Promoting Good Governance through Civil Society–Legislator Linkages

Opportunities and Challenges for Policy Engagement in Developing Country Contexts

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Introduction

In the context of growing interest in promoting evidence-informed policy processes in developing country contexts, this paper investigates an understudied dimension of the research–policy–practice interface: the links between civil society organisations (CSOs) and legislators, and their role in promoting good governance. Typically, policy engagement initiatives focusing on policymakers target powerful line ministry officials, such as ministries of finance and economic planning, which are mandated with the coordination of poverty reduction strategies in the form of poverty reduction strategy papers (PRSPs) or their equivalents. Owing to the relative weakness of the legislative branch in many developing countries, policy advocacy work directed towards legislators has been less common. But if one of the aims of good governance is to promote a system of checks and balances among the three main branches of government (executive, legislative and judicial), then **working to strengthen the pathways through which parliamentarians are able to access and make use of quality policy-relevant evidence should be seen as an important component of broader political transparency and accountability initiatives**. Moreover, the role of the legislature as the elected representatives of the citizenry indicates that legislators have a particular responsibility to act as a channel for the voices of the population in the decision-making process – by listening to, synthesising and conveying views expressed at the constituency level but also through parliamentary hearings. Legislature–civil society linkages can significantly strengthen these roles.

Accordingly, this paper draws on a synthesis of the highly fragmented existing body of research on legislator–civil society linkages in Africa as well as primary research with CSOs and parliamentarians in East and Southern Africa in order to **explore the strengths and weaknesses of the formal and informal relationships and mechanisms that currently exist in the region between CSOs and parliamentarians (individual members of parliament – MPs – and/or parliamentary committees)**. We pay particular attention to the diversity of linkages between different sub-sectors of civil society – from think-tanks and policy advocacy-focused non-governmental organisations (NGOs), through to community-based organisations (CBOs) and non-traditional civil society, such as faith-based groups, grassroots organisations and private sector associations. We argue that the role of the latter, non-NGO type of CSO warrant more careful study, as they are both rooted in and derive their legitimacy from their proximity to local communities. Moreover, they often deploy more informal than formal policy engagement strategies that provide undervalued but nevertheless important channels of voice and accountability.

By enhancing both horizontal and vertical accountability systems, civil society–legislator engagement can help develop a new political landscape both nationally and globally, by strengthening the quality of national-level policy debates and decision-making processes on the one hand, and connections and dialogue between MPs and their grassroots constituents on the other.

The second half of the paper develops this argument as well as pointing to areas that require further research, by presenting findings from semi-structured interviews and focus group discussions (FGDs) with civil society representatives and parliamentarians working in diverse policy arenas (social policy, natural resource management and macroeconomic policy) as to how these linkages could be improved in order to enhance the uptake of evidence-informed development research in national policy debates and processes. It emphasises that any efforts to forge new spaces for policy engagement between CSOs and elected officials needs to take into consideration the full range of civil society groups – more elite think-tank and policy advocacy NGOs as well as non-traditional civil society groups. In the same vein, there is a strong need to recognise the value of the different types of knowledge that these respective groups are able to bring to the policy negotiating table – quantitative, qualitative and participatory.

The paper concludes by reflecting on the lessons that emerge from these African case studies for analysts of civil society's role in contributing to more democratic and participatory political cultures globally, and the possibilities for more cross-regional lesson learning and collaboration.

Box 1: Civil society and good governance

The ways in which civil society can contribute to good governance include the following:

Building state capability
- Participatory policy and budget formulation
- Delivering basic services
- Providing training to public service providers such as health workers
- Delivering civic education and raising citizens' awareness about national policies, and their rights and responsibilities (e.g. voting rights, democratic freedoms)
- Safety, security and access to justice: CSOs can raise citizens' awareness about rights and services so that official security and justice institutions are more accessible and effective.

