

**NGO ACCOUNTABILITY IN LESOTHO: A GOVERNANCE PERSPECTIVE OF
THE SOCIETIES (AMENDMENT) ACT 2001**

BY

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DECLARATION

I, **Kekeletso Jane Khati** declare that this study: **NGO accountability in Lesotho: A governance perspective of the Societies (Amendment) Act 2001** is my own work. All citations, references used throughout the study have been acknowledged accordingly.

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ABSTRACT

Non- Government Organizations (NGOs) have become very popular since the 20th century in developing countries because of the role they play in the enhancement of socio-economic development. The prevalence of NGOs in most developing countries is linked to the availability of foreign aid and a modernization agenda for developed countries to invest in the development of the global south countries. For these reasons, the governments of developing countries have embraced the existence and importance of NGOs towards the improvement of the livelihoods of the poor people within their region. NGOs have played prominent roles in poverty reduction, economic advancement, social alteration and democratization programmes in Lesotho. The growing reputation of NGOs has resulted in the global call for improved accountability of NGOs.

In Lesotho, the Societies Amendment Act 2001 was enacted with the purpose to register organisations, including NGOs, with the hope of standardizing the way in which registered organisations in Lesotho operate. The Act also seeks to establish one law for non- profit organisations and regulate the registration of civil society organisations. The purpose of the study was to assess the accountability of NGO in Lesotho through the governance perspective as contained in the Societies (Amendment) Act 2001.

The study adopted a qualitative approach, as such; secondary sources of information were relied upon. Relevant books, journals, government publications and institutional reports were consulted for vital information that formed the crux of the argument of the study. Thematic content analysis was used for making sense of the information gathered from texts to articulately present arguments and reach a logical conclusion. Creation of themes was guided by the principle of good governance such as public-sector management, accountability, a legal framework for development and transparency and information.

The preliminary results of this study showed that although there are policies that regulate the operations of NGOs in Lesotho like the Societies (Amendment) Act 2001 which is implemented in conjunction with the Cooperative Societies' Act 2000, and the Labour Law Code of 1992. Notwithstanding, there are no provisions for accountability in the Societies (Amendment) Act 2001 as regards the operation of NGOs. This vacuum has resulted in the autonomous operation of NGOs without checkmate.

Key words: Accountability, Governance and Good Governance, NGOs, Societies (Amendment) Act 2001.

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LIST OF ABBREVIATIONS

- AIDS: Acquired Immune Deficiency Syndrome
- BCC: Behaviour change communication
- BOLESWANA: Botswana, Lesotho, Swaziland, Namibia
- CIPFA: Chartered Institute of Public Finance and Accountancy
- CPEs: Country Programme Evaluations
- CSOs: Civil Society Organisations
- DaO: Delivery as One
- DBS: Direct Budget Support
- DFID: Department For International Development
- DFIDSA: Department For International Development South Africa
- EDAL: European Development Agencies in Lesotho
- EDF: European Development Fund
- FCRA: Foreign Contribution Regulation Act
- GoL: Government of Lesotho
- HIV: Human Immunodeficiency Virus
- HTC: HIV Testing and Counselling
- ICC: International Criminal Court
- IFAC: International Federation of Accountants
- IMF: International Monetary Fund
- LCN: Lesotho Council of NGOs
- LDCs: Least Developed Countries
- LUNDAP: Lesotho United Nations Development Assistance Plan
- LVAC: Lesotho Vulnerability Assessment Committee
- MDGs: Millenium Development Goals
- MDP: Ministry of Development Planning
- NAC: National AIDS Commission
- NGOs: Non- Governmental Organizations

NORAD: Norwegian Agency for Development Cooperation

NPOs: Non Profit Organisations

NSDP: National Strategic Development Plan

OBOs: Occupational based organizations

ODA: Official Development Aid

OECD: Organisation for Economic Co-operation and Development

OMT: Operation Management Team

OVC: Orphans and vulnerable children

PARP: Policy and Resource Plan

PHDC: Phela Health and Development Communications

PMU: Poverty Monitoring Unit

PRS: Poverty Reduction Strategy

PSA: Public Service Agreement

SACU: Southern African Customs Union

SADC: Southern African Customs Union

SDGs: Sustainable Development Goals

TB: Tuberculosis

TI: Transparency International

ToR: Terms of Reference

ToT: Training of Trainers

UDF: United Development Fund

UN: United Nations

UNCT: United Nations Country Team

UNDAF: United Nations Development Assistance Framework

UNDP: United Nations Development Programme

USD: United States Dollar

VCT: Voluntary Counselling and Testing

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CHAPTER ONE

INTRODUCTION

1.1 Background and Research Problem

Lesotho is a small democratic country landlocked within South Africa (Pholo, 2013: xiii). In its quest to strengthen its democracy, and reduce poverty, Lesotho became a member and signatory to a number of sub-regional, regional and international organisations. These organisations include, the Southern African Development Communities (SADC), African Union (AU), the Southern African Customs Union (SACU), African Growth and Opportunity Act, and United Nations (UN), to name a few. In addition, Lesotho has also entered into international treaties and conventions such as the Paris Declaration, Geneva Convention, and International Criminal Court (ICC) which seek to strengthen democracy among member countries (Economic Commission for Africa, 2011:44; SADC, 2004:55). These efforts are further strengthened by being signatories to the Sustainable Development Goals towards 2030, which was established in September 2015 and seeks to address poverty and under-development in the post Millennium Development Goal (MDGs) era (United Nations Development Program). As part of its development agenda, Lesotho has included the aim of eliminating poverty in its extreme form as part of its current attempt for development (African Development Bank, 2006:7). It is important to note that signatories of the SDGs are compelled to adopt and implement policies which will work hand in hand with the conditions and objectives of these SDGs declarations in their regions. It is thus important for Lesotho to have policies in place that are being effectively and efficiently implemented if the country intends to record significant success in her poverty reduction efforts.

NGOs in Lesotho have played a fundamental role in poverty reduction initiatives and programmes. This proves the magnitude of NGOs towards the achievement of development in developing countries, as emphasized by Oshewolo and Oniemola (2011:255). Allard and Martinez (2008:3) further note that NGOs are held liable by donors, the public and the hosting government for their actions and activities. Recent studies show that accountability has become an important part of not only how governments function, but also how NGOs conduct their activities (Ulleberg, 2009:8; Banks, Hulme and Edwards, 2014:707). The need

to report on actions and national priorities is increasingly becoming important for not only government officials and departments, but for those, like NGOs who take on roles related to the delivery of services (Fontaine, Haarman and Schmid, 2006:3). As a result, mechanisms for checking such actions and activities, or examining their levels of accountability are important.

The main purpose of the Lesotho Society's Act of 1966 and the Amended Act 2001 is to register organisations and standardize the way in which these registered organisations function. Further, the Act seeks to establish a common regulation for all non-profit organisations and standardize the registration process of civil society organisations in the country (Reality of Aid Africa Network and Hand in Hand Lesotho, 2014:11). Despite these provisions, a report by the African Development Bank (2006:25) indicates that there are poor levels of accountability and transparency amongst non-governmental organisations in Lesotho. It is of primary significance to note that there are a number of research reports that further substantiate this claim by the African Development Bank across various countries in Africa (see Molomo, 2012; Tamasane, 2011; Matlosa, 1999; Selinyane, 1997; and Monyane, 2009). While several studies have established that NGOs in most African countries have a challenge with accountability, there is however a dearth of studies into the process or the practice of accountability by the different NGOs that operate in Lesotho.

Given the global and local calls for improved governance and the critical role played by NGOs, this study seeks to examine the provisions for accountability in the Lesotho Society (Amendment) Act 2001 and its implications for NGOs in Lesotho. The study uses a governance framework as a means of identifying the strengths, weaknesses, opportunities and threats to policy implementation in this context.

1.2. Reasons for Study

The end of Cold War brought with it a period of an evolving global development aid scenario (Ali and Zeb, 2016:109). Global funders like the World Bank and the International Monetary Fund (IMF) began embracing the need to promote development and new terms such as: good governance, democracy, civil society, environmental security, social capital, gender equality, empowerment, and sustainability among others emerged around this period (International Development Association, 2007:17; Dlamini, 2008:1; Khalil- Babatunde, 2014:5). During this period, the idea of civil society as a promoter of the development process was strengthened while the state was increasingly seen as incapable of responding sufficiently to the needs of citizens. According to Deakin (2001:168) this period saw the rise of NGOs as key stakeholders in facilitating civil society to play an integral function in the development process.

As a result, NGOs in Africa have been active in projects development related projects like service delivery, policy development and other government-initiated programmes since the mid-1990s (Mwanza, 2013:123). These efforts have continued in the 21st century and they have contributed to the efforts being made as part of the MDGs and the aim of ending hunger and poverty by 2030 (World Health Organisation, 2015: 3). The achievement of these goals has required a national development agenda, combined with mechanisms by which good governance can be maintained. Governance according to the World Bank (1992:1, 1994: vvi), “...is epitomized by predictable, open, and enlightened policy making (i.e. transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law.” While good governance as defined by World Bank (1993) in UN (2006: 4) is characterized by an effective, efficient and economic management of public affairs which is transparent, informed, accountable and seeks to protect the rights of citizens.

Policy within this perspective is an action that is purposively calculated and decided upon by an actor or group of actors regarding an issue or specific problem (Anderson, 2003:2). Public policies on the other hand are policies specifically formulated by the government for the public. The public policy process involves issue identification, policy analysis, policy instruments, consultation, coordination, decision-making, implementation and evaluation. All these stages require transparency and accountability. Accountability according to Bovens,

Goodin and Schillemans (2014: 6) means being liable for one's actions to someone with higher power and being reprimand for them. In a political scenario, accountability is about constituents having knowledge about what leaders do in their responsibility of representing them in office and making them responsible for their actions (Bovens, Goodin and Schillemans, 2014: 5). Dente (2014: 29) observes that accountability is about giving reason for decisions made based on what was expected from the actor. In the context of the study, accountability is one of the prerequisites of good governance; as the study holds that accountability is integral for a successful policy implementation and development.

Studies have been conducted in Lesotho on NGOs but, as mentioned earlier, there are no studies that have been conducted on NGOs' accountability neither are there studies on the provisions for accountability by the Societies (Amendment) Act 2001. Previous studies such as Aid, Development and Democracy in Lesotho, 1966-1996 by Matlosa (1999) was an investigation into the relationship between Aid, Development and Democracy in Southern Africa, with Lesotho as a case study. In a similar study titled: 'Analysis of services for orphans and vulnerable children (OVC) in Lesotho' by Tamasane (2011), the aim of the study was to assess the nature and extent of services offered to OVC in Lesotho, which are mostly offered by NGOs. In another study by Sehloho (2013), titled: 'The role of networks in civil society in Lesotho: A case study of World Vision Lesotho'; the focus here was on civil society's efforts to eliminate poverty, the main focus of the study being the networks formed in the process by World Vision International in Lesotho. This proves a gap in the literature as there are no studies in Lesotho that report on the practice or the process of accountability by NGOs operating in the country. More so, there are no studies that seek to examine the provisions for accountability in the Societies (Amendment) Act.

1.3 Research Objectives

1. Examine the public policy process.
2. To examine the link between governance and accountability in the policy implementation process.
3. To determine the current status of the governance provisions for NGO functionality in Lesotho.
4. To examine the strengths, weaknesses, opportunities and threats to the accountability provisions in Societies (Amendment) Act 2001.

1.4. Research Questions

1. What is the public policy process in Lesotho?
2. What is the link between governance and accountability in the policy implementation process?
3. What is the current status of the governance provisions for NGO functionality in Lesotho?
4. What are the strengths, weaknesses, opportunities and threats to the accountability provisions on Societies (Amendment) Act 2001?

1.5. Structure of Dissertation:

Chapter One: This chapter introduces the topic and the intention of the study. It provides a short description of the title, background and research problem, reasons for study, research problems and objectives of the study.

Chapter Two: This chapter provides a discussion of the public policy process; it starts by defining a policy, public policy, policy actors and process going into detail on policy implementation and accountability. Further, the chapter will introduce the concept of governance.

Chapter Three: This chapter will explore the literature on NGO accountability and governance, and will relate these issues to the challenges presented for policy implementation.

Chapter Four: This Chapter will examine the rationale for the methodology adopted.

Chapter Five: This chapter will present the findings of the study.

Chapter Six: This chapter offers the summary and conclusions of the study. It brings light to the main objectives and questions of the study as it ensures that they have been met. Also, the chapter will state the limitations of the study and recommendations on how to improve the study.

CHAPTER TWO

UNDERSTANDING THE PUBLIC POLICY PROCESS

2.1. Introduction

This chapter conceptualises policy and public policy. The chapter also examines the policy process in order to offer insight on each stage of making a policy, and to identify the actors in the policy process. The discussion further enables the study to understand the politics and complexities of policy-making and how policies differ according to their environments and actors. Additionally, the chapter seeks to place public policy and good governance in context. Hence, the discussion elaborates the theories that inform public policy, the role of accountability in the public policy process, and highlights the importance of good governance in ensuring effective and efficient public policy.

2.2. Policy

Policy is an action which is purposively calculated and decided upon by an actor or group of actors regarding an issue or specific problems (Anderson, 2003:2; Dente, 2014). Khali (2015: 30) adds that it is “a stance which contributes to the context within which a succession of future decisions will be made. Policy is generally known as a set of consistent decisions containing desired goals and the means of achieving those goals under certain conditions”. Dodd and Boyd (2000:1) argue that policy defines how people are or should be governed, it is the way people make sense of their living conditions and how they are governed. Thus, policy is about decisions made in everyday lives either being in their domestic lives, health, and issues of employment (Dodd and Boyd, 2001:1).

2.2.1. Public Policy

Public policies are policies specifically formulated by a government (governmental bodies and officials) for its citizens; however, this process can be externally influenced by NGOs and other external factors (Nhlapo, 2012). Theodoulou and Cahn (in Mokhaba 2005: 94) emphasise that their involvement becomes an important indicator of democracy in countries. According to Brooks (1989: 16), public policies are actions taken by governments or inaction to address a problem or issue.

Anderson (2003: 3) elaborates that public policies are made unique by actors depending on which actors are driving that particular policy. These actors can be elders, executives, paramount chiefs, legislators, administrators, judges, monarchs or councillors to name a few.

They are involved in the political system and are responsible for making policies for the public. Theodoulou and Cahn (in Mokhaba 2005:94) support that public policies are made by all spheres of governments but the process is not exclusive of informal actors who are also crucial to the process. For example, in South Africa all three spheres of government namely; national, provincial and local levels play an important role in the policy process (Simeon and Murray, 2001). The involvement of these levels of government is provided for in the South African Constitution; that is to say that the constitution of the country stipulates the roles of all three levels of government in the policy process. In other words, public policies are those policies that are made by the government for the public it serves.

Effective public policies, according to Dukeshire and Thurlow (2002: 3), are possible provided that the community is involved in the process of policy making. This means that the community has to be given a platform where they can voice their concerns and views in relation to reforming or making new policies that are relevant to their current problems (Nhlapo, 2012; The Presidency of the Republic of South Africa, 2012). In essence, the emphasis is on the importance of the community being involved in the process of policymaking. This can happen through consultations with the governing bodies, legislation hearings, elections, community meetings, community surveys and campaigns. Thus, public policy is an interactive process where transparency and accountability is a necessary requirement for a successful policy formulation and implementation.

