Volume 18, Number 2, 2011, pp.23-47

Contradictions of Global Accountability: The World Bank, Development NGOs, and Global Social Governance

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This study sets out to investigate the structural contradictions of accountability deficits in global social governance, with the particular reference to the World Bank Inspection Panel and its associated development NGOs. In theorizing 'global social policy' as a new field of social policy agendas, less attention has been hitherto paid to the notion of accountability, which should have been placed at the centre of discourses on global social governance. Given the absence of central global government which can enforce the accountability mechanism, the World Bank's attempt to embrace external actors – particularly, international NGOs – as key stakeholders contributes to filling the accountability gaps, thereby enhancing the legitimacy of the Bank's intervention in globalised social problems. This study aims to locate not only the intersection of the accountability problem and global social policy, but also some structural dilemmas embedded in the accountability of policy transfers from global institutions to national social policy. By taking the two investigation cases of the World Bank Inspection Panel (China and Argentina), it identifies two modes of contradictions of global accountability: (i) the 'abused' which results from the overemphasis on accountability, thereby sidelining the Bank's effective functions; and (ii) the 'phased denial' which is the negative outcome of the Bank's deliberate controlling system designed to reduce the number of accountability requests.

Keywords: Global Accountability, Contradictions, Efficiency, Development NGOs, World Bank Inspection Panel, Global Governance

1. INTRODUCTION: ACCOUNTABILITY AS A MISSING LINK IN GLOBAL SOCIAL GOVERNANCE

The decades since the 1980s, as many scholars commonly assert, have seen the retreat of state monopoly and the emergence of non-state actors in the domain of national social policy (Deacon *et al*. 1997; George and Wilding 2002; Drezner 2002; Sassen 2007). Before then the social policy agenda was mostly treated as an *exclusive* sphere of the state's unitary authorities, but it is no longer the monopolized property of the state in the face of external challenges from both international financial institutions (IFIs) and non-governmental organizations (NGOs). On top of this, the globalization factor influencing the making of national social policy has been highlighted as a new authoritative agenda that IFIs have begun to concentrate under the neoliberal cloak of 'strong globalization' (Yeates 2001;

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Meyer 2000). Given the absence of world government overseeing global social conflicts, it is fundamentally impossible for any international actors to centralize the enforcement of effective implementations and hold themselves accountable to those who are affected by social policy transfers at the global level.

Consequently, the call for creating global governance in order to tackle a growing array of globalised social problems – particularly, poverty alleviation and other targeted agendas by UN Millennium Development Goals (UNMDGs) – has been catapulted into the public as an alternative solution in responding to the deficiency of binding enforcement mechanisms in the world polity. The concept of 'governance without government' now becomes a fancy buzzword popularized among all international actors (Rosenau and Czempiel 1992); it can be renamed 'global social governance' if global governance contends primarily with the social policy prescriptions for national social policy being articulated by global actors (Deacon 2007). Anchored in a networked web of varied stakeholders involved in global social policy, the politics of global social governance promotes the globalization of redistribution, regulation and social rights, all of which aim to reduce global inequality and facilitate welfare transfers from the rich to the poor at the international level (Deacon 1999; Faist 2009). Indeed, global social governance provides a powerful discourse framework for not only politicizing globalization's impact upon national social policy, but also bringing new players into the making of social policy.

However, there is a missing link in theorizing global social governance which fails to capture the *accountability* deficit embedded in the legitimacy crisis of international institutions, for the most part, the Bretton Woods institutions (BWIs) such as the World Bank (the Bank)[1] and the International Monetary Fund (IMF) (Held and Koenig-Archibugi 2005; Buchanan and Keohane 2006). The question of the public accountability of global governance is unavoidable and cannot be answered simply by pointing at the control exercised by national governments over international institutions or emphasizing a progressive political alliance among non-state actors. In fact, power disparities among nation-states lack accountability to the billions affected by the powerful state's decisions but excluded from its domestic democratic process (Keohane 2003; Barnett and Duvall 2005). Global social governance, with no accounts for accountability, would remain just as a void repercussion of the normative approach to global social policy. At the centre of discussion over global justice and governance should be, thus, a systematic analysis of accountability relationships which can be diversified in accordance with the power balance among global actors. This study is undertaken in this regard to deepen the understanding of accountability in global social governance by looking into accountability relationships between the World Bank Inspection Panel (the Panel), development NGOs, and other parties involved as a benchmark demonstrating both positive values and some contradictions concerning global accountability.

The emerging consensus is that the legitimacy of global (social) governance needs to be framed by the intersection of two contrary components of accountability and *efficiency* (Scharpf 1999; Keohane and Nye 2000). By now there is a substantial amount of literature on the effectiveness of international regimes and diverse global governance mechanisms

[1] The terms 'World Bank' and 'the Bank' are widely used in this paper. They refer to the World Bank Group of institutions which comprises the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), and the International Finance Corporation (IFC).

(Young 1999; Miles *et al*. 2001). New sources for development finance are also suggested by scholarly works in the sense of how to enhance the efficiency of IFIs' policy-based development projects (Atkinson 2005). In contrast, less discussion over accountability mechanisms at the global level, hitherto, has found its way into print. This relative neglect further stands out in the studies of global social policy. To fill in gaps in previous explanations between efficiency and accountability, this paper looks at the conditions, the limits, and the potential for improvement of global accountability in international institutions, with particular references to the World Bank, and at how accountability interacts with other values such as policy efficiency and participation. In so doing, the paper addresses the following questions: (1) to what extent are those who shape global social policies accountable to those affected by their decisions?; (2) are the accountability deficits in the making of global social policy a serious obstacle to its efficiency and legitimacy?; (3) what can realistically be done to reduce these deficits in global policy transfers?; and (4) can NGOs be a possible alternative to help international institutions reduce the accountability gap?

To this end, the paper proceeds in four steps. First, it starts by exploring the conceptualization of accountability in the context of global social governance. Second, it demonstrates the triangle relations between accountability, efficiency, and legitimacy as an analytical framework for understanding how enhancing accountability is necessarily tied in with diminishing efficiency or vice versa. Third, it advances the Panel as a public accountability mechanism through which the World Bank and grass-roots NGOs claim and assess the Bank's accountability for social policy-related projects, and also investigates contradictions of its accountability relationships. The conclusion puts forward the argument that the notion of accountability should be counted as one of main components in theorizing global social governance.