Building state accountability
- Influencing standard setting (e.g. lobbying for legislation on transparency, adherence to international commitments on human rights)
- Carrying out investigation (e.g. monitoring and evaluating government programmes through social audits, citizen report cards or participatory expenditure tracking systems)
- Demanding answers from the state (e.g. questioning state institutions about progress, parliamentary public hearings)
- Applying sanctions where the state is found to be lacking (e.g. protests, boycotts, strikes or negative publicity)

Building state responsiveness
- Identifying and voicing the needs of citizens, including the poor
- Pursuing social inclusion through strategies including advocacy (e.g. lobbying reformers within government or the international community), feeding back research results and informing debates (e.g. inequality assessments and poverty and social impact analysis) and social mobilisation (e.g. campaigns)

Source: DFID (2007) CSOs and Good Governance: A DFID Practice Briefing Paper

Civil society in Africa

Although the existence of civil society in Africa can be traced back at least to political movements that rallied against the colonial powers for independence, it is in the past 20 years that CSOs have been able to participate visibly in political and development processes (e.g. Makumbe, 1998). In the 1990s, the transition in many African countries to multiparty systems meant that CSOs were afforded a larger platform and accorded more legitimacy by ruling governments that found popular participation a way to justify alternative politics. At around the same time, particularly from the late 1990s, the PRSP processes that most sub-Saharan African countries had to develop as a condition for debt relief pushed for broad-based participation, including civil society. In this environment, CSOs burgeoned and started participating in the policy process at a number of different levels. Organisations such as the Civil Society for Poverty Reduction in Zambia, the Malawi Economic Justice Network in Malawi and the NGO Forum in Uganda emerged from these opportunities and have since grown to become recognised players in the policy influence environments of their countries. Most of these CSOs used their subject-specific expertise and experiences working with grassroots organisations in outreach and service provision activities to inform their policy advocacy activities. More recently, other CSOs in the form of think-tanks and NGOs with think-tank-like functions (i.e. the fusion of policy research with policy advice and policy influencing) have emerged and sought a more formalised and routine space at the political dialogue table.

The efficacy of African CSOs' involvement in the policy process is, however, highly contested, with analysis shaped as much by ideology as empirical analysis. Some observers call into question the extent that 'civil society' as currently practised in sub-Saharan Africa offers a voice for genuine democratic transformation and representation of the populace at large (see Box 1).[2] Mamdani (1996), for example, argues that the term 'civil' is largely the domain of urban, educated classes and that participation is 'within' the system of liberal capitalism and typically excludes the rural population. The capacity to serve as an effective critic of the state is constrained under this model of civil society and instead tends to support the status quo (Buhler, 2002; Hearn, 2001). Such views have been buttressed by the fact that the process of CSO formation and strengthening has in many sub-Saharan African contexts been influenced and encouraged by donors as part of broader efforts to support political liberalisation. Fatton (1995; 1999) is similarly critical of the potential of CSOs as they are currently configured to play a decisive role in the democratisation process in Africa. He argues that they are insufficiently coordinated, poorly funded and in many cases too distant from the state to wield significant influence. This sentiment is echoed by Nasong'o (2007)'s analysis of the Kenyan context: he believes that distance from both the government and the grassroots has rendered it difficult for CSOs to develop credible policy alternatives. This pattern has been changing somewhat over the past decade, however, owing in part to several cycles of multiparty elections and rapid growth in CSO activities (see, for instance, Southern Africa Trust, 2007).

Others, however, argue that a collaborative mode of working with the state is critical, given the already tenuous political stability of many African states (Robinson and Freidman, 2005; Whaites, 1996). For CSOs in newly democratising and post-conflict states, the focus of civil society may usefully be directed towards establishing a set of minimum 'engagements' with executive and legislative branch actors, promoting government transparency and a respect for human rights (Amundsen and Abreu, 2006). Michael (2004) adds that, if CSOs were able to overcome weak organisational development and leadership reluctance to engage with governments (rather than situate themselves as a purely oppositional force) then they would be better placed to shape policy agendas on the continent. It is in this context that we argue that CSO engagement and contribution can strengthen legislature roles in having access to evidence that in turn facilitates improved policymaking.