2.2.2. Categories of Public Policies

There are a number of typologies developed to categorise public policies, these according to Theodoulou and Cahn (in Mokhaba, 2005: 88) are:

- a) The classic typology
- b) Material or symbolic policies
- c) Substantive or procedural policy

2.2.2.1. The classic typology

This typology classifies policies as distributive, regulatory, re-distributive or self-regulatory in nature (Steinberger, 1980). Distributive policies involve distribution of services or benefits to the public (Heritier, 1997). These policies are usually directed to specific individuals, but some distributive policies can benefit a large number of people. For example, agricultural

income or subsidies, supports programmes, and free public school and education etc. Distributive policies involve the use of taxpayer's money to help beneficiaries, there is no competition for such benefits and their costs do not directly affect any specific individual but the state income from taxes.

Regulatory policies are policies that place limits on the behaviour of groups or individuals. They prohibit free choice or decisions as they guide institutions on their daily activities, either being bankers or big companies (Gustavsson, 1980). Distributive policies however, give freedom to beneficiaries unlike regulatory policies. There are social regulatory policies which regulate areas such as affirmative action, gun control, abortion, which also affects personal behaviour.

Redistributive policies include actions of government to equally distribute resources among the different classes in a society. These policies are focused on empowering the poor through a redistribution of wealth from wealthy members of a society to the poor. Redistributive policies are challenging as they involve the interference of the flow of resources and power from the influential to less privileged (Stewart, 2009). This becomes a source of conflict as power gives individuals the authority to be influential in the political system therefore losing it means losing that influence.

2.2.2.2. Material or Symbolic Policies

Material policies, according to Anderson (2003: 11), "either provide tangible resources or substantive power to their beneficiaries, or impose real disadvantages on those who are adversely affected". Examples of such policies include legislations that require employers to pay a prescribed minimum wage, taking funds for a public housing programme, or providing income - support payments to farmers.

Symbolic policies however, do not have material benefits for the beneficiaries (Ingram, Schneider and DeLeon, 2007). They have no physical appearance; and they are also not self-explanatory, as they do not produce what is on paper. Symbolic policies are value oriented, such as peace and justice; such policies are important to consider in the creation of policies, to be able to identify where a policy fails, which will enable the analysis of the effects of such policies on individuals.

2.2.2.3. Substantive or procedural policies

Substantive policies are defined as those policies that the government plans to do (Anderson cited in Mokhaba, 2005:88). These policies directly affect the people, their benefits, disadvantages and costs are also borne by the people. Procedural policies on the other hand, define how and by whom the policies are going to be done.

In most countries, policies can be categorized according to the above mentioned typologies; what is most important are the aims or objectives of such policies as well as their impacts on the environment in addressing issues at hand. Given the preceding, governments and institutions that are responsible for making policies should be held accountable by the public they are serving. The Chartered Institute of Public Finance and Accountancy and International Federation of Accountants (2013:13) notes that “in order to deliver good governance in the public sector, both governing bodies and individuals working for entities must act in the public interest at all times, consistent with the requirements of legislation and governments policies”. Take for instance, sound management; this is characterised by participation, transparency and accountability which are all necessary for policy implementation. Cloete and Wissink (2000) state that policy - making is not exclusive of the political field, it is therefore essential to note that political values play a key role; and in the same way, there are other important actors that need to be considered in order to explain the policy- making process.

2.2.3. Policy Actors

One of the important aspects in the policy making process is the role played by policy actors (stakeholders and role- players). Policy actors, as stated by Geurts (2014:8), “...can be politicians, civil servants, lobbyists, advisors, domain experts, auditors, etc”. Their role in the process, according to Ijeoma (2008: 106), is to ensure a purposeful utilisation of resources. It was raised that the level of involvement of policy actors is dependent on the nature and structure of the policy (Roux, 2005: 83). This implies that the roles played by the different actors in the policy process is dependent on the interests of public policy actors due to that they are vested in pushing their own agendas. According to Ijeoma (2008: 106), there are a variety of actors including pressure groups from different geographic regions, backgrounds and socio-economic levels. Ijeoma further describes pressure groups as “one group of actors exceeding internal boundaries of the organisation and in a quest to make their voices heard on behalf of its group members and stakeholders”. The interest groups involved in influencing

the process of public policy making are referred to as pressure groups due to the conflict that is involved in the political system to push personal agendas on the policy list (Sabatier, 2007:4).

Cloete and Meyer (2006: 112) and Ijeoma (2008: 106) have listed the actors who influence the process of public policy making. They include; the family, church, academic institutions, occupational based organisations (OBOs), governments, elected political office bearers, appointed officials, courts of law, and the media.

It is therefore reasonable to conclude that the actors role in the policy process is motivated by interests which directly influences the actions taken towards public policy implementation. According to Booysen (2006: 131), public policy participation is becoming more and more popular to actors from different backgrounds, it creates an environment characterised by competition and conflict.

2.2.4 The Policy Process

Lasswell first demonstrated the policy process in stages in 1956 (Jann and Wegrich, 2006:43; Bridgman and Davis, 2003: 99). This model composed of seven stages namely: intelligence, promotion, prescription, invocation, application, termination, and appraisal. However Laswell's model faced criticism for its order of proceeding, termination coming before appraisal, but this did not hinder its successful application in the field of policy. Over time, according to Jann and Wegrich (2006:43), more models were pioneered by the likes of Anderson (1975), Brewer and deLeon (1983), May and Wildavsky (1978), Jenkins (1978) and Bridgman and Davis model of The Australian policy cycle (2000) which has become a useful tool for public servants who do not have a policy background but are expected to formulate policies. Policy, as 'a statement of intent', is a result of a process that includes the participation of different policy actors in their different roles (Lesia, 2015: 12 and Burgess, 2017: 32). Thus, the policy process comprises of agenda setting, policy formulation, decision-making, implementation and evaluation that at times leads to termination.

2.2.4.1. Agenda Setting

Agenda, according to Kingdon (cited in Jann and Wegrich 2006: 45; and Lesia 2015: 13), is a list of problems to which governmental officials and people outside government closely associated with those officials are paying some serious attention at any given time. Jann and Wegrich (2006: 45) point out that "studies since 1960s have shown, problem recognition and

agenda setting are inherently political processes in which political attention is attached to a subject of all possible relevant policy problems. Actors within and outside government constantly seek to influence and collectively shape the agenda”. Khali (2015: 31) supports that agenda setting is a process where problems are identified. The definition of the problem in the decision making process affects the achievement of policy outcomes due to the handling of problems according to their nature.

The complexity of agenda setting was brought to light by May (1991) and Howlett and Ramesh (2003) when they emphasize the different actors together with the public's involvement in the process of agenda setting. These actors are considered to construe the process as complex due to each of the different interests and goals that public policies seek to accommodate. At this stage, according to Mokhaba (2005:80), Lesia (2015: 13) and Khali (2015: 32), stakeholders lobby support from policy makers to take action in their interest to bring about the desired change in society hence the process cannot be isolated from political, social, economic, technological, cultural and global factors. The process is very crucial for public policy making for two reasons. Firstly, it determines how stakeholders influence the policy agenda. Secondly, it determines who controls or drives the policy making process Mokhaba (2005: 80).

2.2.4.2. Policy Formulation and Decision- making

Policy formulation and decision- making according to Jann and Wegrich (2006: 48) is the first step of the planning process; it is strategic and results in a ‘master plan’. This ‘master plan’ is a political decision which includes ways of developing systems when the need arises. First there has to be a common ground in relation to developments and suitable measures to be taken in order to reconcile and meet the intended goals without any setbacks. This ‘master plan’ is often a legally binding framework which states clearly the plans and concepts for longer periods of time.

The policy formulation process requires a diverse group of actors with knowledge from different fields (Tantiveness and Walt, 2008: 330). The actors and institutions have a mutual existence and role playing in the process. State actors include: appointed officials, elected officials, public, research organisations, political parties, mass media, interest groups, business actors, and public think- tanks. According to Do Phu Hai (nd: 6), in developing countries, the roles, motivation and participation of actors differs due to the cases at hand and

the environment while the state and business maintain their dominance in the policy process. The result of this dominance is weak citizen participation as civil society actors are disadvantaged because of the positions they hold in key institutions. The advice of policy makers and researchers, according to Do Phu Hai (nd: 6), is that developing countries need to embrace citizen participation in the policy process as it promotes democracy and rationality in the state and also gives the politically marginalised people to voice their opinions on policies that are formulated for them.

According to European Centre for Development Policy Management (2002: 15), the participation of non-government actors in the policy formulation process in developing countries is increasingly recognised and in some cases more preferred by the state. Gathering of information and set standard of behaviour is required from a variety of economic and civil society actors (Do Phu Hai, nd: 7). In some developing countries, democratisation has motivated a shift towards evidence- based policy reform which promises an improvement in policy participation by including a wide range of state and non-state actors. The ethical dimension also calls for inclusion of public participation, aspects like social risk analysis, gathering and interpretation of data before making policies requires consideration. Public participation requires transparency and accountability and this is particularly important to the poor who need to be empowered and respected by being included in discussions and debates with all stakeholders regarding policy making or change that directly affects their lives. “There is a growing call for greater public involvement in establishing...policy, in line with democratic ideals” (Rowe and Frewer, 2000: 3). The inclusiveness equips them with enough information to partake in discussions hence bringing ownership and relevance of policies.

2.2.4.3. Policy Implementation

Implementation, according to Paudel (2009: 36), is carrying out, accomplishing, fulfilling, producing or completing a given task. DeGroff and Cargo (2009:48), and Grindle (1980:6) argue that implementation encompasses all actions that take place after the plans have been made, such as budgeting, construction of infrastructure and the undertaking of necessary institutional changes for policy measures. The implementation phase is complex and sensitive, as it should take into consideration the social and political aspects of everyone involved while drafting objectives and programmes (Bunker, 1972: 72). The technical, economic and political feasibilities that lead to the formulation of the policy content are also

considered. Policy content needs more than tactical and administrative plans, it needs to be re-assessed and interpreted with care to keep the initial intent of the policy.

The process can thus be defined as achieving set policy goals by both the public and private individuals or groups by working towards the achievement of policy goals and objectives set in the policy decisions (Dunn, 2015). O'Toole (2000: 26) defines policy implementation as "what develops between the establishment of an apparent intention on the part of the government to do something or to stop doing something and the ultimate impact in the world of action". Policy actors, their actions as well as the cause-effect relationship between their efforts and outcomes are at the core of policy implementation.

Policy implementation, being part of the policy cycle, is also about how governments put policies into effect. Effective implementation according to Paudel (2009: 36) requires:

- Clearly specified tasks and objectives that accurately reflect the intent of the policy;
- a management plan that allocates tasks and performance standards to sub-units;
- an objective means of measuring sub-unit performance; and
- a system of management controls and social sanctions sufficient to hold subordinates accountable for their performance.

Furthermore, policy implementation is defined according to the approaches which illustrate the difference in policies due to the manner of their implementation approach. Accountability, availability of information and clear channels of communication are important for successful implementation, governance is therefore necessary as it provides for these tools.

2.2.4.3.1. Top- down approach

The starting point of policies is the authoritative decision where actors are regarded as the important tools to achieving the desired effects (Liendl, 2011: 7). The main actors who are also responsible for formulating a proficient bill for the identified problem make the decisions. To increase the efficiency level of this approach, according to Sabatier (1986: 22), there are necessary conditions required, such as clear and consistent objectives that are said to provide a standard of evaluation and an important legal resource to implementing officials. Secondly, adequate causal theory where policies should have an effect on social change in the

targeted environment. To determine such causal assumptions, implementing officials are given adequate jurisdiction and policy levers as a means of doing so.

Thirdly, the implementation process is legally structured to enhance compliance by implementing officials and target groups. Sabatier (1986: 22) notes that “there is a variety of legal mechanisms including the number of veto points involved in program delivery, the sanctions and incentives available to overcome resistance, and the assignment of programs to implementing agencies which would be supportive and give it high priority”.

Fourthly, committed and skilled implementing officers who have to work with caution and exact judgement therefore commitment to policy objectives and competencies to make use of available assets are integral. There is additionally need for support of interest groups and sovereigns, which emphasises the need for political assistance in the course of the implementation process from interest groups, legislative and executive sovereigns. Lastly, adjustments in socio- economic conditions, which do not substantially undermine political support or causal theory. Such adjustments could jeopardise the political support or causal theory of the programme.

2.2.4.3.2. Bottom- up approach

The Bottom up approach was developed from the principal criticism of the top down approach. The approach omitted the behavioural aspect of implementation and the key function of local implementers (Schofield 2001). Its predominant focal point are the motives and actions of actors involved in implementation and it is assumed that formulation and implementation are an integrated process and are descriptive in nature as emphasis is on explaining the role of factors inflicting concern in implementation (Matland, 1995).

The bottom up approach according to Hjern and Porter (1981) and Hull and Hjern (1982), places emphasis on the target groups, service deliverers, and states that policies are made at this level. This approach is more descriptive in nature and states that implementation can be understood by looking at the policies from the viewpoint of target groups and service deliverers.

Policy implementation, as assumed by this approach, occurs at two levels (Matland 1995). The first level is the macro-implementation which is where the centrally positioned actors

formulate a government program. The second level being the micro- implementation where local level actors react to these plans therefore developing and implementing their own.

2.2.4.4. Policy Evaluation

Meiring (nd: 3) and Stufflebeam (2000) define evaluation as “an assessment, an appraisal of something of value, according to a specific yardstick which also serves as a standard”. It is thus a continuous action done with a purpose by either groups of people or individuals.

Through agenda setting and problem definition stages, evaluation is involved in defining the size and distribution of a problem, the forecasting of need and the definition of target groups and areas (Parsons, 1995: 546). “Policy- making is supposed to contribute to problem solving or at least to the reduction of the problem load. During the evaluation stage of the policy cycle, these intended outcomes of policies move into the center of attention. The plausible normative rationale that, finally, policy- making should be appraised against intended objectives and impacts forms the starting point of policy evaluation” (Jann and Wegrich, 2006: 53).

However, this is not the final stage of the policy process; policy legitimating engages political evaluation to make a decision on a policy or program by the public and stakeholders. The support or rejection of a policy becomes visible in opinion polls that are useful to decision-makers. These opinions enable decision-makers to make evaluations about the policy and programs, and to reach a rational ground for decision-making.

2.2.4.4.1. Types of Evaluation

Formative Evaluation

This according to Parsons (1995: 547), formative evaluation happens when a policy or programme is being implemented. It involves analysing the extent to which implementation is taking place and the conditions necessary for a successful implementation of the said policy. Formative evaluation “monitors the way in which a program is being administered or managed so as to provide feedback which may serve to improve the implementation process.” This type of evaluation as noted by Allal and Lopez (nd: 2) aims to generate information that will be useful for future programmes in their development and implementation stages.

