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Thinking and working politically: Lessons from FOSTER in Nigeria

Elisa Lopez Lucia, Joanna Buckley, Heather Marquette and Neil McCulloch
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The Developmental Leadership Program (DLP) is an international research initiative based at the University of Birmingham, and working in partnership with La Trobe University in Melbourne.

DLP aims to increase understanding of the political processes that drive or constrain development. Its work focuses on the crucial role of home-grown leaderships and coalitions in forging legitimate institutions that promote developmental outcomes.

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Executive summary

The Facility for Oil Sector Transparency and Reform (FOSTER) was a £14 million programme that has helped Nigeria to transform its governance of the oil and gas industry. FOSTER ran from 2011 to mid-2016,¹ and used an explicit 'thinking and working politically' (TWP) approach. It was funded by the UK Department for International Development (DFID) and managed by Oxford Policy Management (OPM). This paper seeks to identify the factors that drove – or constrained – FOSTER's achievements, and asks what this can tell us about TWP, particularly in challenging political and sectoral contexts.

FOSTER sought to help strengthen oversight and accountability in Nigeria's oil sector. It aimed to support reformers within government institutions that 'supply' accountability (those governing how oil and gas revenues are collected and managed), and to support civil society organisations, parliament, the media and the Nigeria Extractive Industries Transparency Initiative to 'demand' reform. In addition, FOSTER commissioned a series of studies and provided media training to help broaden understanding of the sector and highlight the need for reform.

This paper examines the outcomes from five 'clusters' of FOSTER interventions. The FOSTER team viewed the first three of these in the list below as successful, whereas the latter two did not deliver on expectations but offer important opportunities for learning:

- Support to the Nigerian Extractive Industries Transparency Initiative
- Support to demand-side actors to promote transparency and accountability in the oil sector
- Support for the passage of the Petroleum Industry Bill
- An oil spill-mapping social media project
- Support to the Department of Petroleum Resources

The analysis drew on 44 semi-structured interviews conducted during a month of fieldwork in Abuja and Lagos; on reviews of the programme's monitoring, evaluation and learning frameworks; and on newspaper articles and grey literature on Nigeria's oil sector.²

FOSTER and TWP

FOSTER managed to achieve some remarkable successes in a highly unfavourable political environment as a result of thinking and working politically. FOSTER's work was based on three principles:

- Undertaking deep, regular political economy analysis (PEA) to identify policy failures ripe for action and shifts in context that might create opportunities for reform or block previously promising avenues
- Using this insight to nurture relationships with sympathetic stakeholders, both in government and outside, and with them develop contextually relevant interventions
- Working discreetly to minimise risks to DFID and programme staff

FOSTER was designed to be a flexible programme in both its funding and its lack of pre-defined interventions. Its managed fund enabled the programme to identify initiatives and allocate targeted resources as it went along: the rationale was that it was not possible at the outset to know the specific pathways through which change might occur. The programme deliberately tried a range of promising approaches, knowing that not all would necessarily succeed.

Lessons on TWP

FOSTER's experience points to important lessons for other programmes seeking to think and work politically.

Process: how interventions are implemented

Well-connected, knowledgeable team: High quality, locally based staff who were well-connected and knowledgeable about the target sector played a key role in FOSTER's successes. FOSTER's Abuja team was Nigerian-led from the start, and by 2015 was entirely Nigerian. Staff had strong networks and a deep understanding of the sector's technical and political challenges.

¹ FOSTER's successor programme, the 'Facility for Oil Sector Transformation', is projected to run until mid-2021.

² OPM commissioned this study as part of its and DFID's commitment to learning.

Continuity of personnel: Core staff remained the same throughout the five years, which supported network building. However, FOSTER's experience also highlighted that retention of talented in-country managers can be problematic in five-year programmes where roles and fees remain static.

Adaptability and learning: Flexible programme design that does not lock staff into working with particular institutions or organisations offers broad scope for TWP. For example, FOSTER could change its partners as appropriate, reorienting interventions towards the most receptive stakeholders as the political situation shifted. It could engage with new partners, inside or outside government, as opportunities for reform emerged. It could also disengage when interventions did not succeed.

Balancing robust management and adaptability – formality versus swift response: It can be challenging to maintain robust management alongside a responsive, politically savvy approach and risk mitigation. For example, it may be difficult for staff to fully document learning in a fast-moving, adaptive programme. Not all of FOSTER's decisions were as well documented as they could have been, which made learning – and evaluation – sometimes difficult.

Demand-driven interventions: FOSTER had most success when its interventions were driven by local partners – for instance, FOSTER provided evidence-based information about the oil sector, which a range of partners used to enhance public debate.

Content: what interventions do

Connecting stakeholders and enhancing their capacities: FOSTER played a convening role, strengthening relations between CSOs and the media, for example, and invested significantly in building the capacity of local partners. Discretion – such as a lack of project or donor branding – was an important factor in facilitating change.

Sharing accessible research findings and information: FOSTER improved the quality of public debate by making impartial evidence more accessible. Unbranded FOSTER-commissioned research and simplified technical information about the oil sector came to be viewed as a neutral resource for a range of local actors who wished to shape the public debate.

Clarity of vision: Clarity of vision is key to flexible programming. Donors and local partners are more likely to be able to think and work politically if they have a shared view of what success looks like, what support a programme can and cannot provide, and when and under what conditions support for an ineffective initiative will be phased out. In most of FOSTER's interventions, a shared vision was clear. However, in the two more problematic interventions, a lack of clarity of vision was in large part responsible for many of the challenges.

Politics of interventions

Understanding and adapting to the political context: Quarterly PEA was at the heart of FOSTER's approach. Staff, partners and stakeholders sense-checked the PEA reports and discussed their findings and implications at quarterly workshops. Informal political assessments by staff and issue-specific PEAs also contributed to FOSTER's culture of regular critical reflection and workplan review. Formal PEA was underpinned by a staff team able to work in a politically smart way day-by-day. However, given that broad PEAs can lack the nuance needed to drill down deeply into specific issues, FOSTER's successor programme is conducting PEAs on thematic clusters of interventions.

Theories of change for clusters of interventions: Likewise, FOSTER had an overarching theory of change, but clusters of interventions could have used their own specific theories of change, to be revisited during implementation. Goals can be specified while pathways to achieving them need not be. It is important to embed ways of recognising where new results point to the need to adjust a theory of change.

Risk management: Tolerance of risk to results enables programmes to experiment to find out what does and doesn't work, but it can be challenging to balance such experimentation with avoidance of reputational risk for donors. Further, when programmes work with both demand- and supply-side actors, care is needed to manage the risk that the activities of programme-supported civil society actors could damage the programme's relationships with government actors. DFID, OPM and the FOSTER team had a relatively high tolerance for risk throughout FOSTER, which was seen to be a key factor in its success. However, it was also suggested that this diminished over the life of the programme, possibly due to the use of payment by results. This suggests a tension between flexible, adaptive design and accountability mechanisms. For the most part, FOSTER managed to balance the two well.

These lessons show both the value of thinking and working politically for a development programme, and the challenges and trade-offs involved. While political changes and complexities may make some failure unavoidable, a politically savvy, adaptive approach can help programmes learn and respond quickly.

1

Introduction

The Facility for Oil Sector Transparency and Reform (FOSTER) was a £14 million programme funded by the UK Department for International Development (DFID). Its first phase ran from December 2010 to mid-2016.¹ This paper asks whether FOSTER managed to ‘think and work politically’ (TWP), and identifies the challenges and the factors driving its successes and failures. It draws on five ‘clusters’ of FOSTER’s programme – three successful cases and two failures – and analyses what these tell us about TWP;² particularly in challenging political and sectoral contexts.

This is unusual in the growing literature on development programmes that adopt a politically informed, flexible, adaptive approach, which tends to emphasise success alone (Dasandi et al., 2016).³ Exceptions to this include recent case studies such as those undertaken by Mercy Corps (2016) and the State Accountability and Voice Initiative (SAVI) (2014), which analyse the strengths and weaknesses of such programmes.

Oxford Policy Management (OPM) managed FOSTER and commissioned this research as part of its and DFID’s commitment to sharing learning. FOSTER was one of the earliest programmes that DFID funded with an explicit TWP approach, and has been particularly successful in meeting its objectives.⁴

As such, FOSTER makes an interesting practical case study example, both for development practitioners and for researchers interested in TWP, as well as for those interested in the extractive sector. An objective of this paper is thus for the lessons to inform future programming and contribute to the wider evidence base on TWP in aid programmes.⁵

The research used a qualitative and inductive approach. Field research by the primary author entailed 44 semi-structured qualitative interviews during one month of fieldwork in Abuja and Lagos. The research also included reviews of FOSTER’s internal documentation and Monitoring, Evaluation and Learning (MEL) frameworks, and analysis of newspaper articles and grey literature on the oil sector in Nigeria.

The qualitative interviews aimed to generate a comprehensive overview of each cluster of interventions, including the internal working processes of FOSTER during design and implementation and the external impact of the interventions. In terms of the internal assessment, this looked at the logic and implicit assumptions of the interventions. Interviews took place with FOSTER staff, consultants and partners involved in implementation, and DFID.

Meanwhile, to be able to ‘externally’ assess the cases, the research interviewed some beneficiaries/targets of the interventions (e.g., journalists who undertook FOSTER’s media training or civil servants who benefited from capacity-building), and used newspaper articles and the grey literature to put the changes in context and/or to trace FOSTER’s results (where such a link could be made).

Interview questions focused on ‘whether, why and how’ the clusters of interventions achieved, or did not achieve, the intended results within the socio-political context, and how this socio-political context in turn informed the intervention choices. This involved looking at issues such as the type of change (policy, practices, capacity, systems, public scrutiny); the extent of change; whether results emerged as anticipated (and whether some results were unintended); the reasons for comparative success and failure; and the lessons that could be drawn from this, particularly with regard to TWP programme design.

The research aimed to be as rigorous and objective as possible to generate credible evidence that could be valuable to researchers, policy-makers, donors and practitioners interested in governance reform within and outside the extractive

1 FOSTER had its funding renewed by DFID in 2016, with Oxford Policy Management (OPM) continuing as the service provider. This paper does not cover the Facility for Oil Sector Transformation successor programme, projected to run from July 2016 to mid-2021.

2 According to the Thinking and Working Politically Community of Practice: ‘A TWP approach has three core principles: strong political analysis, insight and understanding; detailed appreciation of, and response to, the local context; and, flexibility and adaptability in program design and implementation.’ These principles are elaborated at <https://twpcommunity.org/what-is-twp/>

3 See, for instance, Booth and Unsworth’s (2014) seven case studies of successes using the TWP approach in various sectors. While an important contribution to the literature on TWP, though, this research does not consider any failures of the approach.

4 DFID’s overall output score for FOSTER over the five years was A+.

5 See <http://twpcommunity.org> for examples of other case studies.

sector. A mix of both internal and external researchers was essential to help provide deep insights into FOSTER while also maintaining independence in terms of sampling, analysis and interpretation. However, the political salience of the extractive sector in this context, and security considerations in oil-bearing communities, had an impact in terms of how close it was possible to get to key stakeholders. Some actors, such as political representatives, were more difficult to interview; for example, no interviews were conducted with senators who had benefited from FOSTER's support. However, the methods, including triangulation, are robust enough to enable the drawing-out of useful conclusions.