2. GLOBAL ACCOUNTABILITY: THREE ASPECTS

Accountability is not a concept that easily lends itself to neat and precise definitions (Newell and Bellour 2002; Dubnick and Justice 2006). Its application is also varying according to the different conditions of national economies and politics where it would be implemented.[2] Despite its definition and scope being multifarious and slippery, the conceptualization of global accountability can be sought – even roughly – by extending the analytical domains from the national to the global: forging global accountability by analogizing the notion of accountability at the national level. On the domestic front, accountability implies that "some actors have the right to hold other actors to a set of standards, to judge whether they have fulfilled their responsibilities in light of these standards, and to impose sanctions if they determine that these responsibilities have not been met" (Grant and Keohane 2005: 29). In other words, decision-makers do not enjoy unlimited autonomy but have to justify their actions vis-à-vis affected parties, that is, stakeholders

[2] Melvin Dubnick and Jonathan Justice (2004: 14, 20) argue for a socially constructed analysis of the accountability concept, cautioning that "any effort to categorize, measure, or model accountability must be guided by the qualities of the construct, magnitude or 'reality' it is intended to represent" and further advising that "students of accountability must be prepared to deal with alternative and shifting manifestations of the concept depending on the issue and arena being examined."

(Held and Koenig-Archibugi 2005). In a democratic society, these stakeholders must be able to evaluate the actions and omission of rulers and to sanction them if their performance is poor by removing them from their positions of authority, primarily through the electoral processes. The successful presence of accountability requires institutional arrangements securing reliable information and communication between decision-makers and stakeholders as well as institutional capacity to impose penalties for poor performance. Therefore, the domestic logic of accountability relations reflects a principal-agent view presenting rationalist mechanics in which the leading actor or principal sets goals and employs agents to accomplish them (Mulgan 2003). The primary accountability problematic lies in constraining the opportunistic behavior of agents. In other words, the principal's authoritative sanctions lie at the heart of the accountability relationship.

However, the enforcement mechanisms imposing sanctions for shortfalls in compliance, which are well institutionalized in constitutional democracies, are less likely to be arranged in public institutions at the global level (Weber 1999). Instead of centralized enforcement, discussions of global accountability have centered on the 'democratic deficits' afflicting global governance in the sense that international organizations have too much secrecy within internal processes and much of the international organizational activity does not take place even in the shadow of democratic elections (Keohane and Nye 2000; Caporaso 2000; Nye 2001). Accordingly, such a democratic question of global accountability generates three dimensions characterizing its distinctive path of interactions: (i) power does still matter inside international institutions; (ii) accountability gaps between normative ideas that international institutions create and actual practices that they project in reality undermine effective governance; and (iii) external actors are invited as counterparts who contribute to reducing the accountability deficit.

First, the poverty of democratic processes in global governance allows accountability to be largely a matter of power (Kahler and Lake 2000; Keohane 2003). Given the continuous presence of power disparities among government members within international institutions, coercion and bargaining would be the chief means of influence in the internal process of decision making, rather than persuasion and emulation. Powerful states seek to link the various levels of governance more effectively rather than to allow themselves only to serve as elements of a broader structure of global governance. In fact, the World Bank has been regularly accused of being secretive, non-participatory, and unaccountable, because of its democratic deficits rooted in unequal representation on the Executive Boards, non-transparent process of the Bank head selection, and its structural limits of 'one-dollar-one-vote' system (Woods 2001; Berkman 2008).[3] While powerful members have more say on decision-making process than lesser ones, they are reluctant to make proactive response to the external claims of the Bank's accountability. The Bank's emphasis on the importance of global social accountability since the late 1990s is not inherently linked to the diffusion of power or the expansion of democratic governance (Malena *et al*. 2004).[4] In a nutshell, power

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[3] In terms of the composition of the Board of Executive Directors, only the largest member countries – such as the United States, Germany, France, Japan, the United Kingdom, Saudi Arabia, Russia, and China – are directly represented by their own Executive Directors. All other members are grouped within constituencies each represented by just one Executive Director.

[4] According to *World Development Report* 1990 (*Poverty*), 2000/2001 (*Attacking Poverty*), and 2004 (*Making Services Work for Poor People*), the Bank's social policy contents and influence have changed over years from residual and targeted poverty alleviation to rights-based approach allowing

politics within international institutions debilitates *internal* accountability, which refers to organizational mechanisms in which internal members can directly hold the powerful to account, mainly through transparent and equal elections for the Executive Boards.

Second, the accountability gaps resulting from discrepancies between a principal's demands on an agent to report his or her activities and the agent's response to it call for the institutionalization of mechanisms for monitoring and evaluation in order to fill in the gaps. The problem of accountability gaps comes from such situations that certain entities affected by the Bank's development projects claim the right to hold agents – in this case, the Bank and its associated implementation agencies – accountable, but the agents do not recognize a corresponding obligation (Keohane 2003; Woods 2007). Lack of internal accountability within the Bank, more often than not, heightens the incidence of such accountability gaps. The consequence relates to the introduction of institutional arrangements assessing conducted projects and reinforcing the monitoring process. In fact, the birth of the Panel is identified with a result of the Bank's institutional attempts to listen to stakeholders' claims, thereby narrowing the accountability gaps between valid normative arguments for accountability to member states within the internal process of social policy and actual practices (Shihata 2000).

Finally, the realistic solution for enhancing global accountability in the face of the problem of accountability gaps ends up as the expansion of *external* accountability, which means accountability to people outside the acting entity, whose lives are affected by it.[5] Given that enhancing internal accountability through transparent voting systems is not an easy task for the Executive Boards to go in for, more reformative weight is put on the issue of external accountability based upon institutional openness to external groups of stakeholders, the horizontal expansion of accountability, and the promotion of plural participation (Weisband and Ebrahim 2007; Macdonald 2006). The corresponding external sector to the request of such participation for global accountability is mostly identified with international NGOs and civil society associations which are associated with the Bank's social policy-related projects. Various observations have suggested that civil society associations do indeed offer significant possibilities to increase democratic accountability in global regulatory arrangements by pluralizing stakeholders and delivering claims on behalf of affected people (O'Brien *et al*. 2000; Scholte 2002; Winters 2010). In this vein, the World Society theory also confirms that the rise of non-governmental organizational work around global governance conveys the isomorphic alignment of participatory engagement or actor-hood, which comes to be structured around procedures of accountability and transparency (Meyer et al. 1997; Drori 2006). In practice, the Panel is deliberately designed as the Bank's institutional apparatus to embrace the claims and participation of NGOs for the purpose of fostering external accountability (Wade 2009). Accordingly, the conceptualization of global

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the number of external stakeholders to enhance social accountability in conjunction with extended poverty alleviation (Vetterlein 2007).

[5] Along with the distinctions of internal and external accountability, there is another dichotomy of accountability: vertical and horizontal (Goetz and Jenkins 2001: 7). 'Vertical accountability' refers to mechanisms in which certain entities can directly hold the powerful to account, such as through their voting by which voters select representatives and also hold incumbents to account. 'Horizontal accountability' refers to inter-institutional mechanisms or checks and balances. In other words, the notion of horizontal accountability might be close to that of external accountability, and vertical accountability is, in fact, interchangeable with internal accountability.