Summative Evaluation

This type of evaluation seeks to find the impact of the policy or programme in a society, the information is summative. This assessment, done after implementation, hopes to find an estimate of the net and gross effects of intervention. According to Parsons (1995: 550), “this is essentially a comparative mode of enquiry: comparing, for example, before and after; comparing the impact of intervention on one group and another who were not (a control group); comparing what happened with what might have happened without intervention; or comparing how different parts of the country experienced different impacts from the same policy.” It is based on values, beliefs, party politics and ideology, and proving that a certain policy had or did not have an impact more legitimate. The information derived from impact assessment can be used to improve or terminate a policy depending on the results.

The policy process through its stages of policy- making all involve actors (governmental and non- governmental). Rules or laws guide these actors, which according to the rule of law have to follow; this requires the state through its duty of governing to formulate such rules. Governance however also involves various actors and institutions both from within the government and outside of government, these actors are expected by the principles of governance to be accountable in their policy decision- making. This therefore leads the study to elaborate on accountability and its implications on public policy and governance.

2.3. Accountability

The main concern in the definitions or understanding of accountability is mostly in relation to financial accounting. However, Walker (2002: 63) notes that the term has a wide range of definitions although it is limited to finance. The Oxford English Dictionary defines it as “the quality of being accountable; liability to give account of, and answer for, discharge of duties or conduct; responsibility, amenableness”.

The definition of accountability is also dependent on the context of the individual. According to Briar (1992) the term has been widely associated with ‘treasury’ for the longest time and it is mostly just utilized in that context “making sure that the accounts are in order, presenting budgets and audited accounts to receive and account for money received.” Gregory (1995: 60) among other authors defines accountability in terms of qualitative measures of financial accountability; he continues to write about objective and subjective accountability. According to him, objective accountability is an official duty to report to the authorities (those in

managerial positions) about one's actions, while subjective accountability is not expected but is an individual's choice of feeling to account. Accountability, to conclude, is associated with responsibility.

2.3.1. Theories of Public Policy that inform Accountability

A theory is a system of ideas intended to explain general principle within an investigated social phenomenon.

The term accountability can also be defined through theories, in order to understand its facets, one needs to understand its meaning from a theoretical perspective. The need for accountability is rooted in the neo-liberal theory, social democratic theory and communitarian/associationist theory.

2.3.1.1. Neo- Liberal Theory

The theory came about from classical liberal theory in the late 20th century. It requires the state to limit its role in the economy by introducing corporatisation and privatisation strategies (Cheyne, O'Brien and Beigrave, 1997:72). This means that state services are to be sold to private sectors or even form a partnership with these private companies (Boston, 1995). The state still has to protect the rights of the public in the markets, which can be done through democratic parliaments and the legal system which will ensure consumer rights are protected. An increased interaction of the state with the market will cause chaos "this image of a 'hands-off' government that provides the basic essentials for the market to operate is popularly described by contemporary libertarians as permitting the 'level playing field', as an idealized vision of the open market." The neo-liberalists' view is that the market should be independent of the public sector.

The neo-liberal theory makes a case for stakeholder/ shareholder and contractual accountability.

- **Stakeholders:** the accountability of the employees and the board of directors of public companies is done for the shareholders of the company. But in relation to public companies, the shareholder concept is too constricted due to the fact that many individuals have the claim over the organisation. The stakeholder model therefore has made this approach broad to enable organisations to be accountable to all individuals who have any sort of connection to the organisation (Borren, 1995: 19). In a different

setting, all stakeholder interests would be represented by the board. This would allow the stakeholders' interests to be guided by the working agreements they have with the organisation and also give them the opportunity to raise their concerns about the organisation. However, according to Borren (1995: 21) some stakeholders have more influence than others hence decisions tend to favour the most influential.

- **Contracting:** a contract is also used as an accountability mechanism. According to Chambliss and Seidman (cited in Walker 2002: 65), a “contract is the liberal form of agreement par excellence with regard to forming, and setting boundaries of, relationships between independent organisations or actors”. The contract came to be known in the 19th century when it was used by the free market to resolve disagreements and also enforce legal boundaries between individuals. Accountability is maintained by using the agreements in the contract where every party involved has to take responsibilities based on the contract. Walker (2002: 65) notes that “within the public sector the contracting model requires separation of funder and provider and often moves the state’s responsibility for providing services to “contracting out” those services to a private or quasi- private institution, with the state acting as funder”. This means the neo-liberal shift requires the state to contract out some of its services to private organisations.

2.3.1.2. Social Democratic Theory

The basis of this theory is that free market is important but inefficient at the same time. It is unable to balance its services; it is inconsistent, irrational and uncertain. There is need for sound planning which will ensure control and growth. This implies a need for management, Keynes cited in Walker (2002: 67) emphasises that planning should be done by management with necessary skills to ensure relations between the state and the industry, “control and planning ensure that there is the long- term objective of full utilization of people, technology and resources within national values and goals”. According to Shannon (1991), these goals are representative of the public which are set through a democratic process to ensure everyone is considered and included. The duty of the state is to regulate the economy by intervening in the market to maintain the development and growth of the market.

2.3.1.3. Communitarian/ Associationist theory

This theory is central to the community construction of reality through the exercise of democracy and distribution of power. Daly and Cobb (1989) define a state as “the sum of decentralised communities, or community of communities within particular boundaries”. All these communities need a management of strong leaders who will be accountable to the community. This communitarian system implies that power is not central to a certain group but is used by those in leadership to represent the powerless in communities by voicing their needs and being accountable to them.

The communitarian model of accountability according to Walker (2002: 70) is defined in terms of political, social and moral accountability. The foregoing argument is that state organisations are lacking in accountability as decisions are centralised as opposed to community level where problems are discussed and resolved at that level; decentralisation thus makes accountable possible and effective.

The theories in relation to the study inform public policies in the context of good governance. They emphasise the importance of accountability for public policies, also the need for transparency, rule of law and government regulations, democracy and governance in governments to deliver policy objectives to the people.

2.3.2. The Relevance of Accountability in Service Delivery

The poor quality of public services in developing countries has been attributed to the slow progress of development (Mehrotra, 2005: 263). Deininger and Mpuga (2005: 171) argue that “it is now widely realised that in many developing countries, the low quality of public services and governance can limit the scope for poverty reduction and growth”. Although accountability through decentralisation of service delivery is regarded as a solution to curb corruption and improve public services, the approach has a limited evidence of success (Ahmed, Devarajan, Khemani and Shah, 2005).

2.4. Governance and Good Governance

There is a growing concern around the terms ‘governance and good governance’ recently especially in relation to donor literature. There is a visible shift of aid from donors and international financial institutions to the definition of good governance which has become a main requirement/ condition for financial assistance.

2.4.1. Origin and Definition

The term 'good governance' came to prominence at the end of 1980s during an era of unique political changes (Uddin and Joya, 2007:9). According to Maldonado (2010: 4); the collapse of the Berlin Wall led to the dissolution of the Soviet Union which concomitantly led to the downfall of the economic and political alliances of the Eastern bloc. These political changes gave ground to talks on state management to ensure development (good governance). It was in the same year when a study conducted by the World Bank (1989: 55) described the word 'governance' as "the need for institutional reform and a better and more efficient public sector in countries...countries require not just less government but better government".

To add, in 1989, a study was conducted by World Bank on Sub-Saharan Africa. It was in that study when then World Bank president first used the term "good governance" which he referred to as an efficient public service, reliable judicial system, and an accountable administration (World Bank, 1989: xii). The Bank had avoided using "good" when referring to governance, this according to Frischtak (1994: 11) was due to that "good" is an adjective being used to a subjective view of the state could vary. Regardless of this reason, the Bank came to use the term "good governance" repeatedly.

In 1992, there was another attempt by the World Bank to define governance, as the way in which authority is employed to administer the nation, its economy and wealth to ensure growth (World Bank, 1992: 1).

The World Bank in 1994, added to the definition of governance. It was stated that (World Bank, 1994: vii) "governance is epitomised by predictable, open, and enlightened policymaking (i.e transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; and a strong civil society participating in public affairs; and all behaving under the rule of law". International Monetary Fund (2017: 5) defines governance in relation to the different mechanisms, institutions and recognised actions of the country in its exercise of authority on resources and its duties. Additionally, governance is "an inherently neutral term, describing a framework, including the institutions, mechanisms, and practices through which a country exercises governmental authority and manages its public resources, but not its outcome". Good governance according to the World Bank in Maldonado (2010: 5) is defined by the following characteristics: public sector management, accountability, a legal framework for development and transparency and information dissemination.

Public Sector Management: This involves public expenditure management, public enterprises and civil service reform, which relates to improving the efficiency of public institutions. More concerns regarding public expenditure management, budget planning and enforcement of strong budgeting techniques were raised. Civil service reform is meant to encourage good governance especially in developing countries that borrow from the World Bank with the hope of strengthening their states to achieve development (World Bank, 1991: 14). Reform of public enterprises includes the privatisation of public enterprises that are not profitable, improvement of market and competitive conditions and the relations between the public enterprises and governments to improve the management and to limit political influence. The public sector management reform is still currently practised. Kaufmann, Kraay and Mastruzzi (2008: 7) note that based on the governance indicators of the World Bank Institute, government effectiveness is defined in relation to the quality of public services, the quality of policies formulated and implemented, the quality of civil service and the ability to act outside political influence, and the credibility of the government's commitment to its policies.

Accountability: According to the World Bank (1994: 12), accountability is crucial for governance, hence it is at the centre of its activities. During debates on governance, accountability was described as making officials account for their activities (World Bank, 1992: 13). To add, accountability is about holding governments responsible for their roles in society, it is also about making political leaders answerable to their representatives (World Bank, 1994:12).

Taking from the above definitions, it is clear that accountability takes two forms, internal and external accountability. Internal accountability (horizontal accountability) is from within institutions mostly about finances and as a means of internal control mechanism. On the other hand, external accountability (vertical accountability) is pressure from the public in relation to services. The World Bank in its definition adopted Hirschmann's concept of "exit and voice" which was later applied to accountability. The World Bank (1994: 13) elaborates on "exit" which is the freedom of the public to seek other service providers in the case where the government cannot supply such services to satisfy the public. "Voice" is the ability of the

public to make their concerns heard and to influence the improvement and the quality of services they receive. The World Bank based on the “exit and voice” had to review its policies in relation to service delivery. The “voice” paved way for the Bank to involve the public by providing them with information and partnering with NGOs in the development process. This led to the Bank’s drive to a less authoritative bureaucratic system to a more participatory approach of governance.

Legal Framework for development: The connection between good governance and the rule of law as described by Schlemmer- Schulte (2001: 697) is that the rule of law serves as a legal aspect of good governance. The legal representation sets a foundation for policies that inform the activities in the institution on a daily basis. These laws are set to stabilise and guard society that can improve its chances of development and poverty alleviation (World Bank, 1994: 23). The World Bank (1992: 30) made a distinction between dimensions of the rule of law, “an instrumental one referring to the formal basis of the system of law, and a substantive dimension which included the contents of laws and legal concepts such as justice, fairness and liberty”. After the adoption of the term “good governance”, the World Bank focused on formulating and implementing laws on their impact on development and laws for the public. This led to a shift of the Bank’s activities as it concentrated more on the rights of the citizens (World Bank, 2004: 3).

Transparency and information: good governance relies on transparency and information due to the highly sought after reliable information. According to the World Bank (1992: 39), transparency and information are important for the economy, curbing corruption, evaluation and efficiency of the government in delivering its policies. Successful implementation of government policies also relies on transparency and information. The World Bank has adopted this approach as a way of keeping the participation of the public in the decision making process through making information available to them. It also emphasised the importance of improving transparency and information in the financial markets (World Bank, 1992: 40).

Transparency and information also help minimize the chances of corruption. This issue has always been associated with politics in governance, but it has become a general institutional issue. According to the World Bank, there needs to be a collaboration between the

government and the public towards fighting corruption by motivating transparency while making decisions. However, this crucial role was delegated to the labour unions, universities and media.

The concept of good governance remains popular in the West as it is considered to be important for ‘effective economic modernization’ (International Monetary Fund, 2017:7). However, good governance still has no definite definition; it still differs between development agencies (Uddin and Joya, 2007:8-9). The hindrance with developing countries to fully embrace the concept is that it is viewed as “an emerging priority for international community...some observers, policy makers and administrators question these new interests by international organizations, stating that an unacceptable attempt to impose ‘Western values not being compatible with our culture’” (Uddin and Joya, 2007:26).

2.5. Governance and Public Policy

There is recently a growing need for development enhancement in developing countries; Kiiza (2007: 1) notes that public policy is important for every country’s stability, security and development. Development according to Ikechukwu and Chukwuemeka (2013: 34) is highly dependent on the ability of governments to formulate appropriate policies and on the ability to implement such policies effectively. Taking Nigeria for example, Ikechukwu and Chukwuemeka (2013: 34) point out that good policies have been formulated and implemented but there is no visible change or shift in the development of the country as it is still classified as ‘a less developed country’. It has become evident therefore that there is a need for effective implementation of policies that will bring about development. Uganda, according to Kiiza (2007: 1) is one of the counties in Africa that have experienced the importance of good policies for the country’s stability and development. Kiiza emphasises that, “today, Uganda is widely characterised as a country that went from ‘basket case to success story’. Since 1986, Uganda has transformed from nearly a failed State as a result of various brutal dictatorship, to a country that has achieved consistently high economic growth rates, significant reduction in poverty”. The country experienced change because the government was willing to reform its policies and work together with development partners.

Politics and issues of implementation cripple most policies in African countries, according to Imurana, Haruna and Kofi (2014:196). The involvement of politics in public policies in

Africa has led to egotistical policies formulated by political party leaders in the quest for popularity. Hyden (2006: 116) supports this by stating that “...as the African experience suggests, policy-making does not have to be based on an economic rationale...where politics is supreme, and power not effectively reined in, policy making is more typically made on purely political grounds”. Ghana according to Imurana, Haruna and Kofi (2014: 196) is no exception to this problem. There are numerous policies formulated to address public problems, such as the National Health Insurance Scheme of 2001. This policy faced a number of problems because it was influenced by political gains, which resulted in legal procedures being overlooked. Policy implementation in Nigeria argues Ikechukwu and Chukwuemeka (2013:34) also faces a problem of political influence which inhibits the effectiveness of implementation, corrupt political leaders, and the pervasive and deep-rooted corruption within the public bureaucracy negatively affects policy activity and process. South Africa has also suffered the same problem. Terreblanche (1999), elaborates that the Reconstruction and Development Programme (RDP) policy was drafted with the aim of confronting the ills of apartheid on poor South Africans who were disadvantaged by the previous government. The policy was implemented in 1994 by the newly elected government, neglecting the inefficiencies and shortcomings of the draft; as a result, decades later South Africa is still faced with the housing problem and the policy still dominates the ruling party’s agenda as a means of maintaining popularity. According to Anderson (2011:95), this is a common occurrence that political leaders may identify a problem and propose a solution either motivated by political gain, public interest or even political reputations.