However, given the polarised literature and lack of rigorous cross-country assessments in the African context, the challenge is how best to effectively evaluate the contribution of CSOs in the policy arena. Kuruvilla (2005), for instance, argues that there is a 'recognisable lack of systematic evaluation criteria' with which to evaluate the participation of CSOs in policy process. Evaluations tend to be short term and based on short project cycles that do not yield insights to broader institutional or structural shifts.

Assessing civil society influence in the policy process

What is needed is a framework for assessing different types of civil society role in the policy process, and the extent to which these have an impact on different stages in the policy cycle. More specifically, it is important to identify areas where engagement with the legislature would add value to the impact of CSO participation and contribute to broader poverty reduction impacts. Drawing on

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[2] 'Democracy' is a highly contested term, as is civil society's role in contributing to democratic governance. Diamond (1997) defines civil society in terms of its functions in promoting democracy and identifies nine distinct but interlinked roles as follows: 1) limiting the power of the state; 2) monitoring human rights and strengthening the rule of law; 3) monitoring the democratic process; 4) educating citizens about effective citizenship (rights and responsibilities); 5) building a culture of tolerance and civic engagement; 6) incorporating marginal groups into the political process; 7) providing means autonomous from the state to raise the level of material development; 8) information sharing; and 9) building a constituency for political and economic reforms. Hearn (1999) complements these roles, by adding accountability in the allocation of resources, open dialogue, the power to lobby the legislature and the defending of human rights as key functions of CSOs.

Irwin's (2001) work on civil society state interactions, Kuruvilla (2005)'s threefold model provides a useful starting point in thinking about the quality and intensity of civil society interaction in the policy space:[3]

1) **Social research model:** Civil society is consulted about its views on a public policy or research goal owing to its function as a non-state actor 'representing' public concern or interest in that particular issue;

2) **Deliberative democratic model:** CSOs take a more active role in setting the agenda for policy interaction in this approach but it still involves only a limited number of people and tends to be confined to a particular stage in the policy process (e.g. agenda setting, policy formulation or policy evaluation); and

3) **Localised model:** Taking into account the contextual, complex and fluid nature of the relationship between public policy institutions, experts and wider civil society, this approach identifies layers of influence and ways in which different circumstances will affect the way in which an interaction is formed and sustained. It promotes interaction between civil society and policy actors on an iterative medium- to long-term basis, and civil society involvement at multiple junctures in the policy cycle.[4]

Although not explicit in Kuruvilla's work, this framework allows for an analysis of civil society's diverse roles and contributions as conduits of citizens' views, service providers, knowledge providers and/or knowledge translators.[5] In the 'social research model', civil society actors are consulted largely based on the first role, whereas under the 'deliberative' and 'localised' models civil society actors are able to draw on expertise in a variety of domains: as providers of services for the populace in areas (either policy or geographical) that the state has been unable to cover; as providers of new knowledge based on either grassroots experiences and participatory inquiry or more traditional (quantitative or qualitative) research; and/or as translators of knowledge between citizens and the state about policy-relevant issues, converting new ideas and concepts into culturally resonant and politically feasible messages.

The literature, however, is surprisingly quiet on the relative influence civil society actors may have on different policy actors – much of the discussion focuses on 'policy influence' and influencing 'policymakers' without disaggregating between different types of policy actors and their distinct roles in the policy process – whether they be national-level bureaucrats, sub-national bureaucrats, policy advisors to ministers and other political leaders or legislators (e.g. Worthington, 2007). Generally 'policymakers' is conflated with members of the executive branch at the centre; this tendency has been particularly salient in the PRSP consultation processes and more recently around budget support agendas, where 'policymakers' serves as shorthand for civil servants (often in the ministries of finance, economics and planning). However, given the differential mandates that various policy actors have in particular policy areas (e.g. foreign policy is typically the preserve of national policy actors, whereas social policy and basic service provision is often the responsibility of decentralised sub-national policy actors), as well as the different relative weights that bureaucrats versus legislators have at particular junctures in the policy cycle (e.g. legislators play a key role in policy decision making and evaluation, and theoretically in representing and listening to the voices of the electorate in the policy process, whereas civil servants often lead on policy formulation and implementation), a more nuanced understanding of the policymaking process is vital for more strategic civil society influencing strategies and tactics. These roles might also vary depending on the prevailing governance system in a particular context (Fritz and Menocal, 2007). While the latter is beyond the scope of this paper, the present analysis will assist in understanding the strategic areas of CSO–legislature engagement where legislature access to quality policy-relevant evidence can be enhanced.