It was not possible to interview all the actors involved in each case – in particular for clusters with a significant number of interventions (e.g. the Petroleum Industry Bill and the demand-side clusters included more than 20 interventions each). Nevertheless, an attempt was made to interview as many actors as possible so as to generate an in-depth understanding of the logic and processes of the clusters. Using a purposive sampling technique, the FOSTER team initially identified a number of interviewees. The list rapidly expanded through a 'snowball effect' – that is, through referral to other potential interviewees by current respondents who helped identify the most relevant actors.

The paper is structured as follows. It first, in Section 2, provides an overview of the Nigerian socio-political environment and the oil sector, recognising that both the political and the sector contexts are a fundamental part of FOSTER's story. Section 3 then sets out what FOSTER is and what its TWP approach looks like. Section 4 provides a brief explanation of each of the five case studies and a summary of their findings.⁶ Section 5 then draws out lessons from across the five case studies, aiming to make a contribution to the literature on politically informed programming. Section 6 concludes.

⁶ Each of the case studies was written up with much more detail as separate papers, used in FOSTER's internal learning process.

2

The Nigerian socio-political environment and the oil sector

The political character of development challenges is even more apparent in the governance field, particularly in transparency and accountability interventions. (...) [T]he processes by which transparent and accountable institutions are formed are deeply political in nature, often shaped by conflict and other forces of social change, rather than a linear process of formal administrative and institutional reform based on “best practices” and ‘political will’. (Halloran, 2014: 1)

This statement reflects well the process of change in oil sector governance in Nigeria, which, with its endemic corruption, is a difficult environment in which to navigate and foster reform.

Figure 1: The location of oil fields in Nigeria, as of September 2012



Source: Courtesy of Stratfor Worldview, a geopolitical intelligence platform based in Austin, Texas.
<https://www.stratfor.com/article/dwindling-international-interest-nigerias-onshore-oil-fields>

Nigeria, with both onshore and offshore facilities, is the second biggest oil producer in Africa and ranks 16th in the world in terms of production. In spite of its oil wealth, though, the country has some of the worst development indicators in the world. The UN Development Programme (UNDP) Human Development Index 2015 ranks Nigeria at 152 among 186 countries, while about 62% of Nigeria's 173 million people live below the poverty line (UNDP, 2015). Poverty is particularly acute in the oil-producing areas of the Niger Delta, where oil production has destroyed the environment and people's livelihoods without creating employment (Burdin Asuni, 2009; Roll, 2011). The oil and gas sector is responsible for around 95% of exports and 70% of government revenue, which makes Nigeria extremely dependent on the fluctuation of oil prices (IMF, 2015).

Nigeria has established a centralised management system to tax, and thus collect and allocate, oil revenues. During this process, the federal government retains the larger share of revenue before distributing the rest to the other tiers of government. The system thus enables the retention of an important part of oil revenues by the central government (Obi, 2011), while other levels of authority – state and local – have less access to the oil wealth (Barrios, 2013).

More generally, transparency related to profits from oil is almost non-existent. This opacity is maintained by the Nigerian political classes and has enabled both the ruling elite (federal and local) and International Oil Companies (IOCs) to monopolise profits (ICG, 2012). Evidence shows that the national and local elites have been using their share of the oil wealth to maintain informal political patronage links and remain in power (Barrios, 2013; Ukeje & Mvomo Ela, 2013). Hence, governance problems in Nigeria are said to be a symptom of a 'massive patronage economy that safeguards the dominance of existing Nigerian political elites in and outside of the Delta' (Newsom, 2011: 5). This very rich Nigerian elite involved in corruption and rent-seeking activities has had very few incentives to diversify the country's economy beyond oil (Gambari, 2008).

Another major problem concerns oil theft: there is strong evidence that state structures, political leaders and security forces in Nigeria are interwoven with the oil industry and criminal networks involved in oil theft (Barrios, 2013). The Nigerian state and IOCs have been said to lose more than \$1 billion a month to oil theft⁷ (Wallis, 2012).

Finally, the role of IOCs should be acknowledged: drawing on their power and resources, IOCs (such as Shell, Chevron Texaco, Exxon Mobil, Total and ENI-NAOC) play a crucial role in the Nigerian oil sector. Conflicting interests within the Nigerian state have weakened the ability to effectively regulate IOCs as well as nationally owned oil companies. As a consequence, the communities of the Niger Delta have experienced decades of conflict and environmental degradation (Obi, 2011).

The context in which FOSTER operated changed almost immediately after its launch in December 2010. President Goodluck Jonathan was inaugurated in May 2011, and his incoming policy priorities made no mention of reforming the oil and gas sector, despite referring to the need for public sector and power reform. Policy paralysis and uncertainty – and, in some cases, wilful resistance to fundamental sector reform – characterised the Jonathan administration from February 2011 to May 2015. It is claimed that any reform processes were hindered by the Minister of Petroleum Resources, Diezani K. Alison-Madueke, who blocked any initiatives and was involved in various corruption scandals (Awofeso & Odeyemi, 2014; Eniayejuni & Evcan, 2015). In October 2015, Ms Alison-Madueke was arrested in London as part of an investigation into suspected bribery and money laundering (Milmo, 2015). She is being investigated by the Nigerian Economic and Financial Crimes Commission.

The election of President Muhammadu Buhari in March 2015 was widely seen as an auspicious moment for radical petroleum sector reform. Positive assessments of the president's personal character, and his electoral mandate secured on an anti-corruption manifesto, offered the promise of decisive institutional changes in key reform areas – increasing transparency, stemming losses and improving revenue capture – and of consideration of options to fundamentally restructure the sector in line with these objectives. As this paper shows, FOSTER's flexible design enabled the team to adjust to the changing – and often challenging – political context.

7 This number includes fraud in the allocation of the fuel subsidy.

3

FOSTER and Thinking and Working Politically

FOSTER's overall purpose was to reduce the many incentives for misuse of power and capture of oil revenues in Nigeria. The overall intended impact was more effective use of Nigeria's natural resources. The intended outcome was enhanced management of Nigeria's natural resources. This translated into three output areas:

1. An increase in the extractive industry revenues identified (and returned to the government);⁸
2. Improved management and accountability of extractive industry resources; and
3. Improved policy outcomes for local communities affected by natural resource extraction.

FOSTER started as a relatively traditional technical assistance programme, intending to work primarily with government on reforms to legislation, regulations and building technical capacity. However, its flexible design allowed it to respond to the sudden change of circumstances after the election of the Jonathan administration. In particular, the programme was able to pivot towards supporting interventions that promoted demand for reform from civil society. Use of a managed fund played a key part in providing the flexibility to make this shift.

Out of a total budget of £14 million, over £8.5 million was for a 'managed fund' setup, with the intention of funding interventions on an iterative basis throughout the programme lifecycle. Managed funds are one mechanism international development partners and agencies use to promote a particular programme objective. The fund is accessed on the basis that the activity to be funded falls within the programme's remit to work on particular themes and to achieve particular indicators of effectiveness and impact. A fund manager (in this case, the service provider OPM) provides a set of comprehensive services to support successful programme delivery through the fund – for example, appraisal of proposals or direct applications for funds, risk management, financial management, ensuring the funded project is in line with the strategic direction of the programme and monitoring and evaluation (M&E).

The rationale for this design was that it was not possible to know in advance the specific pathways through which change might occur. By having a flexibly managed fund, it was possible to identify and allocate resources to initiatives as the programme went along. Moreover, the programme deliberately took a 'portfolio' approach – trying a range of approaches that seemed promising in the knowledge that not all would necessarily be successful.

FOSTER was managed by OPM and implemented by a team in Abuja that was Nigerian-led from the start and, by 2015, entirely Nigerian. This enabled the programme to draw on a deep understanding of the politics as well as technical expertise in the Nigerian oil and gas sector. It also allowed the programme to draw on the wider relationships and networks the team had in place to facilitate and support effective delivery.

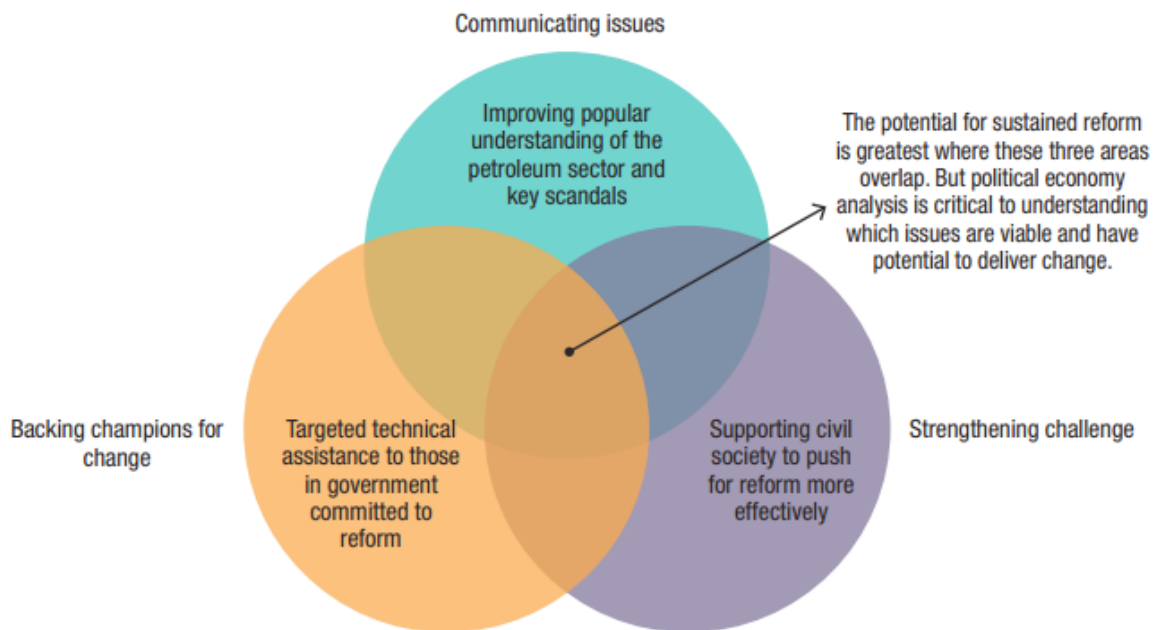
A key aspect of the FOSTER approach was to identify and target⁹ critical actors and potential reformers within institutions to support policy reform, and not to treat institutions uniformly. FOSTER also sought opportunities to strengthen government and regulatory systems and institutional capacity, to make institutions more effective in carrying out their oversight and accountability roles. Interventions were accordingly focused on one of two approaches: 1) targeting government institutions that had responsibility for governing the collection and management of oil and gas revenues (those that 'supply accountability'); and 2) targeting demand-side accountability actors such as civil society organisations (CSOs) and oversight bodies (e.g. the Nigeria Extractive Industries Transparency Initiative [NEITI], Parliament). This latter group provides public scrutiny over the sector and can advocate for improvements in governance.

As Figure 2 shows, the approach combined three elements. On the supply side, efforts were made to support champions for change through technical assistance and capacity-building. On the demand side, support was given to civil society groups, as well as Parliament and the media, to push for reform. Finally, a series of studies, combined with media training, helped generate a broader understanding of the sector and highlighted the need for reform.

8 That is, FOSTER both identified revenues that should have been accruing to the government of Nigeria and supported measures that enabled the government to capture those revenues.

9 It is important to note that part of the explanation for FOSTER's success is that it did not actually have calls for proposals; rather, proposals came from the core team, which found suitable partners to implement them. This ensured greater coherence and alignment with the objectives than would have been the case with a Challenge Fund-type mechanism that solicits and evaluates calls for proposals.

Figure 2: An integrated approach to supporting reform



Source: OPM (2015).