Makinde (2005: 63) notes that effective implementation of public policies require communication. He clarifies that “through communication, orders to implement policies are expected to be transmitted to the right personnel in a clear manner while such orders must be accurate and consistent”. Miscommunication results in confusion on the side of implementers as to what needs to be done. However, clear orders of implementation in the absence of required resources will also affect policy implementation. Resources such as human capacity, material and capable staff, full information on requirements, the oversight, land, infrastructures and equipment are necessary for a successful implementation of policies (Makinde, 2005: 63). The Ugandan success story according to Kiiza (2007: 2) was made possible by the government in the mid-1980s by undertaking ‘a series of structural adjustments’ with the assistance of IMF and WB. These adjustments were “mainly targeted at

maintaining strong macroeconomic stability through appropriately tight fiscal and monetary policies and implementing a programme of substantial economic liberalisation”. The government ministry (Ministry of Finance, Planning and Economic Development) was responsible for mediation between the Government and aid partners to ensure that development strategies and controlled public expenditure are achieved.

Ikechukwu and Chukwuemeka (2013: 34) conclude that “government should work towards ensuring the evolution of both purposeful and responsible political and bureaucratic leaderships as well as work towards further realisation of politics and administration...in order to create room for the bureaucracy to operate and implement policies essentially on the basis of laid down ideal bureaucratic rules and principles”. It is the duty of the government to review the working conditions and rewards for public bureaucrats on time in order to keep them motivated to serve the public. This will also enhance transparency and accountability of bureaucrats in the use of funds towards the implementation of policies.

2.6. Importance of Good Governance

When governments perform poorly, Grindle (2004: 525) points that resources are lost, service delivery is poor, and there is no social, economic and legal protection for the citizens, more so for the underprivileged. For those with clear vision, good governance is crucial for poverty reduction as it is for development. However, Grindle (2004) in a similar manner to Fourie (2015), aver that good governance calls for more work in order for development to be realised; it requires enhancements or restructuring of the civil service. The attainment of good governance is therefore not an easy transition due to its requirement of changes in political structures (Grindle, 2004: 526).

Good governance, for poor countries, is necessary for poverty reduction (United Nations, 2005:iii). These countries are mostly defined by their weak, inept and very flawed institutions. Most decisions in these poor countries are influenced by foreign donors who are often driven by their own interests. Their public organisations are deprived of resources which are poorly managed and civil servants are demotivated and lack professional training. The sincerity of poor country’s governments is often questioned, they are characterised by corrupt governance, political instabilities that affect development, and the civil servants that are under qualified, unmotivated and lack in service delivery. The World Bank (2001b) (also

cited in Grindle 2004: 526), states that “good governance is widely viewed as essential ingredient for alleviating poverty”. Every aspect of good governance is important for fighting corruption, practising accountability, decentralization of government activities, management of public resources, advocating for equal enforcement of the law, reform of the civil service, etc. Therefore, the goals of good governance are praiseworthy, such as good management of public resources, effective delivery of services, serving the poor, and public participation in the decision making.

According to Ali (2015: 73), the importance of good governance is undeniable, but the capacity of governance is measured by the activities of institutions. Accordingly, their objectives have to be clear and straight forward. Achieving such objectives is consequently a priority of governance. Governance is also a concept which applies to every institution; it affects people on many aspects of life as they strive for better quality of life and its sustainability. It also encourages democracy; a democratic state promotes political and economic freedom as well as development for citizens which encourages popular participation- being features of good governance (Ali, 2015: 70). For developing countries, Ali (2015: 74) adds, human development (human opportunities and capabilities) has been on demand in recent years. UNDP (2016) and Kimura (2012) points that good governance is required for human development and governance, the limitations of human development is not only economic but also political and social which are a result of bad governance. This means good governance is closely linked to the social, economic and political development of a country. Good governance is further related to democracy, as it facilitates free and fair elections which results in a peaceful political environment and this is a *conditio sine qua non* for social and economic growth. It also facilitates the management of resources for the improvement of the citizen’s lives through effective service delivery (Mohamed Sayeed, Pillay and Reddy, 2014).

It is apparent that “governance is about performance...governance in any society, aims to ensure transparency through the exercise of economic political and administrative authority. It basically strives to establish quality relationship between the rulers and the ruled”. Governance therefore is about the shared participation of actors in governing and in making decisions to bring about development of individuals in societies (Ali, 2015:74).

2.7. Challenges to Achieving Good Governance

According to Owoye and Bissessar (nd: 1) the African continent soon after it attained its freedom was doing well economically but this did not last as it later started showing slow progress in economic growth, the agricultural sector declined, production also became weak and was forced to depend on importing goods, as a result it fell into debt with international institutions. To add, the continent also experienced many rebellious movements, wars, corrupt leadership, and poor service delivery due to incompetence. Huther and Shah (1998:4) point that “the orientation of governments towards the provision of public goods and services is assessed through three indices; judicial efficiency, bureaucratic efficiency, and lack of corruption”. To add, experts at the World Bank, IMF and other agencies agree that corruption is a general issue for countries, but it is most dangerous to young developing countries and has massive consequences for such countries especially in Africa (Owoye and Bissessar, nd:2). It has been identified that civil society corruption has the most negative impact on development and has brought Africa to its knees as resources that are meant to develop are misused for personal gain (Vogl, 2004). Corruption is defined as the misuse of state resources for self-gain (IMF, 2017: 9). According to Mohamed Sayeed (2016: 40) good governance is important for development; it requires integrity, transparency and accountability. Bad governance has dire consequences for the implementation of government policies, the biggest challenge to the attainment of good governance in Africa is corruption. Corruption in this context is regarded as the enemy of development and good governance as it exhausts scarce resources and hinders progress for development. This is an issue in most developing countries, corruption is also linked to poverty which leads to a devastating cycle of events.

Corruption in Africa, as estimated by Transparency International (TI) taps off 20 to 30 % of donor funds. More reports indicate that leaders in Africa rip off their poverty-stricken countries of billions of dollars annually; the amount was estimated at more than 200 billion US dollars by the United Nations. This amount exceeds Africa’s foreign debt by 50% and also aid that is awarded to Africa. Ugaz (cited in Transparency International, 2015) expresses that “corruption creates and increases poverty and exclusion. While corrupt individuals with political power enjoy a lavish life, millions of Africans are deprived of their basic needs like food, health, education, housing, access to clean water and sanitation”. It is also argued that African leaders are the problem as they enrich themselves by misusing their power to squander resources from government institutions they are meant to manage at the poor peoples’ expense. Corruption leads counties to mismanagement of resources which are

already inadequate (Mohamed Sayeed, 2016: 40), this is proving to be a persistent problem for the African continent. Bissessar (2009) notes that “in a test of 27 Sub-Saharan countries from 1984 to 2006...the percentage of countries in the most corrupt category rose sharply, and that a significant percentage of middle corrupt countries had transitioned to high corruption over the period. She concludes that policy makers in the region face daunting development goals because Africa has a very large percentage of highly corrupt countries”. However, good governance sets a standard for government actions and performance (Mohamed Sayeed, Pillay and Reddy, 2014: 71). As implementers of policy, government officials are expected to comply with government’s policy agendas and to work within the scope of good governance where transparency and accountability are the norm to ensure productivity. To this end, accountability and transparency are considered to have a positive influence on how the government delivers to the people.

Accountability within the government sphere motivates government officials to be answerable for their actions and decisions to any recognized authority (Mohamed Sayeed, Pillay and Reddy, 2014: 75).

2.8. Conclusion

This chapter has given an overview of the terms policy and public policy, going into detail on the policy process to offer inside on each stage of policy (Agenda setting, Policy formulation and Decision- Making, Policy implementation, and Policy evaluation) and actors in the policy process. This has enabled the study to understand the politics and complexities of policy-making and how policies differ according to their environments and actors. The chapter has also conceptualized public policy and good governance in the context of the study, hence it elaborated on accountability and its theories that inform public policy, these theories emphasise the importance of good governance to public policy and the importance of good governance to governance.

CHAPTER THREE

NON- GOVERNMENT ORGANISATIONS

3.1. Introduction

This chapter provides a detailed description of the term Non-Government Organisations (NGOs). It achieves this by giving a detailed definition of NGO, referencing numerous authors through its evolution in time, the types and roles of NGOs are elaborated showing how different types of NGOs perform different roles in societies. NGOs as organisations that depend on aid are expected to be accountable; therefore, NGO accountability and its complexities are discussed.

3.2. Non-Government Organisations (NGOs)

3.2.1. Origin/ Evolution

Globalization, as stated by Boskov (2011: 2), is the movement that brings unification among states, markets, technology, and firms around the globe. Due to this movement, the world is witnessing an increase in levels of trade and foreign direct investment worldwide and we also see a growing inter dependence of world economies. This also brings an increase in private investment which introduced the emergence of NGOs as important providers of aid and development services in low income economies. According to Allard and Martinez (2008: 2), “by the end of the 20th Century, more than 50,000 NGOs were working at the grass roots level in developing countries, and their activities were affecting the lives of 250 million individuals”. In support of Allard and Martinez (2008), Volmink and Van der Elst (2017: 4) indicate that the role of NGOs became increasingly important as they were not merely service providers but important players with the financial capacity and the ability to influence policy. Furthermore, Volmink and Van der Elst (2017: 8) emphasise that together with the civil society and governments, NGOs have evolved into one of the important organisations that deliver social services like poverty relief and environmental protection. They have lobbied corporations to become more involved in social movements by donating funds and services even when there is no economic gain from such involvement, they have the ability to attract private investment to local governments (Allard and Martinez, 2008:2).

The term NGO according to Clark (1998: 4) came to be used officially in 1945 as there was need for the United Nations (UN) to differentiate between participation rights for intergovernmental specialised agencies and those for international private sectors in its

charter. The UN charter recognises the roles of NGOs in Article 17. In addition, the 1994 UN document describes NGOs as “non- profit entity whose members are citizens or associations of citizens of one or more countries and whose activities are determined by the collective will of its members in response to the needs of the members of one or more communities with which the NGO cooperates” (Simmons, 1998: 83). The prominence of NGOs has been highlighted by a number of scholars, which according to Edwards and Hulme (1996), indicates the revolution of the organisations. The conclusion is that NGOs are driven by the urge to do “good” without the motive of attaining profits or being politically influenced. For international development, NGOs are viewed as the engine for development and their efficiency in development is attracting positive feedback (Edwards and Hulme, 1996:3). They have also gained popularity in changing the mindsets and attitudes towards service delivery (Keck and Sikkink, 1998).

3.2.2. Definition

NGOs are defined as privately owned organisations with humanitarian or cooperative objectives (Werker and Ahmed, 2007: 3). Their activities are focused on easing peoples’ suffering, advocating for the poor, protecting the environment, provision of basic social services, and overseeing community projects for development in underdeveloped countries. NGOs are therefore a part of non-profit organisations that involve themselves with international development, but this definition does not include hospitals and universities as part of non-profit actors in developed countries. Arenas and Lozano (2009: 179) define NGOs as “a large variety of organisations...grouped under umbrella terms such as ‘NGOs’, ‘non-profit organisations’, ‘civil society organisations’, or the ‘third sector’”. These organisations can also be referred to as ‘social purpose NGOs’ which include human rights organisations, environmental organisations, and organisations that fight poverty and underdevelopment or provide medical assistance when needed (Edwards and Hulme, 1995:849). The World Bank (1992) defines NGOs as “many groups and institutions that are entirely or largely independent of government and that have primarily humanitarian or cooperative rather than commercial objectives”. Youngwan (2011: 12) defines NGOs as “private, non- profit, professional organisations with a distinctive level character, concerned with public welfare goals”. Provided with numerous definitions of NGOs, there is no specific definition that is used, but there are general characteristics that are acceptable for NGOs only.

3.3. Types of NGOs

There are different types of NGOs, they are classified by organisation, geographical location and main purpose (Willets, 2001). Youngwan (2011: 12) puts NGOs into classes of provincial, local, national, regional, and global, depending on their vicinity of coverage. Local NGOs encompass organisations which have community based programmes and their focal point is on small regions. National NGOs on the other hand are primarily based in one nation whilst regional and global NGOs' projects extend to more than one country. Until the early 1990s, most NGOs were national based organisations while international based NGOs were very limited, However, the 1990s saw a rise of international NGOs which came to cover more than 100 countries worldwide. The level of NGOs determines their activities and how they relate with the host governments. International NGOs for instance have a great range of projects therefore they acquire more resources than local and provincial NGOs. They also have more relations with governments across countries.

Also, geographical location serves as a criterion for definition of NGOs. Maslyukivska cited in Youngwan (2011: 14) points out that location is very important to the way people perceive NGOs. For instance, developed nations perceive NGOs as any non-profit organisation that tends to donate money; that is to say that people in developing countries understand that they benefit from NGOs. For example, NGOs in America are privately owned organisations where Americans voluntarily make contributions to donate in developing countries. However, people in most African countries perceive NGOs as developing organisations working to enhance socio- economic conditions. There is a gap in the definition of the Northern and the Southern NGOs. NGOs in the North indicate international NGOs that have international operations in the South (developing countries), while the Southern NGOs mostly indicate organisations that have local operations in developing countries. These NGOs sometimes cooperate in terms of their work and resources, but also sometimes they have different points of view in changing people's lives. Hudock (cited in Youngwan 2011: 15), elaborates the difference between the South and the North using an example of Gambia and Sierra Leone. Southern NGOs in these two countries depend heavily on Northern NGOs in terms of resources and funding. This creates a dependency syndrome which creates uncertainty for Southern NGOs. They cannot be sure about the willingness of the Northern NGOs to continue funding their projects as factors like corruption, civil war, poor relations with governments, lack of infrastructure, and currency devaluation bring about some changes.

While the Southern and local NGOs in these countries need to deal with such abrupt changes, Northern NGOs can avoid challenges brought by unstable situations by stopping field projects in the two countries. The manner in which the North and the South deal with challenges can differ even though they are faced with the same challenges (Youngwan, 2011: 15). The different types of NGOs are identifiable by their main purpose. The World Bank (nd), in agreement with Allard and Martinez (2008: 3), divides them into the following categories: Operational and advocacy NGOs. The main purpose of operational NGOs is the design and implementation of development- related projects. Example, Save the Children is an example of the operational NGO, it is among the oldest and largest NGOs and overlooks many development- related projects in over 120 countries (Youngwan, 2011:15). Their main purpose is to promote improved socio-economic conditions in developing countries, by delivering services to the people. Example, NGOs are offer healthcare services to the people, education programmes, and provide micro credit for the communities (Lewis cited in Youngwan (2011: 15). Another category is advocacy NGOs. Their main purpose is to defend a specific cause or policy. Generally, advocacy NGOs do not do field work, rather they work to change a country's specific policies such as human rights and environmental issues. Example of such is Amnesty International, its job is to try to change the paradigm of human rights in many countries.

Allard and Martinez (2008: 3) also elaborate that NGOs are non-profit, voluntary groups that are organised at a local, national or international level. They discuss another category which Hybrid NGOs is; their function is the combination of the above-mentioned categories. They are centred on specific issues like human rights, health, and environmental protection. These roles and responsibilities are clearly the reason why NGOs are gaining status with governments or private partners worldwide. The Unites States is an example of a country that is known for immersing themselves in this type of partnerships.

