

ENGAGING RELUCTANT DUTY- BEARERS



**Funded by
the European Union**

This publication was produced with financial support from the European Union under the Strengthening Accountability Networks among Civil Society (SANCUS) project. Its contents are the sole responsibility of the Transparency International Secretariat and do not necessarily reflect the views of the European Union.

THE CHALLENGE

Duty-bearers resistant to change can become challenging impediments to any push for reform by civil society groups. These duty-bearers are typically public officials, who can be either elected or unelected. They can also operate at varying levels of seniority, from administrative pen-pushers to influential politicians. Partners across the Strengthening Accountability Networks among Civil Society (SANCUS) project may encounter duty-bearers who are reluctant to engage in reform processes for a range of distinct reasons. Certain duty-bearers may be averse to reform as they benefit from the status-quo; some may fear political alienation and blowback if they throw their weight behind a contested reform process; others still may be reluctant to engage with civil society as they operate in environments openly hostile to non-governmental organisations. While the causes of duty-bearer reluctance are complex and manifold, its damaging impact is unmistakable. The refusal of duty-bearers to engage with civil society and citizens may result in severe accountability deficits ranging from poorly designed policies to the exclusion of citizens from decision-making processes.

Cases from SANCUS partner countries illustrate the numerous challenges of engaging reluctant duty-bearers in different contexts. In Nigeria, for instance, parliamentarians are reluctant to support meaningful reform in political party financing as the constituent politicians benefit from the current system. In Zimbabwe, duty-bearers are disengaging with civil society as the incumbent party cracks down on non-governmental organisations (NGOs) ahead of national elections. In Guatemala, a new law that increases government control over the operation of NGOs signals rapidly shrinking civic space in the country.

In each of these cases, duty-bearers' reluctance to engage constructively with civil society has led to adverse consequences for the citizens they serve. This includes delays in programme implementation, lack of opportunities for public participation in policy and budget processes, corruption, and a steady erosion of trust in government. The examples gathered from SANCUS partners also demonstrate the wide spectrum of resistance that civil society can encounter from duty-bearers. This can range from outright repression of civil society to

public officials simply ignoring attempts by civil society groups to cooperate.

This brief outlines key considerations for SANCUS partners when attempting to engage reluctant duty-bearers. To do so, the brief draws on expert insights from Besinati Phiri Mpepo, Hama Zeidan, and Prof. Jonathan Fox, which were shared at the [SANCUS Mastermind Session](#) on the same topic.

KEY CONSIDERATIONS

Defining the Intervention

Before attempting to engage reluctant duty-bearers, it is crucial to first define the *objectives* of such engagement. In clearly defining what we are trying to achieve, SANCUS partners will be able to better understand the nature and scope of intervention required, and design appropriate strategies to meet these objectives. For example, a multi-pronged engagement strategy to convince a duty-bearer to adopt a contentious reform will necessarily differ from a less complex engagement strategy to remind a duty-bearer to implement an existing commitment.

Linked to the objectives of the engagement, it is also important to identify the *type* of duty-bearer that SANCUS partners aim to engage. Across the SANCUS network, relevant duty-bearers may include government officials operating at the national or local level, unelected bureaucrats, elected politicians, or public servants working in specific sectors, such as education or health. This categorisation will allow SANCUS partners to design an engagement strategy to respond to the unique interests and incentives of the targeted duty-bearer. For example, if the objective is to encourage the government to establish an independent oversight body for teacher accreditation, an effective strategy may target elected officials, such as the Minister of Education, and leverage their incentive of re-election. If, on the other hand, the objective is to strengthen citizen oversight in monitoring medicine procurement in the health sector, an appropriate engagement strategy may entail raising awareness of the importance of access to information and citizen participation in procurement processes among unelected public officials in the health sector.

Understanding Reluctance

Alongside defining the purpose of engaging a duty-bearer and then identifying whom to approach, it is equally valuable to understand the source and nature of their potential reluctance. While such reluctance is commonly linked to the environment within which a duty-bearer operates, personal incentives and motivations are often also at play.

Here it can be particularly helpful for SANCUS partners to determine whether, for example, the targeted duty-bearer refuses to collaborate due to a lack of willingness and outright opposition to reform. In such circumstances, the strategy of building popular pressure and strengthening citizen demand for reform through mass media campaigns, including, for instance, the use of community radio, may be especially effective. In fact, this strategy of working in coalitions and broadening the base for change is relevant to any attempt to engage duty-bearers—even beyond cases where duty-bearers openly reject collaboration.