To identify who to work with, FOSTER staff had to build strong networks that served as levers between the partners and FOSTER, and also among the actors themselves. The FOSTER approach to engaging with both supply- and demand-side partners was based on identifying policy challenges within the sector and then trying to work with whoever was most influential within the 'reform space' of the sector to advance these issues around the policy cycle. In this way, the programme aimed to leverage its partners' own efforts and political capital in reforming a few areas within the sector that mattered to them. This approach of 'going with the flow' was an explicit recognition that the challenges for everyone with an interest in substantive reform were vast. In some instances, interventions took place over a longer period (e.g. through embedded advisers), but most took place through short-term inputs, such as commissioning scoping studies to collect data, applied policy research to address specific research questions, support to CSOs, funding for media groups, facilitation of parliamentary discussions and so on. Over FOSTER's lifetime, the team can be said to have balanced working on both the supply and the demand sides, as well as with the governance institutions – such as Parliament – that sit between them.

FOSTER had a mandate to be flexible, adaptive and politically well informed. Its operational approach was systemised around three core principles:

1. Undertaking deep, regular political economy analysis (PEA) to identify policy failures ripe for action as well as shifts in context that can sometimes create opportunities for reform and other times close down previously promising avenues;
2. Using this knowledge and intelligence to nurture relationships with sympathetic stakeholders both in government and outside to develop with them contextually relevant interventions; and
3. Working discreetly to minimise risks to DFID and programme staff.

The political economy of the extractive sector in Nigeria has a huge influence on the way the government and other actors in the space work (see Amundsen, 2017), and, as this paper shows, FOSTER made significant efforts to ensure it was sufficiently 'plugged into' the political context. As reform pathways vary over time it was important for the FOSTER team to regularly seek to make sense of the changing dynamics and powers within government and among those who controlled access to the sector. The political economy approach FOSTER developed allowed the team, for the most part, to:

- Plan activities around broad windows of opportunity for influencing the national agenda, such as periods of pre-election campaigning, the beginning of a new government or the annual budget process; and
- Identify issues or warning signs, for example to highlight early any major risks the programme may be taking, based on uncertain political events that could ultimately affect its impact.

FOSTER conducted a multitude of interventions from inception using its managed fund. While some of these addressed discrete issues, the majority formed part of a 'cluster' of interventions that aimed to collectively push forwards reform in a particular area of the Nigerian oil sector.¹⁰ Clusters of interventions were supposed to have 'the potential to add up to more than the sum of its individual parts' (Guerzovich & Mills, 2014: 3). This research focuses on some of these clusters.

A random sampling of clusters would not necessarily have resulted in a selection of 'successes' and 'failures', and so a purposive sampling approach was used, starting with an initial consultation with the FOSTER implementation team to identify intervention clusters for this study to focus on. The selection criteria went beyond achievement of intended results. They included: sustainability once the intervention had closed; unintended results; the significance of the change achieved; and the divergence of the reform pathway from that predicted during the design stage of the intervention.

The consultation process identified five clusters of interventions for study – three considered a success and two considered failures. Those considered successful are:

- *Case study 1:* Support to the NEITI
- *Case study 2:* Support to demand-side actors to promote the transparency and accountability of the Nigerian oil sector
- *Case study 3:* Support for the passage of the Petroleum Industry Bill (PIB)

The cluster intervention areas considered to be failures are:

- *Case study 4:* An oil spill mapping social media project
- *Case study 5:* Support to the Department of Petroleum Resources (DPR)

It should be noted that, while the above were categorised as successes or failures in the consultation with the FOSTER team, this research did not take this as a given, and sought to explore this further. In some cases, the findings do not necessarily align with the initial classifications. Overall, 'success' and 'failure' are not 'hard' categories here; as the next section demonstrates, the story is more nuanced than this, with aspects of adaptation and experimentation in each cluster.

¹⁰ Each intervention also belongs to one of the four established FOSTER workstreams: 1) revenue capture; 2) industry restructuring; 3) local communities; and 4) accountability. However, many clusters of interventions cut across these workstreams.

4

The five case studies

Case Study 1: Nigerian Extractive Industries Transparency Initiative

NEITI is a global standard to promote open and accountable management of natural resources. Its main task is the production of regular audit reports that assess, review and reconcile all revenue and investment flows in the oil and gas sector to and from government.¹¹ NEITI's work has been criticised for its limited impact and its uncomfortable position as a government agency, as established by the NEITI Act 2007 (Shaxson, 2009). Indeed, the governing board of NEITI, the National Stakeholders Working Group (NSWG),¹² is nominated by the Nigerian president, which limits the amount of pressure the NEITI Executive Secretariat can put on the government to act on the audits findings. In this context, FOSTER designed a cluster of interventions to support NEITI's mission through its engagement with all relevant stakeholders. This cluster included a mix of capacity-building, technical support, training, advice and dissemination of information.

The NEITI cluster of intervention worked with NEITI at different levels to promote reform. At the **institutional level**, FOSTER helped NEITI apply Extractive Industries Transparency Initiative (EITI) standards (see EITI International Secretariat, 2015) through technical advice and an improvement of internal systems, with the objective of enhanced transparency, such as through NEITI's website. This technical support enabled NEITI to adopt a Strategic Plan (see NEITI, 2013) and a Medium-Term Sector Strategy, improving its planning capacity, as well as to implement the new EITI standards introduced in 2013 (see US Department of Interior, 2013). The knowledge and access of a FOSTER staff member who had done his doctoral research on NEITI and had a strong relationship with NEITI's former chair was particularly useful in implementing these interventions, in particular in gaining the trust of NEITI Executive Secretariat staff. Support to NEITI's website was less successful and did not result in its restructuring so as to further transparency and publicise more information: resistance to this area of reform was greater than anticipated.

By **connecting, empowering and improving the capacities of stakeholders** to play their role within NEITI, FOSTER helped NEITI understand and disseminate information more effectively. NEITI audit reports are extremely dense and technical, which makes it difficult for stakeholders to understand and use them effectively. To remedy this, FOSTER designed several interventions to build the capacities of NEITI Executive Secretariat staff and other stakeholders (e.g. the media and CSOs) to analyse, simplify¹³ and disseminate information from NEITI audit reports through roundtables, training sessions and technical advice. All stakeholders interviewed acknowledged the impact of FOSTER's support on their own work. For example, the then-NEITI executive secretary highlighted that the Executive Secretariat now automatically simplified reports internally and adapted them to various audiences, something that did not happen prior to FOSTER's intervention. Another way FOSTER managed to empower stakeholders was by making recommendations to the Nigerian president on the election of the new NSWG in 2012 to make it more representative.¹⁴ Afterwards, FOSTER funded training for the new CSO representatives of the NSWG to help them in their role.

FOSTER also supported **public awareness** and **advocacy initiatives on remediation**¹⁵ related to NEITI's 2009–2011 audit report findings.¹⁶ FOSTER supported the dissemination of simplified information on the audit report and provided technical

11 The audit also looks at physical flows and their allocation between producing companies and government during the year in accordance with the rules and principles of the Extractive Industries Transparency Initiative (EITI).

12 The NSWG should be constituted of 15 members drawn from the extractive industry, civil society, labour unions in the extractive sector and representatives of the six geo-political zones of Nigeria.

13 See, for example, NEITI (2011).

14 This was a success as, unlike in the previous Board, the members of the new Board were appointed based on their affiliation with specific stakeholder groups, including various CSO representatives.

15 Remediation refers here to the process by means of which outstanding payments due from the Nigerian National Petroleum Corporation (NNPC) to the federal government are recovered.

16 The NEITI 2009–2011 audit report (NEITI, 2012) identified over \$9 billion in outstanding payments due from the NNPC. The remediation process aims to obtain reparation of these. However, after its publication, the institutions responsible for remediation did not take any action.

support to the advocacy initiative of a coalition of non-governmental organisations (NGOs) led by Publish What You Pay (PWYP). PWYP and NEITI (including the executive secretary) emphasised the key role FOSTER played in the recovery of \$540 million in unremitted oil and gas revenue through the NEITI audit remediation process.

The NEITI cluster of interventions was successful. FOSTER's engagement with the right stakeholders did improve NEITI's mission to promote open and accountable management of oil and gas. The capacity of the NEITI executive secretary was strengthened, and new CSO representatives in the NSWG were empowered. The focus on information simplification and dissemination and support to advocacy initiatives raised public awareness on NEITI audit reports and contributed to the remediation process.

The **main lessons** from this case are as follows:

- **Adapting to the political context:** FOSTER's team understood that the NEITI Executive Secretariat did not want to be a campaigning organisation during President Jonathan's administration. FOSTER's strategy was therefore to engage extensively with the Executive Secretariat while respecting its boundaries (e.g. not putting too much pressure on for more transparency or remediation) and engaging CSOs on remediation. The FOSTER team navigated the political context in a very informal and instinctive way. It should be noted that no theory of change¹⁷ or cluster-specific PEA existed to inform the cluster, which depended instead on the FOSTER team's own expertise and knowledge.
- **A well-informed and well-connected team:** This was crucial to build trust through institutional support to NEITI and engagement with CSOs. Building and sustaining relationships over time with key stakeholders, both inside and outside government, was fundamental to the success of FOSTER. The contacts and networks FOSTER developed and sustained – in government, with the private sector and civil society – enabled it to respond at the right times to the right issues. By positioning itself as the 'go-to' place to discuss oil and gas sector reform, it carved out a privileged position at the heart of local debates. The team developed a role as a broker of information and evidence, as a catalyst responding to opportunities. Overall, FOSTER initiated and supported debate at arm's length rather than taking a front seat and pushing an agenda. It also worked strategically through partners, which helped insulate its relationships with one stakeholder from its relationships with another.
- **Flexibility:** FOSTER's flexibility enabled it to seize opportunities, such as in nominating the NSWG and designing small creative interventions (e.g. simplification of the NEITI audit report).
- **Demand-driven and locally owned interventions:** Emphasising skills transfers was key to building the in-house capacity of NEITI and civil society actors, enabling them to simplify and analyse NEITI audit reports rather than contracting this activity out to external actors. This was particularly emphasised in interviews with FOSTER's partners in the NEITI Executive Secretariat and by PWYP.
- **Connecting stakeholders:** FOSTER's strategy to connect stakeholders (NEITI and CSOs) and support advocacy platforms was crucial to the success of the remediation process.
- **Information dissemination:** A key success factor was the emphasis on simplifying and disseminating information, from the audit reports in particular, which increased the amount of data publicly available and contributed to the remediation process.

This case study provides lessons on how to put together a holistic package of interventions to tackle the challenges in one specific area. This 'package approach' was enabled by the flexible managed fund, which allowed the FOSTER team to stay tuned to what was emerging in the operational context in order to be able to adapt ongoing interventions to complement pre-existing ones that had proved to have traction. In this, it moved beyond the traditional 'transparency agenda' towards a more integrated approach to the politics of reform, creating widespread understanding of the problems, building the capacity of reformers in government and strengthening the ability of civil society actors to hold governments and companies to account.

Case Study 2: Engagement with demand-side actors

In its first years of programming, FOSTER anticipated government agencies in Nigeria would be the main pathway to trigger governance reforms and to improve transparency and accountability in the oil sector. However, from 2013, FOSTER increasingly oriented its support towards the demand side, given the Jonathan administration's lack of appetite for institutional reforms. This involved seeking evidence to enable a better understanding and diagnosis of problems in the sector and building a wider appetite for reforms through work with demand-side partners able to advocate for these (professional bodies, media outlets, think tanks, research organisations, trade unions, CSOs). Working with demand-side actors in the Nigerian context was not straightforward. CSOs lacked the capacities and skills needed to undertake advocacy initiatives; the quality of investigative journalism was low; and media houses faced influence from political elites.

