable for their effectiveness, organizational reliability and legitimacy. In particular, their legitimacy in managing aid resources is closely associated to their accountability to their constituency (and the public at large), their adherence to their mission, the transparency of their processes, and their effectiveness in fulfilling their mandate (Chêne2009).

Yet, as “private entities”, NGOs are not submitted to the same integrity mechanisms and legislative norms that apply to state institutions, including internal or external oversight bodies, which can have an impact on their vulnerability to corruption (Trivunovic 2011). In the non-profit sector, accountability is primarily enforced through self-regulatory mechanisms, internal rules and procedures, which therefore need to be carefully, assessed in terms of their effectiveness in managing corruption risks.

The literature increasingly suggests that the concept of accountability should be understood as accountability to all stakeholders affected by the organisation’s activities.

Given the specificity of NGO mandates and operations, this can include a wide variety of stakeholders with different agendas, making the issue of NGO accountability extremely complex and challenging. For example, the International Non-Governmental Organisation Accountability Charter, which has been adopted by most of major international NGOs since its drafting in 2006, identifies a wide variety of stakeholders:

Internal stakeholders (staff, board, supporters, subsidiaries, local partners, volunteers, members); Donors and external partners (governmental and non-governmental); Regulatory bodies; Organisations to be influenced by NGO activities; Ecosystems (who cannot speak for themselves); Beneficiaries and parties affected by NGO operations; The media, civil society and the public at large. In practice, however, NGOs tend to emphasize upward and external accountability to donors, and mechanisms to ensure internal accountability or accountability to beneficiaries are often less developed (Ebrahim 2003). In addition, accountability mechanisms often do not reflect the complex web of relationships NGOs develop with other stakeholders, as they tend to prioritise accountability to donors over other relationships. In addition, different types of organisations tend to develop and emphasize different forms of accountability.

CSOs are widely perceived to be more effective than the public sector at reaching the poorest in developing countries. Indeed, much of the justification for channeling funding through the CSO sector has been on the grounds that they have a better track record. However, recent NGO impact studies and evaluations provide little evidence to suggest that CSOs actually are more effective than governments in reaching the poorest with development assistance. Yet one common, if not universal, finding was that at least in the area of service provision, CSOs have made significant progress.

Most NGOs projects do reach the poor (but often not the poorest), though analysis of the socio-economic status of the target group and others appears to be rare: most NGOs, not only small ones, appear not to work with any theory or analysis of poverty (Riddell et al., 1997:xi).

The Danish NGO Impact Study, in assessing what impact Danish NGO-supported interventions had on poverty, distinguishes between poverty alleviation and poverty reduction. It finds substantial evidence that service delivery projects aimed at poor people have a significant impact on satisfying the needs of poor people through providing basic health care, education and water supply services. But it finds little evidence to suggest that these efforts can also improve income levels in order to bring about long-term poverty reduction (Oakley, 1999).

Similarly Biekart (1998), in his review of NGO impact studies in Central America, notes that while there is little evidence that NGO interventions reduce poverty, they do, nonetheless, generally perform better in the area of delivering services to the poor. However, he concludes that there is still little evidence to say whether or not they are better than the state at delivering services to the poorest and most marginalized groups.

One of the shortcomings of CSO service provision, highlighted by Robinson and White (1997), is that of limited coverage, CSOs may be able to aim service delivery to poor people but the scale of their operations is limited and consequently many people do not benefit from them. Critical issues for CSOs are, first, how to scale-up CSO interventions in order to reach more people and, second, how to improve co-ordination between CSOs and government in service provision. CSOs are notoriously weak on co-ordination.

In relation to service provision, however, this is essential to ensure that CSOs do not duplicate each other's efforts or concentrate all their efforts in the same geographical areas.

### **2.3.1 Quality of provision**

The massive increase in the role of CSOs in service provision in recent years raises questions about the capacity of CSOs to deliver high-quality services. However, there is little evidence from developing countries on which a general statement could be made about whether or not CSOs can provide better-quality services than the state. Robinson and White (1997) note that despite a number of studies that draw attention to the shortcomings of state provision in health care, there have been few studies on the quality of health care services provided by CSOs.

Green and Matthias (1997) also note that the cases of CSOs providing higher-quality health care than the state are generally due to greater access to resources, not to any intrinsic comparative advantage. They point out that the converse is also true and that when funding levels for CSOs drop, quality levels also tend to fall.

The technical capacity and motivation of staff are also issues critical to the delivery and quality of services. However, again it is difficult to make general comparisons between the state and CSO sector.

One general finding of the OECD study is that CSOs tend to be most successful when undertaking projects in particular sectors or subsectors in which they have built up considerable experience and expertise. They have been less successful in undertaking more broad ranging, complex interventions such as integrated rural development projects. The Danish NGO Impact Study reached similar conclusions, noting that Danish NGOs were in general strong in delivering basic services at the micro level but less successful in more complex development interventions. This related partially to the technical capacity of staff and the study found that many of the Danish NGOs and their partners were not strong on many of the theoretical, methodological and operational aspects of development interventions.

### **2.3.2 Efficiency and cost effectiveness**

A central justification for increasing the involvement of CSOs in service provision is that they are perceived to be more efficient and effective than the state sector. For example, Green and Matthias note that there are four commonly advanced arguments for the greater efficiency of the CSO sector: specialist experience, more appropriate management structures and systems leading to leaner cost structures, sectoral flexibility and staff motivation (1997:54).

More generally, there is insufficient evidence that would allow us to draw firm conclusions about the efficiency of CSOs in service provision. The OECD study (Riddell et al., 1997) notes that the cost effectiveness of CSOs is hard to assess systematically due to the lack of data. The only concrete conclusions drawn from the various evaluations reviewed in this study are that CSO projects can be more cost effective because they tend to be small and focused on a single sector.