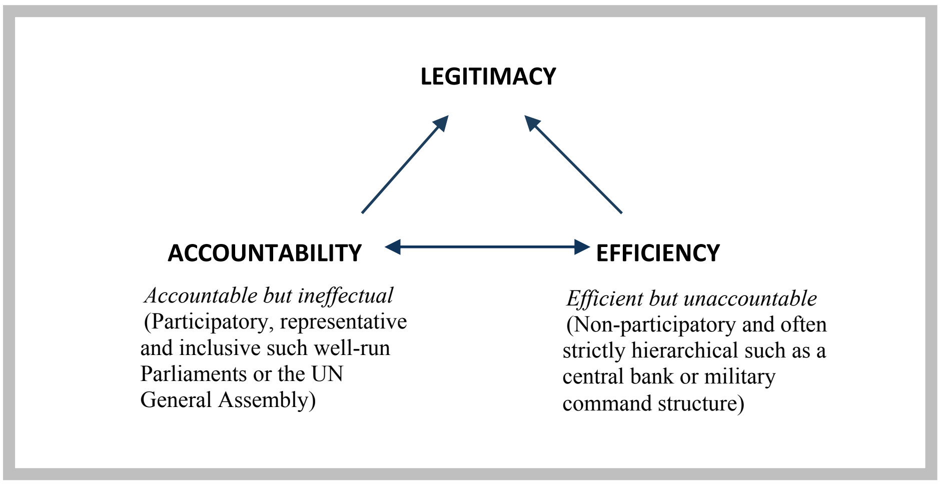
accountability is to observe accountability as a form of participatory praxis, thereby identifying its impacts on internal relations as well as the configurations of power, albeit the continuing occurrence of democratic deficits within international institutions such as the World Bank.

3. TRIANGULAR LINKS FOR GLOBAL SOCIAL GOVERNANCE: ACCOUNTABILITY, EFFICIENCY, AND CONTRADICTIONS

The discussion above provides us conceptual bases for the triangular relations of accountability, efficiency, and global social governance. Considering the fact that contemporary literature on global social policy is normatively demanding but theoretically weak in terms of accountability, it is more than worthwhile to examine the relationship between accountability and governance in tandem with the notion of efficiency. Indeed, where accountability meets governance at the global level is, always, a mixed bag packed by the intersection of globalization, participation, and the attempt to promote the efficiency part of governance on policy diffusion (Goetz and Jenkins 2001).

'Global social governance' refers to not only rule making and power exercise within a given domain of social policy at a global scale, but also transparent monitoring of the process of implementing assigned social policy; it is conducted not necessarily by entities authorized by general agreement to act but in many cases by their collaboration with external stakeholders, particularly NGOs.[6] Therefore, the legitimacy of global social governance needs to be assessed from the point of view of both efficiency and accountability.

Figure 1. Triangular Relations of Global Governance



Source: Woods (2007: 31). Modification added.

[6] Another definition of global social governance can be drawn out from Leon Gordenker and Thomas Weiss's conceptualisation (1996: 17): "efforts to bring more orderly and reliable responses to social policy issues that go beyond capacities of states to address individually."

Strengthening the legitimacy of global social governance in international institutions rests on the following ways of valuation: enhancing efficiency, improving accountability, or both. However, a widespread belief is that the underlying mechanism is based upon a trade-off between accountability and efficiency (Keohane and Nye 2000: 391; Held and Koenig-Archibugi 2005). As figure 1 demonstrates, accountability is outpaced by the expansion of efficiency in mandates of international institutions; likewise, process designed to enhance efficiency may turn out to be counterproductive in terms of accountability.

Efficient institutions are assumed to enjoy a coercive capacity to make rules and enforce them. At the extreme, this implies that institutions are run by powerful states with little restraint from both internal and external actors. By contrast, accountable institutions are assumed to spend too much time and resources for ensuring representation and participation, despite the fact that accountability can alternatively have some positive effects on restraining the power struggle among nations within international institutions. Accordingly, an overemphasis upon either side of accountability or efficiency brings about a lack of legitimacy in managing democratic governance of global social institutions. Despite the normative appeal of transparency, making information and open elections available about the decision-making process may undermine the ability of international institutions to produce optimal bargains among member states, and thereby weaken their legitimacy. Increasing the transparency of such internal processes to outside actors – external accountability – could prevent member states from reaching a mutually beneficial conclusion. Conversely, the BWI's 'efficiency-first' argument prioritizing positive outcomes of policy-based projects rather than democratic processes to create and monitor policies leads to some successful proposals for improving global governance but is bound to confront harsh criticisms from external actors who demand the enhanced accountability. In short, the logic which pits efficiency against accountability – or the other way around – would come up with diminishing legitimacy of global social governance if it goes too extreme with one against another.

Against such zero-sum relationship between accountability and efficiency, it is rather suggested that negative impacts of trade-offs on the legitimacy of governance can be neutralized by reforming international institutions (Woods 2002). Institutionalizing an independent body acting as the accountability mechanism inside international institutions has been a common prescription for balancing efficiency and accountability in an eclectic and constructive fashion. The Panel, as a transparent system of accountability, is intended to provide an institutional channel for project-affected people, or NGOs acting in their name, to lodge claims – bypassing their own government – that the Bank has not fully complied with its operational directives and their welfare has been harmed as a result (Clark 2003). On the request of advocacy NGOs, the Panel's investigation is aimed to ensure that public funds are spent more consistently with the Bank's mandate of sustainable development and poverty alleviation. Thus, enhancing accountability by investigating the requested complaints of advocacy NGOs contributes to bringing unaccountable projects back on the right track in compliance with the Bank's original directives, thereby restoring efficiency in the end. All in all, as Ngaire Woods (2007: 31) pinpoints, there is no clear trade-offs between accountability and efficiency, in the sense that the former is not always incompatible with the latter. The blind assumption on such trade-offs might create a false dichotomy.

The triangular interrelations above, which are taken as an analytical framework in this study, require us to furthering our understanding of NGO accountability in two aspects. First, the Bank has been reluctant to strengthen internal accountability and instead invested more on the expansion of external accountability, particularly via the mobilization of international NGOs as a main stakeholder. Therefore, in parallel with the Panel, NGOs also need to hold their civic participation in the Panel's investigations to be accountable for both the Panel and project-affected people whom they advocate.[7] Second, NGOs' excessive engagement with the accountability deficit brings about contradictive outgrowths, which entail either diminishing accountability or gravely dwindling efficiency.