¹⁷ Each intervention linked to the log frame and to the overall theory of change of FOSTER. In general, the clusters of interventions did not have their own formal theory of change. However, other clusters (e.g. PIB) did have an informal theory of change: they were driven by a set of assumptions even if these were not explicitly stated as a theory of change.

The assumption driving the demand-side cluster of interventions was that increased transparency would lead to changes in operations within the oil and gas sector and that the demand and supply side were in an adversarial relationship – thus working with demand-side actors would lead to change on the supply side. It was also assumed that FOSTER's promotion of a more informed and extensive public debate on oil sector governance, as well as support to advocacy initiatives, would trigger greater commitment to governance reforms and improved publication of data by the government. The cluster consisted of four categories of interventions driven by an initial mapping of actors, key issues, platforms and information gaps.

Commissioning and disseminating research: FOSTER commissioned three pieces of research to enhance public debate on core oil sector issues. These were disseminated to CSOs, the media and the private sector.

1. In 2011, FOSTER conducted preliminary research into Nigeria's systems and processes for selling its crude oil.¹⁸ This showed the waste, politicisation and abuse of discretion of the Nigerian National Petroleum Corporation's (NNPC's) processes.
2. After the 2012 mass demonstration against the government's decision to remove fuel subsidies, FOSTER commissioned the 'Citizen Guide to Energy Subsidies' (CPPA & IISD, 2012). This explains the inefficiencies and corruption practices of the fuel subsidies system and makes the case for a full deregulation of the downstream sector¹⁹ on the basis that there is little evidence that fuel subsidies are a pro-poor initiative. In 2013–2014, FOSTER commissioned NOI Polls²⁰ to monitor the effectiveness of price controls; this revealed that over 52% of Nigerians purchased petrol at a cost over the subsidised price. This triggered responses from government agencies,²¹ and there is evidence to suggest that the Nigerian public started understanding the rationale to remove fuel subsidies (based on a PEA on fuel subsidy reform undertaken by FOSTER).
3. Research on oil theft, including 'Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Oil' (Chatham House, 2013) and 'Communities not Criminals – Illegal Oil Refining in the Niger Delta' (SDN, 2013), provided new perspectives by showing that, while oil theft networks are international, the core responsibility and the most efficient level of response lie in Nigeria.

Media support: The initial assumption driving FOSTER's media support was that enhancing media content would increase demand for advocacy and information dissemination, but focusing only on addressing knowledge gaps about the oil and gas sector proved unsuccessful. The approach was therefore reoriented to focus on technical assistance and capacity-building, to meet demands from journalists for the skills to interrogate data, develop stories, investigate issues, identify sources and cultivate relationships.

An initial failure, for example, was a grant given to a major Nigerian newspaper to investigate and analyse price and volume information on oil and gas revenue.²² An unexpected lack of skills and capacity meant the journalists were unable to publish monthly data or to then sufficiently develop improved analysis.

Learning from this, FOSTER designed a comprehensive mentoring programme for journalists, assessing both their investigative skills and technical sector knowledge in order to be able to devise a joint project to develop skills. As a result, Nigerian journalists started to publish more stories on the oil sector, with a higher degree of effectiveness. For example, many journalists trained by FOSTER exposed dubious government-to-government crude oil deals, notably in the Berne Declaration story.²³ Meanwhile, although transparency indicators often fail to ignite citizens' interest, because they are abstract and beyond most people's understanding, FOSTER was also able to help demand-side actors develop new skill sets, which spoke to the beneficiaries' own incentives, and which helped them to connect emotionally with citizens to re-energise pressure on companies and the government.

CSO support: Support to CSOs was strengthened in 2013 after FOSTER's annual PEA emphasised the increasing difficulty of the political context and the need to re-orient its programming towards demand-side actors as the supply-side space contracted. FOSTER seized key political opportunities and built on its commissioned research to support CSO advocacy strategies. For example, it took advantage of the Ribadu Report – which detailed the dysfunctions and corruption of oil governance in Nigeria²⁴ – to give grants to the Wole Soyinka School of Investigative Journalism (WSSIJ) to put pressure on government agencies to conduct investigations and start criminal proceedings into oil sector corruption. It also gave small grants to 11 journalists to write stories about these issues.²⁵

18 Crude oil selling accounted in 2011 for approximately 70% of Nigerian government revenues.

19 The downstream sector includes refining, distribution and marketing. Deregulation of the downstream sector means liberalising the sector to open it to investors. It thus entails removing restrictions such as fuel subsidies.

20 NOI Polls is a country-specific polling service in West Africa.

21 The Petroleum Products Pricing Regulatory Authority (PPPRA) showed its interest in monitoring sales above subsidy prices, and the minister of petroleum publicly requested the help of CSOs in monitoring prices around the country.

22 Premium Times was supposed to publicise the (estimated) disaggregated revenue data, and to develop analysis and shape public discourse around the gaps between gross revenues earned and net revenues swept into the Federation Account.

23 The Berne Declaration report raised concerns about sales by NNPC to oil traders based in Switzerland at below-market rates. It also accused Swiss trading firms of dealing with Nigerian individuals and companies suspected of corruption.

24 The Ribadu Report is one of the outcomes of the probes initiated by the government in the oil sector (Ribadu, 2012).

25 These stories were published on www.pro beng.org

In 2013–2014, FOSTER built on its oil thefts reports by giving grants, training and capacity-building support to CSOs to implement advocacy strategies demanding action on oil theft. This led to the establishment in mid-2013 by the Navy of a 'Combat Oil Theft' page on its website,²⁶ and to the disclosure by NNPC, the Navy, the Nigerian Air Force and the Joint Task Force of their efforts to deal with oil theft in 2014.

Finally, from 2013 FOSTER supported establishment of the Oil Revenue Tracking Initiative (ORTI) – a media platform on oil and gas revenue.²⁷ ORTI was given a grant, information and support to develop an advocacy campaign to improve the weak level of public dialogue. It then published information highlighting areas of revenue leakage, using info-graphics, booklets and simple explanations, as well as a 'transparency index' to compare the accessibility and relevance of data in the public domain from key agencies responsible for the oil and gas sector.²⁸ FOSTER's M&E process found the data publicised by ORTI (together with the Chatham House report on oil theft) contributed to NNPC publishing more data on its website than ever before.

Private sector support: FOSTER worked with the Petroleum Club Lagos Roundtable²⁹ and the oil sector labour unions (the Nigeria Union of Petroleum and Natural Gas Workers [NUPENG] and the Petroleum and Natural Gas Senior Staff Association of Nigeria [PENGASSEN]) to promote their inputs into oil sector debates, and the Centre for Public Policy Alternatives (CPPA) to improve the technical and advocacy skills of the unions. In each instance, the activities did not result in the intended outcomes. The recommendations made on licensing to the Department for Petroleum Resources in 2012 were never applied. The grant to CPPA did not increase the union's technical and advocacy capacity to the extent envisaged and NUPENG and PENGASSEN in turn had limited capacity to follow through with the strategy advocated by FOSTER..

Overall, however, this cluster of interventions led to a significant improvement in the level and quality of public debate on oil in Nigeria. Partners in this cluster asserted that, had FOSTER not existed, oil and gas issues would still have been discussed, but the debate would not have been as informed or extensive.³⁰ The investigative skills of oil sector journalists and the capacities of CSOs also improved. Journalists interviewed claimed they did not know any serious journalist in Abuja and Lagos working on the oil sector who had not benefited from FOSTER.

The **main lessons** from this case are as follows:

- **A knowledgeable and well-connected team:** This was crucial to navigate the demand-side environment and to choose actors with whom to engage. In particular, FOSTER continuously evaluated and mapped demand-side actors in an informal way by following traditional and social media, and used its extensive civil society networks to choose the actors to engage.
- **Understanding and adapting to the political context:** FOSTER used windows of opportunity in the political context (e.g. 2012 mass protests against the removal of fuel subsidies and government probes into the oil sector) and the renewed interest of the public to design new interventions.
- **Flexibility and adaptability:** This enabled the team to learn from and deal with problems arising. For example, the media theory of change was reoriented towards technical assistance, to address the overall lack of capacity in the media. After 2013, FOSTER also reduced its number of partnerships with CSOs, by prioritising high quality partnerships and focusing on strengthening their capacity first, to increase the efficiency of their advocacy initiatives. Hence, FOSTER staff showed the ability to learn and adapt in response to new evidence and to develop innovative responses.
- **Connecting stakeholders:** FOSTER's emphasis on being a neutral actor with an 'orchestrating role' to connect stakeholders was key in improving public debate on oil governance and triggering responses from government agencies. Platforms and coalitions were strengthened for this purpose and relationships between the media and CSOs were supported by FOSTER to give more visibility and leverage to advocacy initiatives (e.g. the work on oil theft and the work done by WSSIJ).³¹
- **Research and information dissemination:** Part of the cluster's success owed to FOSTER's emphasis on commissioning and disseminating research to all relevant stakeholders. This improved the public debate on oil governance and put pressure on government agencies. FOSTER became a repository of knowledge for multiple actors in search of reliable information, which helped shape public debates on oil and gas. This was possible because FOSTER remained 'discreet'. For example, no information was FOSTER- or DFID/UKAid-branded, which meant partners had more incentive to use it.

26 See <http://cot.navy.mil.ng/index.php>.

27 See <http://oilrevenueng.org/>

28 After FOSTER supported the upgrade of the ORTI website, the number of visitors increased from 150–200 to 21,000 per day.

29 The Petroleum Club was established in 2006 as a private members' club where the leaders of the oil and gas industry can interact.

30 For example, ORTI's founder noted that, during the 2015 election campaign, every political platform had to address the issue of natural resources, which was unusual. For him, this was a result of FOSTER's four-year engagement with demand-side actors.

31 All CSO staff and journalists interviewed reported that, thanks to FOSTER, they understood better the value of working together.

- **Monitoring and evaluating results:** FOSTER had difficulties in this domain. A cluster attempting to shift attitudes could achieve only so much impact in the short timeframe in which FOSTER was working. Moreover, although an important result from this cluster concerned improvements to public debate, this was not included in FOSTER's log frame, even though it clearly supported FOSTER's targeted outcome – the enhanced management of Nigeria's natural resources. Even if the log frame had included 'quality of public debate', it would have been difficult to find good measures for such an outcome. When evaluations try to account for this, they typically use somewhat meaningless measures, such as 'number of times x is mentioned in the media'. However, even though 'quality of public debate' is subjective, more could have been done to trace this type of result through in-depth qualitative and/or quantitative studies and by closely following media outputs. This could also have helped capture some of the unintended results of the interventions.

Crucial to FOSTER's success in this cluster was an understanding of when to facilitate collaboration and when to use more confrontational approaches. This also entailed understanding when partnership and dialogue were unlikely to yield results because interests fundamentally diverged, and then 'taking sides' with pro-reform actors who were engaged in a contentious struggle for change. The emphasis was on both playing a convening role and developing the capacities of local organisations. This meant FOSTER could competently engage in change strategies involving state actors and institutions, through collaboration and/or contestation, drawing on political analysis of leverage points and windows of opportunity.