Alternatively, a duty-bearer may be reluctant to engage with civil society due to a lack of political influence, or perhaps even the absence of knowledge or capacity about how to add their political capital to reform efforts. In such cases, the focus of an appropriate engagement strategy may involve supporting and empowering duty-bearers to participate in reform processes. This may include, for example, conducting training programs to increase the capacity of duty-bearers to engage constructively with civil society and citizens.

It is also possible for citizens and civil society to mistakenly '*perceive*' reluctance to engage on the part of duty-bearers. This suggests that, despite willingness and an ability to engage, some duty-bearers cannot engage meaningfully in a reform process due to disabling factors outside their control. This reinforces the need to understand the context and address the various internal or external factors that may be at play.

Positioning a Strategy

In addition to defining objectives, identifying the type of duty-bearer, and understanding the nature of their reluctance, it is also important to decide on an appropriate engagement strategy and approach. Here, SANCUS partners can draw on two guiding principles. Firstly, any engagement strategy must be

flexible, adaptable, and iterative. This principle recognises that the operating environment can change, for better or for worse, over a project cycle. A strategy that is flexible will be able to seek out and capitalise on key windows of opportunity, such as during elections or political transitions. Similarly, an adaptable strategy will be able to adjust a chosen approach to mitigate the impact of external factors that limit duty-bearer interaction with citizens and civil society, such as the COVID-19 pandemic.

The principle can also be extended to highlight the importance of timing and aligning an intervention appropriately. For example, duty-bearers involved in budget-related activities will be far more likely and able to engage with civil society input during budget preparation than they would be a few weeks before the budget is presented. In cases where civil society consistently miss these crucial opportunities, duty-bearers may be perceived as being reluctant to engage with civil society input—even though the issue lies in the failure of civil society to time an engagement appropriately.

The second guiding principle is that an engagement strategy must be **multi-pronged**. This principle is premised on the understanding that a single approach or tactic is often insufficient to successfully win over reluctant duty-bearers. In broad terms, approaches to engaging duty-bearers may be direct, indirect, or involve third-party advocacy. Direct engagement may entail civil society activists meeting and attempting to convince a duty-bearer to pursue a reform in person; whereas more indirect approaches may involve the use of media, public hearings, or other tactics to build external pressure for change. The involvement of other civil society groups and partners to advocate for policy reform, referred to as third-party advocacy, may also help to strengthen engagement efforts and bring together multiple pressure points on duty-bearers.

The flexible deployment of a combination of these complementary approaches provides a strong basis for an effective engagement strategy. While the selection of an approach, or a combination of approaches, must be informed by the context and operating environment, certain approaches may be particularly effective under certain circumstances. In cases where a duty-bearer is weak but willing to

engage, for instance, a strategy built around direct approaches to engagement will allow SANCUS partners to work closely with the duty-bearer to identify and build capacity for reform. On the other hand, where a duty-bearer is strong but unwilling to engage, indirect approaches to engagement which leverage the support of citizens and other civil society actors may help SANCUS partners increase pressure on duty-bearers to engage.

A strong understanding of the context underpins each of the considerations discussed above. To support this understanding, SANCUS partners can choose from, adapt, and employ an extensive range of **political economy analysis** (PEA) frameworks and tools (please refer Additional Resources). The PEA framing is primarily centred around helping practitioners to understand complex contexts and interests, to make politically informed decisions about when, how and where to push for reform, and understand who can deliver it.

However, in establishing contextual understanding, the safety and security of engaging a duty-bearer must remain the foremost consideration. In many contexts—i.e., where duty-bearers are not just reluctant but also hostile—civil society attempts to engage duty-bearers in reform processes often carry direct threats to life and safety. While some activists are willing to shoulder these dangers and risks, the principle of ‘do-no-harm’ proposes that if engaging a duty-bearer will result in threats to life and safety, or worsen the situation in any way, the risks greatly outweigh the short-term benefits.

STRATEGIES

While a good understanding of the overall context is a crucial precursor to effectively engaging reluctant duty-bearers, successful strategies also tend to rely on careful consideration of four key issues: **1. Evidence**, **2. Entry Points**, **3. Coalitions**, and **4. Framing and Communication**.

1. Evidence

Solid evidence generated through robust research often proves crucial in convincing duty bearers of the existence of a problem and the need to tackle it. A [survey](#) of 3,500 leaders in lower-middle income countries found that 39% of respondents used domestic data to better understand policy issues that needed to be solved. While demonstrating a

clear understanding of local contexts and adopting a constructive approach that diagnoses problems and offers practical recommendations were more likely to motivate leaders to employ the evidence presented to them, the survey also found that 88% of leaders surveyed preferred to use data and information gathered from in-person interactions, either via formal meetings or informal communications.