3.1. NGO Accountability

Against the widespread optimism of NGO involvements in the World Bank, NGOs pose a more difficult issue in terms of accountability. In a positive sense, civil society organizations elicit greater accountability mainly in four ways: by increasing public transparency of global governance operation; by monitoring and reviewing global social policy; by seeking redress for mistakes the global regulatory bodies have committed; and by creating formal accountability mechanisms for global social governance (Scholte 2002; Brown and Fox 1998). However, as Robert Keohane (2003: 148) describes, NGOs' legitimacy and their accountability are often disconnected in negative terms. In general, NGO advocacy does not trigger a need for external accountability to the community, and no clear accountability holder exists in any event. International NGOs are mostly accountable to wealthy, relatively public-spirited people in the United States and other rich countries, who do not have to experience the results of their actions. In this regard, there is a serious danger that NGOs tends to engage in symbolic politics full of democratic but unrealistic discourses, satisfying to their internal constituencies but unresponsive to the real needs of the people whom they claim to serve. Also, they do not have the capacity to control resources directly; their influence of moral claims can be only delivered through persuasion, lobbying or media presence. Accordingly, it is wrong to state that NGOs should be treated as a best solution to make up for the dearth of accountability in international institutions (Wade 2009: 26-27).

In reality, NGO accountability is being oppositely addressed in the reports of major international advisory commissions (Charnovitz 2007). In June 2004, the Panel of Eminent Persons on United Nations-Civil Society Relations appointed by Secretary-General Kofi Annan delivered its report with the suggestion that UN practices for engaging civil society should be accompanied by defining standards of governance such as transparency and accountability. The UN Secretariat should consult with advocacy NGOs advising the UN self-policing mechanisms to heighten effective governance. In stark contrast, a Consultative Board appointed by the World Trade Organization (WTO) Director-General, in January 2005, delivered an extensive report including negative accounts on NGO accountability. The Board noted the criticism that NGOs' lobbying for more influence is often neither accountable nor particularly transparent. As a result, there is truth in saying that active participations of civil society organizations contribute to enhancing accountability of global governance. However, it is also fair to state that any positive influence of NGO engagement is possibly shaped only when international institutions acknowledge NGOs as a genuine partner to taper accountability gaps; otherwise, NGOs' excessive involvement will generate serious and contradictive outcomes that it does not expect to bear.

[7] The World Bank (2004: 3) defines social accountability as "an approach towards building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organisations who participate directly or indirectly in exacting accountability."

3.2. Two Modes of Contradictions

There are, by and large, two possible contradictions that the World Bank is bound to confront when NGOs are singled out as a key external participant for the purpose of rectifying the democratic deficit in the dimension of accountability. These contradictions capture different paths of mutual relations among multi-stakeholders including the World Bank, the Panel, advocacy NGOs, and governments involved. They also demonstrate the complex dynamics in evaluating the Bank's social policy implementations under the triangular value structure of global social governance.

The first front of contradictions lies in the abuse of inspection requests by advocacy NGOs (Woods 2002; Wade 2009). The algorithm of *abused* contradictions is founded on the premise that the Panel is abused by limitless claims from affected groups and Washington-based NGOs advocating them who demand the full investigations of the Bank projects that violate its operational directives. By opening up the possibility for complaints to be addressed by any groups affected by the Bank's social policy programs, the Bank is endangered due to the exploitation of the Panel, which requires high cost of extra money and time. The overemphasis on external accountability ultimately cripples effective governance for implementing targeted projects, thereby deepening the detriment of the disadvantaged groups who the Bank sets out to assist. In consequence, NGOs' excessive demands on accountability become counterproductive in terms of efficiency, and results in a failure of their initial objectives and much less support for the legitimacy of global governance.

The algorithm of the second pattern is based upon the politics of *manipulated* accountability. The Bank's deliberate restraints controlling expanded NGO requests, despite its formal call for external stakeholders and the establishment of the accountability mechanisms, provide dual strategic benefits for the World Bank itself. On the one hand, the Bank can explicitly show its reform image of enhancing accountability and opening an official channel (the Panel) for legal and direct claims to public stakeholders, particularly NGOs and policy-affected groups. The resultant effect is to advertise and even engrave a positive vision of the Bank's efforts for more accountability in the popular perception and imagination. However, on the other hand, the underlying rationale of the Panel needs to be considered a strategic reflection of the Bank's planned purposes. It is aimed to set in motion internal restraints on NGOs' external requests claiming for the Panel's formal investigation. The following consequence is that the actual number of the claims which NGOs request and the Panel completes to investigate turned out to be very small, and many cases failed to receive final reports of Panel investigations. More often than not, they were closed prior to the completion of the whole investigation. Such a Janus-faced accountability mechanism equips the Bank with institutional shackles to internalize screening processes designed for softening external challenges from NGOs. It also contributes to purifying its notorious image with the lack of accountability. In a nutshell, the Panel's intended functions to improve accountability are overshadowed by its internal constraints that manipulate the processes, which, ultimately, results in weakening accountability or no particular progress at all in terms of accountability. This contradiction catches the Bank in its own trap of accountability deficits, leading to the declining legitimacy of its global social governance.

Accordingly, it is fair to state that with no serious internal transparency reforms within the World Bank, enhancing accountability merely by adopting external actors presents not only contradictions of global social governance in legitimizing and diffusing global social policy to the localities, but also damaging the rationale of its accountability mechanisms. The next section will explore two specific cases of Panel investigations in order to uncover the practical appliance of these two contradictions lying at the centre of the Bank's accountability problems.

4. THE WORLD BANK INSPECTION PANEL: ABUSED OR RESTRAINED?

That World Bank funding falls short of its intended goal is not surprising. Significant allegations of corruption and the misuse of funds in World Bank projects related to social policy are widespread (Klitgaard 1990; Maren 1997; Goldman 2005; Berkman 2008). In response to these allegations, the Bank took initiative to raise social development to the level of core issue within its development strategy, from targeted poverty alleviation to empowering people based on the rights-based approach (Vetterlein 2007; Goldman 2005; Jordan 2007). Particularly, the Bank's reaction to the critiques against its accountability problem is the expansion of external accountability by encouraging (or utilizing) the participation of development NGOs in order to fill the gaps of accountability deficits. Characteristically, the creation of the Panel enables the Bank to listen to civil-society claims and embrace accountability by NGO participatory engagements.