Furthermore, Robinson and White (1997) provide a critical analysis of CSO efficiency in the health care sector. In their extensive review of the literature, they identify a number of common weaknesses in the operational efficiency of CSOs. For example,

they cite one detailed study done in Tanzania that found a number of inefficiencies in NGO health care facilities, notably: few outreach facilities; cold storage failures; poor performance of health care workers; low technical efficiency; and employment of untrained or inadequately trained staff (Gilson et al., 1994). Another problem is that the management systems for CSO health care provision are often weak, with unstable organizational structures and highly personalized leadership.

Dependence on external funding and expatriate staff can also create problems of efficiency through lack of continuity and the fact that funding is often available only for limited periods and for specific projects.

### **2.3.3 Sustainability of CSO services**

One of the critical issues facing CSOs is the sustainability of service provision. Whereas the state is able to generate a basic level of funding from taxation however small this may be CSOs are usually dependent on grants or contracts. There has been increasing pressure from international donors for CSOs to show that their interventions are sustainable.

In the social services sector many of the projects are providing services with little prospect of ever being integrated into already resource poor national services despite valiant efforts to do so. Even when such services consider alternatives such as 'cost recovery, they continue to struggle and see the poverty focus of their services affected. There is a lot of very vital work being supported by Danish NGOs in the area of social service delivery that is crucially dependent on their support (Oakley, 1999:53).

In particular, it could be argued that the concept of cost recovery is not realistic in most economically marginalized areas, if poor people are not to be excluded from access to basic services. Robinson and White (1997) refer to a number of reports that suggest that the introduction of user fees in health care services can be a disincentive for poor people. However, an exception has been India, where the introduction of a progressive fee structure by CSOs has meant that the poorest people are usually exempted from charges.

To maintain service provision to people with limited resources, unable to pay user fees, CSOs need long-term funding commitments from other sources. However, one key problem with depending on external funding sources is that they are often of limited duration, making it impossible for CSOs to undertake long-term planning. Such a situation can also result in a loss of independence and potential restrictions imposed by the donor (Green and Matthias, 1997:147).

The tension between funding and dependence is a common dilemma for most CSOs and one that is not easy to resolve without major policy shifts in donor-CSO relations.

#### **2.3.4 Linkages with government provision**

A major conclusion of Robinson and White's (1997) study was that one of the inherent weaknesses of CSOs is that they are unable to provide an overall framework in which to operate at both national and regional levels. This can only be done by the state. A recent study of CSOs in health care has reinforced this conclusion.

Green and Matthias (1997) challenge what they regard as the accepted wisdom that CSOs have a comparative advantage over the state in health care provision. They argue that while some CSOs may have a comparative advantage as individual CSOs, this does not necessarily apply to the CSO sector as a whole. There are many shortcomings of the CSOs sector in health care, the greatest of which is that they are unable to provide clear health care policy and regulation. These are the responsibility of the state. They argue that in the context of increasing privatization of health care, whether by the voluntary or commercial sector, it is imperative that the state provides an overall framework that contains a clear policy on the role of CSOs in health care provision.

One of the most challenging recent analyses of the interrelationship between the state and civil society organizations in relation to service provision is Tendler's (1997) study of Cear  State in Northeast Brazil. The core of her argument, based on extensive empirical research, is that good municipal government has been an outcome of a three-way relationship between central government (at the state level), local government (at the municipal level) and civil society.

She rejects the prevailing development wisdom that assumes that a strong civil society is a prerequisite for good government and argues that central government has played a key role in building the capacity of civil society to demand better local government.

#### **2.4 Instruments of accountability and their effectiveness**

Effective accountability requires a set of instrument through which performance is based on. These tools include but not limited to;

##### **2.4.1 Participation**

When communities identify their own problems, make all key decisions on goals and means, and mobilize to carry out their own plans, this is commonly recognized as representing 'a high degree of participation'. However, participation is not an end in itself but one element that contributes to empowerment. Because of different interests, different channels for voicing interests and unequal power relations affecting the decision-making process, participation may not be a sufficient condition for ensuring accountability, as case studies have illustrated (Salamon/Hems et al, 2004). In relation to accountability, participation plays the following roles ;

- a) Participation expands the project/programme information base for governance evaluation.
- b) Participation clarifies and stabilizes channels of communication and power dynamics for governance evaluations.
- c) Participation creates an iterative environment for decision-making on performance.
- d) Participation builds ownership, commitment and accountability

##### **2.4.2 Empowerment**

Empowerment is about people- both women and men- taking control over their lives: setting their own agenda, gaining skills, increasing self-confidence, solving problems, and developing self-reliance. It is both a process and an outcome (Oakley 2000). There are two main areas of empowerment:

- A personal change in consciousness involving a movement towards control, self-confidence and the right to make decisions and determine choices;

- Organization aimed at social and political change;

Indicators of empowerment should fit within these areas but will differ depending on the area of empowerment (for example, personal growth, increased access to political structures, or the benefits of economic growth). Empowerment in all its different forms, (including gender, societal, community) implies that parties are involved in decision-making, including the power to influence the behaviour and choices of relevant third parties.

### **2.4.3 Solidarity**

Sweet (2001) describes solidarity as being or involving a relation among persons, the basis of which is recognition of the existence of certain interests or responsibilities that are common or shared and entails the existence of a moral obligation to act in certain ways.