Case Study 3: Petroleum Industry Bill

The proposed PIB is a piece of legislation that aims to provide an overarching framework for the reform of the Nigerian petroleum industry. It plans for a separation of functions along three lines: policy, regulatory oversight and commercialisation/privatisation. Its provisions include strengthening and establishing new institutions and regulatory authorities covering national policy and sector oversight, and it entails the corporatisation of government bodies, including NNPC. As a systemic reform, the PIB affects all stakeholders of the oil and gas sector and raises public debate on the potential scope and depth of changes (Gboyega et al., 2011). The debates and the possibility for reform are complicated by the vested interests of major stakeholders such as the (then-)minister of petroleum³² and the IOCs,³³ and by issues raising regional divides, such as the Petroleum Host Communities Fund (PHCF) (see Pérouse de Montclos, 2014).³⁴

The first version of the PIB was presented to the National Assembly in 2008; since then, several further versions have been produced. In 2011, the federal government established a Special PIB Task Force, supported by a technical committee, to produce a new draft for presentation to the National Assembly. This new executive version of the PIB was sent to the National Assembly in August 2012. At this point, the House of Representatives established an *ad hoc* committee to examine the PIB, eventually adopting a redrafted version in June 2015. However, the Senate did not follow the example of the House and chose not to adopt the draft PIB. As it has to be passed by both the House and the Senate to become a law, efforts to pass the Bill during the 2011–2015 legislature stalled.

From 2011 to 2015, FOSTER tried to improve the Bill's provisions and support its passage under President Jonathan's administration.³⁵ It began with the establishment of the Special PIB Task Force in 2011. The underlying assumption driving this cluster of interventions was that lack of consultation and information on the PIB was the main hindrance to its passage. Consequently, the cluster was in large part designed to engage all stakeholders and improve the quality of their knowledge on the content of the PIB and international best practices. Hundreds of pages of the PIB were broken down through policy briefs and fact sheets, making them accessible to non-technical audiences. Three types of stakeholders were supported:

1. **Institutional actors:** FOSTER worked with the Special PIB Task Force, the Ministry of Finance, the House of Representatives and the Senate to improve their knowledge of the PIB and identify reformers, to obtain the buy-in of these institutions for the passage of the PIB. These actors had little prior knowledge of the oil and gas sector. This engagement was conducted mainly by means of technical advice and support, such as the funding of Nigerian embedded advisors in these institutions, the facilitation of meetings, support to key leaders and technical reviews of the PIB. This resulted in the integration of several FOSTER recommendations into various versions of the PIB. While several interviewees (including from within government) testified to an improvement in the National Assembly's knowledge on the PIB, some evidence also suggests limits to FOSTER's work at the National Assembly, which was very much constrained by the political

32 Throughout the period in which FOSTER was working, the minister of planning was very concerned with, among other things, keeping her power to award oil blocks on a discretionary basis.

33 The IOCs were mostly lobbying around the fiscal dimension of the PIB to ensure that it would provide them with more favourable fiscal conditions.

34 The PHCF was introduced by the 2012 PIB presented to the National Assembly, which proposed that every upstream petroleum producing company remit 10% of its operational net profit to the PHCF to contribute to the development of the communities within the petroleum-producing areas.

35 In the past year, under President Buhari's administration and after the process stalled in the Senate, renewed efforts have emerged, in this case to unbundle the bill and to pass it in pieces. However, this case study focuses on FOSTER's support of the long-standing legislative process to pass the PIB between 2011 and 2015.

environment. Interviewees highlighted vested interests of various institutional actors and, hence, limitations as to what could be achieved. It was also challenging to engage Senate members who were aligned with the executive position on the PIB and who were, in addition, preparing for the next general elections.

2. **Civil society:** FOSTER worked with civil society actors to improve their understanding of the PIB and build their advocacy capacity through technical support in order to increase pressure on the executive and the National Assembly (e.g. support to draft policy position papers to the House of Representatives PIB Committee). To do so, FOSTER also gave grants to independent research institutions, policy think tanks and law firms to undertake research on the PIB before connecting them to CSOs and journalists, who then disseminated the information. For example, many articles in this period used FOSTER information to highlight problems with the PIB.³⁶
3. **Private sector actors:** FOSTER's aim was to increase its input into the PIB process by supporting the creation of a coalition to promote a unified private sector voice on PIB issues. FOSTER provided private actors with their first platform to discuss how the PIB affected them as a group. Moreover, it funded a series of roundtable and workshops³⁷ that led to presentation of a policy recommendations brief to the Special PIB Task Force, with one of these recommendations adopted in the PIB draft.

The above interventions took place alongside intensive diplomatic influencing efforts by the UK and other countries, whose purpose was to strengthen the governance and transparency arrangements of the PIB. This in turn presented an avenue for FOSTER to engage with, for example, the Ministry of Finance on this issue.

At the end of FOSTER's efforts in 2015, the PIB had still not been passed. While several of FOSTER's recommendations were integrated in the House and the Senate PIB drafts, there is no guarantee of their longevity, as the new administration can either pass the bill in pieces or revert to an earlier version. Moreover, more than 75% of the members of the National Assembly changed with the general election. Hence, while FOSTER worked to increase understanding of the PIB, there are now numerous new actors in need of support. While these events were not within FOSTER's control, this reflects the challenges of aiming for systemic change within the political context at that point in time.

This case study shows mixed results. Rather than being a simple story of either success or failure, it highlights how FOSTER's TWP approach enabled it to engage as effectively as possible in a fluid and politically challenging environment.³⁸

The **main lessons** from this case are as follows:

- **A knowledgeable and well-connected team:** The FOSTER team was able to make sound decisions concerning who to engage and how to work with National Assembly members, CSOs and private actors. An example is the strong relationship established with the deputy speaker of the House of Representatives, who championed the passage of the PIB in the House.
- **Connecting stakeholders:** FOSTER's strategy of presenting itself as a neutral actor linking stakeholders and supporting the creation of platforms to discuss the PIB was key to keeping the PIB debate focused on the core issues and generally improving its quality, at both the public and the National Assembly level. Hence, CSOs partners interviewed saw FOSTER as the only objective actor looking at the PIB in its entirety and at its effect on the whole of Nigerian society.
- **Research and information dissemination:** FOSTER's emphasis on commissioning and disseminating research on the PIB to all relevant stakeholders was crucial to improve the public and National Assembly debates on PIB.
- **Monitoring and evaluating results:** Log frame and M&E approaches did not adequately track FOSTER's important impact on the public debate and on improving the knowledge of stakeholders. Better data on this would almost certainly highlight the fact that some aspects of the cluster did work well and made some contributions (see Roche & Kelly, 2012a, 2012b).
- **Dealing with highly complex political areas:** It was not possible to say with high certainty whether or not the PIB could have passed before the 2015 election. DFID and FOSTER worked on the PIB because it was potentially 'game-changing' legislation that could help transform or significantly set back Nigeria's governance of the oil industry had it been signed into law.

36 See, for instance, Alohan (2015) and Okwe (2015).

37 These brought together key private sector stakeholders, oil and gas trade unions, governors of the Niger Delta states and members of the National Assembly Upstream and Downstream Committee.

38 It could be worth comparing FOSTER's approach with the approach used by the Coalitions for Change team in the Philippines (Booth, 2014; Sidel, 2014). Although the two programmes are quite dissimilar, there could be shared lessons on getting difficult legislation through in challenging environments.

- **Shared risk between the donor and the service provider:** This was an example of where DFID and FOSTER showed high tolerance for risk to results in an important area. DFID jointly owned this risk with the FOSTER programme, and there was effective collaboration between FOSTER and DFID on the political risks and opportunities throughout. A number of stakeholder mappings were carried out and used to inform influencing strategies and help target support, on both the FOSTER and the DFID side, and a lot of successful influencing was achieved in terms of both the positions adopted in the draft legislation and shifting the public debate to focus on key governance areas.
- **Linkages with wider UK priorities:** FOSTER's extensive work in this area helped inform a strong influencing position for the UK government and a coalition of other countries on industry governance and transparency of the sector. These positions were pushed at high levels by the UK and other countries with Nigerian counterparts, and complemented FOSTER's activities. The FOSTER team's programmatic PEA was triangulated with UK government analysis, albeit in a partial and *ad hoc* manner, on the political likelihood of the PIB passing. This made it possible to make informed decisions on continuing programming based on a full picture of risks and potential rewards.

Case Study 4: Social media oil spill map³⁹

Oil spills are a major economic and environmental challenge in Nigeria, with over 1,500 a year. The 2011 Environmental Assessment of Ogoniland⁴⁰ by the UN Environment Programme (UNEP) estimates that the clean-up of this region of the Niger Delta will cost \$1 billion and take up to 30 years (UNEP, 2011). Beyond the cost in terms of oil production and clean-up, the liabilities linked to environmental damage are difficult to estimate – but considerable. The continuous degradation of the coastal environment hampers fishing and makes land infertile. It threatens the traditional livelihoods of local people, who then are drawn to illegal activities and militancy (ICG, 2012: 4; Onuoha, 2013: 283).

No effective national mechanisms are in place to deal with oil spills. Although DPR and the National Oil Spill Detection and Response Agency (NOSDRA)⁴¹ have mandates to deal with oil spills, these are overlapping and competing, resulting in significant inefficiencies, and legislation in this area is unclear (see Maitland & Chapman, 2014). Liability for many of the spills lies partly with NNPC (through joint ventures),⁴² yet DPR reports to the minister of petroleum, who, until recently, was also the head of NNPC. This limited DPR's ability to be an effective regulator. NOSDRA does not have enough power or resources to enforce the regulatory framework to deal with oil spills,⁴³ or enough mapping and tracking capabilities to provide sufficient evidence on oil spills. Both of the underlying issues with these agencies mean oil companies and relevant actors involved with them face few consequences for failing to uphold environmental standards and regulations.

In this context, FOSTER's Citizens' Engagement through Social Media Oil Spill Map intervention aimed to remedy the information and evidence deficit arising as a result of NOSDRA's weaknesses through the launch of a community-based oil spill map. Designed as an advocacy project, the objective was to give a voice to communities living with oil spills to put pressure on the responsible authorities – NOSDRA, DPR and the federal government.

Initially, three phases of interventions were planned in this cluster. In 2011–2013, the first phase supported the development by the West African NGO Network (Wangonet) of an online portal (the assumption being that Wangonet would retain management of this) and a mobile app to track and report oil spills in the Niger Delta. The portal was set up to capture and disseminate information. This phase also included training and equipping field operators identified by the National Coalition on Gas Flaring and Oil Spills in the Niger Delta (NACGOND), a network of NGOs based in the Niger Delta, to serve as oil spill monitors and reporters. The design assumption was that Wangonet would continue to be the interface with NACGOND. The second and third phases entailed supporting NACGOND's advocacy strategy.

The cluster was driven by two underlying assumptions: 1) that local communities have strong interests in preventing and remedying oil spills, which will ensure their participation with the platform; and 2) that the Nigerian authorities would be responsive to this type of advocacy and act on the information provided. These assumptions proved to be unfounded, and the cluster was ended before the start of the second phase.

Phase I was carried out in 2011 by Wangonet. After setting up the online portal and the mobile app, Wangonet staff conducted training for NACGOND operators and field agents. NACGOND was chosen as it is based in the Niger Delta and claimed good access to local communities. This latter was subsequently revealed to be extremely limited. Even the security clearance with state authorities to go into the creeks was not in place. This in turn led to Wangonet staff being confronted

39 It is important not to confuse this intervention with the Online Oil Spills Mapping and Tracking Platform with the National Oil Spill Detection and Response Agency (NOSDRA), which was not community-based, and which is generally regarded as a success.