Sir Geoffrey Wilson in 1981 (cited in Cleary, 1997: 6), the former United Kingdom chair of Oxford Committee for Famine Relief, which is one of the oldest NGOs in the world characterised NGOs, stated that “most are concerned with development agriculture, social, medical, educational, etc in both urban and rural environments. Some are highly specialised and serviced by highly specialised staffs”, with the church related bodies making up the largest number of the organisations operating internationally (Cleary, 1997: 6).

An inclusive definition of NGOs is found in John Clark's work as he puts together six unique types of organisations: 'relief and welfare agencies, technical innovation organisations, public service contractors, popular development agencies, grass roots development organisations and advocacy groups' (Cleary, 1997: 6). This according to Fernando and Heston (1997: 10) indicates that NGOs improve schools, hospitals, charities, clubs, religions, fraternities, development agencies, professional associations, cooperatives, mutual aid societies, foundations, and lobby groups etc.

3.4. Roles of NGOs

The existence of NGOs has changed the ways that governments and corporations do business and has further changed the relationship between the two entities. NGOs are organisations implanted in the institutional fibre of societies. After their arrival on the business field, Allard and Martinez (2008: 5) state that they have influenced the functions of businesses especially in countries where they operate as they tend to address specific groups' needs and wants. Due to their nature, Dhakal (2002:42) states that NGOs have an influence over the public, the governments and institutions. Hence, they are able to get funds from governments and institutions for their projects. According to Mathews (1997: 53) the varying nature of NGOs and their work is due to their unique interests. Their efforts have brought about new ideas regarding: advocating, legal, service provision, and change in institutional norms. As agents of globalization, NGOs need recognition not only from governments and institutions but also from multinational corporations that seek for foreign investment from overseas. They have come to be an important part of business in host countries and are often the third party in the business-government relations (Allard and Martinez, 2008: 5).

The above state relationship between NGOs and governments is possible only in cases of good social policies that are beneficial to citizens. According to Simmons (1998:83) in concurrence with Chand (1991) and Reichard cited in Dhakal (2002: 46), NGOs have an effect on country wide governments, multilateral institutions, national and multinational corporations in a number of ways such as setting agendas, negotiating outcomes, conferring legitimacy, and enforcing solutions. To add, Simmons makes available a "taxonomic approach" to help understand NGOs and their focus on respective goals, membership, funding sources, and other factors. It is worth noting that the concept of NGOs according to Youngwan (2011: 11) varies. It can be inclusive of various kinds of organisations; some might include private schools (the Oprah Winfrey Academy for instance) and hospitals in the

definition of NGOs as they are non-governmental organisations, while others even consider terrorist groups to be NGOs due to their independent nature. Even the same kinds of NGOs vary in terms of size, purpose, organisational structure, and resources.

However, NGOs according to Dhakal (2002: 45) should not be political parties or governmental agencies. They should have no relations with government organisations and they should not seek political power through their influence. Second, they should be non-profit oriented. Organisations that offer services for profits are not classified under the NGO category. Third, all criminal groups should not be included in the definition of NGOs even though they are non-governmental groups; NGOs should be classified as compassionate and caring. The definition of NGOs can then be narrowed down by excluding government agencies, corporations, religious groups, political parties, private hospitals, schools, sports organisations, fraternal organisations and terrorist groups.

A thorough review of the legal and academic literature on NGOs identified the criteria that are used to decide who may partake in international policy making processes and thus to define an NGO (Betsill and Corell, nd: 4). According to this study, an NGO is an organisation that is not shaped by intergovernmental agreement, it has knowledge or pastimes relevant to the worldwide organisation and expresses views that are unbiased of any country wide governments. This definition of NGOs is used by the UN, it is exclusive of organisations that advocate violence, are political and or do not support UN objectives.

In their quest for development, NGOs are encouraged to align themselves with good governance as according to Uddin and Joya (2007) donors view good governance as a prerequisite for economic development. By so doing, NGOs incorporate reports or accountability to stakeholders (communities, governments, donors, individuals, etc).

3.5. Mechanisms of accountability

There are accountability mechanisms used by NGOs, they include: disclosure statements and reports, performance assessment and evaluations, participation, self- regulation, and social audits (Ebrahim, 2003: 815).

3.5.1. Disclosure statements and reports

This tool of accountability according to Ebrahim (2003: 816) is the most common among the other tools as it is more demanded by federal or state laws in many countries. For example, in

the United States, non-profit organisations that need ‘federal tax-exempt status’ are to obey the requirements of Section 501 (c) (3) of the Internal Revenue Code. Non-profit organisations, with some exceptions, are required to give more detailed information of their finances, organisational structure, and programs in their annual information returns referred to as Form 990. The information is provided to Internal Revenue Service to ensure that the organisation is conforming with the tax exemption law and on their activities. In addition, the law also requires the registration and the annual financial reporting (Ebrahim, 2003: 816).

These reports make provision for a certain degree of accountability to clients, donors and members who want to access the reports. Then again, beneficiaries of non-profit organisations in United States are powerless in relation to legal standing to go against the organisations should they fall short of their legal requirements, therefore the responsibility lies with the attorney general to represent such beneficiaries. At the same time, legal requirements can also be abused by governments as a way of keeping an eye on organisations, especially those that are suspected of subversive activities. For example, India’s Foreign Contribution Regulation Act (FCRA) of 1976, was implemented by the government of India Gandhi after it declared a state of emergency. “This Act enabled the government to monitor the flow of foreign funds to NGOs, and to scrutinize those critical of the state”. To the present day, all NGOs in India that receive foreign aid have to open a FCRA account to enable the government to oversee their use of funds (Ebrahim, 2003: 816).

Apart from the reports required by the government, the reports differ depending on the nature of the projects and funders, but these can be negotiated. For example, The European Commission is increasing its scope for funding (bilateral assistance) to NGOs in Southern governments, their request in turn is well detailed in reports presented on a quarterly and annual basis detailing the achievements of the NGO and these reports also articulate the outcomes of funded projects together with accounts of expenditures. On the contrary, The Norwegian Agency for Development Cooperation (NORAD), one of the funders of governments and NGOs does not require a frequent and highly detailed report; it entails only a succinct yearly report from NGOs without any specifications on the format of such reports. Often, NGOs are forced to spend more time and care on the reporting systems of each funder due to the diversity of their demands relation to reporting.

Reports and feedback are central to accountability as they provide stakeholders with information detailing NGO activities. The accessibility of such information is made easy. This kind of reporting entails upward reporting of finances which unfortunately omits the quality of services rendered by NGOs and their accountability to beneficiaries (downward accountability).

Unfortunately, these external approaches of accountability are imposed using threats of loss of funding and status for organizations; and this does not encourage NGOs and individuals to concentrate on maintaining the organization's values, mission, performance and promotion of ethical behavior.

3.5.2. Performance assessment and evaluation

There are other tools of accountability such as different kinds of evaluation, including performance and impact assessments. It is imperative to differentiate between the kinds of evaluation, external and internal evaluations. The kind used by donors to assess the work of NGOs is external evaluation which is normally conducted at the end of a programme phase and for mid-term assessments (Ebrahim, 2003: 817). These evaluations "aim to assess whether and to what extent program goals and objectives have been achieved and are pivotal in determining future funding to NGOs". The assessments can centre on short term results of NGO intervention (outputs or activities) or medium and long-term results (impacts or outcomes).

Internal evaluation on the other hand involves employees of NGOs as they monitor and measure their progress on the objectives of externally funded programmes or internal goals and missions of the NGOs. Hybrid internal and external evaluations are not as common as the above mentioned. This is where the NGOs staff works together with the external evaluators.

However, there are problems associated with internal and external evaluations concerning relevance and measurement. First, there is a question among NGOs and funders as to whether they should be assessing participation and empowerment or whether they need to rather measure concrete products like the number of faculties assembled, etc. Donors concentrate more on assessing products which are interim and centre around assessable and irrefutable results based on indefinite and less tangible changes in social and political processes. Secondly, the NGO perspective on the relevance of evaluation is another problem. There are

numerous reasons why NGOs are sceptical about the necessity and purpose of evaluation (Riddell, 1999). NGOs are accustomed to emphasising action over analysis, their employees are largely doers that are known for assisting the vulnerable than conducting assessments. As a result, “the tendency of donor evaluations to focus on discrete projects limits their relevance in examining long-term processes”. Evaluations, if conducted accordingly, can assist NGO staff to improve on their duties by exposing flaws in project planning or by adapting greater strategic interventions, and evaluations can also gauge long-term processes and outcomes rather than simply short-term. Performance assessments bring about some concerns as funders take them as a basis to fund successful projects which as a result leaves NGOs that attempt to develop new paths without funding therefore pushing NGOs to use product-based approaches as opposed to process-based approaches. In addition to the above concerns, small NGOs face a limitation of staff and over stretched resources due to frequent requests of assessments and reports from donors. It is important for donors to take heed that ‘complex evaluation’ requirements can be a lot to handle especially for small NGOs as their size, capacity and operations happen at a small scale. Hence, assessments should be kept on the same level. Strict demands for information can result in a monitoring and evaluation system that is just created to impress the donors but not useful for the NGOs’ decision making.

The third problem relates to the purpose of evaluation. Evaluation is only linked to assessment of performance but a spontaneous question one is forced to ask is: should evaluations be solely conducted to assess progress towards objectives? This assessment, often than not, focuses on projects or programmes while neglecting the organisation itself. It is overlooked that evaluations have the potential to facilitate organisational change through organisational learning and capacity building. A study on NGOs and donor experiences with evaluation was conducted. In his study, Riddell (1999: 237) concludes that funds from donors were better off spent towards the development of NGOs and towards exploration of new methods of assessment rather than being spent on massive reports based on methods used to date. Many countries are facing financial challenges which prevents them from conducting even the basic monitoring and assessment procedure; therefore, funds will be better diverted to such needs.

Evaluations have to be about organisational learning and improvement not solely about rewarding success and punishing failure. This drives NGOs into forging results to reflect

success while discouraging them from facing their setbacks and improving on them. Donors, as external evaluators can motivate NGOs' accountability (upward and downward) by helping improve their capacity to conduct self-evaluations and by promoting investigation into failures in order to learn from them rather than just pushing for performance assessments. Major donor countries like the United States of America, Netherlands, and Canada are slowly adapting this approach as they use evaluation as a control and justification mechanism than as a tool for learning and distribution of funds (Ebrahim, 2003: 818).

3.5.3. Participation

Participation is another mechanism for accountability. According to Ebrahim (2003: 818) it differs from evaluation and reports in that it is part of a fragmentary process in organisations. There are however, four different levels or kinds of participation. On one level, facts about an intended project are made accessible to the community via public meetings, hearings, surveys, or formal dialogue on project options. At this level, even though the final decision-making is in the hands of project planners, there is a public consultation that involves local community leaders and members. The second level of participation is about involving the public in the actual activities of the project. This is done by giving the community a chance to contribute their labour or funds towards the implementation of the projects and in taking part in upholding of services and facilities, this gives the community a sense of ownership towards the projects.

At a third level, people are more empowered to be involved in decision-making process on projects in their communities. They are capable to negotiate and bargain over decisions with NGOs or even have veto power on decision-making. At this level, citizens are flexible to have control over local resources and development activities. Lastly, the fourth level; participation occurs when people take initiative independently from the NGOs and state-sponsored projects. An example of this kind of participation include social movements such as the Chipko in the 1970s, "peasants, particularly women, in the Himalayan mountains mobilized against commercial logging, or actions of local resistance and civil disobedience in India's Normada River Valley against large dam projects" (Ebrahim, 2003: 818). The fourth level includes people who take initiatives to participate and take charge of the projects in their surrounding area without the assistance of NGOs or any organisation.

In a nutshell, the first two forms of participation are supported by NGOs, state agencies, and donors; they assume that by increasing access to resources and services, poverty will be alleviated. These levels are highly bureaucratic as decision making is made central to NGOs and donors. Project decisions are also made before hand and communities are just informed about the decisions reached. The people are deceived into believing that their needs are prioritised, this is referred to as “sham ritual”.

3.5.4. Self-regulation

Self-regulation as stated by Ebrahim (2003:819) refers to “efforts by NGOs or non- profit networks to develop standards or codes of behaviour and performance”. This mechanism of accountability was adopted by NGOs to improve their tarnished image due to their false claims and exaggerated performance claims. Although external interference (government oversight) is allowed while dealing with the issues of public trust, self-regulation gives non-profit organisations the chance to deal and address their own problems without an external scrutiny. NGOs can formulate their own system that allows them to address their unique problems without interference from donors or the government.

The process of self-regulation for NGOs is an opportunity for them to define their own networks; it is also an opportunity for them to present themselves to the public in relation to their mission, principles, values and methods (Ebrahim, 2003: 819).

3.5.5. Social Auditing

Lastly, social auditing as a mechanism for accountability refers to the technique through which organisations assess reviews and improve their social performance and ethical behaviour through stakeholder dialogue. Ebrahim (2003:822) opines that social auditing is a complex process as it incorporates elements of many accountability mechanisms like some of those stated above. Other important mechanisms in this process include disclosure statements, evaluations, participation, and standards of behaviour. Although the ‘social auditing’ mechanism of accountability has not been widely adopted by NGOs, it embraces assessment as a discrete form of accountability due to its adaptive nature of accountability tools and processes discussed above. There has been a development of numerous models for assessing and improving social performance in the last decade which are significantly different from each other. For instance, there is the Ethical Accounting Statement which was developed by Pruzan and Thyssen (1994) in Denmark. This model focuses on stakeholder

dialogue and perceptions, with limited use of systematic accounting and external benchmarking. In a similar way, “social Performance Reports” and their alternatives utilised by a number of different organisations like multinational corporations such as Shell International and British Petroleum, involve the stakeholders’ inputs and a limited participation of external actors. The “Social Auditing” process which was developed by the Institute of Social and Ethnic Accountability (ISEA) in London incorporates both stakeholder insights and the development of indicators and assessment protocols. The approach involves five key elements of the process (Ebrahim, 2003: 822): stakeholder identification, stakeholder dialogue, use of indicators and/ or benchmarks, continuous improvement, and public disclosure. Non-profit organisations must consider the adoption of social auditing for numerous reasons; firstly, it makes internal monitoring of performance possible through the development of social and environmental information systems. This mechanism is useful for NGOs that are without a system of analysis and reporting on their social performance. Secondly, social auditing allows for stakeholder participation, the views of communities and funders are given consideration in developing or revising organisational goals and values, and also in assessing NGO performance. Third, it serves as a tool for strategic planning and organisational learning, the information derived from stakeholders and social performance is used in the decision-making process. Lastly, the disclosure of externally verified information helps boost the NGOs reputation, the information is based on verified evidence not on unsupported claims. The disclosure and verification of information is crucial as it assures the public on the quality and integrity of the NGO’s work, and it also helps curb the habit of exaggeration of achievements.

Although the advantages of social auditing are undeniable, there are constraints that demotivate NGOs from adopting this approach. The most pronounced constraints is finance; the fact here is that social auditing process is not only costly but time consuming which proves to be a problem especially for small organisations.