Sweet (2001) explains that solidarity may arise spontaneously, as it does in a family or in a community, it may be something willed or commanded, or it may also be something one chooses. Solidarity may involve ‘doing justice’, cooperation, or loyalty. However, solidarity is much richer than any of these. Solidarity is an activity rather than just a sense or a feeling.

### **2.4.4 Partnership**

The following categorization is used by (Salamon et al, 2004): Consultation implies seeking views which will be taken into account when making a decision; participation implies that local people are really able to influence decisions and occasionally take part in the decision-making process; partnership is a more involved form of participation, with a wide variety of meanings, but implies power being shared equally with all partners.

Salamon/Hems et al (2004) outline three components of partnership that may overlap:

- The strategic component consists of developing policy and improving the perceptions of problems and issues and the development of political will;

- The tactical component consists of establishing bodies or committees to carry out defined tasks, such as developing legislation and budgets, setting operational targets, and the allocation of resources.
- The operational component consists of the use of instruments, delivery of services, implementation, monitoring and evaluation

#### **2.4.5 Capacity-building**

Capacity building is the development of an organization's core skills and capabilities, such as leadership, management, finance and fundraising, programs and evaluation, in order to build the organization's effectiveness and sustainability. It is the process of assisting an individual or group to identify and address issues and gain the insights, knowledge and experience needed to solve problems and implement change. Capacity building is facilitated through the provision of technical support activities, including coaching, training, specific technical assistance and resource networking Sweet (2001).

#### **2.4.6 Governance**

Governance encompasses both the processes and the institutions through which policies are designed and implemented; it focuses on the political and institutional framework in which the policy-making process takes place, and by which policies are designed, implemented, assessed, and adapted.

### **2.5 The main challenges for effective accountability**

Problems Encountered in the Process of Service Delivery, most of the service providers (the state, NGOs and religious organizations) mentioned that they face the following hindrances in service delivery.

- Most CSOs (particularly CBOs and organizations operating in remote areas) to implement accountability measures as a challenge. At times the lack of capacity means a lack of sound infrastructure i.e. structures conducive to information access and sharing that would ultimately support accountability. This, in turn, is incorrectly perceived by some donors as an attempt to hide wrongdoings and might lead to project termination.
- The **limited and overstretched resources** available to CSOs pose another challenge. Many CSOs try to do too much with little resources, losing focus and

the ability to be accountable. In some cases, the available resources become even more stretched by implementing more accountability requirements.

Overly '**upward accountability**' to donors at the expense of accountability to peers and constituencies and even the general membership of the CSOs themselves is a real challenge. As a consequence, important decisions are taken by a select few CSO members, referred to by one of the contributors as 'accountability backlash'. One commentator termed the regulations of donor agencies as 'stringent' while another felt that cumbersome as they were, the rules were essential for donors (UNDP) to ensure own accountability.

- Preference of some donors of associating with CSOs (urban, national and English speaking) that even if they do not always represent the truly marginal and dispossessed poses another and a serious challenge.

- **Capacities of CSOs**

The majority of CSOs lack the capacity to comprehensively and sustainably engage the state in policy analysis; evaluation and monitoring policy processes and their implementation.

- **High Dependence on External Funds:**

CSOs are highly dependent on external sources of funding for their programmes/agendas and activities. Invariably this undermines their independence and the sustainability of their programmes. In addition, this problem contributes to further weaken any social bases CSOs may have and results in the fact that CSOs are not accountable to the communities they aim to serve, or to their domestic constituencies, but to their pay masters. The relatively easy availability of foreign funding may also result in CSOs approaching donors rather than trying to engage in local and popular mobilisation in support of a cause.

This dependency problem is to be intricate by proposals for Sector Wide Approaches (SWAPs) and budget support by donors. Under the said plans CSOs donors will put money in a basket to support the Governments budget. CSOs are

expected to receive some of these funds for their activities by being sub contracted by the state to extend services to communities. This will no doubt further diminish the independence of CSOs as well as their ability to “bite the hand that feeds them”.

- **Narrow Social and Geographical Bases of many CSOs**

CSOs are largely characterised as an elite phenomenon with a narrow social base; a weak numerical base and a thin geographical coverage. The middle class plays a key role in these organisations or at least those most visible in the public arena. Most leading CSOs are also urban-based. They have no defined (given) membership at the grassroots level. This reality has the consequence that urban based NGOs lack the contribution of communities at the grassroots. With minimal representation in rural areas where the majority of the people reside, these advocacy groups or NGOs in support of development organisations cannot justifiably claim to *speak* on behalf of the rural poor. Needless to add is that, the success of any democratisation campaign depends on the broad acceptance or acquiescence in the distribution of social power - the organisations that promote it must themselves be connected to, and accountable to the society.

- **Lack of Internal Democracy and Accountability**

Kasfir (1998:15) correctly argues that an organisation’s internal social power will determine its capacity to play its assigned civil role in helping to reform the state and promote democracy<sup>3</sup>. Okuku (1996:132-133) argues that those who wish to extend a democratic culture must be democratic themselves. Okuku (1996) and Lomo (1999) both indicate that CSOs continue to be faced by a lack of internal democracy and accountability coupled with the personalisation of these organisations. Most CSOs in are above all accountable to their donors (through making reports and financial statements) but not to the beneficiaries of their services who have little or no insight into financial, administrative and decision making matters.

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<sup>3</sup>Kasfir Nelson. (ed.). July 1998. Civil Society and Democracy in Africa: Critical Perspectives. A Frank Cass Journal Vol. 36 No. 2. Anthony Rowe Ltd., Chippenham, Wilts.

The team considers that if NGOs are to be agents of democratisation, they should themselves use democratic methods of work towards their constituencies and the wider community.