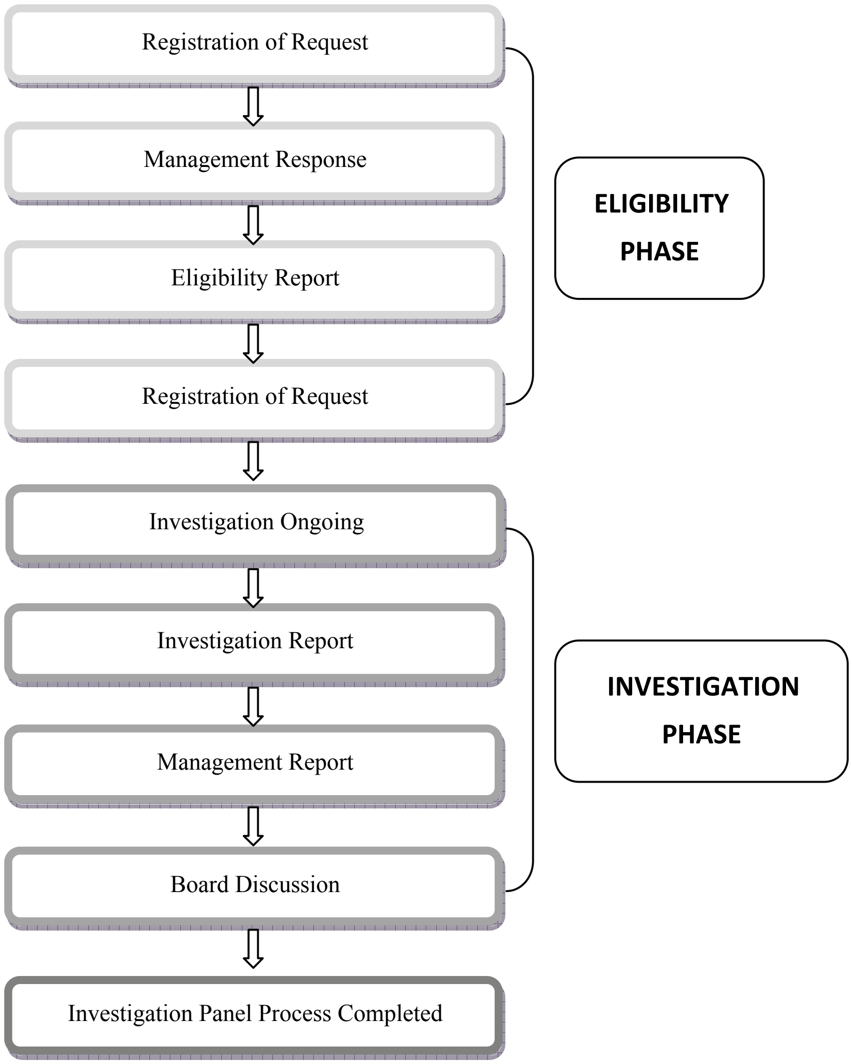
The Panel was established in September 1993 by the Board of Executive Directors of the World Bank to serve as an independent institution to improve the accountability deficits in Bank operations with respect to its policies and procedures (Shihata 2000). The Panel is an instrument for groups of two or more private citizens who believe that they or their interests have been or could be harmed by Bank-directed development projects to present their concerns through a Request for Inspection. It was an ambitious step towards accountability reform, creating a more transparent environment for the agencies involved in Bank-financed activities to follow the policies and mandates of the institution. The role of the Panel was especially important in its legitimacy to provide recommendations to the upper policy makers and empower the voices of affected people in recipient countries. In short, the Panel provides a direct link between the Bank and the people who are likely to be affected by the projects it finances.

Along with its ambitious motivation and principles, our analytical utility in this case study of the Panel needs to be addressed with the following question: can it be stated that the Panel succeeded in making the Bank more accountable and transparent? In a much broader sense, this question relates to whether the World Bank is merely adapting to assertive demands from the outside world, or it is proactively engaging in innovative behavior. In exploring the Panel, this study reveals two observations: (i) there are some internal institutional devices set in its investigation procedures, which are designed to slow down or deactivate the requests for inspection; and (ii) two contradictive relations around accountability gaps discussed above are, both, discovered in some cases of the Panel's past claims. Thus, those findings are not necessarily supportive to the Panel's ambitious motivation and objectives.

4.1. The Inspection Panel Procedure and its Political Implications

The guiding discourse of the Panel's outreach and inspection processes reflects a confluence of accountability gaps that come from what one observer calls the finance

Figure 2. IP Case Process



Source: www.worldbank.org/inpectionpanel

ministry agenda of neoliberalism and the civil society agenda of social justice and poverty alleviation (Hall 2007). The Panel is a quasi-independent body created by the Bank as a mechanism for holding the Bank accountable for violations of its policies and procedures. In this sense, the Panel focuses on the Bank's role in a project and whether or not the Bank is in compliance with its policies and principles.

The Panel procedures for inspection can be largely divided into three sequences (see figure 2). The first step is 'the registration of request' in which two or more adversely affected people who share common interests or concerns meet basic eligibility requirements can file a claim to the Panel. To meet the Panel's eligibility requirements, claimants must

Table 1. Inspection Panel Claims Summary (as of April 2010)

Phases		*Number of claims*	*Percentage*
Registration phase (rejected)		7	11.9
Eligibility phase (rejected)		19	32.2
Investigation phase	Rejected	5	8.5
	Partial approval	16	27.1
	Pending	5	8.5
Board's full approval		4	6.8
Under progress		3	5.1
Total		59	100

Source: Compiled by author. Refer to appendix I

allege some basic elements; otherwise, their requests are overruled.[9] The second stage is 'the eligibility phase' for inspection, in which the Panel, once a claim is filed, determines whether it meets the eligibility criteria. After the completion of reviewing eligibility, it recommends to the Board of Executive Directors (the Board) whether or not the claim should be investigated. The recommendation should be approved by the Board before the Panel embarks upon the procedure of investigation. The third stage includes 'the investigation phase' in which the three-member Panel investigates registered claims, provided that the claim meets certain standards and the Board agrees to an investigation. If an investigation takes place, the Panel presents its findings to the Board in a report, and the Board asks the Management to provide recommendations for how to respond. Based on the Panel report and the Management's recommendations, the Board, then, announces an Action Plan for resolving any policy violations, or denies all or some parts of the Panel's report if it is legally problematic.

In practice, the above process has been complicated and subject to political manipulation by Bank Management and the Board for three reasons. First of all, the Panel's investigation encounters the call for its postponement or even abandonment at any phase of inspection. By devising and installing the 'phased denial' of inspection, the Bank's organs such as the Panel, the Management and the Board can enjoy the sequential leeway in denying the claims of requesters at three stages of registration, eligibility, and investigation, whenever the claims

[9] There are four basic requirements of the Panel's eligibility: (i) claimants are two or more people with common interests or concerns living in a country or an area affected by a Bank-financed project; (ii) the Bank has violated its policies and procedures, and they have or are likely to suffer material adverse effects as a result of those policy violations; (iii) they have attempted to raise their concerns with Bank Management and are not satisfied with the response; and (iv) the project is under consideration or has been approved by the Bank, and the loan has not yet been substantially disbursed (Shihata 2000: 71).

cannot meet the criteria at each phase. As table 1 and appendix I show, it is surprising to note that among 59 claims brought by NGOs or other affected groups from 1994 to 2010, only 4 (6.8 percent) received full and final approval from the Board, which means that the Board accepted and complied all the recommendations reported by the Panel if the Board finally agrees with the Panel.[10] The other 55 failed to do so, albeit variations in density and stages of rejection: 7 (11.9 percent) denied at the registration phase; 19 (32.2) at the eligibility phase; and 5 (8.5) at the investigation phase. 16 (27.1 percent), though, obtained partial approval from the Board at the investigation stage, but the Panel's original report on the findings was to some degree ruled out by either the Board's decision or Management's Action Plan in response to the report. In this regard, the deliberate set of internal constraints on the Panel's investigation procedure enables the Bank to coordinate and manipulate the level of acceptance of requesters' claims in favor of the Bank's loan policy. Looking at the results of the Panel's investigation, we cannot see the relevance of abused accountability because there are very few claims that successfully passed the final stage of the Panel investigation. Rather, the point of contradiction in terms of accountability comes from the Bank's intentional manipulation of the inspection procedure, thereby no critical progress in enhancing accountability.