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[3] Note that this model has similarities with Gaventa's (2006) power cube work, which distinguishes between demanded, invited and closed policy spaces.

[4] In all of these considerations, civil society should be regarded, says Worthington (2007), as 'an essential omnipresent process' rather than categories of people and organisations.

[5] See Tetroe (2007) for a good overview on knowledge translation models.

CSO–legislature linkages in Africa

The importance of such a disaggregated approach is highlighted by the discussion of recent efforts by civil society to engage with the parliament by several recent commentators on the Southern African context. Although this work is largely descriptive and is not situated within an explicit recognition of the need to disaggregate the influencing opportunities provided by different branches of government, it does point to a growing acknowledgement of the potential synergies between CSOs and parliamentarians in strengthening good governance. This literature suggests four broad mechanisms through which CSOs and parliamentarians can collaborate in order to enhance the quality of policymaking:

- Providing expert inputs;
- Promoting policy reforms through the profiling of civil society viewpoints in parliamentary hearings;
- Coordinating outreach activities to enhance grassroots participation in policy dialogues; and
- Securing longer-term agreements through alliances with political parties and/or securing a quota of seats in the legislature. (This latter mechanism does, however, raise important issues about CSO independence.)

First, as knowledge generators and translators, CSOs can play an important role in providing individual legislators and legislative committees with much needed expert inputs to inform parliamentary debates (e.g. Mandaville, 2004). Bamusi (2006) provides the example of the Malawi Economic Justice Network (MEJN)'s interaction with the Malawian parliament around pro-poor budget analysis. The MEJN provided simplified briefings about budget analysis and public expenditure monitoring and associated recommendations to individual parliamentarians and committees; developed detailed recommendations ahead of budget debates; undertook budget analysis and provided associated recommendations; and supported a coalition of MPs to scrutinise economic policy proposed by multilateral agencies and bilateral donors. A similar example is discussed by Mathews (1999) in the South African context of reproductive health policy. The Reproductive Rights Alliance (RRA) took advantage of a favourable post-Apartheid political environment and explicit constitutional recognition of reproductive rights to engage parliamentarians around research findings on the impacts of earlier reproductive health legislation to advocate for changes in the abortion law. By combining conventional research with findings from participatory research initiatives with grassroots women, RRA was able to promote broader acceptance of civil society inputs into parliamentary policy debates.

Second, CSOs and parliamentarians can forge cooperative arrangements in order to advance a shared policy reform vision, and put pressure on the executive branch for change. For instance, Musaka and Chingombe (nd) focus on the alliances established between groups of parliamentarians and NGOs in Southern Africa to highlight deficiencies in health care systems and the urgent need to tackle the social determinants of health at both the national level, through the convening of parliamentary hearings (in both rural and urban settings), and regional levels (i.e. the Southern Africa Parliamentary Forum (SADC PF) and the East African Assembly (EAA)). Cooperative relationships of this nature can be useful not only for agenda setting, but also for monitoring the executive's compliance with reform-oriented legislation. One example is in Zimbabwe, where the parliamentary Portfolio Committee on Health engaged civil society and general stakeholders in order to help formulate the health budget and also in monitoring the Ministry of Health and Child Welfare's compliance with demands placed upon them (ibid).

Third, in order to reach out to marginalised populations and promote their involvement in the policy process, linkages may be forged between NGOs and parliamentarians. A good practice example from South Africa is discussed by Beetham (2006): here an outreach programme involving a

partnership between parliament and women's NGOs has been developed to provide women's workshops in rural areas. The goal of the workshops is to afford an opportunity for community leaders to learn about parliament and how it functions, and simultaneously to provide a forum for submissions on proposed bills or evaluations of current legislation. It is, however, unclear whether this success has owed to the persistence and skills of CSOs promoting women's issues or whether the government – seeing such groups as 'non-threatening' – has been more willing to engage with such groups.