40 Ogoniland is a region covering around 1,000 km² in Rivers State in the Niger Delta. It has been the site of oil industry operations since the late 1950s (UNEP, 2011).

41 <http://www.nosdra.org.ng/>

42 NNPC usually enters into an agreement with one or more oil companies to develop jointly held oil prospecting licences.

43 UNEP 2011 highlights the lack of proactivity of NOSDRA given the limited resources allocated to the agency. NOSDRA even relies on oil industry logistical support to plan its inspection visits.

by military officers in the creeks. NACGOND had also selected field agents from outside of the communities that needed to be accessed, posing further difficulties accessing the creeks and ultimately undermining the project's ability to achieve its aim to empower local communities. The assumption that communities have strong interests in preventing and remedying oil spills was also questioned when the local community denied visiting FOSTER staff access to the oil spill without payment.

By 2013, FOSTER decided that NACGOND instead of Wangonet should manage the social media map, in order to ensure its sustainability. The rationale was that Wangonet was based in Lagos whereas NACGOND was the main civil society coalition located in the Niger Delta working on oil spills. Given the prior issues around access by NACGOND, this was in many senses an unorthodox decision. The transition to NACGOND was not successful: NACGOND was not able to assume ownership and asked FOSTER for additional funding to pay field agents and manage the platform. By this time, FOSTER had determined that NACGOND should be able to use its own resources to make the platform operational, and the payment of field agents was in contrast with the assumption that local communities would freely report oil spills out of self-interest. NACGOND's perspective was that FOSTER should not have expected it to manage the platform alone. In the end, the portal did not go on to be used for advocacy purposes by NACGOND, as FOSTER, assessing the first phase as a failure, terminated the intervention before starting its support to NACGOND's advocacy strategy.

The **main lessons** from this case are as follows:

- **Evidencing assumptions:** FOSTER's assumptions were not based on good enough research. This directly led to wrong assumptions and, ultimately, failure of the intervention. For example, the FOSTER manager realised while implementing the project that many people living in the local communities used oil leakages to make money, including by asking oil companies for money in exchange for silence, and that this decreased their incentives to report oil spills. The intervention depended on widespread behaviour change, within both the communities and government, but there was not enough prior analysis to determine if it was reasonable to expect such changes. If the project's assumptions had been tested more rigorously in advance, the intervention's design would likely have looked very different.
- **A focus on sustainability:** Insufficient attention was paid at the outset to the project's sustainability, which hampered implementation of the intervention.
- **Choosing the right partners for reform:** When FOSTER works well, partners are more than partners – they are entrepreneurs in reform. While the intervention idea was highly innovative, the partnerships involved were not set up to enable the most effective delivery or sustainability of the intervention.

Case Study 5: Department of Petroleum Resources

This cluster of interventions targeted the Department of Petroleum Resources, the regulator of the petroleum industry, which reports directly to the minister of petroleum resources. DPR is intended to act in the interests not only of government and operators but also of communities, consumers and downstream beneficiaries of oil sector operations. Key tasks are to supervise all petroleum industry operations carried out under licences and leases; to enforce safety and environmental regulations; to keep updated records on petroleum industry operations (petroleum reserves, production and exports of crude oil, gas and condensate, licences and leases, etc.) and inform the government; and to process all applications for licences. Under President Jonathan, DPR had to operate in a difficult context that was unfavourable to reforms and characterised by extensive corrupt practices, allegedly enabled by the then-minister of petroleum resources (Awofeso & Odeyemi, 2014; Eniayejuni & Evcan, 2015).

The cluster started in 2012 after the nomination of a new director of DPR, who had formerly worked at Shell. Their pro-reform stance and desire to transform and improve DPR's operational deficiencies resonated with DFID and FOSTER, which decided to engage with the agency on this person's request. The director went on to become the chair of the technical committee drafting the PIB, which further increased FOSTER's interest in working with him. The objective of this cluster was thus to support the director of DPR in their mandate and to make DPR more transparent, accountable and efficient. The aim was also to prepare DPR for the post-PIB period, in particular through improving its management and processes.⁴⁴ The engagement took place in two phases and included a mix of capacity-building, training, advice and research.

Phase I took place from 2011 to mid-2012, and aimed to identify DPR's needs, offer advice and build staff's skills and knowledge to formulate and manage the restructuring envisaged. For example, FOSTER consultants ran a change management session for the DPR Transformation Team (TT) to provide them with tools to manage change and to help them identify priorities. A consultant who had been a key interlocutor in introducing FOSTER to the DPR director was embedded as an advisor to the director to support DPR strategic communication and the activities of the TT. While the relationship of this advisor with the director was integral to FOSTER having a foot in the door in DPR, it also became the intervention's undoing over time. The advisor acted as a gatekeeper to the director rather than as an interlocutor, and failed to share information with FOSTER.

⁴⁴ The PIB draft at this time provided for DPR to be transformed into an independent regulator, the Nigerian Petroleum Inspectorate.

FOSTER also provided DPR with policy advice and recommendations on how to improve licensing rounds, following its announcement of its intention to hold a marginal field licensing round in late 2012. This was a key test of whether the head of DPR could be a 'pocket of effectiveness' (Roll, 2013) within a challenging political environment. They proved not to be after the planned round did not happen and the minister granted a number of licences on a discretionary basis.

Phase 2 started during the second half of 2012 and aimed to provide advisory support to the DPR TT in planning for the reform agenda. The embedded advisor in Phase 1 continued in post. A second advisor was brought on board to work on the human resources dimension, a third to work on the overall change plan and a fourth to provide regulatory advice on reforming DPR into the Upstream Petroleum Inspectorate (post-PIB role). Despite the limitations noted above, the access and influence of the advisor from Phase 1 took precedence over the value produced until that point. The DPR director had specifically requested that the consultant continue in the role, and the FOSTER team was afraid that firing them would endanger the relationship with the director. Instead, FOSTER removed them from their management position and handed over this role to the new consultant working on the overall change plan.

This phase also encountered problems. Initially, the terms of reference for the phase were elaborated without discussion with DPR, and did not take into account the work DPR had done since the end of Phase 1. This hindered the formation of a strong relationship with DPR for Phase 2 from the offset. The terms of reference were subsequently adjusted to take DPR's previous work into account and Phase 2 was able to start, but tensions between the Phase 1 advisor and one of the new hires who was leading on project management materialised, along with tensions between the original advisor and the TT. And, ultimately, all of this engagement came to an end when the director was removed from their position by a more senior official.

After this phase, the engagement with DPR ended. Interviews and FOSTER's internal documents suggested different reasons for this. DFID (2013) points to a funding cut at DFID level and the proximity of the general elections, which reduced the space for institutional reforms. In interviews, however, despite no significant restructuring or increases in transparency in the marginal fields licensing round materialising during the period of FOSTER support, a DPR staff member of the TT team asserted that, through its support to the TT, FOSTER had improved DPR's vision and understanding of itself as an independent regulator working for the interest of Nigerian citizens.⁴⁵ It was also claimed that many changes later implemented by DPR had resulted directly from FOSTER support. An example was DPR's migration to electronic licensing,⁴⁶ which was based on one of the FOSTER consultants' work on the DPR website and licensing process. FOSTER did not track unintentional results on this cluster, which could have helped in substantiating these interview findings.

The **main lessons** from this case are as follows:

- **Relying on more than individual reform champions:** This intervention was centred on the assumption that the DPR director was engaged in and would implement reforms. Several FOSTER staff and consultants shared the view that, in the Nigerian political economy context, the DPR engagement had little chance of success. Given the limited traction of Phase 1 of the intervention, a step back to reassess the DPR director's room for manoeuvre should have helped the team conclude that the political context was so constraining as to make substantial reform impossible.
- **Clear programme incentives:** FOSTER and DFID viewed the director as a reformer. It was expected that, by providing marginal support over time, it would be possible to achieve a significant transformation, and there was a disincentive to ending the initiative without results. Had there been clear criteria for success, Phase 1 could have been used as an example of 'failing fast and learning quickly'. However, the process to allow this was not in place.
- **Access versus ability to deliver:** The hiring of a consultant because of their access to the director caused considerable problems. Allowing the consultant to direct the relationship with DPR in turn hindered communication channels between FOSTER and DPR.
- **Demand-driven throughout:** The DPR engagement was initially demand-driven but at the beginning of Phase 2 ownership was low. FOSTER did not re-engage adequately with DPR in order to overcome this. This in turn led DPR to have expectations that FOSTER could not meet.
- **A shared vision of success and failure:** All actors involved in the intervention had different understandings of what success was supposed to look like, which complicated decisions on when to stop support. There was a need for better communication between the different levels involved in this cluster to enable agreement on a general goal.
- **Flexibility and adaptability:** This cluster was not very flexible or adaptive in its approach. When the project showed signs of failure, the results and the incentives of the actors (FOSTER, OPM, DFID and DPR) were not reflected upon – hindering potential for adaptation.

⁴⁵ For example, FOSTER consultants helped draft corporate statements and identify the core values of DPR.

⁴⁶ DPR processes applications for various licences, permits and approvals across the entire oil and gas value chain. The Oil and Gas Industry Service Permits portal is now accessible online: <https://ogisp.dpr.gov.ng/Login>

- **Tracking and monitoring results:** More systematic tracking and monitoring of results would have allowed better understanding of the impact of these interventions. It is possible that the cluster had a non-negligible impact on the restructuring of DPR after the end of FOSTER support, but FOSTER's M&E process did not track this.

This case study is an example of an intervention being carried out in a technocratic and apolitical manner – unlike the norm in FOSTER. A clear lesson is the need for a shared vision upfront, at all levels, about what success from an intervention looks like and at what point DFID-funded technical assistance should stop. The underlying assumption was that DPR was a 'pocket of effectiveness', with the test being whether DPR was able to obtain transparent, accountable and efficient licensing arrangements; the reality was that it was not as reform-minded as was perceived to be the case.

Another lesson is that there was insufficient prioritisation of the key stakeholders and mapping out of their relationships. The cluster needed to look not only at the group/individuals with the greatest influence (primary target audiences) and their relative impact but also at who influenced them (secondary target audiences) and who influenced the secondary influencers. The intervention struggled to channel information up the correct paths.

This case study is an example of an intervention that suffered from a combination of factors, which, together, made success impossible. While it may have been sensible to seize the opportunity created by the appointment of a new reformist director, this did not change the fundamental power relationships in the sector that made success unlikely. Reluctance to damage important relationships resulted in unwillingness to make decisive changes in personnel, while lack of a shared vision with the partner inevitably led to disappointment with the final results.

5

Lessons: The factors driving successes and failures

FOSTER was a successful programme working in a highly sensitive area, and during its five years of implementation helped Nigeria transform its governance of the oil and gas industry. It also put TWP into action. The successes and failures outlined above point to important lessons for TWP programmes in general. Specifically, this section highlights lessons on three issues: the process of interventions – that is, how they were implemented; the content of interventions – that is, what was done; and the politics of interventions, including how the programme worked politically and dealt with internal incentives.

The process of interventions

Well-connected and knowledgeable team

Delivery of results under FOSTER was as much about how the programme worked as it was about what it did. In particular, given that interventions needed to evolve as opportunities emerged, the leadership and team were critical to programme delivery. DFID and OPM deliberately sought to have a fully Nigerian permanent programme management team, and identified team members who provided high-level political access and leverage. In addition, FOSTER drew from the rich talent pool that lies within this section of professional Nigerians, including from the diaspora, who have chosen professional occupations in the oil and gas and professional services industry. The team's contacts and networks were instrumental in their ability to respond at the right time to the right issues.