Nevertheless and secondly, there are indications of external stakeholders' abuse of accountability. An initial problem with the Panel stems from its overreliance on to what extent projects are in compliance with its own directives and procedure (Wade 2009). Given that almost any project can be found to be out of compliance if one pushes hard enough, there is no limit to the claims that affected groups or NGOs can bring which would flood the Bank with Panel investigations. Also, there is no time limit within which the Board must act on the Panel's recommendation. The Board repeatedly delays consideration of and decision on the Panel's recommendation. In consequence, minor legal infraction can be used as a weapon for much larger political purposes, and additional cost and time need to be marshaled for implementing abused requests of claimants (Schmitter and O'Donnell 1999). The following consequence in this context lies in diminishing efficiency of the Bank policy operation.

The third problem is the tendency of the process to become highly politicized at the investigation phase (Clark 2003). In many cases, the recipient country where the Bank's projects are located generally resists investigations by the Panel and the claims requested by NGOs. In the meantime, the Bank Management can manipulate this political resistance to promote the adoption of Management-generated Action Plans as an alternative to an investigation. In doing so, the Management intends to avoid scrutiny of policy violations and the Bank's role in the problems. This politicized relationship between various players ultimately undermines the accountability function of the Panel process.

Taken into account those weak points of the Panel, a further detailed comparison with the following two cases regarding accountability problems is of great use to understand the sources of contradiction in the Bank's social policy-related projects.

[10] According to author's contents analysis on the past claims (see appendix I), the four claims include (i) 1994 Arun III Hydroelectric Project & Restructuring of IDA Credit (Nepal); (ii) 1999 Western Poverty Reduction Project (China); (iii) 2004 National Drainage Program Project (Pakistan); and (iv) 2007 Integrated Coastal Zone Management and Clean-Up Project (Albania).

4.2. Accountability Abused: China Western Poverty Reduction Project

The China Western Poverty Reduction Project (Qinghai Project) has been often spotlighted as a success case that reflects the abuse of accountability relations among the Bank, the Panel, the NGOs, the US government and the Chinese government, all of which drove the Bank operation in the province of Qinghai in Western China, situated next to the Tibet Autonomous Region, in 1999 (World Bank 2000; Clark and Treakle 2003). It was also the first claim the Board completed a full investigation in response to the Panel recommendations. The claim had been filed by the International Campaign for Tibet (ICT), serving as a non-local, US-based NGO advocating the rights of the Tibetan people living in the project area. In requesting the Panel to conduct an investigation, the Board avoided commenting on ICT's eligibility but essentially supported a full investigation into the policy violations alleged in ICT's claim.

At the initial stage, the Qinghai Project fit perfectly with the Bank's general social policy guideline of alleviating poverty and economic development in poor areas of developing countries. Under close consultations with the Bank, the Chinese government launched this Project with the aim of population resettlement, environmental development, and poverty reduction in its western territory. It planned to replace the current inhabitants of mostly Tibetans and Mongols in the barren Tibetan plateau with a large number of poor farmers of Han Chinese or Chinese Muslim. The Chinese government's population transfer policy triggered transnational NGO coalitions to not only issue statements alleging genocide of the ethnic Tibetans and Mongols but also advocating human rights of local minorities in the area. The claimants' argument was based upon the mandate of the World Bank, one that the violation of its policies on the indigenous people and involuntary resettlement are unacceptable (Clark and Treakle 2003). The Tibetans also sought international advocacy from their support groups such as the Tibet Government In Exile and the ICT to represent their positions in the international stage.

In response to ICT-centered demands for investigation, the Panel undertook its first ever full-scale investigation, and submitted a report to the Board with the recommendations containing criticism of the Bank and support of the campaigners' claims. After lengthy discussions between the Chinese Prime Minister's Office, the US Treasury and President of the Bank, the case was dismissed by the Board's decision to withdraw the project from the Bank (Wade 2009). This was the first case in which the Bank gave a full approval to the Panel's investigation.

Behind the NGO campaigners' victory, however, there are three negative impacts on accountability. First, the abuse of inspections or external accountability agencies cost money and time (Woods 2000: 94). The East Asian region of the Bank spent about 3 million USD on the Panel's investigation of Qinghai, plus the extra costs borne by the Chinese government, and another 2.5 million USD on the extra work that the East Asian region proposed. The extra work that the Panel report called for required additional 4 million USD or 10 percent of the total loan. This abused accountability leads to further detriment of already affected groups that the Bank set out to aid. In the end, the abused attempt for accountability generates the diminution of efficiency.

Second, the close connection between US government and Washington-based NGOs creates 'moral hazard' in the sense that the role of NGOs degenerated into an extended arm of the United States or the largest donor member in the Bank (Wade 2009: 28). Moral hazard may be perilous as it widens gaps between the powerful donors and weak third-world locals, and NGOs take actions against certain decisions only in accordance with the principles of the governments they receive financial supports from. In the Qinghai Project, without serious consideration of the borrowing country's local situation and needs, emphasizing the shared consensus of US-based NGOs and US government – pro-civil society, pro-environment, or pro-human rights – often leads to greater losses and policy failure.

Third, power politics still matters to greater degree. The Bank itself abused the Panel in order to escape from the dilemma of choosing the United States, the largest donor, and China, the largest and best-performing borrower (Wade 2002). If the Bank decided to deny filing the claim, it could lose a large amount of fund and supports of pro-US members. When faced with this difficult situation, the Board pressed the Panel to issue a report in favor of the US preference and likeminded NGOs, thereby legitimizing the Bank's withdrawal of the Qinghai Project. On top of this power struggle, China's violation of human rights in the Tibetan area was also politicized and instrumentalized to heighten the position of US-based NGOs.

All in all, the China Western Poverty Reduction Project demonstrates the source of contradiction in terms of trade-offs between abused accountability and its entailing decrease in efficiency. Nevertheless, it should be also noted that the Panel's full-scale investigation and the Board's full acceptance of the Panel's recommendation cannot be easily orchestrated without a powerful donor's machination to support the Board's decision to proceed in that manner.