## **2.6 Stakeholder Theory as a Framework to Examine Accountability**

Stakeholders can be defined as „any group or individual who can affect or are affected by the achievement of the organization's objectives“ (Gibson 2000, p. 36). According to this definition stakeholders have the potential to both benefit and harm organizations. Stakeholder theory asserts that civil society organizations should consider the concerns of individuals and groups that can affect or are affected by their activities (Gibson 2000) while making decisions and achieving civil society organizations goals.

Civil society organizations are expected to do so because they are responsible and accountable to a broad range of stakeholders for their activities. Stakeholder theory recognizes the existence of a dynamic and complex relationship between civil society organizations and their stakeholders and, emphasizes the management of these relationships (Friedman & Miles 2002).

Modern stakeholder theory is an expansion of Freeman's seminal work *Strategic Management: A Stakeholder Approach* (Friedman & Miles 2002). Theorists were struggling to establish the duties and responsibilities that an Organization has towards other groups and individuals (Shank man 1999).

### **2.6.1 Criticism of stakeholder's theory**

The political philosopher Charles Blattberg has criticized stakeholder theory for assuming that the interests of the various stakeholders can be, at best, compromised or balanced against each other. Blattberg argues that this is a product of its emphasis on negotiation as the chief mode of dialogue for dealing with conflicts between stakeholder interests. He recommends conversation instead and this leads him to defend what he calls a 'patriotic' conception of the corporation as an alternative to that associated with stakeholder theory.

According to Mansell (2013), by applying the political concept of a 'social contract' to the corporation, stakeholder theory undermines the principles on which a market economy is based. Despite its seeming rise in popularity, many smart scholars have problems with a stakeholder theory of the corporation. Some (e.g. Key 1999) argue that stakeholder theory lacks specificity and, thus, cannot be operationalized in a way that allows scientific inspection. Others feel that stakeholder theory offers no decision-making criteria that would adequately guide corporate governance. Most critics, feel that stakeholder theory is vacuous and offers an unrealistic view of how organizations operate. I agree with all of the critics. It's true that some stakeholder theories do each of these things, BUT the real problem is that there are so many versions of stakeholder theory that it's difficult to know where even to begin to offer critiques.

Therefore stakeholder's concerns should be recognized and addressed by civil society organizations to ensure their survival and successful goal accomplishment. In order to recognise and address stakeholders needs and expectations Friedman & Miles (2002) categorize stakeholders into primary and secondary stakeholders. The primary stakeholders are those individuals and groups whose support is essential for the survival of an organization, whereas secondary stakeholders are those individuals and groups who affect or are affected by the activities of an organization.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.0 Introduction**

This chapter describes how the research was carried out, it highlights on type of the study, study area, study population, units of analysis, variables and their measurements, sample size, sampling techniques, types and sources of data, data collection methods, validity issues and data analysis methods.

#### **3.1 Research design**

This study employed a case study strategy to collect and analyze information; case study research method is an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used. Reason for selecting this type of strategy is that it makes this study more viable because of the response from the responsible personnel in the field. It has unique strength, which is the ability to deal with a fully variety of evidences documents, interviews and observations. The use of case study enables the researcher to use multiple source of evidence (Yin, 1994).

#### **3.2 Study Area**

Study area is the area where the study is conducted. This study was conducted in Morogoro Para Legal Center as the case study area. The choice of this lies on the time limit and financial conveniences as noted by Fox, (1958) to be important factors when undertaking a study. The reason for the researcher to study on Morogoro Para Legal Center is based on the fact that the NGO deals with service delivery to people.

#### **3.3 Study Population**

Study population means groups of people involved in the study. The population under this study involved a Manager of the Morogoro Para Legal Center and beneficiary

members of services from the same organization. The beneficiary members included group of women, elders, widows, farmers, youths, businessmen and women, disabilities and workers. The reason for choosing that population is because they are the users of services provided by MPLC

### 3.4 Units of Analysis

A unit of analysis under this study included beneficiary members of the services that are delivered by Morogoro Para Legal Center such as women, elders, youth, disabilities, farmers, workers, business men and women and widows, the reason for using such respondents as units of analysis is because they are the users of services provided by MPLC.

### 3.5 Sample Size

The number of items to be included in the study is termed as sample size (Kothari, 2004). Sample units were beneficiary members such as women, elders, youth, disabilities, farmers, workers, business men and women and widows whose sample was 50 respondents. The reason for using that sample size is due to the availability of respondents in the field.

**Table 3.1: Sample Size**

| Category of respondents | Frequency | Percent    |
|-------------------------|-----------|------------|
| CSOs manager            | 01        | 02         |
| Beneficiary members     | 49        | 98         |
| <b>Total</b>            | <b>50</b> | <b>100</b> |

Source: Researcher, 2014

### 3.6 Sampling Techniques

There are two kinds of sampling techniques: the non-probability sampling and the probability sampling. Non-probability sample is one in which the items or individuals included are chosen without regard to their probability of occurrence. A probability sample is the one in which the subjects of the samples are chosen on the basis of known probabilities (David, 2003). This study employed both purposive sampling and simple

random sampling in which purposive sampling was administered to the manager of NGO while simple random sampling was used to get beneficiary members.

The total of 49 Beneficiary members of MPLC were drawn from different groups of the community in which 7 members were drawn from each of the following groups; youth, disabilities, farmers, workers, women, elders and widows respectively.

### **3.7 Data collection methods**

#### **3.7.1 Primary Data**

Primary data refers to data collected by the investigator from the original source. (Singh R, 1996). Primary data were collected using an interview and questionnaire.