Fourth, CSOs may also succeed in securing more formal representation in the legislature, as is the case with trade union groups in both South Africa and Uganda. In the South African case, the Congress of South African Trade Unions (COSATU) was able to shape the policy agenda, thanks to the close ties it enjoyed with the African National Congress party and broad legitimacy among key policy actors based on their solid support base and technical capacity (Robinson and Friedman, 2005). In Uganda, trade unions have direct political representation in the national parliament through five seats allocated to workers' representatives under the aegis of the National Organisation of Trade Unions (NOTU), the trade union federation. However, Robinson and Friedman (ibid) argue that CSOs employing such strategies to seek influence in parliament risk a loss of autonomy and the danger of being co-opted by a powerful executive.

Challenges

CSO–legislator linkages do, however, face a number of significant challenges that should not be underestimated. These include addressing both general weaknesses of African civil society as well as the specifics of the legislative environment. In terms of general constraints, the literature identifies the following interlinked problems that need to be addressed:

- **Limited funding:** Financial constraints may have multiple effects, including the inability to invest in capacity strengthening in CSO human capital, especially research skills and technical knowledge necessary for policy advocacy activities (Longwe, 2002), limited ability to engage in professional communication and dissemination activities with policy actors and heightened dependence on external bodies, which may render CSOs less autonomous (Makumbe, 1998). A dearth of funds also promotes 'short-termism' (Gyimah-Boadi, 1996) within CSOs, constraining their ability to adopt a more strategic long-term approach to social, economic and political change.
- **Institutional capacity constraints:** Related to funding problems, CSOs often lack space, vehicles, research capacities and technical equipment. Employment in CSOs may not attract the most able graduates and an organisation may not offer adequate training for lower-level members. CSOs often fail to deliver on their commitments (M'boge and Doe, 2004) and are not always efficient (Carothers et al, 1999).
- **Competition between organisations:** Owing to competition over influence and funding, CSOs tend not to pool resources and knowledge, instead working in an 'insular' way (Kaulem, 2007). The competitive nature of CSOs in the region arguably also creates an elite band of larger, well-funded organisations that tend to monopolise channels of influence. In this regard, authors such as Mamdani (1996) have emphasised the 'urban bias' of CSOs and their donor supporters.
- **Limited political space:** Clearly, this differs markedly across Africa, but a recent trend by a number of sub-Saharan African governments (e.g. Kenya, Uganda, Tanzania, Zambia, Ethiopia, Zimbabwe) to introduce NGO registration bills suggests that the openness of the government to civil society participation in the policy arena has not yet been secured and properly institutionalised. There are also concerns that, with the move away from donor project-based funding towards sector-wide and general budget support approaches, CSOs will have less freedom to voice critical viewpoints (Collinson, 2006).

More specific challenges that need to be tackled in order to enhance CSO–parliamentary linkages include: 1) strengthening CSO understanding of the workings of parliament, its role in the policy process and the party political imperatives that underlie much of the decision-making process and behaviour of parliamentarians (Bamusi, 2006); 2) adapting to high MP turnover; 3) being aware of executive pressure on parliamentarians; 4) overcoming donor bias in promoting engagement with the executive rather than the legislative branch of government (e.g. Hudson, 2007); and 5) improving the quality and duration of funding to parliamentary strengthening initiatives (e.g. Hudson and Wren, 2007).

Perhaps most importantly, however, the existing knowledge base on civil society–legislator linkages in Africa needs to be strengthened so as to have a solid evidence base with which to inform any action-oriented initiatives. While, combined, the above literature reveals some interesting insights, the fact remains that there has been only limited analysis whereby the primary intention was to explore CSO–legislator interactions.[6] As such, a number of critical questions remain unanswered:

- How do CSO–legislator linkages differ across policy areas or sectors?
- How can CSOs most effectively promote and sustain linkages?
- What is the relative balance between formal and informal linkages?
- What forms of knowledge translation or provision do these linkages promote or not promote?
- What about parliamentarians?
- At what stage in the policy process have such linkages been most effective?
- How can such efforts best be monitored and evaluated?
- What can donors do to support this process?