There are advantages associated with NGOs, one being the enhancement of social service provision or the promotion of social needs, whether on their own or working with corporations or governments. Although NGOs face some hardships, the major one being their relative immunity from transparency and accountability and their dependence on donors for funds which are often scarce, their strengths have attracted governments and corporations to

offer them more funding. Precise figures are not revealed but the Organisation for Economic Co-operation and Development (OECD) as cited in Allard and Martinez (2008: 3) note that “the funds that industrialized economies channelled through NGOs rose from 0.2 per cent of their total bilateral official development aid (ODA) in 1970 to 17 per cent in 1996”. In 1994, Africa received about 12 per cent of foreign ODA through NGOs and has continued to rise over the years. By 2006, the transfers of official developed- country aid to NGOs totalled more than \$2bn of total ODA, and about 123 per cent more than in 2002 (Allard and Martinez, 2008: 3).

3.6. The complexity of NGO accountability

Accountability of NGOs is a necessary process but intricate, Lloyd and de las Casas (2006: 3) make an emphasis that “organizations need to be accountable to many different sets of stakeholders which separately and collectively, play an integral part in their operations; institutional donors provide funding, governments provide legal and regulatory frameworks, supporters provide their money and time, and beneficiaries provide the basis for an organization's purpose and moral legitimacy.” These different stakeholders according to Lloyd and de las Casas (2006: 3) possess dissimilar levels of influence in NGOs, this leads to the varying accountability relationships. The mannerisms for enforcing accountability between benefactors and NGOs are enforced due to contracts that demand transparency from the latter, also due to the dependency of NGOs on funding. In the same way, governments have to put in place policies that regulate and encourage NGOs to operate within the requirements of transparency and reporting.

The public, however, in spite of being the sole beneficiaries of NGO services do not have the power nor the influence to demand accountability from NGOs. Limited organisations have adopted means of ensuring that beneficiaries have a voice or input, consequently, NGO accountability to communities is pathetic (Lloyd and de las Casas, 2006: 3).

3.7. Conclusion

This chapter commenced with the definition of the term Non- Government Organisations (NGOs), it gave a detailed definition of NGO referencing numerous authors through its evolution in time. The types and roles of NGOs were elaborated showing how different types of NGOs perform different roles in societies. The chapter wrapped up by discussing the need for accountability and the way NGOs account and the complexities involved.

CHAPTER FOUR

RESEARCH METHODOLOGY

4.1. Introduction

This chapter aims to provide the rationale for the methodology adopted by the study. A qualitative research method was employed by the study. The rationale for a qualitative study is provided taking into consideration the advantages and disadvantages of a qualitative methodology. The study's use of secondary data is hinged on the rationale that when both the advantages and disadvantages of the collection and use of secondary data is assessed; the study finds this method suitable. This chapter will examine the research design adopted in order to respond to the following research questions:

- What is the public policy process in Lesotho?
- What is the link between governance and accountability in the policy implementation process?
- What is the current status of the governance provisions for NGO functionality in Lesotho?
- What are the strengths, weaknesses, opportunities and threats to the accountability provisions on Societies (Amendment) Act 2001?

4.2. Research design

A research design is an intention or an outline that indicates ones intentions to carry out their research. It places emphasis on the outcome, that is, the type of research that the researcher plans as well as the desired results. The emphasis is also on the information needed to answer the research questions adequately which the point of departure of the research design is (Babbie and Mouton, 2011:75).

This concept can also be regarded as actualization of logic in a set of procedures that optimizes the validity of data for a given research problem. Mouton (1996: 175) states that the research design assists to “plan, structure and execute” the study to maximize "validity of the findings". It serves as a guide to test the hypothesis and to gather information for the study. Yin (2003: 19) further suggests that “colloquially a research design is an action plan for getting from here to there, where ‘here’ may be defined as the initial set of questions to be answered and ‘there’ is some set of (conclusions) answers”.

4.3. Research Methodology

Research methodology according to Kothari (2004:7) is a way to systematically solve a research problem, it may be understood as a science or a study of research in a scientific manner; it is necessary for the researcher to know not only the research methods but also the methodology. It is essential therefore for the researcher to design a methodology for the problem under assessment as each study has its own different and unique set of problems. Research methods are also said to be the “various procedures, schemes and algorithms used in research, they include: theoretical procedures, experimental studies, numerical schemes and statistical approaches” (Rajasekar, Philominathan and Chinnathambi, 2006: 2).

There exist different research methodologies namely, qualitative and quantitative (Myers, 2009). These classifications differ in their nature of knowledge which is how the world is perceived and the primary objective of the study. Also, qualitative and quantitative methods inform the manner in which information will be gathered and analyzed.

4.3.1 Quantitative and Qualitative research methods

Quantitative research methods came about to study natural incidents in the field of natural sciences while qualitative research methods were birthed in the ‘social sciences’ for the canvasser to enquire about social and cultural incidents. The research methods are applied in education and neither is inherently superior to the other; the applicability of a method depends on the nature of the study. A researcher can opt for both methods in a study to take advantage of both their qualities, but this is also dependent of the nature of the study (Bryman and Burgess, 1999: 45).

Qualitative research seeks to enquire about subjects in their original settings which are not enhanced or disturbed. A qualitative method is employed to test a reaction in a setting. According to Domegan and Fleming (2007: 24), “qualitative research aims to explore and to discover issues about the problem on hand, because very little is known about the problem. There is usually uncertainty about dimensions and characteristics of problem. It uses ‘soft’ data and gets ‘rich’ data”. According to Myers (1997), qualitative research is intended to assist the researcher to identify with individuals in their natural settings. Philip (1998:267) notes, “such studies allow the complexities and differences of worlds-under-study to be explored and represented”.

In qualitative research, different knowledge claims, enquiry strategies, and data collection methods and analysis are employed (Creswell, 2003). The sources of data for qualitative studies among others are interviews and questionnaires, observation and participant observation (fieldwork), documents, and researcher's views (Myers, 2009; Sprinthall, Schmutte, and Surois, 1991: 101). An observable and fundamental difference between a qualitative and a quantitative research is the manner in which information is collected, analyzed and presented, "while quantitative research presents statistical results represented by numerical or statistical data, qualitative research presents data as descriptive narration with words and attempts to understand phenomena in 'natural settings'" (Denzin and Lincoln, 2000). Quantitative research utilizes questionnaires, surveys and experiments to collect information that will be reviewed and quantified for statistical analysis (Hittleman and Simon, 1997: 31). "Quantitative researchers often measure variables on a sample of subjects and express the relationship between variables using effect statistics such as correlations, relative frequencies, or differences between means; their focus is to a large extent on the testing of theory". Stake (1995:37) discusses the main differences between the two research methods in terms of what they emphasise. Stake continues by noting that there is a difference between 'explanation' and 'understanding' as the reason for conducting the study. An additional main difference between qualitative and quantitative research methods is that qualitative research method is 'inductive' while quantitative research method is 'deductive'. Lincoln and Guba (1985) make a claim that a qualitative study does not necessarily require a hypothesis as the method uses inductive data analysis to elaborate on the findings of the study and the interacting realities and experiences of the researcher and participants. Qualitative research method, according to Lincoln and Guba (1985), "allows a design to evolve rather than having a complete design at the beginning of the study because it is difficult if not impossible to predict the outcome of interactions due to the diverse perspectives and values systems of the researcher and participants; and their influence on the interpretation of reality and the outcome of the study". In contrast, quantitative studies need a hypothesis to be tested by the study.

The advantages of using a qualitative research method, as stated by Merriam (2002: 5), are that "the researcher is the primary instrument for data collection and data analysis. Since understanding is the goal of this research, the human instrument, which is able to be immediately responsive and adaptive, would seem to be the ideal means of collecting and

analyzing data. Other advantages are that the researcher can expand his/her understanding through nonverbal as well as verbal communication, process information (data) immediately, clarify and summarize material, check with respondents for accuracy of interpretation, and explore unusual or unanticipated responses”.

Stainback and Stainback (1988: 317) list the essential rationale of quantitative research as: ‘to describe, to compare and to attribute causality’. Maxwell (1998:66) lists additional rationale for qualitative study: “ understanding the meaning that participants in a study give to the events, situations and actions that they are involved with; and of the accounts they give of their lives and experiences; understanding the particular context within which the participants act, and the influence this context has on their actions; identifying unanticipated phenomena and influences, and generating new, grounded theories about them; understanding the process by which events and actions take place; and developing causal explanations” .

On the other hand, Lincoln and Guba (1985: 290) warn that given that the researcher in a qualitative study has the freedom to observe and draw his/her conclusions, the “biases, motivations, interests or perspectives of the inquirer” be noted and made clear in the study. There are more disadvantages of qualitative research methodology which can however be avoided or minimized:

- Researcher bias can bias the design of a study;
- Researcher bias can enter into data collection;
- Sources or subjects may not all be equally credible;
- Some subjects may be previously influenced and affect the outcome of the study;
- Background information may be missing;
- Study group may not be representative of the larger population;
- Analysis of observations can be biased;
- Any group that is studied is altered to some degree by the very presence of the researcher. Therefore, any data collected is somewhat skewed. (Heisenburg Uncertainty Principle); and

- The researcher needs time to gain the trust of the research subjects, this poses as a problem for a short term observational study which depends on limited time frame.

In affirmation of the value of qualitative research, Merriam (1985) states that most writers suggest judgment should focus on whether the research is “credible and confirmable” rather than imposing statistical, quantitative ideas of generalizability on qualitative research.

4.3.2. Rationale for a Qualitative Study

Qualitative study has been argued to be more appropriate for the purpose of human learning. In the process of considering which method to employ, Guba (1981:76) puts forward that “it is proper to select that paradigm whose assumptions are best met by phenomenon being investigated”. The study is about the extent to which individuals are accountable in their day to day activities within the NGO setting. This methodology is a suitable choice as it places more emphasis on the process rather than the outcome. It seeks to gain understanding of human interaction. It is therefore clear that quantitative research methodology is not suitable for the study due to its ‘pre- testing, and ‘post- testing’ requirements which interfere with the natural setting of the participant’s environment. The primary intention of the study is to investigate without manipulation the accountability of NGOs to stakeholders in Lesotho.

The essential processes in this study included investigating and documenting in detail, the unique case studies of NGOs in Lesotho and their accountability process. The processes that influenced these experiences and the analysis of the resulting descriptive data were all undertaken by the researcher as a participant in the study. This approach allowed for descriptions of the phenomena under study and gave the researcher opportunity to take into account the views of different authors on the roles of NGOs and accountability based on the principles of good governance.

4.3.3. Qualitative data collection methods

Merriam (2002: 12) discusses that there are three primary or main sources of information while conducting a qualitative study which are, “interviews, observations, and documents”. The author elaborates that “the data collection strategy used is determined by the question of the study and by determining which source (s) of data will yield the best information with which to answer the question”.

For the purpose of the study, secondary data was used. The secondary data was collected from documented material such as journals, thesis, policy papers on NGOs and books. These secondary data were collected to cover every aspect of the study. The secondary data shows policies of NGOs in Lesotho and internationally, their roles in societies and their responsibility of accountability.

4.3.4. Advantages of secondary data are following:

Sorensen, Sabroe and Olsen (1996: 435) list the advantages of employing secondary data:

- The data already exists therefore it saves the researcher time;
- The finances needed to carry out the study are reduced due to the readily available data;
- The sample size can be managed;
- It is highly representative of the sample; and
- The possibility of bias is reduced.

4.3.5. Disadvantage of secondary data:

The disadvantages according to Sorensen, Sabroe and Olsen (1996: 435) are worth noting for informed decisions. They are:

- The selection of data, quality and methods of collection are beyond the control of the researcher, and
- There is limited validity.

It is therefore for the above reasons that secondary data has been selected for the study.

4.4. Data Analysis

Data analysis is the process that happens after data has been collected. Mouton and Babbie (2001: 101) elaborate on the process “we interpret the collected data for the purpose of drawing conclusions that reflect on the interests, ideas, and theories that initiated the inquiry.” Qualitative data can be analysed in various ways; the study can use either a thematic, descriptive approach, or more in- depth methods. Thematic analysis is a best type for the study.

Thematic analysis is one that looks across all the data to identify the common issues that occur and identify the main themes that summarize all the views the study has collected. Nowell, Norris, White and Moules (2017:2) clarify thematic analysis as a “method for

identifying, analysing, organizing, describing, and reporting themes found within the data set”. The study questions the governance of Lesotho by investigating its policy on accountability. This leads the study to analyse the data using the characters of good governance as themes found in the literature; being participation, consensus oriented, accountability, transparency, responsiveness, effectiveness and efficiency, equity and inclusiveness, and the rule of law. The use of themes will ensure trustworthy and insightful findings of the study.

According to Alhojailan (2012: 40) “thematic analysis is suitable for studies that hope to discover using interpretations. It provides a systematic element to data analysis. The researcher is enabled to associate an analysis of the frequency of a theme with one of the whole content. This will confer accuracy and intricacy and hence the researchers’ whole meaning”. Qualitative research requires understanding of the phenomenon therefore thematic analysis offers the researcher the opportunity to understand the phenomenon on a larger scale, it also gives the chance to verify the connection of concepts and compare them with the findings.

4.5. Data validity and Reliability

The most integral part of using thematic analysis is that the researcher has to make sure that the themes are representative of the entire study. Validation of themes according to Miles and Huberman (1994) in conjunction with Alhojailan (2012) is crucial especially in the primitive stages of analysis. For further and thorough validation, an external examiner is needed in the early stages of the research to approve the themes of the study. The researcher is then able to compare the feedback from the examiners to ensure reliability in the identified themes.

4.6. Conclusion

This chapter has examined the rationale for the methodology adopted by the study. Qualitative research method was employed by the study; secondary data was collected to answer the research questions of the study and data was analysed using thematic analysis; additionally, issues pertaining data validity and reliability were further elaborated.

CHAPTER FIVE

FINDINGS OF THE STUDY

5.1 Introduction

The study was conducted with the sole aim of assessing NGOs' accountability in Lesotho through the lens of good governance perspective of the Societies (Amendment) Act 2001. This chapter starts off by introducing the Societies Act and its applicability; it goes on to discuss the findings in a form of reports. These expose how the listed NGOs together with their development partners have evaluated and published their progress reports; so as to reflect on their roles of development assistance in Lesotho and how this contributes towards the achievement of poverty reduction and human development in Lesotho. The chapter proceeds to the discussion of the findings employing the key principles of good governance (public sector management, accountability, legal framework, transparency and information).

5.2. The Societies Act of Lesotho

The Societies Act No. 20 of 1966, according to Bauer and Motsamai (2007: 164), is a policy that was passed by the parliament of Lesotho "to provide for registering societies, for the consequences of failure to register societies and for dissolving unlawful societies to the extent that is necessary in a practical sense in a democratic society in the interest of public safety, public order, public morality and for protecting fundamental human rights and freedoms; and to make provision for related matters". The policy was amended in 2001, the only visible amendment was the provision of the registration fee for societies registering in Lesotho. NGOs in Lesotho are not regarded as constitutional bodies, but they are adequately provided for in the 1993 Constitution of Lesotho and its supplementary law, the Societies Act of 1966. The Constitution of Lesotho of 1993 states that everyone has the freedom of association, section 16 (1) shows that all persons shall not be denied the freedom to associate freely with other persons for ideological, political, religious, labour, economic, social, cultural, recreational and any other reasons of interaction. The Constitution in Section 16 (2) to (3) however also states that such freedoms of association are restricted where matters of defence, public safety, public order, morality and health might be threatened, also to protect the rights and freedoms of other persons, and to restrict some interactions of civil servants (Bauer and Motsamai, 2007: 164).