4.3. Accountability Restrained: Argentina Special Structural Adjustment Loan

In July 1999, the case of Argentina's Garden Program (Pro-Huerta) was requested by Centro de Estudios Legales y Sociales (CELS: the Centre for Legal and Social Studies), an Argentine NGO representing about 418 beneficiaries of the Pro Huerta program which was a food security program designed to help the poor of the Pro Huerta community maintain small vegetable gardens to produce food for their own consumption. The amount of money budgeted for the Pro Huerta program was proposed to be cut by nearly 65 percent. The Panel started to review the eligibility of the Garden Program request with the focus on why the budget for the Garden Program shrunk without reasonable causes, and the Management persuaded the borrower – Argentine government – to provide an additional 3 million USD to the Pro Huerta program, nearly doubling its budget. As a result, the Panel was told during its visit that the Argentine government had decided to allocate another 1.5 million USD in lottery revenues to the Pro Huerta program. Because the potential harm claimed by the Requesters appeared to have been averted and the problem solved, the Panel did not recommend a formal investigation. The claim for the Pro Huerta Project was completed without a further investigation.

This case presents two important implications in relations to accountability. First, the Pro Huerta case captures a new pattern of the Bank's policy conditionality: 'social protection conditionality' in World Bank structural adjustment loans (Abromavich 2003). In 1998, after the Brazilian economic crisis, Argentina received a structural adjustment loan from the Bank for 2.5 billion USD, designed to encourage economic policy reforms to forestall a currency devaluation and reinforce the country's capacity for sustained economic growth with social equity. Therefore, the loan included 'Social Budget Conditions' to ensure a minimum 680 million USD to support a package of ongoing social safety net programs listed in the agreement. However, due to legislative elections in 1999, the Argentine government hoarded the social budget funds to favor those programs traditionally used as instruments of political clientalism. This diversion led the other social safety programs in the package list to suffer deep budget cuts, resulting in almost deleting social programs from the loan conditionality. The Garden Program, which was listed among the guaranteed social programs, was one of those programs threatened with extinction. In this context, it is important to note that this case has opened possibilities for using the Panel as an international mechanism for protecting social interests covered by social policy programs, thus enhancing accountability in the Bank's neoliberal structural adjustment loan.

Second, the request of investigation on the Pro Huerta program, despite its successful completion in restoring government's social budget, needs to be reconsidered as a case of incomplete accountability. The statement primarily resulted from the Bank's cessation of the case in the face of local NGOs' continuous calls for further investigation. Also, CELS staffs faced threats as they worked to uphold the social rights of those who suffer poverty vis-à-vis the state; they had to make their claims to the Bank expressly keeping their identities confidential to avoid reprisals from the government. There was no possibility of effectively denouncing the Bank's inaction in local courts. When the Bank shuts down a particular claim filed by the Panel, there is no more alternate route for the NGOs to demand further investigation.

The case of Garden Program in Argentina shows that the contradiction of accountability relations could take place in line with institutional constraints by which the Bank can control or even deactivate the request of investigation claimed by external stakeholders. Thus, the improvement of accountability in this case would be limited or not necessarily reinforced.

5. CONCLUDING REMARKS: ACCOUNTABILITY AS A NECESSARY FACTOR IN EXPLAINING GLOBAL SOCIAL GOVERNANCE

As Robert W. Cox (1999) aptly argues, global social governance is required to take initiative for bridging varieties of groups disadvantaged by globalization and devising a common strategy to protect a regime of social equity against the penetration of strong globalization. The diffusion of global social policy can be identified with the redistribution of public goods at the global level (Kaul *et al*. 2003). More recently, the contribution of Amartya Sen (1999)'s 'capability approach' has been widely acknowledged as a pioneering idea within which poverty is seen in part as a matter of capabilities addressing issues of the voices of the poor. Margaret Archer (2008) also emphasizes the role of global governance as the underlying system to promote social integration through civic participation at the global level. Most scholarly concerns about global social governance may share the importance of the notion of accountability, but a valid work analyzing the relationship between governance and accountability is not yet widespread in social policy studies. In this regard, this study aims to not only explore the triangular relations of accountability, efficiency, and the legitimacy of global governance, but also detect two different modes of contradictions in terms of accountability with the specific reference to the World Bank Inspection Panel. In particular, the notion of accountability needs to be included as a new component of Bob Deacon's three Rs-based conceptualization of global social policy in the form of global accountability.

As a critical finding, this paper uncovers the fact that the contradictory consequences in the process of narrowing accountability gaps proceed in two different paths, whose

Table 2. Two Contradictions Of The Panel'S Accountability

Contradiction by Abuse	***Contradiction by Restraints***
• **Trade-offs between accountability and efficiency** • **NGOs' abused requests for investigation** • **Diminishing efficiency of the Bank's development projects** • **China Western Poverty Reduction Project (1999)**	• No clear trade-offs between accountability and efficiency • NGOs' failed requests for investigation • No clear negative effects to efficiency • Argentina's Special Structural Adjustment Loan (1999)

embeddedness is shaped either by the actors' abuse of the accountability mechanism or by the Panel's internal devices constraining external stakeholders (see table 2). As the case of the Qinghai Project illustrates, 'the contradiction by abuse' is based on trade-offs between accountability and efficiency, which ultimately result in undermining the legitimacy of global governance. Thus, the overreliance on accountability for the purpose of enhancing the legitimacy is inevitably counterproductive in the matter of efficiency. By contrast, the case of Argentina's Pro Huerta Project focuses on the Panel's internal constraints designed for the phased denial of NGOs' requests for investigation. The Panel, whose fundamental purpose is to avert the lack of accountability and protect the voices of affected groups rather hampers its initial tasks by means of institutional shackles, controlling the claimant's requests.

One clear lesson from this study is that the expansion of external accountability – primarily, by embracing international NGOs – is not a panacea for all the social problems at the global level. It is quite evident that external accountability leads the Panel and the Bank itself to confront with some contradictions as the final result of their engagement with accountability gaps. Thus, an alternative solution, as Ngaire Woods (2000) suggests, is to adopt the enhancement of internal accountability, which directly relates to the reformative introduction of transparent elections of the Board. This sounds not easy processes but is critical enough for us to take it as our research task ahead.