FOSTER's successful relationship-building was also about good timing. Certain events in a political cycle may be more favourable than others for the initiation of new relationships, and opportunities for reform are often urgent or fleeting. FOSTER's team worked by being 'on call', including during evenings and weekends. This built confidence among various partners that its members were committed and could rise to the occasion, should a window of opportunity open.

One of the key features of success throughout FOSTER's clusters of interventions was the FOSTER team's knowledge of and access to both demand- and supply-side actors and their understanding of the political environment. The core FOSTER staff remained largely the same throughout, and this enabled the team to further develop its network and knowledge and build on this social capital. Access and knowledge were a particularly important factor in identifying the right people to work with. Hence, FOSTER staff were politically well informed and had the political skills and access to identify and engage with key actors (e.g. NEITI, PIB, demand-side actors). This is a necessary feature of TWP programmes.

While there are generic partnership skills that the FOSTER team demonstrated, finding the right people was not an easy task. The team needed people to be politically smart; to be able to work within a challenging and complex political context; and to have strong technical experience, skills and knowledge of the oil and gas sector and of governance reform; but also to have excellent people skills, with a demonstrated ability to influence, build and maintain relationships with stakeholders in the oil and gas sector, as well as with DFID. This was a huge wish list, and the TWP literature and debates need to pay more attention to the challenges involved in pulling together a team that collectively has these skills. In particular, identifying 'development entrepreneurs' (Faustino and Booth, 2014) interested in convening, coordinating and facilitating others to achieve developmental objectives appears to be key.

Flexibility, adaptability and learning

Another reason for FOSTER's success appears to be the flexibility with which it could choose its partners. Many programmes define their partners in advance (e.g. a government ministry or agency or a particular organisation or institution). FOSTER's experience suggests the appropriateness of the partner to achieve programme goals can shift over time. Had FOSTER been locked into working with particular institutions upfront, it would never have been able to achieve the successes it did. Rather, its ability to engage with new organisations, both in government and outside, based on opportunities for reform, was critical, as was the ability to disengage from organisations where activities were not yielding results.

Flexibility and adaptability were defining features of FOSTER. They were integrated as part of the design to enable the programme to work with a range of actors on both the demand and the supply side according to Nigeria's rapidly changing political economy. The aim was to work with demand and follow political momentum. No money was thus pre-allocated

to particular activities, and this allowed for experimentation and adaptation. Flexibility and adaptability, or in some instances the lack of these, were important factors in successes and failures. Indeed, FOSTER's flexibility and ongoing learning enabled it to seize political opportunities to support reform (e.g. NEITI, demand-side actors). These features also enabled the team to quickly reorient interventions (e.g. demand-side actors). More generally, they enabled FOSTER to adapt to the political context by shifting the balance of its work from demand-side to supply-side actors, back to the demand side and then to a mix of demand and supply side. Conversely, the oil spill and DPR case studies show a lack of flexibility and learning, which contributed to the failure of these interventions. In these cases, FOSTER began implementation before testing the assumptions driving the interventions.

Demand-driven and locally owned interventions

FOSTER programming was designed to be demand-driven – that is, to respond to the demands, needs and agendas of partners. In general, this emphasis was maintained throughout the different clusters of interventions (e.g. NEITI, demand-side actors). An exception was the DPR cluster; when FOSTER tried to implement an intervention without thoroughly discussing it with DPR. This case is particularly illustrative of the importance of locally owned interventions for TWP programmes. Here, the communication challenges and lack of synergy in the objectives of the support provided diluted the potential for success.

Management

In the literature on TWP programmes, management is an ongoing challenge (see SAVI, 2014 for another account of this). A balance needs to be maintained between promoting flexibility and adaptability and ensuring good management. Operating in a flexible and adaptive way in a highly sensitive sector, while ensuring reputational risks are adequately mitigated, requires a consistently strong decentralised programme presence. This means programmes need to balance robust programme management with a politically savvy team that can spot and create opportunities and that has a strong risk mitigation focus. All these factors were needed from both DFID's oversight side and FOSTER's programme delivery side.

In general, the FOSTER team was strong during the five years of the programme, but there were challenges ensuring institutional learning and consistency of top-level management. This had largely been addressed by the end of the programme, but staff turnover was an issue. Considering the long list of necessary – rather than simply desirable – traits that programmes like FOSTER need in their staff, this raises important questions about how to keep staff over five-year donor programmes where fees are static and job posts remain the same. This includes, for example, finding ways to promote people easily and to give pay rises. The new phase of FOSTER is trying to address this issue, but it is still a challenge. This is an additional human resources problem to the one most often identified in the TWP literature – that of high turnover among staff in international service providers and donors. How do programmes better retain and reward talented, in-demand *country staff* over the life of the programme?

Monitoring and evaluating results

FOSTER followed all of the usual donor processes of gathering documentation to provide evidence about achievement of its log frame output and outcome targets, and these are reflected in its quarterly and annual reports as well as the project completion report. Perhaps more importantly, it also instituted internal informal mechanisms for sharing feedback on concepts for interventions, and progress and problems encountered. This took the form of frequent team meetings where all team members shared ideas and challenges and gave advice and suggestions on the best way of proceeding. This also helped ensure inter-linkages between different programme components were taken into account throughout. This represented a rapid feedback mechanism that made it possible to make adjustments to interventions in real time.

However, this informal process was not well documented. Also, in many cases, FOSTER did not invest significantly in gathering detailed evidence about the assumptions underpinning interventions or in undertaking analysis to substantiate the proposed course of action. Reliance on an informal approach enabled FOSTER to be highly responsive, and it is important to note that, for most interventions, this probably outweighed the value of spending more time on analysis and design upfront. However, on occasions it resulted in FOSTER entering into interventions that a more rigorous challenge process might have precluded. Moreover, FOSTER did not expend much effort documenting the decisions and the processes that it followed. While this is understandable for a programme focused on delivery, it meant missing an opportunity to draw broader lessons about whether and how the 'thinking and working politically' was working. Indeed, it was this weakness, flagged by DFID, that led to the commissioning of the present study.

This points to an important lesson – the need for programmes of this kind to build in an independent mechanism to evaluate their successes and failures. While annual reviews by the funder can go some way towards achieving this, the speed with which they have to be undertaken means conversations with all the relevant stakeholders are often not possible. Having an independent group conduct a rigorous investigation of the strengths and weaknesses of the approach can provide not only valuable lessons for the programme team but useful lessons for the wider policy, practitioner and academic communities.

At the same time, it is important that the log frame facilitates the tracking of results. In FOSTER's case, the absence of 'improving the knowledge of key stakeholders and the quality of public debate' as an output meant important results were not tracked as systematically as they might have been (e.g. some of the very good results from the PIB and demand-side actors). This could have been rectified by updating the log frame. However, this is a more general problem associated with designing M&E systems so they capture not only delivery against what was intended but also new and sometimes unintended results that can nonetheless contribute significantly to the programme's overall outcome. It is also important to embed ways of recognising where these new results point to changes needed in the theory of change.

Finally, an inherent challenge in all programmes that attempt to tackle deep-seated structural and behavioural norms is that change can take much longer than the period of the programme itself. It is likely that many outcomes stemming from FOSTER's work will emerge after the time span of the programme is over. This suggests donors may wish to consider commissioning separate long-range studies that look at the impact of projects over a 20-year time horizon (as recently done by DFID for its power sector work in India [Deloitte, 2015]) in order to capture the extent to which a series of programmes has contributed towards major governance changes over the longer term.

The content of interventions

Connecting and building the capacities of stakeholders

Key to the success of FOSTER was its emphasis on connecting stakeholders and creating and supporting platforms for reforms. FOSTER was uniquely placed to carry out this work: it evolved to become a programme that worked 'discreetly' – not branding any documentation and often not advertising that interventions were funded by FOSTER – and thus played an 'orchestrating role' behind the scenes (e.g. PIB, NEITI, demand-side actors). This discreet approach came about in the first year of the programming after experimenting with a FOSTER 'brand', which led to negative experiences. Moreover, the emphasis on strengthening relations between CSOs and the media was particularly useful to give more visibility and leverage to advocacy initiatives. At the same time, FOSTER invested significantly in building the capacity of its partners (e.g. NEITI, demand-side actors). This successful strategy involved 'both playing a convening role, and developing the capacities of local actors and organizations, so that they can competently engage in change strategies involving state actors and institutions' (Halloran, 2014: 3).

Disseminating information and research

The dissemination of information and research was at the core of many of FOSTER's clusters of interventions. Its strategy was twofold: commissioning a significant number of pieces of research on oil sector issues and disseminating them to all relevant stakeholders; and focusing on simplifying information already available before disseminating it to stakeholders. In all clusters, this strategy was possible. First, FOSTER remained 'discreet' – no information was FOSTER- or DFID/UKAid-branded – which created more incentives for partners to use it. Second, FOSTER became a neutral repository of knowledge. Many actors came to FOSTER for reliable information, and this enabled the programme to shape public debates on oil (e.g. on the PIB). This strategy is key for a governance and accountability programme such as FOSTER that aims, among other things, to increase public pressure on government to trigger reforms.

Being clear on what success and failure look like

Programmes operating in highly politically challenging areas need upfront common ownership of what the success of an intervention (or indeed cluster) looks like, and under what conditions the funder and/or team would phase out support. The variety of different views from the FOSTER team and consultants, seen in the PIB and DPR studies for example, shows that this did not happen as well as it could have in some instances. In some cases, FOSTER's interventions failed because of a lack of clarity, or a lack of agreement with local partners, about what they were attempting to achieve. While it is not always possible to define a precise common vision in advance of every intervention – ownership is often built through the process of working together – long-term success depends on clarity about objectives, the sort of support programmes like FOSTER can and cannot provide and the circumstances in which that support will end.

The politics of interventions

Understanding and adapting to the political context

As the Thinking & Working Politically Community of Practice (2015: 1) has explained,

Evidence tells us that domestic political factors are usually much more important in determining developmental impact than the scale of aid funding or the technical quality of programming. Although international development organisations have made extensive efforts to improve the technical quality of programmes, in many cases, these improvements have not led to greater impact during implementation. Successful implementation usually happens when programmes are aligned with a domestic support base that is influential enough

to generate reform momentum, and overcome the resistance of those benefitting from the status quo. Too many times over the past few decades, we have seen projects fail because they demand changes that are not politically feasible.

TWP is based on the premise that, if programme teams can get the 'politics' right, they maximise their ability to have real impact. Effective programme delivery depends on a team's ability to grasp and navigate the political context. Problem-driven and sector-specific PEA was at the core of how FOSTER worked, complemented by wide-ranging engagement within the oil and gas industry and with the political economy of policy more broadly.

FOSTER commissioned quarterly PEAs, based on triangulation of findings from stakeholder analysis and power mapping, key informant interviews and quantitative evidence, and conducted by experts with strong networks within the Nigerian oil and gas sector; as well as politics and policy more broadly. In addition, some issue-specific PEAs guided the design, delivery or review of interventions or clusters of interventions. For example, a PEA on the fuel subsidy system sought to identify corruption and inefficiencies in the supply chain. It helped the team identify which issues to work on and highlighted the key stakeholders and how to interact with them. The findings from the PEA were validated and absorbed by the core team, as well as partners and stakeholders at quarterly workshops. The purpose was to consider the implications for subsequent programming. FOSTER's experience was that this validation process was an important tool for sense-checking PEAs and making sure they reflected a nuanced perspective of the political economy context.