The following section draws on the findings of research on CSO–parliamentary interactions in East Africa, in the health and energy sectors. In all three country case studies – Kenya, Tanzania and Uganda[7] – structured questionnaire surveys among CSOs working in the health or energy sectors, follow-up FGDs and semi-structured key informant interviews with CSOs and semi-structured key informant interviews with parliamentarians by former parliamentarians (to overcome interviewee reluctance to discuss their views openly) were carried out in order to provide a nuanced picture of the role CSOs play in shaping legislative debates and decision making.

Patterns of CSO–legislator engagement in East Africa

Whereas one of our initial hypotheses had been that CSO–legislator linkages were likely to have increased in the context of the growth of the knowledge economy and the recognition of the growing complexity of policymaking, especially in light of globalisation, regional integration and decentralisation trends, CSOs and parliamentarians alike in East Asia tended to view CSOs' role as that of service or 'solution' providers, rather than knowledge providers or knowledge translators. Parliamentarians indicated that they saw value in interacting with CSOs owing to their close connections with the grassroots but also because of the potential services (e.g. health, education, energy, income-generating activities) they could provide their constituents, in turn raising the visibility and political capital of MPs. This was highlighted in the Kenyan case in particular, where MPs maintained that they had closer linkages with rural CSOs than with urban elite-led groups. Kenyan parliamentarians also added that the flexibility of CSO approaches and funding could facilitate the fast-tracking of particular policy objectives much more effectively than conventional bureaucratic procedures.

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[6] Key sources include: Bamusi (2006); Livingstone (2005); Musaka and Chingombe (nd); Worthington (2007).
[7] More detail can be found in the detailed country case study reports by the Economic and Social Research Foundation (ESRF), the Africa Energy Policy Research Network (AFRPREN) and the Community Development Resource Network (CDRN).

Interestingly, in all three countries, informal linkages between CSOs and MPs were more common. Social occasions such as funerals and weddings, as well as professional and kin networks, were all important sources of interaction. Where formal linkages do exist, this owes predominantly to a good relationship with an individual MP, typically an issue champion in a particular policy field, rather than with parliamentary committees. For example, Kenyan parliamentarians who interact with CSOs typically invite them to participate in *barazas* (community-based meetings organised in order to articulate MP development objectives and progress reports). The dearth of more formal institutionalised relations between CSOs and parliamentarians was attributed largely to a lack of familiarity with the potential benefits of collaboration, especially on the part of parliamentarians. Concerns about the limited political neutrality and proximity to donors led Tanzanian and Ugandan parliamentarians in particular to be cautious in their interactions with civil society. As such, a broad consensus emerged that efforts were needed to sensitise MPs to the value of these linkages, and frameworks developed to provide guidance for joint working and greater mutual trust. Here, the recent introduction of a CSO exhibition in the Tanzanian parliament was discussed as a good practice example, as it had provided an effective channel to showcase CSO activities and raise the awareness of MPs to new social issues. Other calls for increased cooperation included joint resource mobilisation efforts in order to come the dearth of funds available to tackle specific policy issues and the development of joint advocacy kits to be used in local constituencies.

Box 2: Experiences of civil society–parliamentary links in East Africa

'For us, we target individuals who are vocal and influential so that they can positively advocate for the policy in the plenary in parliament. This is done through constituency-based consultative meetings' (Ugandan HIV/AIDS CSO activist)

'I have gained a lot of useful knowledge on issues of reproductive health and gender issues from attending CSO training activities. Furthermore, NGOs have funded my community development activities, like training of women local councillors in my constituency' (Ugandan MP)

'Testimonies were compelling because there was a human face … and showing how they can eliminate the suffering just by making some changes in the policies or legislation made it very compelling' (Tanzanian CSO key informant).