According to Gary Dessler, “An interview is a procedure designed to obtain information from a person’s oral response to oral inquiries.” Interview was preferred in data collection as to provide a lot of information from a small number of people and is useful when the researcher requires an expert or knowledge opinion on a subject. Interview was administered to manager of the Morogoro Para Legal Center due to the fact that he/she has experience about the main challenges hindering effective accountability and interventional measures.

The questionnaire is most frequently a very concise, preplanned set of questions designed to yield specific information to meet a particular need for research information about a pertinent topic (Key, 1997). Questionnaire was preferred because were considered advantageous because they are relatively cheap. These tools gave information related to demographic characteristics of respondent, extent to which services delivered by MPLC to beneficiaries were effective, instruments of accountability and their effectiveness. Both Structured and open ended questionnaire was administered to 49 beneficiary members of MPLC because they are the main stakeholders and users of services provided by MPLC

### **3.7.2 Secondary Data**

The secondary data, on the other hand, are those which have already been documented by someone else (Kothari, 2004). The secondary data collection was obtained from MPLC documents such as MPLC Organization Profile, brochures and report of activities conducted by MPLC in Morogoro rural.

Documents and reports by MPLC provided information regarding to nature and functions of Morogoro Para legal center. Reports and working documents were considered useful as they gave relevant information pertinent to this study.

### **3.8 Data Analysis Methods**

**Data Analysis** is the process of systematically applying statistical and/or logical techniques to describe and illustrate, condense and recap, and evaluate data. According to Shamoo and Resnik (2003) various analytic procedures “provide a way of drawing inductive inferences from data and distinguishing the signal (the phenomenon of interest) from the noise (statistical fluctuations) present in the data”.. Demographic data and data related to extent to which services delivered by MPLC to beneficiaries are effective, instruments of accountability and their effectiveness were analyzed descriptively in which frequency and percentages were processed by using Microsoft excel while descriptive analysis was used to analyze data related to the nature and functions of Morogoro Para legal center, and the main challenges hindering effective accountability were obtained from respondents.

## CHAPTER FOUR

### FINDINGS AND DISCUSSION

#### 4.0 Introduction

This chapter provides demographic characteristics of respondents; it further provides the findings and discussion based on the research objectives.

#### 4.1 Demographic Characteristics of Respondents

Demographic characteristics under this study included; Sex of respondents, and marital status of respondents.

##### 4.1.1 Sex of Respondents

Table 4.1 shows the sex of surveyed respondents who were involved in this study. The researcher's intention was to get information regarding this study from both sex. The result showed that 14(28%) of all respondents were males while 36(72%) of all respondents were females.

**Table 4.1 Sex of Respondents**

| Sex          | Frequency | (%)        |
|--------------|-----------|------------|
| Males        | 14        | 28         |
| Females      | 36        | 72         |
| <b>Total</b> | <b>50</b> | <b>100</b> |

**Source:** Field Survey, 2014

##### 4.1.2 Marital Status of Respondents

Table 4.2 shows the responses by respondents on marital status. Marital status was put into consideration by the researcher as it determines people's awareness of the issues that affect their lives. The result showed that about 33(66%) of all respondents were married, 06(12%) of all respondents were single, 06(12%) of all respondents were widows, and 03(06%) of all respondents were divorced.

This implies that majority of respondents were married with family responsibilities a situation that affect their awareness of social issues.

**Table 4.2 Marital Status of Respondents**

| <b>Marital status</b> | <b>Frequency(N=50)</b> | <b>(%)</b> |
|-----------------------|------------------------|------------|
| Single                | 06                     | 12         |
| Married               | 33                     | 66         |
| Divorced              | 03                     | 06         |
| Widow                 | 08                     | 18         |
| <b>Total</b>          | <b>50</b>              | <b>100</b> |

**Source:** Field Survey, 2014

#### **4.2 Nature and Functions of the Morogoro Para Legal Center**

This study revealed the Morogoro Para Legal Center is a non-governmental organization founded in 1993 by women human rights activists from Women Legal Aid Center (WLAC) whose performed function include but not limited to;

1. Enhance access to justice among women and children
2. Establish rural paralegals to ensure the grassroots community receives legal services nearby.
3. Conducts legal sensitization programmes concerning different issues especially for rural community.
4. Conducts radio programmes to educate the society, produce, print and disseminate educational materials such as leaflets, t-shirts and booklets with simple legal language.
5. Conducts public with awareness programmes concerning land laws training in villages, workshops, monthly seminars for the society to understand and advocate for their rights on land.
6. Conducts human rights awareness programmes for poor women, community leaders to increase understanding, respect for and protection of the rights of women, children and vulnerable groups such as elderly people, people with disability and others.

**Table 4.3: Functions of the Morogoro Para Legal Center**

| <b>Functions</b>   | <b>Expected output</b>                                      |
|--|---|
| Enhance access to justice among women and children<br>Establish rural paralegals to ensure the grassroots community receives legal services nearby.  | Increased awareness about legal rights to community members |
| Conducts legal sensitization programmes concerning different issues especially for rural community.<br><br>Conducts radio programmes to educate the society, produce, print and disseminate educational materials such as leaflets, t-shirts and booklets with simple legal language.<br><br>Conducts public with awareness programmes concerning land laws training in villages, workshops, monthly seminars for the society to understand and advocate for their rights on land. | Increased knowledge on land laws by rural community         |
| conducts human rights awareness programmes for poor women, community leaders to increase understanding, respect for and protection of the rights of women, children and vulnerable groups such as elderly people , people with disability and others.  | Resolution of conflicts in the community                    |

**Source:** Field Survey, 2014

The finding showed a number of functions performed by the MPLC which are targeted to improve life wellbeing of beneficiaries as agrees with the study of Salamonet *al.* (2004:23) who identified four major functions of CSOs – the service, the expressive, the advocacy and the community building function<sup>1</sup> – for convenience they grouped the CSOs into just two broad categories of functions according to the International Classification of Nonprofit Organizations (ICNPO).