It was also critical that the team could think, operate and communicate in a politically smart way on a daily basis. Being deeply informed by the political context in which it worked was a critical element to successful engagement with government and accountability actors, and to building the relationships that are a vital part of effective programming in Nigeria. The FOSTER team's contacts and networks were instrumental in its ability to respond at the right time to the right issues. Operating in a politically smart way was also crucial for effective risk management and the ability to innovate and adapt as the political economy evolved. We touch on these elements in discussing relationships and risk, below.

Informal political assessments were conducted: 'each time you go to an organisation, you put your ears to the ground, to know who has been removed, why he has been removed, who has been appointed, where they are sent to' (interview with FOSTER team member). This iterative and informal way of capturing political information was reasonably successful – especially when combined with the formal quarterly PEA work. However, PEA has its limits, and is not some sort of 'magic key' (Rothstein, 2011). Sometimes, the assumptions driving the clusters were not based on good enough research analysing the socio-political context (e.g. DPR). As stressed by a FOSTER associate and consultant, 'identifying change makers and establish[ing] relationships with them is not enough. You need to look at the political context in which they are operating: what incentives and influence they have, would they actually be allowed to do so?' The DPR and PIB clusters for example, ultimately pushed against more powerful stakeholders with a different agenda who were able to prevent reform from taking place (interviews with FOSTER staff and consultants).

In spite of the more formal PEA process, there was a need to think through how to ensure these PEAs could have the maximum usability for the FOSTER team in Nigeria as well as the service provider and DFID. This is a common problem underlined by the TWP literature (Hout, 2012: 406; Rocha Menocal, 2014; Fisher & Marquette, 2016). While PEAs encouraged a culture of critical reflection within FOSTER, and were linked to intervention design and quarterly workplans, there is now thinking that there should also be PEAs that look at 'thematic clusters' of interventions. This recognises that doing a PEA for every intervention does not represent value for money and is not appropriate, but that a broader quarterly PEA does not have enough nuance to support the theory of change on specific types of intervention clusters.

Political analysis should enable staff to understand 'how political actors interact and jostle not only with each other but also against, around and with the structural and institutional context they operate in, using the resources and opportunities it provides' (Hudson & Leftwich, 2014: 7). This understanding of the interactions between structure and agency in political processes was occasionally weak in FOSTER.⁴⁷ Learning from this experience, cluster-specific PEAs are now being used under FOSTER II to enable FOSTER management to challenge the assumptions of interventions and enrich the FOSTER team's discussion on whether it reflects the current political reality.⁴⁸

Theory of Change

The original vision for FOSTER in January 2011 was remarkably broad and intentionally open: to support policy reforms, strengthen accountability actors and mechanisms and increase transparency. FOSTER's response was to pioneer and gradually systemise an approach that was built on three principles: 1) deep, regular; PEA; 2) the use of this intelligence to nurture relationships with sympathetic stakeholders, and to craft contextually relevant interventions; and 3) working discreetly to minimise risk to DFID and FOSTER itself. The evolution of FOSTER's work was sharply reflective of the country and sector's changing political and governance landscape. There were initially minimal opportunities for engagement with the supply-side institutions.

⁴⁷ One way forward could be an adaptation of the Everyday Political Analysis framework developed by Hudson, Marquette, and Walldock (2016), which focuses on structure and agency and is designed for this sort of gap in formal 'set piece' PEA provision.

⁴⁸ Each intervention idea went through a collegial discussion where each member of the team gave their opinion.

FOSTER therefore began as a fund that supported 'demand-side' pressures for transparency and reform, with a special focus on strengthening NEITI and building the capacity of demand-side actors to deliver effective advocacy around NEITI reports. This gradually led to increased collaboration with supply-side actors in government, such as in setting up the Petroleum Unit in the Ministry of Finance, a strand of work that grew exponentially after the election of President Buhari in 2015. The lessons from this work provided the foundation for FOSTER's 'pincer' approach – a theory of change based on promoting transparency and external demand for change and offering ready support to champions of reform within government.

In general, FOSTER's processes when initiating a cluster were very informal. There were no explicit theories of change at the intervention or cluster level. The case studies assessed as part of this research suggest that at times this led to design and implementation decisions that were not sufficiently linked to a clear logic model on how change would materialise and why reform may be resisted. A theory of change was sometimes suggested but rarely explicit. While it is important to stress that the informality of FOSTER was one of its main strengths, as it enabled its flexibility and adaptability, it also sometimes hindered its capacity to be strategic and reflect on the 'big picture' in each cluster – that is, what FOSTER wanted to achieve. Particularly for programmes working in highly politically challenging environments, there needs to be upfront agreement of what the success of a cluster looks like and under what conditions the funder and/or team should phase out support. A theory of change could be elaborated for each cluster in a flexible way, whereby the goals to achieve are specified and the pathways to change are presented as undetermined but assessed as achievable by looking at the context, actors, power relations and challenges at specific moments and for a specific issue-area.⁴⁹ This theory of change would need to be regularly revisited throughout the implementation of the cluster.

Risk

DFID had a high tolerance for risk to results in this programme, recognising the politically complex and challenging nature of the area of work. It had a much lower risk appetite in other areas, such as in terms of reputational risk where work emanating from the FOSTER team could potentially undermine UK relationships with Nigeria and threaten broader aid programming in the country. In this respect, DFID expected OPM and the FOSTER team to mitigate these risks, and both DFID and OPM made an ongoing effort to make sure controversial incidents did not curtail the innovative and challenging work of the FOSTER team. FOSTER's 'discreet' approach was not designed, but came about in the first year of the programming after FOSTER had produced a policy brief under the FOSTER brand and carried out a television interview using FOSTER branding. DFID and the FOSTER team agreed shortly afterwards that this would not be a sustainable way of operating, and FOSTER adjusted its approach to facilitate external partners.

A similar problem emerged later in the programme after the election of President Buhari, when opportunities for engagement with government opened up significantly. In this situation, the programme had to pivot from a focus on demand-side work to much greater work with government. Having both demand- and supply-side interventions within the programme was a great strength of FOSTER, since it allowed the programme to switch focus based on context. However, this needed to be handled very carefully, since the activities of programme-supported civil society actors could damage the relationships the same programme was attempting to build with leading reformers within government.

DFID⁵⁰

Tackling the entrenched interests of elites is a potentially uncomfortable area for donors. It requires engagement with local politics; experimentation in order to seek out different strands of commitment for reform within government and outside; and sometimes significant risk. But it can deliver major results. Several aspects of DFID's role in the FOSTER case hold important general lessons for the understanding of when and how TWP programmes can work.

First, DFID was willing to experiment. At the time that the FOSTER design was selected, DFID had relatively few programmes designed explicitly to attempt to think and work politically. However, DFID Nigeria had a long tradition of experimenting with new approaches, grounded in its early work on Drivers of Change. This was born of the challenges faced by programmes in Nigeria in dealing with a highly complex and fluid governance environment, which made it difficult for more traditional approaches to find traction on reform. As a result, DFID was more open to experimenting with new approaches to support pro-poor change in Nigeria.

49 McGee and Gaventa (2011: 37) rightly highlight that 'The kind of theory of change that is needed is not one developed in the abstract that reflects a notion of change processes as linear, predictable and rigid (...). The point is, rather, that it is necessary to surface and make explicit the pathways via which complex initiatives, destined to take effect in complex circumstances, are expected to have their effect and to continuously revisit this throughout the initiative, in recognition that social contexts and processes are always in flux, with emerging issues, unforeseen risks and surprises arising throughout' (cited in Halloran, 2014: 4). See also Faustino and Booth (2014: xii), who advocate the elaboration of multiple, time-specific theories of change.

50 For an overview of FOSTER from DFID's perspective, see Bhalla, Waddell, and Ough (2016). It should be noted that DFID is one of a relatively small number of donors that have made a serious attempt to find effective ways of implementing innovative TWP programmes in the extractive sector, such as FOSTER.

Perhaps equally important, the DFID senior responsible officer (SRO) for the FOSTER programme stayed the same throughout. This is highly unusual: SROs usually rotate in and out of position at least every three years. Having the same individual committed to the success of the programme over its duration meant FOSTER had a decision-maker and critical interlocutor who was increasingly knowledgeable, both about the politics of the country and about the sector.

This does not mean FOSTER faced no challenges as a result of potential mismatches between DFID's institutional incentives and systems and the aims of the programme. For example, although in principle DFID was keen to experiment and take risks, respondents suggested that – in practice – DFID seemed to become more risk-averse as the programme proceeded. While there is no way to say conclusively that this was the case, the recent shift towards 'payment by results' may work to make DFID and its implementing partners more risk-averse overall (Clist, 2016). Notwithstanding this, the key to success in FOSTER's case was the commitment by DFID, OPM and the FOSTER team to find ways of accommodating the various political and institutional incentives they faced, while still allowing the local team to lead the engagement in the reform agenda in a politically smart, flexible and adaptive manner.

6

Conclusions

This paper has assessed whether FOSTER has been able to 'think and work politically' to improve the governance of the oil sector in Nigeria. The findings aim both to inform future FOSTER programming and to contribute to the wider evidence base on TWP in aid programmes. The case studies show that FOSTER took advantage of its experimental design along the lines of a TWP approach – for example flexible funding and no predefined interventions. This enabled it to be, to some extent, flexible and adaptive to its political environment, and to launch creative and innovative interventions. FOSTER's originality also lay in its cluster approach, through which it worked on defined oil sector governance problems across different types of actor, on both the demand and the supply side, to mobilise pro-reform efforts.

On the basis of these five case studies, it can be said that FOSTER's work up to 2015 on the demand side was more impactful than its work with government actors. Given the Nigerian socio-political environment from 2011–2015, this is not surprising: the space for institutional reform was very small.⁵¹ The most significant results concerned improvement of the public debate and of the knowledge of stakeholders around oil sector issues, which was significant during FOSTER's first four years of work. This should be emphasised and commended in light of the weak level of public debate on oil sector issues in Nigeria. This was reported by all the journalists, civil society activists and institutional actors interviewed for this paper.

FOSTER's support in developing the capacity and/or the advocacy initiatives of CSOs and the media, and its focus on commissioning and disseminating research and information, was key to this improvement. Through this pathway, FOSTER managed to put pressure on government agencies, which, to some extent, responded to the issues CSOs and the media raised.

The most significant challenges for FOSTER were the political environment and the complexity of the political economy of the oil sector in Nigeria. Other challenges were linked to the difficulties of implementing any TWP programme, such as finding the right balance between flexibility and informality on the one side and good management procedures on the other; how to use political analysis appropriately; how to monitor and evaluate results and integrate learning into programming; and how to balance risk with opportunities for results.

Despite these challenges, the lessons drawn from these case studies show the value of 'thinking and working politically' for a development programme. FOSTER managed to achieve some remarkable successes in an extremely unfavourable political environment as a result of taking this approach. At the same time, better understanding of the failures is extremely valuable, since these show the challenges of a TWP approach for development agencies and the trade-offs that have to be made when implementing it. They also show that some failure may be unavoidable, because of political complexities and changes, but that a politically savvy, adaptive approach can support fast learning and adjustment.

This paper hopes to contribute to the discussion on TWP evidence and on programme design, but also to highlight the value of considering both success and failure for better learning and adaptation going forward.

51 FOSTER has had considerable success with supply-side interventions since the appointment of a new government in the last quarter of 2016. For example, FOSTER has provided extensive support to NNPC, enabling it to publish a detailed annual report for the first time in many years.

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