'Opinions from different groups and people hold more weight and the parliamentarians have little choice but to listen' (Kenyan CSO key informant)

'If there is an issue we really need to secure support for, it is better to negotiate silently before going public … An approach of promoting dialogue and discussions before going to the media will help in maintaining the relationship between parliamentarians and CSOs' (Kenyan CSO key informant)

Determinants of effective CSO–legislator engagement

While existing interactions are limited, our research nevertheless pointed to some possible enabling factors for effective CSO–legislator engagement.

1) Demonstrating policy-specific technical expertise is critical in promoting demand from MPs for civil society inputs in policy deliberations. Several Ugandan parliamentarians cited the example of the value they had derived in engaging with CSOs specialising in reproductive health and HIV/AIDS issues. In Kenya, while CSOs were identified primarily as service providers and of greatest 'value' to MPs in their rural constituencies, their contribution to some parliamentarian debates in the energy sector was also acknowledged.

2) The importance of CSO coherence was also emphasised but recognised as an area requiring attention in all three country cases. In Uganda, it was suggested that creating a database of CSOs per policy area could facilitate such knowledge-sharing interactions.

3) CSO research-informed policy advocacy was likely to be more successful if the issues resonated with broader national policy agendas, especially economic growth. This suggests that, while NGOs need to gain recognition for specific technical capacities, they also need to be able to frame issues of concern into compelling policy messages. Such knowledge translation skills also require flexibility in the context of sometimes rapidly shifting political environments (e.g. the case of recent electoral disputes in Kenya).

4) The type of evidence that CSOs provide was also identified as an important dimension of effective CSO–legislator engagement. Baselines and quantitative survey data were highlighted as being universally effective (especially if based on government data in the Kenyan context), but the use of grassroots testimonies, international publications and carefully contextualised local knowledge were also cited as important in creating a compelling policy narrative.

5) Donor support may also play an important role, especially if the donor enjoys high credibility, the funding is at least medium term and project funding is used to support the participation of parliamentarians in high profile, well-resourced events.

Potential for linking with non-traditional civil society

As indicated in the introduction, 'non-traditional' or 'non-NGO type' civil society includes groups such as grassroots organisations, faith-based organisations, the media and private sector associations. These are often more representative of the poor and/or enjoy greater political access than the NGOs, which donors and external agencies in general have historically supported. The Ghana Drivers of Change study, for instance, highlights their importance in securing genuine, domestically rooted support for a given policy direction. Experience of linkages between 'non-traditional' CSOs and formal political actors has not been systematically documented. There is a need for more comparative analysis, including how effective they are as agents of citizen voice and accountability. A number of lessons from what we know is happening in Africa, which need to be further explored, are listed below,

1) The media is a key driver in policy influence and community radio initiatives, for example, it may play an important role in facilitating communication between formal political actors and local communities. This is already happening in Uganda through a Department for International Development (DFID)-supported project, and in Tanzania through the Tanzania Media Fund (TMF).

2) Partnerships with local faith-based organisations have brought to bear membership, networks, legitimacy and political access unmatched by many other civil society actors. The Jesuit Centre for Theological Reflection (JCTR) in Zambia has been highly influential in the development of pro-poor economic and tax policy through links with both the legislature and the executive, and is the secretariat for Jubilee 2000 Zambia.

3) Some programmes work to strengthen parliamentarians directly and through civic engagement. In Ghana, the Rights and Voice Initiative (RAVI) successfully supported CSOs in lobbying parliament over amendments to bills on mining, disability, domestic violence and broadcasting. In Box 3 is a key example of how CSO–legislature linkages can be strengthened.

Box 3: Engagement with 'non-traditional' CSOs: Pastoralist Parliamentary Group in Kenya

Pastoralist communities have typically been marginalised in policy processes in Kenya, but the recently established cross-party Pastoralist Parliamentary Group (PPG) has successfully forged close relations with CSOs as well as a number of international NGOs in Kenya. As Livingstone (2005) argues, 'many outside politics see MPs as indispensable partners for CSOs in their efforts to promote social development and change in the pastoral communities'.