The study revealed that the MPLC conducts human rights awareness programmes for poor women, community leaders to increase understanding, respect for and protection of the rights of women, children and vulnerable groups such as elderly people , people

with disability and others. The finding agrees with the study of (Salamon et al, 2004) or to “protect the rights and promote the interest of specific groups of people – e.g., the physically handicapped, the elderly, children, and women”. Since is not necessarily true that CSOs aim to make social policy more humane or advocate only for the interest of deprived groups, we look for a generic definition, which would also include advocacy activities of CSOs like pressure groups and professional associations.

However, Civil society organizations remain to be important agents of service delivery to the community due to the fact that the government cannot hold each and every responsibility to its citizen, with this regard therefore Civil society organization has been mandated to hold some responsibilities in provision of services to members of the community the service of which is much more efficient. The finding is consistent with (Edwards and Hulme, 1998; Ebrahim, 2003 quoted in Jordan, 2003) that the CSOs are said to have "downward accountability" to their partners, beneficiaries, staff and supporters.

The finding is supported by Jagadananda (2004) who emphasizes CSO’s accountabilities to stakeholders and particularly to beneficiaries by encouraging agencies to:

Be aware of statutory obligations and other legal requirements; CSOs should understand statutory obligations and legal requirements for effective accountability to their stakeholders.

Develop goals and objectives in cooperation with stakeholders; involving stakeholders in development of goals and objectives of an organization gives stakeholders the ability to feel that they are respected and engaged in decision making for the organization and therefore the organization becomes accountable.

Engage in dialogue with beneficiaries to solve local problems; by engaging in dialogue with the beneficiaries the organization is able to find out the sources of their problems and being able to find a way to solve them. Seek feedback on program impacts from beneficiaries and other stakeholders; the organizations should follow up to discover the impacts of the programs in the society, it helps to know whether the program has been effective and what is needed to make the programs sustainable.

### **4.3 Extent to which Services Delivered by MPLC to Beneficiaries are Effective**

The second objective was about to determine the extent to which services delivered by MPLC to beneficiaries are effective. About accessibility to the service delivered by MPLC, this study revealed that beneficiary members do not access to legal aid services conveniently while human rights monitoring and advocacy and awareness programmes are conveniently accessed as from the finding of the study of Robinson and White (1997), who highlighted that one of the shortcomings of CSO service provision, highlighted by is that of limited coverage , CSOs may be able to aim service delivery to poor people but the scale of their operations is limited and consequently many people do not benefit from them. The effectiveness of the service delivered was determined by the following;

#### **4.3.1 Accessibility to the Service**

Table 4.2 Shows responses by beneficiary members of MPLC on accessibility to the service. They were asked to rate the status of accessibility to the services that are delivered to them by the MPLC. In their reply it was revealed that 35 (71%) of all the surveyed beneficiary members responded they do not access to legal aid services easily while 14(29%) of all surveyed beneficiary members responded they do access to legal aid services easily. This implies that legal aid services are not easily accessible.

Thirty 30(61%) of all surveyed beneficiary members responded that they do access to the services related to awareness programmes and 33(67%) of all surveyed beneficiary members responded that they do easily access to the services related to human rights monitoring and advocacy. This implies that beneficiary members do access to the services related to human rights monitoring and advocacy as well as awareness programmes.

**Table 4.4: Accessibility to the Service**

| Kind of service                      | Status |     |        |     | Planned achievements  |
|--------------------------------------|--------|-----|--------|-----|---|
|                                      | Hardly |     | Easily |     |   |
|                                      | N      | %   | N      | %   |   |
| Legal Aid services                   | 35     | 71% | 14     | 29% | Strengthened legal aid clinics by training                  |
| Awareness programmes                 | 19     | 39% | 30     | 61% | Increased awareness about legal rights to community members |
| Human rights monitoring and advocacy | 16     | 33% | 33     | 67% | Managed to assist women to attain their rights              |

**Source:** Field Survey, 2014

### 4.3.2 Efficiency of Service Delivery

Table 4.5 Shows responses by beneficiary members of MPLC on efficiency of service delivery. They were asked to rate the status of efficiency of service delivery.

In their reply it was revealed that 42(86%) of all the surveyed beneficiary members responded that efficiency of service delivery of legal aid services is medium while 30(61%) of all surveyed beneficiary members responded that efficiency of service delivery of legal awareness raising is medium and 35(72%) of all surveyed beneficiary members responded that efficiency of service delivery of Human rights monitoring and advocacy is medium. This implies that efficiency of service delivery of legal aid services, legal awareness and of Human rights monitoring and advocacy is medium.

**Table 4.5:Efficiency of Service Delivery**

| Kind of service                      | Status of efficiency |     |        |     |        |     | Planned achievements   |
|--------------------------------------|----------------------|-----|--------|-----|--------|-----|--|
|                                      | Low                  |     | Medium |     | Higher |     |  |
|                                      | N                    | %   | N      | %   | N      | %   |  |
| Legal Aid services                   | 04                   | 8%  | 42     | 86% | 03     | 6%  | Managed to settle client conflicts at relatively lower cost                          |
| Legal awareness                      | 10                   | 20% | 30     | 61% | 09     | 18% | Increased awareness about legal rights to community members at relatively lower cost |
| Human rights monitoring and advocacy | 08                   | 16% | 35     | 72% | 06     | 12% | Managed to assist women to attain their rights at relatively lower cost              |

**Source:** Field survey, 2014.

About efficiency of service delivery ( achieving objectives at relatively lower cost), this study revealed that efficiency of service delivery of legal aid services, legal awareness and of human rights monitoring and advocacy is medium which implies that it motivates the beneficiaries the finding is consistent with the study of Green and Matthias (1997:54) who note that there are four commonly advanced arguments for the greater efficiency of the CSO sector: specialist experience, more appropriate management structures and systems leading to leaner cost structures, sectoral flexibility and staff motivation.