Article Received: 12-12-2011 Revised: 12-26-2011 Accepted: 12-26-2011

Appendix 1. Inspection Panel's Resolutions as Applied in Practice, 1994-2010

Year Filed & Name of Project	*Panel Recommends Investigation*	*Board Decision on Investigation*	*Outcome*
1994 Arun III Hydroelectric Project & Restructuring of IDA Credit (Nepal)	Yes.	Approved.	Project cancelled by Bank President.
1995 Compensation for Expropriation & Extension of IDA Credits (Ethiopia)	No. Not registered.	Not applicable.	
1995 Emergency Power IV Project (Tanzania)	No. Found ineligible.	Not applicable.	
1995 Rondônia Natural Resources Management Project (Brazil)	Yes.	Denied.	Limit Panel role in monitoring.
1995 Financing of Hydroelectric Dams in the Bío Bío River (Chile)	No. Not registered.	Not applicable.	
1996 Jamuna Multipurpose Bridge Project (Bangladesh)	No. Found ineligible.	Not applicable.	
1996 Yacyreta Hydroelectric Project (Argentina/ Paraguay)	Yes.	Partial approval. A limited review and assessment.	Board has not made any decisions. Still pending.
1996 Jute Sector Adjustment Credit Project (Bangladesh)	No. Bank withdrew the project.	Not applicable.	Bank halted funding.
1997 Itaparica Resettlement and Irrigation Project (Brazil)	Yes.	Denied.	Panel process bypassed.
1997 NTPC Power Generation Project (India)	Yes.	Partial approval.	Management Action Plan (MAP) approved by Board.
1998 Eco-development Project (India)	Yes.	Denied.	Management brought the project into compliance.
1998 Lesotho Highlands Water Project (Lesotho/South Africa)	No. Found ineligible.	Not applicable.	
1998 Lagos Drainage and Sanitation Project (Nigeria)	No. Management compensated affected people.	Not applicable.	
1999 Land Reform Poverty Alleviation Project, 1st Request (Brazil)	No. Found ineligible.	Not applicable.	
1999 Highlands Water Project (Lesotho)	No. Found ineligible.	Not applicable.	
1999 Western Poverty Reduction Project (China)	Yes.	Approved.	Bank withdrew the project.
1999 Special Structural Adjustment Loan (Argentina)	No. Problems already solved.	Not applicable.	

Year Filed & Name of Project	*Panel Recommends Investigation*	*Board Decision on Investigation*	*Outcome*
1999 Land Reform Poverty Alleviation Project, 2nd Request (Brazil)	No. Found ineligible.	Not applicable.	
1999 Lake Victoria Environmental Management Project (Kenya)	Yes.	Denied.	Management brought the project into compliance.
1999 Mining Development & Environmental Control Technical Assistance Project (Ecuador)	Yes.	Denied.	Management brought the project into compliance.
2000 NTPC Power Generation Project, 2nd Request (India)	No. Not registered.	Not applicable.	
2001 Petroleum Development & Pipeline Project (Chad)	Yes.	Partial approval.	MAP approved by Board.
2001 Coal Sector Environmental & Social Mitigation Project (India)	Yes.	Partial approval.	MAP approved by Board.
2001 Third Power Project, Fourth Power Project & Proposed Bujagli Hydropower Project (Uganda)	Yes.	Partial approval.	Board approved actions by management.
2001 Governance Promotion Adjustment Loan (Papua New Guinea)	No. Found ineligible.	Not applicable.	
2002 Reform Project for Water and Telecommunication Sectors (Paraguay/ Argentina)	Yes.	Partial approval.	MAP approved by Board.
2002 Petroleum Development and Pipeline Project (Cameroon)	Yes.	Partial approval.	Board approved actions by management.
2003 Manila Second Sewerage Project (Philippines)	No. Found ineligible.	Not applicable.	
2003 Petroleum Development and Pipeline Project (Cameroon)	No. Not registered.	Not applicable.	
2004 Indigenous and Community Biodiversity Project (Mexico)	No. Found ineligible.	Not applicable.	
2004 Cartagena Water Supply, Sewerage and Environmental Management Project (Colombia)	Yes.	Partial approval.	MAP approved by Board.
2004 Mumbai Urban Transport Project (India)	Yes.	Pending.	
2004 National Drainage Program Project (Pakistan)	Yes.	Approved.	Board approved the Action Plan.
2004 Public Works and Employment Creation Project (Burundi)	No. Not registered.	Not applicable.	

Year Filed & Name of Project	*Panel Recommends Investigation*	*Board Decision on Investigation*	*Outcome*
2005 Forest Concession Management & Control Pilot Project (Cambodia)	Yes.	Partial approval.	MAP prepared.
2005 Transitional Support for Economic Recovery Credit (Congo)	Yes.	Partial approval.	MAP approved by Board.
2006 Land Administration Project (Honduras)	Yes.	Partial approval.	MAP prepared.
2006 Mine Closure and Social Mitigation Project (Rumania)	No. Found ineligible.	Not applicable.	
2006 West African Gas Pipeline Project (Nigeria)	Yes.	Partial approval.	MAP approved by Board.
2006 Parana Biodiversity Project (Brazil)	No. Found ineligible.	Not applicable.	
2006 Santa Fe Road Infrastructure Project & Provincial Road Infrastructure Project (Argentina)	Deferral. Awaiting further development	Not applicable.	
2007 Private Power Generation Project (Uganda)	Yes.	Partial approval.	MAP approved by Board.
2007 Uttaranchal Decentralized Watershed Development Project (India)	No. Found ineligible.	Not applicable.	
2007 Power Sector Generation and Restructuring Project (Albania)	Yes.	Partial approval.	MAP completed.
2007 Integrated Coastal Zone Management and Clean-Up Project (Albania)	Yes.	Approved.	Project suspended.
2007 Second Urban Environmental Sanitation Project (Ghana)	Yes.	Partial approval.	MAP approved by Board.
2007 Urban Development Project & Douala Infrastructure Development Project (Cameroon)	No. Not registered.	Not applicable.	
2007 Santa Fe Infrastructure Project (Argentina)	Yes.	Partial approval.	Management Action Plan approved by Board.
2007 Bogota Urban Services Project (Colombia)	No. Found ineligible.	Not applicable.	
2009 Land Administration Project (Panama)	Yes.	Pending.	
2009 Private Sector Development and Competitiveness Project (Congo)	Under progress.		

Year Filed & Name of Project	*Panel Recommends Investigation*	*Board Decision on Investigation*	*Outcome*
2009 Institutional Reform Development Policy Financing (Yemen)	Deferral.	Not applicable.	
2009 Mumbai Urban Transport Project (India)	No. Found ineligible.	Not applicable.	
2009 Export Development Project (Kenya)	No. Not registered.	Not applicable.	
2009 Land Management & Administration Project (Cambodia)	Yes.	Pending.	
2009 Lima Transport Project (Peru)	Yes.	Pending.	
2009 Smallholder Agriculture Development Project (Papua New Guinea)	Yes.	Pending.	
2010 Tax Administration Reform Project (Pakistan)	Under progress.		
2010 Proposed Eskom Investment Support Project (South Africa)	Under progress.		

Sources: Compiled by author.

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