Working with a development organisation can bring votes and support for an MP/party, as this kind of relationship is thought to bring positive development to a community. This is particularly the case in Kenya,

where MPs often turn to CSOs to fulfil provision of tangible benefits such as new roads and schools. Similarly, CSOs gain from close relations with MPs, as this helps link local concerns with national policy priorities.

Important challenges remain, however. In terms of organisation, pastoralist CSOs are weak and need to be strengthened if they are to target decision makers on policy issues, and they are not equipped to provide adequate support to politicians. Similarly, the PPG has a 'collective inability to drive the policy agenda' and instead tends to lobby 'around particular issues'. To date, the level of commitment by MPs to sustained engagement with pastoralist CSOs has also been less than ideal.

A recent evaluation on the PPG concluded that it needed to establish 'consistent and formalised links with civil society and experts' in order to ensure that they have relevant and up-to-date data and can form a consistent set of policy stances around which the group – and their civil society stakeholders – can organise themselves.

Source: Livingstone (2005).

Conclusions and policy implications

The discussion in this paper suggests that there is substantial potential for strengthening CSO–legislature linkages as a way to enhance policymaking and implementation in developing countries. There is, however, more work to be done in order to adequately map out relationships among civil society and legislature actors and how knowledge is negotiated in the different spaces that specific governance environments provide. In general terms, the following action areas in terms of both research and policy orientation are recommended:

- Prioritisation of knowledge alongside service provision as a key role for CSOs. This will entail donor support mechanisms that support new legislature–CSO relationships. Donor funding would have to be provided in the form of core funding to civil society so that it can have the flexibility to experiment with new ideas of working with the legislature, rather than the traditional project funding mechanisms (Tembo and Wells, 2007).
- Documentation of best practice in terms of the variety of mechanisms to influence lawmakers, stories of change and the development of relevant monitoring and evaluation systems than can capture changing relations.
- Capacity building for CSOs and for parliamentarians to understand roles and potential, and at which stages/junctures in the policy process.
- Provision of support to develop an enabling environment for civil society through appropriate regulatory frameworks, access to information and independent legal redress institutions, such as ombudsmen.
- Institutionalisation of channels of interaction between CSOs and legislators to overcome problems of cronyism, reduce negative impacts of high legislator turnover on policy influence options and promote the uptake of research evidence in policy debates.
- Coordination among CSOs to ensure coherence and maximum impact on the policymaking process, especially around specific policy issues. This suggests stronger networking skills that can take advantage of the 'amplification' functions that networks can play.
- Formation of horizontal alliances that bring together grassroots social movements, NGOs, media, etc., combined with technical specialists and experts in think-tank institutions and 'issue champions' within the state.
- The inclusion of non-NGO-type CSOs in legislature–CSO linkage initiatives, helping achieve greater inclusion of marginalised citizens in developing countries. However, it is important to bear in mind findings from recent research on deepening good governance, which shows that it is critical to approach such alliances with care. Tembo and Wells (2007) emphasise that: 1) partnerships with non-traditional CSOs should not be over-institutionalised (and with reporting requirements etc. kept to a minimum) so as to avoid disrupting the balance of power within 'communities of practice'; 2) experimental funding

should be provided in order to identify 'winners' and nurture coalitions through incremental learning; 3) working with intermediaries with a history of engagement with particular 'non-traditional' groups should be encouraged – e.g. JCTR in Zambia; and 4) the provision of support should be such that partners are given the space to fail and learn from their mistakes, in an effort to engage with less experienced 'non-traditional' groups, including grassroots CBOs.

Legislators have substantial unrealised potential in terms of their contribution to good governance – not only in terms of monitoring and providing a check on the power of the executive branch, but also in terms of representing citizen voices in the policy process and providing a forum (through parliamentary hearings) where CSO voices can be listened to. The relationships with CSOs beyond service provision to knowledge provision and translation can unleash this potential in developing countries

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