#### **4.4 Instruments of accountability and their Effectiveness**

The third objective was about to examine instruments of accountability and their effectiveness. Table 4.4 shows the responses by beneficiary members about the instruments of accountability and their effectiveness. They were asked to rate the status of instruments of accountability and their effectiveness measurement criteria. In their reply it was revealed that about 36(73%) of surveyed beneficiary members responded that Capacity-building through training is good, 32(65%) of respondents responded that governance practice through transparency is good, while 35(71%) of respondents responded that empowerment through awareness creation and skills enhancement is good and 33(67%) of respondents responded that partnership practice through collaboration with other stakeholders is good. This implies that capacity-building, empowerment; partnership and governance are effective instruments of accountability.

**Table 4.6: Instruments of Accountability and their Effectiveness**

| Instruments of accountability | Effectiveness Measurement criteria        | Very good= 4 |     | Good = 3 |     | Average = 2 |   | Poor =1 |   |
|-------------------------------|---|--------------|-----|----------|-----|-------------|---|---------|---|
|                               |   | N            | %   | N        | %   | N           | % | N       | % |
| Capacity building             | Training and seminars                     | 13           | 27% | 36       | 73% | 0           |   | 0       |   |
| Governance                    | Transparency                              | 17           | 35% | 32       | 65% | 0           |   | 0       |   |
| Empowerment                   | Awareness creation and skills enhancement | 14           | 29% | 35       | 71% | 0           |   | 0       |   |
| Partnership                   | Collaboration with other organizations    | 16           | 33% | 33       | 67% | 0           |   | 0       |   |

**Source:** Field Survey, 2014

According to the result in Table 4.6 it was revealed that capacity-building, empowerment; partnership and governance are effective instruments of accountability which are practiced by MPLC through training and seminars, transparency, awareness creation and skills enhancement, and collaboration with other stakeholders. Effective accountability requires a set of instrument through which performance is based on. These tools include but not limited to; capacity-building, empowerment; partnership and governance. The finding is sought with those of (Oakley 2000) that empowerment is about people- both women and men- taking control over their lives: setting their own agenda, gaining skills, increasing self-confidence, solving problems, and developing self-reliance. It is both a process and an outcome.

The finding is also consistent with (Salamon et al, 2004) that participation implies that local people are really able to influence decisions and occasionally take part in the decision-making process; partnership is a more involved form of participation, with a wide variety of meanings, but implies power being shared equally with all partners. The finding is also supported by Salamon/Hems et al (2004) that capacity building is the development of an organization's core skills and capabilities, such as leadership,

management, finance and fundraising, programs and evaluation, in order to build the organization's effectiveness and sustainability. Capacity building is facilitated through the provision of technical support activities, including coaching, training, specific technical assistance and resource networking.

The finding is also supported by Salmon/Hems et al (2004) that governance encompasses both the processes and the institutions through which policies are designed and implemented; it focuses on the political and institutional framework in which the policy-making process takes place, and by which policies are designed, implemented, assessed, and adapted.

#### **4.5 The main challenges hindering effective accountability by CSOs**

The fourth objective was about to examine the main challenges hindering effective accountability by CSOs. With regard to the challenges hindering effective accountability by CSOs, this study revealed the main challenges that hinder effective accountability of MPLC as;

- i) Inadequate fund to effectively carry out the planned activities to reach the beneficiaries; MPLC conducts its activities in Morogoro region in all seven districts. Paralegal cadre has been established in all districts and in some districts like Mvomero, Morogoro rural paralegals are found at ward level. The paralegals have been established to enhance access to justice for poor rural community. These paralegals depend on MPLC for backstopping, stationeries and information materials for efficient performance. MPLC lacks enough funds to provide the required assistance.
- ii) Low level of awareness of community members about legal issues; One of the activities conducted by MPLC is legal aid clinic for counseling clients with legal disputes. It has been noted that some clients who attend the legal aid clinic at MPLC sometimes lose their rights because of lack of enough awareness concerning their rights. MPLC's intention is to assist its clients to attain their rights.

- iii) Poverty among members in the community; Access to justice needs struggle. The technicalities of court need funds and enough awareness so as to win the case. Filing case in court is expensive and moreover cases take long time which needs transport to court. The time spent would have been used to do other productive work. Most community members especially women are poor and unable to deal with their cases.
- iv) Inadequate manpower at MPLC office; MPLC has few employed staff who are unable to effectively carry out the required work.
- v) High dependence on external funds or donor funding; MPLC depends on donors for funding its programmes which is dangerous for sustainability of the organization.

With regard to the challenges hindering effective accountability by CSOs, this study revealed the main challenges that hinder effective accountability of MPLC is lack of fund.