Nonetheless, Reality of Aid Africa Network and Hand in Hand Lesotho (2014: 11) admits that there is no single body of law in Lesotho for the entire classes of non-profit organizations operating in the country. There are also no different legal provisions at national and local levels for non-profit organizations. All the different types of non-profit organizations are regulated centrally by national legislation and regulations.

5.2.1. National Policy on Non-Governmental Organizations

A fundamental change that has taken place over the years in Lesotho is in the number of NGOs and Civil Society Organisations that have emerged. These NGOs and CSOs have different dynamics, focus and approach and challenges that are different from other Societies registered under the same Act. It is therefore important to consider a separate and different legal and regulatory framework for this diversity in the sector. Lesotho however, according to Reality of Aid Africa Network and Hand in Hand Lesotho (2014: 13,) has no national policy on non-governmental organizations (NGOs); it therefore difficult to establish an operational definition of NGOs and the legal and institutional arrangements to facilitate the operations of these NGOs. A policy framework for purposes of streamlining the sector and facilitating their self-regulation is key in creating an enabling environment. Government thus needs to initiate an inclusive process to develop a policy framework in order to strengthen its partnership with NGOs and CSOs in Lesotho.

5.3. Case Studies- NGO Accountability and Governance In Lesotho

5.3.1. The MDG Status Report of 2013

The Millennium Development Goals (MDGs) Status Report 2013 is an assessment of the progress made by Lesotho on the program of MDGs. The Report, according to the then Prime Minister "...is candid in its assessment of our performance in the last fourteen years. It should provide a basis for equally candid policy discussions and learning from our deficits in implementation as well as stronger policy direction going forward". The report was produced by the Government of Lesotho; its development was led by the Department of Monitoring and Evaluation in the Ministry of Development Planning (MDP) with the financial and technical support of the United Nations Development Programme (UNDP), the UN System in Lesotho and other stakeholders. This report is central to the progress of each of the eight global MDGs with the help of the recent available information.

Importantly, the report indicates a journey full of challenges and successes in the hope of meeting the MDGs. Information found on Lesotho shows that the country is on track to meeting the goal on Universal Primary Education (MDG 2) and (MDG 3) Promoting Gender Equality and Empowering Women. The country's willingness to commit to Free Primary Education has had a positive impact on the attainment of MDG2. However, regarding MGDs target of education for instance, Lesotho like several other African countries concentrate more on numbers of people in school and neglect to pay an equal attention to the quality of education in those schools. As a result, this has opened a priority of ensuring quality education and life skills lessons in the years to come, policies are necessary in this regard to ensure the implementation of this priority.

To meet the 2015 target on the MDGs, Lesotho needs to partner with other actors like the private sector, development partners, civil society and others but this has been slow. The government needs to be involved in talks with numerous partners both around the global and at a national level to come together towards these goals.

Leadership plays an important role as it has been, helpful with allowing public opinion and vital policy action that pertain to Gender Equality and Empowerment of Women (MDG 3) have been possible in a bid to attain some of the targets for 2015. However, more action is still required to promote gender equality and non-discriminatory equity.

There is slow progress in achieving the MDG 7 (Ensuring Environmental Sustainability) and MDG 8 (Developing Global Partnerships for Development). Insignificant and very little no progress has been realised on Reversing Land Degradation, which is the biggest environmental challenge in Lesotho. These environmental challenges pose a threat to the target of Eradicating Extreme Poverty and Hunger (MDG 1) as Lesotho is lagging behind in achieving such a goal by 2015. Actions on MDG 7 will impact on MDG 1 as well as others that are linked to agriculture.

The MDGs relating to improving health, like Child Health (MDG 4), Maternal Health (MDG 5) and Combating HIV and AIDS, TB and other Diseases (MDG 6) are also recording little progress; however, they are crucial for development as well as other MDGs. New cases of HIV and AIDS infections jeopardise the progress on other MDGs as more households become vulnerable and unproductive. Actions need to be taken to address these health-related MDGs.

5.3.2. The Lesotho United Nations Development Assistance Plan

The Lesotho United Nations Development Assistance Plan is a medium-term plan that records the assistance of the United Nations Agencies that are in the country and outside the country that contribute toward the country's 5-year development plan which is the National Strategic Development Plan (2012-2017). This Plan is the result of consultation and participation of concerned parties and it is in line with the NSDP.

The assessment was carried out in February 2017 on the orders from the United Nations Country Team (UNCT) to get information for the next United Nations Development Assistance Framework (UNDAF) for the country of Lesotho. It was conducted in compliance with the United Nations Development Group Guidelines for UNDAF Evaluations.

The Government of Lesotho, together with United Nations Country Team composed the Lesotho United Nations Development Assistance Action Plan (The Lesotho United Nations Development Assistance Plan 2013- 2017) which states the United Nations' support to the government of Lesotho in attaining its national priorities under the National Strategic Development Plan (NSDP) 2013- 2017. The LUNDAP 2013-2017 has been running for four years in Lesotho and the UNCT Lesotho has already started constructing the UNDAF 2018-2022 using the information derived from the external evaluation of LUNDAP 2013-2017. The UNCT called for this evaluation together with and other partners, to help identify the challenges that were encountered before developing the new UNDAF 2018-2022 for Lesotho. This assessment was centred on the relevance, effectiveness, efficiency, sustainability and coherence; it was also conducted to assess its usefulness in promoting Delivery as One (DaO) in Lesotho as well as its support for the government's development agenda and objectives. The process was guided by the Evaluation Terms of Reference (ToR) which calls for inclusiveness and participation, therefore consultations were made with the government, non-government stakeholders, UNCT in Lesotho and available residents and non-UN technical staff and advisors. During the consultation on LUNDAP, 71 participants were given questionnaires as part of the evaluation process, and of those respondents, 62% were government officials, 18% were NGOs, and 20% were United Nations Lesotho staff. These are the findings of the study:

Relevance: The assessment showed that the LUNDAP 2013- 2017 was derived and connected to NSDP 2012/13- 2016/17 and the development needs in Lesotho in its programming and linkages, it also aligns itself with the MDGs. This relevance of the

LUNDAP was due to its connection to the national development needs and priorities of Lesotho. The LUNDAP was compiled based on the review of documents and data from resources on the national agenda and the MDGs. The evaluation was on the LUNDAP priorities which were relevant to Lesotho's needs and priorities. Table below shows such priorities and their outcomes.

Table 5.1. NGOs' Priorities and Outcomes

NSDP Priorities	LUNDAP Results groups	LUNDAP Outcomes	MDGs (Global numbering)
High, shared and employment creating economic growth.	Investment Climate, Manufacturing and Trade and financial services.	By 2017, public and private institutions promote increased investments, manufacturing, trade and financial services and create decent employment in an inclusive and sustainable manner.	1
	Agriculture & Food Security, Environment, Natural Resources and Climate Change.	By 2017, National institutions (public and private) deliver quality services for increased agricultural growth and food security.	
Reverse environmental degradation and adapt to climate change.		By 2017, Lesotho adopts environmental management practices that promote a low-carbon climate-resilient economy and society, sustainably manages natural resources and reduces vulnerability to disasters.	7

Promote peace, democratic governance and build effective institutions.	Governance and Institutions.	By 2017, national and local governance structures deliver quality and accessible services to all citizens respecting the protection of human rights & access to justice, and peaceful resolution of conflict.	1, 2, 3, 4, 5, 6, 7, 8
		By 2017, national and lower level institutions make evidence based policy decisions.	
Enhance the skills base and foundation for innovation.	Skills and Innovation.	By 2017, learners at ECCD and primary levels have equitable access to quality and relevant education.	2
		By 2017, vulnerable groups have access to adequate and	

Improve health, combat HIV and AIDS and reduce vulnerability.	Social Protection.	effectively managed (HIV-AIDS, Child and Gender sensitive) social protection systems	6
Improve health, combat HIV and AIDS and reduce vulnerability.	Health, Nutrition and HIV and AIDS	By 2017 equitable access to and utilization of high-impact, cost effective health and nutrition interventions achieved for vulnerable populations.	1, 4, 5
		By 2017, multi-stakeholders in the country contribute to the reduction of new annual HIV infections especially among youth, children and adults.	6
		By 2017, persons living with HIV have access to and benefit from the integrated service delivery that includes nutrition support, ART and care; and HIV/TB co-infection management.	

Source: Evaluation Report of 2017 (Abaji and Nthoateng, 2017:9)

Of 71 respondents (government and non-government stakeholders) report of being aware of the LUNDAP 2013-2017, over 50% of them indicate that LUNDAP was relevant to new emerging priorities while 40% reported that the DaO was relevant to the programming needs of Lesotho. The study further reports that most of the stakeholders had an awareness of the support the United Nations has been giving to Lesotho towards its development agenda but they reported not being aware of the LUNDAP. 60% of government partners and 20% of development partners reported not being aware of the LUNDAP and its contents even though they had worked with United Nations in the past on projects.

Again, the United Nations has been one of the main advocates and promoters of the inclusion of youth development, women’s empowerment and gender in policies, plans and programmes. The UN also creates the awareness of and the need for environmental protection and conservation. The issues of gender equality and women’s empowerment have also been the centre of LUNDAP; while youth development has been addressed in relation to employment creation. The LUNDAP has however paid extra attention to environment, natural resources and climate change; this has raised concern to the stakeholders as they feel youth unemployment, youth health, low economic resilience and high vulnerability to natural disasters are the main issues which should have been clearly dealt with by LUNDAP.

The conclusion was that the stakeholders (within government and United Nations) although there was a consensus that sustainable development in Lesotho was a priority, there needs to

be a clear definition of the term and its requirements. Service delivery to the poor for poverty alleviation and sustainability has proven to be a challenge that requires an urgent and swift response.

Effectiveness: The LUNDAP program was found to be average in its implementation and performance. Assessment of the effectiveness of LUNDAP was based on the extent to which the UNCT contributed or is likely to contribute to the outcomes stated in the LUNDAP. The assessment also studied the effectiveness of the contribution of LUNDAP in its partnership with the government of Lesotho and its work with other development partners. Evaluation on performance was based on the ten outcomes of the LUNDAP, and there was a conclusion among stakeholders that there is progress towards the achievement of the LUNDAP outcomes.

The different stakeholders continued to voice that, LUNDAP could have done better in achieving its outcomes but due to lack of focus, the results were average. Also, there were external and internal factors that were not anticipated which led to the average results of the LUNDAP.

Impact of implementation of the LUNDAP: Lesotho performed poorly on the MDGs, it did not achieve any of the goals. This indicates poor performance of the LUNDAP and its programmes which were brought up in the UNDP Annual Review Report of 2016 and the MDG End- Point Report. Even though the LUNDAP had shown some positive outcomes, it however had little impact on the initial development and social target plans. This area includes youth and women unemployment and underdevelopment, governance in terms of promoting political stability and accountability, equal access to quality healthcare and education and high prevalence of HIV/AIDS which all remain challenges for development in Lesotho.

The GoL is the only country in sub-Saharan Africa that spends 15% of public resources on its health sector but the results are not reflective of this high investment. The MDGs End-Point Report (2015) shows that the challenge lies in the country's inability to improve its health services to reduce child and maternal mortality which weakens the health care system. The report also notes setbacks that affect the performance of the health sector, "lack of skilled

health professionals, inadequate capacity to carry out post- training supervision and mentoring that support trainees and build their confidence in caring for sick children...” The MDG End- Point Report (2015), this poor performance, similar with the education sector was also the result of poor data collection practices and monitoring and evaluation system within the sector which makes it impossible for evaluation to address the issues within the sector through policies. According to the MDG End- Point Report (2015), promoting gender equality and women empowerment are still a challenge in Lesotho; this is due to the rising encounters of violence against women either physical or sexual in the country that is stricken by HIV/AIDS. There is also a concern over a growing gap of inequality between females and males in both secondary and tertiary schools.

Efficiency: the progress of LUNDAP is also assessed in relation to its efficiency. The report here covers the financial resources which were budgeted and used for the LUNDAP 2013-2017 and whether the money was utilized in an efficient way. It was indicated that at the time of the assessment, 45% of the planned LUNDAP resources for 2013-2017 (USD 107,546,427) was unfunded against the planned budget (USD 236, 812, 562). Mobility of resources for the LUNDAP plan was unsuccessful because of aid shortage and inability to raise required funds for the projects. Throughout the LUNDAP years of 2013- 2017, only 55% of the funds were utilized. The relevant sectors that were financed as follows: Agriculture, Environment and Climate change (61%); Governance and Institutions (60%); Investment climate and Employment Creation (40%); and Health, Nutrition and HIV/AIDS (49%). The decrease in resource utilization/distribution is due to the declining aid support which was brought about by Lesotho’s status as a lower-middle- income country (LMIC), its political instability (lost funding from the Millennium Challenge Corporation), failure to meet the European Development Fund (EDF) conditions and limited support from non-resident agencies, who had from the beginning of the LUNDAP promised to offer funding towards the programme. As a result of the efficiency assessment, the UN Operation Management Team (OMT) has adopted a framework that will give guidance to UNCT to improve the efficiency of the UN programmes.

Sustainability: This is where the assessment focuses of the sustainability of the program even long after the LUNDAP has handed it over to the government and other relevant

partners. Are there clear plans, policies and guidelines for the programs to continue under the conditions of the GOL and its capacities?

The intervention of the LUNDAP in the institutions is an undeniable one, the projects, models and ideas produced through the LUNDAP are practical and sustainable. But the exit strategies for sustainability were not clearly stated in the LUNDAP plan, the report showed that such strategies are important for the government and other stakeholders. The importance lies in the devastating results that would come due to the termination of the programs under LUNDAP such as condom programs and social protection for the poor.

The UN's support for national organisations such as IEC and the Directorate on Corruption and Economic Offences to improve their effectiveness has been undeniable. However, there is work that still needs to be done to ensure that the benefits are sustainable and can be maintained to their high standard.

Coherence: Delivering as One: The United Nations in Lesotho is a DaO and the assessment on its progress has shown positive results, but it is faced with a challenge of defining its content. It is the priority of the UN agenda where countries are presumed to have one program, one leader, one budget and one office.

There are bodies within the UN established to oversee the implementation of the LUNDAP and reporting even though there are limits for their effectiveness. At the top of these bodies is the UNCT, the Programme Management Team, the Operations Management Team, the UN Thematic Groups such as the United Nations Communications Group, and the LUNDAP Results Groups. However, there is concern from the UN agency leadership and partners (including the government) on the effectiveness of these bodies. Also, concerns on what the costs of having so many bodies could imply for an organisation came to the fore.

For the government's intervention in management of programmes, it has been proposed that there should be a platform for selected principal secretariats, civil society and private sector representatives with head of agencies, who will report to the government ministers and head of agencies. This will promote inclusiveness, consultation and obligation towards the UNDAF.