Across the SANCUS network, partners are leading research initiatives to help advance vertical and horizontal accountability in areas ranging from state-owned enterprises and education to budget processes and constitutional development. The new evidence generated from robust research will empower SANCUS partners to approach duty-bearers with concrete demands and make it harder for reluctant officials—especially those that are unwilling to engage—to ignore or dismiss them. In the same way, good evidence may also embolden duty-bearers that are weak but willing to engage to promote reform from within difficult contexts.

2. Entry-Points

Armed with a thorough political economy analysis and compelling evidence, SANCUS partners will be well-positioned to recognise, identify, plan for, and seize key entry-points to engage duty-bearers and push for reform. Potential entry-points may include identifying and approaching a responsive type of duty-bearer (for example, those that are capable or willing), targeting reform at an appropriate level of government (for example, at the national or local level), or pushing reform agendas at strategic, opportune moments (for example, during elections, following political scandals, or timed and aligned to capitalise on openings such as budget cycles).

It is also important to recognise that the most prominent duty-bearer, or the highest level of government, is not always the best or easiest entry-point. “Gamechangers” who can, and are willing to, push for difficult reform can be found across the board, and may include civil servants, political advisors, or religious and community leaders. A thorough understanding of the context will help SANCUS partners identify these gamechangers and other unique entry-points.

3. Coalitions

Working in coalitions is a tried and tested way of increasing collective pressure on duty-bearers and

strengthening the case for reform. However, all too often, civil society coalitions work with or within a small group of stakeholders, rarely choosing to venture beyond traditional partners. Citizen engagement, for instance, represents a key—though often underutilised—mechanism through which civil society can strengthen legitimacy in their dealings with duty-bearers. This approach is especially convincing if civil society are seen to represent large sections of society.

Similarly, broadening coalitions to involve diverse voices and non-traditional partners can further enhance the legitimacy of a push for reform and force duty-bearers to take notice. Such coalitions could include groups ranging from teachers' unions to farmer's associations, labour groups, or professional associations. At the same time, stronger partnerships with independent media will further broaden the base of stakeholders advocating for reform. This holistic, inclusive ownership of the reform agenda will ensure that issues are not easily swept aside.

4. Framing and Communication

The effective framing and communication of reform agendas is central to any successful advocacy effort. This is particularly important when attempting to engage a reluctant duty bearer or pushing for reform on contentious issues. Communication strategies may include appealing to the interests and incentives of the duty-bearers concerned, grounding messages in accessible language, local practices, and cultural reference points, and using international levers to escalate particularly intractable issues. International levers may include governance monitoring and benchmarking mechanisms such as the World Bank's World Governance Indicators, or peer review processes such as implementation reviews of the United Nations Convention Against Corruption (UNCAC).

In appealing to the interests of the duty-bearers, SANCUS partners can refer to project goals and activities to demonstrate how the project aligns with the interests of the duty-bearers in question. By framing the idea of accountability to citizens as mutually beneficial to all concerned—highlighting the prospect of favourable election results for instance—it may be possible to achieve the support and buy-in of difficult stakeholders. The strategic approach of escalating intractable issues to a global platform can also increase pressure on duty-bearers

and elicit a response. For example, SANCUS partners may leverage multi-country initiatives such as the Open Government Partnership (OGP) to focus international attention on the delivery of national commitments. Although the value of such platforms in pushing duty-bearers to engage in reform is contingent on their position, credibility, and influence in different local contexts, global platforms can play a role in garnering international attention to support and advocate for a reform agenda.

The SANCUS global network is another key resource for SANCUS partners to advocate and push for reform in particularly difficult situations. The network can be used by SANCUS partners to highlight cases of recalcitrance among duty-bearers within the project setting, share and exchange tips and tricks to engage duty-bearers, or reach out for specific assistance through Transparency International's Helpdesk (tihelpdesk@transparency.org).

ADDITIONAL RESOURCES

General Support

[Transparency International, SANCUS Project Network](#)

[Accountability Research Centre](#)

[World Vision International, Technical Support Organisation](#)

PEA Guidance

DFID. 2009. [Political Analysis How to Guide](#)

DLP. 2016. [Everyday Political Analysis](#)

The Policy Practice. 2012. [Political Economy Analysis: Selected Readings](#)

USAID. 2018. [Thinking & Working Politically through applied Political Economy Analysis](#)