The manager of the MPLC said;

*‘The main challenge we face with regard to running of our organizational activities is lack of fund as we depend much from trustees. For instance we sometimes fail to deliver services effectively until when we get financial assistance’*

This finding agrees with the study of Okuku (1996:132-133) who argues that CSOs are highly dependent on external sources of funding for their programmes/agendas and activities. With regard to the level of awareness of community members on matters, this study revealed that there is low level of awareness of community members on matters that affect their life. The manager of the MPLC said;

*‘Most of community members are reluctant of getting legal information that may raise awareness of their rights, this challenge affects our intended objectives of ensuring that our legal services reaches the targeted members of the community’*

About the measures to overcome challenges this study revealed that awareness rising and fundraising are effective measures for overcoming challenges. The manager of the MPLC said;

*'In ensuring that our activities run smooth we do fund raising to solicit fund along with provision of workshops and seminars to community members for the sake of raising awareness'*

## CHAPTER FIVE

### SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

#### **5.0 Introduction**

This is the last chapter that provides summary of findings, conclusion and recommendations.

#### **5.1 Summary of findings**

This study was sought to examine the extent to which CSOs are accountable and effective in service delivery to the community, specifically this study intended to examine the nature and functions of Morogoro Para Legal Center, to identify areas of accountability and the process involved, to examine instruments of accountability and their effectiveness and to examine the main challenges for effective accountability

##### **5.1.1 The first objective was about to examine the nature and functions of Morogoro Para Legal Center.**

The study revealed among others the functions of the MPLC as enhance access to justice among women and children, establish rural paralegals to ensure the grassroots community receives legal services nearby, conducts legal sensitization programmes concerning different issues especially for rural community, workshops, monthly seminars for the society to understand and advocate for their rights on land, conducts human rights awareness programmes for poor women, community leaders to increase understanding, respect for and protection of the rights of women, children and vulnerable groups such as elderly people , people with disability and others.

##### **5.1.2 The second objective was about to determine the extent to which services delivered by MPLC to beneficiaries are effective**

The study revealed that beneficiary members do not access to legal aid services easily while human rights monitoring and advocacy and awareness programmes are easily accessible, efficiency of service delivery of legal aid services, legal awareness and of

Human rights monitoring and advocacy is medium, and impact of the delivered service of legal aid services, legal awareness and of Human rights monitoring and advocacy is good.

### **5.1.3 The third objective was about to examine instruments of accountability and their effectiveness.**

The study revealed that capacity-building, empowerment; partnership and governance are effective instruments of accountability.

### **5.1.4 The fourth and the last objective was about to examine the main challenges for effective accountability.**

The study revealed that the main challenges that hinder effective accountability as inadequate fund, low level of awareness of community members, poverty among members in the community, inadequate manpower, lack of internal democracy and accountability and high dependence on external funds

## **5.2 Conclusion**

Basing on the finding it was concluded that;

The functions of the MPLC are to enhance access to justice among women and children, establish rural paralegals to ensure the grassroots community receives legal services nearby, conducts legal sensitization programmes concerning different issues especially for rural community, workshops, seminars to enable the society understand and advocate for their rights. MPLC also conducts human rights awareness programmes for poor women, community leaders to increase understanding, respect for and protection of the rights of women, children and vulnerable groups such as elderly people, people with disability and others.

Beneficiary members do not access legal aid services easily while human rights monitoring and advocacy and awareness programmes are easily accessible, efficiency and cost effectiveness of service delivery of legal aid services, legal awareness and of human rights monitoring and advocacy is medium, and impact of the delivered service

of legal aid services, legal awareness and of Human rights monitoring and advocacy is good.

Capacity-building, empowerment; partnership and governance are effective instruments of accountability.

The main challenges that hinder effective accountability are inadequate fund, low level of awareness of community members, poverty among members in the community, inadequate manpower and high dependence on external or donor funding.

### **5.3 Recommendations**

Based on the findings the following recommendations are made;

- i) Agencies for legal rights should assist the grassroots community to effectively receive legal services and community sensitization about their legal rights is frequently conducted to enable the society to understand and advocate for their rights.
- ii) This study revealed that most of beneficiary members do not access legal aid services easily. It is recommended therefore that organizations which provide legal services to strengthen paralegal cadre so as to enhance access to justice for the poor rural community.
- iii) Nongovernmental organizations should strengthen capacity-building along with empowerment; and governance structures as these are effective instruments that enhance accountability.
- iv) Nongovernmental organizations should raise awareness of community members on the matters that affect their life along with increasing manpower for improving performance with consideration of establishment of their own sources of fund rather than donor funds dependence.

#### **5.4 Recommendation for further study**

Among the challenges that hinder effective accountability are inadequate fund, low level of awareness of community members, poverty among members in the community, inadequate manpower and high dependence on external or donor funding. Therefore ‘establishment of techniques that are essential on influencing accountability in civil society organizations.’ is enhanced by other researchers.

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**APPENDICES**  
**APPENDIX I**  
**QUESTIONNAIRE FOR BENEFICIARIES**

**A: DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS**

1 Sex of respondents

Males

Females

2 Education level of respondents

Primary education ( )

Secondary Education ( )

Diploma/certificate ( )

Degree level ( ).

Master ( )

3 Marital status of respondents

Married( )

Single ( )

Widows ( )

Divorced ( )

4 Work experience of respondents

More than two years ( )

Two years ( )

Less than two years ( ).

**Study questions;**

- 1.To what extent services delivered by MPLC to you are effective in terms of its accessibility, efficiency and cost effectiveness and impact?
2. What are the instruments of accountability and their effectiveness?

**APPENDIX II**  
**INTERVIEW GUIDE FOR MPLC MANAGER**

**A: DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS**

1 Education level of respondents

- Primary education ( )
- Secondary Education ( )
- Diploma/certificate ( )
- Degree level ( ).
- Master ( )

2 Work experience of respondents

- More than two years ( )
- Two years ( )
- Less than two years ( ).

**B: Study questions;**

- 1 . What is the nature and functions of Morogoro Para Legal Center?
2. What are the main challenges hindering effective accountability by CSOs?
3. What measures do you take to intervene problems?