The assessment show that the UN agencies were working independently of each other. There is consensus among the government stakeholders and the UN staff that the LUNDAP is a

good instrument that will combine the programmes to reduce costs and avoid duplications. This has been tried although it's still in its early stages. Lastly, the LUNDAP is regarded as a good planning framework that brings the UN agencies together under similar goals but this is not without any challenges.

Lessons and implications for the new UNDAP

Lessons from the UNDAP 2013-2017 were reported by the researchers which are going to be of importance in the formulation and development of the new UNDAP 2018-2022 for Lesotho.

- The UN has to work together in their programmes which will make them more effective and efficient in their mission to help the GoL develop Lesotho. Working together will also help the UN to avoid duplication and competition.
Skilled people are required for effective service delivery if the UN is to strive to meet the country's needs. Members of UNCT as well as government employees should have the necessary skills like negotiations, leadership, risk management, persuasion and communication skills.
- To avoid any form or type of conflict, services and benefits from LUNDAP should be equally dispersed not just for the poor but for everyone; this should be taken into consideration while developing the new LUNDAP.
- The Government of Lesotho should take ownership of the new LUNDAP to ensure its successful implementation and sustainability, therefore the UN should make sure the GoL is involved and well informed in the process of development of the new LUNDAP.
- Information is an important tool, therefore the GoL together with the UN should produce information in all their sectors for informed decision making which is based on evidence. This improves the success of the programme and promotes accountability and transparency.
- The UN and the MDAs have to have a clear insight on the principles of DaO, this is important for the success of DaO. Having an insight into the principles of DaO helps

eliminate competition and mistrust between the programmes and enhance cooperation instead.

5.3.3. The HIV Testing and Counselling (Htc) Country Report

The development of harmonised minimum standards for guidance on HIV testing and counselling and prevention of mother-to-child transmission of HIV in the SADC region. A HTC country report on Lesotho was published on the 29th March 2009 by SAHARA. This assessment report was compiled with the help of an array of sources. The SADC Secretariat demanded that this project be done and offered support to carry it through. The Lesotho National Authorities and several officials oversaw the implementation of the field work (collection of data). The report was validated by the Ministry of Health and Social Welfare. The analysis was done by a monitoring and evaluation expert for the project and a project director. According to the Lesotho Demographic and Health Survey (DHS, 2004), the prevalence of HIV (15- 49 years) is 23.3%, Maseru being the highest among all ten districts. There is however an increase in HIV Testing and Counselling (HTC) since 2004 as a result of the campaign “know your status”. By the year 2008, 28% of the population knew their HIV status.

5.3.3.1. Policy Discussions with Key Stakeholders

In the case of HTC, the policy discussions were conducted with various stakeholders from government officials responsible for HTC policies, protocols and guidelines; representatives of private or informal sector responsible for HTC policies, protocols and guidelines; civil society officials responsible for HTC policies, protocols and guidelines; and others who play a role. The discussions were held with ‘respondents’ selected from different levels and positions; they include officials from the National AIDS Council and National AIDS Coordination Programmes, HTC programmes and other administrative staff, and primary stakeholders like technical partners, donors and implementing agencies. These discussions also included representatives from the Ministry of Health and Social Welfare, the World Health Organisation, the National AIDS Commission, Lesotho Network of People living with HIV and AIDS, Population Services International and the Global Fund.

Information was collected from stakeholders through unstructured discussions. The information was about the structures and functionality of HTC programmes, also on the attitudes and perceptions of different stakeholders in relation to protocols, policies and

guidelines for implementing programmes and other issues surrounding HTC. The counsellors and programme managers were among stakeholders involved in discussions to locate problems that affect the HTC access and adoption.

5.3.3.2. Findings

Table 5.2. SWOT Analysis of HTC In Lesotho

STRENGTH	WEAKNESSES
• HTC Policy Guidelines produced in 2004.	• Little involvement of men or PLWHA
• HTC policy developed in 2006.	• Need to expand services to vulnerable groups (herd boys, commercial sex workers, migrant populations and prisoners).
• Policies developed in consultation with PSI, LPPA, Private Sector, and CHAL.	
• Policies and Guidelines are easily available.	
• Good range of HTC - one to one, routine testing for PMTCT, PITC, group counselling, some couple counselling, and HBT.	
• Full range of staff involved in HTC - nurses, doctors, professional (social workers and psychologists) and lay counsellors.	
OPPORTUNITIES	THREADS
• Current plan was up to end of 2007, review of the programme was done in 2008, with the aim of informing the next scale up plan 2009-2011	• limited human and financial resources,
• Integrate services, especially HTC within	• poor coordination of both donors and health

the health care system	and social services.
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Source: HTC Country Report (2009: 5)

5.3.3.3. Assessment of HTC Policies in Lesotho

Consultation was a tool used to identify policy issues and gaps in relation to HIV testing and counselling, policy solutions were also discussed. These policies are now included in the National HIV and AIDS Testing and Counselling Policy for the country.

5.3.3.4. HTC Policy Gaps in Lesotho

Taking from the responses from stakeholders, the policy gaps are:

- Gap in retesting HIV negative pregnant women in case of sero-conversion later.
- The age of consent at 12 years poses a challenge in terms of referral and preparing the child for disclosure at home.
- HTC services are not complemented by other primary health services such as testing for diabetes.
- The HTC coverage is still not wide enough and there is a lack of human resources to implement the programme.
- The need for couple counselling is increasing, needing additional skilled human resources.
- Quality assurance is not done in some sites.
- Some organizations use their own training manuals which are not certified by the Ministry of Health. A concern was expressed that as such programmes get integrated into the health system; there will be degradation of counselling as a profession.

The table below presents the summarised implementation challenges of HTC in Lesotho:

Table 5.3. Challenges of HTC in Lesotho

Implementation Challenges	YES	NO	ADDITIONAL COMMENTS
Inadequate financial resources, which are often narrowly earmarked by donors	✓		
Inadequate human resources; problems with lay counsellors	✓		
Poor partner and sectoral coordination and donor support resulting in verticalisation of programmes and poor implementation of national policies	✓		
Stigma and discrimination			Very minimal
Inadequate support for infant feeding which remains a complex issue, requiring further research	✓		
Unequal emphasis on the needs of women, their children, partners and families, and insufficient follow up within a continuum of care and assurance of adequate care, treatment and diagnosis of exposed infants	✓		
Insufficient integration of HTC services and insufficient linkages with other health and social services;	✓		
The need to decentralize implementation and service delivery, and focus on developing and strengthening of community structures and systems to include HTC;			
Programme monitoring, recording and reporting	✓		
Quality assurance and impact assessment;	✓		
Implementation Challenges	YES	NO	ADDITIONAL COMMENTS
Inadequate efforts to ensure male engagement in HTC;	✓		
Impact of gender inequality and of gender-based violence	✓		
Lack of capacity to cost plans	✓		
Slow scale-up of provider-initiated testing and counselling services, where appropriate, and the limited creation of demand for these services.	✓		

Source: HTC Country Report (2009: 9)

Table 5.4. The evaluation indicates below the HTC implementation needs in Lesotho

Implementation Needs	YES	NO	ADDITIONAL COMMENTS
Need to speed up development of HTC policies and guidelines			Policies and guidelines in place
Need to improve M & E (HTC indicators, registers)	✓		
Need to improve C & T (quality)	✓		
Appropriate use of lay counsellors in the health care setting			Lay counsellors are used
Improve integration of HTC into AIDS treatment and care activities	✓		
Effective communication on HTC	✓		
Improve community support for HTC	✓		
Strengthen quality assurance for HTC services	✓		
Best practice/models in HTC			

Source: HTC Country Report (2009: 10)

5.4. The Department For International Development (DFID)

The assessment of Department for International Development, UK's (DFID) Lesotho country programme is one of the numerous Country Programme Evaluations (CPEs) conducted

regularly on the orders from the DFID’s Evaluation Department. The DFID bilateral aid has been one of the largest aid Lesotho receives for development. Lesotho also as stated in the report “is a beneficiary of DFID’s regional work across SADC (allocation of 7Million pounds), and DFID’s contribution to Lesotho through multilateral channels: 1Million pounds per annum through the UDF programme, a contribution to the costs of World Bank lending and to the costs of UN programmes. In 2002 the imputed UK share of multilateral net ODA was 2 Million pounds”. These assessments are conducted to assist improve performance, contribute to lesson learning and inform the development of future strategies.

The DFID’s assessment was however conducted by an international team from United Kingdom together with some local consultants under the supervision of PARC (Evaluation Department). The Evaluation Department of DFID’s policy requires that the Lesotho office staff must be involved during this process of evaluation and the results must be communicated accordingly. This was done through a workshop where findings were discussed during the evaluation process.

5.4.1. Development Assistance

Lesotho has been receiving assistance of DFID’s regional work as part of SADC (about £7m per annum), through multilateral channels: the amount of about £1m per annum through the EDF program, assistance in servicing the World Bank loan, and also towards helping finance the UN programmes. The United Kingdom (UK) in 2002 financed Lesotho with £2m through the multilateral aid.

Table below shows the DFID aid to Lesotho, South Africa and Africa over the years

Table 5.5. DFID Aid to Lesotho and South Africa

	Lesotho	South Africa	Africa
1999/2000	2.9	29.6	494
2000/1	2.3	30.1	649
2001/2	2.7	25.5	583
2002/3	2.9	36.4	747
2003/4	3.3	42.4	716
2000/1–2003/4	11.2	134.4	2695

Source: Gayfer, Flint and Fourie (2005: 5)

5.4.2. DFIDSA

The DFIDSA in the year 2000 was advised to develop a regional strategy to replace DFID bilateral programmes in Botswana, Lesotho, Swaziland and Namibia (BOLESWANA) countries. The DFIDSA notes that provided the uniqueness of the issues and policies of the countries, and the need for resilient development partners in Southern Africa, the DFIDSA will be very productive and effective in poverty alleviation programmes through shared problems, common problems and single country activities between the BOLESWANA countries. One other common problem that was identified by DFIDSA is HIV/AIDS which is among the major issues of development in the region.

The Southern Africa Strategy Paper (Oct. 2002) categorised Lesotho among the LDCs and was labelled a Public Service Agreement (PSA) country in 2002. DFID used the same SADC approach in Lesotho, same with other low- income countries being supported on their PRS giving financial assistance as well as technical. This approach for assistance was taken over by DFIDSA in its work with Lesotho.

The aims of DFIDSA were drawn by the Policy and Resource Plan (PARP) 2001-2004. These aims are: to decentralise resource allocation, delegating some development work to the regional development agencies. Lesotho experienced tough times in 2001-2002 where drought swept through the country leaving it in a food crisis, the DFID was able to respond to that crises and this is among the aims for the DFIDSA to be able to respond to food crisis emergencies and also to come up with strategies to deal with them. The evaluation of DFID was based on three basic areas: programme quality, programme effectiveness and development progress.

5.4.3. Program Quality Strategy Assessment

Table 5.6. The box below represents the programme's strategy which was used by evaluators as a basis of assessment.

Box 1: Lesotho – an interpretation of Country Strategy 2000 – 2004

Programme Goal:

Lesotho makes progress towards achieving its national development goals (as aligned to the MDGs).

Programme Purpose:

To promote the democratic process, support an effective GoL led strategy for poverty reduction and support transformation at the centre of government.

DFID looking to make a contribution to a set of intermediate development outcomes

Outcome 1: A new electoral process established

Uncontested election (2002); elected government in Lesotho with wide national legitimacy.

Outcome 2: A strategy for poverty reduction

Effective Vision 2020 / PRSP being implemented and influencing resource allocation.

Outcome 3: Improved public service management and delivery

Significant improvements in public service management and delivery in support of the objectives and targets contained in the PRSP.

Outcome 4: Donor coordination

Harmonised donor support behind an agreed and effective PRS.

Outcome 5: Effective regional engagement

Lesotho through active and constructive engagement in regional processes and organisations leveraging positive outcomes from SA and regional partners.

Outcome 6: Food security

Prevalence of hunger reduced (adopting a PRS oriented response to crisis).

Outcome 7: Tackling HIV/AIDS

GoL effectively addressing HIV/AIDS

Outcome 8: Job creation

Increased employment opportunities

Source: Gayfer, Flint and Fourie (2005: 5)

The DFID's strategy in Lesotho is in line with the GoL problem areas which are noted in Vision 2020 and the PRS, these are governance, safety and security, create employment, and deepen democracy and combating HIV/AIDS. The DFID gave support to the country during and after the 2002 elections which were feared might result in political instability; importantly, the involvement of DFID controlled the risk of instability. The country was still had a bad reputation due to the political instability that took place in 1998 which resulted in a ruined relationship with South Africa, this made the DFIDSA hesitate in its plans of integrating at a regional level.

The strategy to increase the scope of DFID to the regional level lacked focus. DFID in 2002 undertook the roles of shaping the PRS Foundation and Implementation Support but there have been areas that have been neglected by the programme. These areas have been faced with a slow process of reform and so is the formulation of DFID's package of support to the areas; the Government has also been inactive in these areas. The DFID's impact on reform during the period of 2000-2004 could have been higher but its efforts towards financial and advisory assistance lacked focus.

The PRS is providing a framework for donors to align themselves developed a harmonisation on strategy. The assessment found that the donors' strategies as drivers of reform in Lesotho

are the same even though the UNDP questioned donor assumptions as reform drivers of HIV/AIDS. The report found that there were differences in the HIV/AIDS area and the feedback of the programme. The UNDP has helped in improving donor response to the HIV/AIDS pandemic which had been spiralling out of control. However the report was unable to find whether the DFIDSA was able to include civil society in the war against HIV/AIDS in the country.

The DFID also aligns itself with the PRS process. There has been cooperation between DFID and the European Development Agencies in Lesotho (EDAL) in sharing information about the PRS. This has brought to light how agencies in the donor community work together; but clarity is limited as to how they work together towards the PRS outputs. The big question is whether the agencies can harmonise their systems and procedures which are not clear.

The DFIDSA has taken over from the DFID aligning its strategy with the DFID's agenda regarding its role in development (PRS processes and DBS), it has done so by responding to challenges of globalisation. The only issue has been the unstated objectives on cooperation and ways to which development is going to be attained from aid and formed partnerships.

The report found no information about the DFIDSA's commitment of 2001 to continue with the development partners to discuss the poverty issues in the SACU region, as was DFID's duty. There is a good chance of positive outcomes from working with both partners and the DFIDSA towards the development of Lesotho but there is lack of balance in the strategy. Also the GoL, in its conduct with donors has an individualistic mentality, exclusive of its development partners.

Budget Support

The DFID preferred a system of Direct Budget Support (DBS) but it has its challenges of poor public expenditure management therefore a DBS was not concluded upon. This was seen as a good choice due to the past donor experiences with misuse of donor funds in the country. According to previous studies, it was proven that financial systems are improving but there is still some instability therefore budget support is still not advisable. For example, "in 2002 the EU introduced a budget support instrument which was discontinued in 2004 because of concerns about the inadequate statistical base for verifying performance indicators in health and education".

A logical move surrounding the DBS by DFID and others should be based on progress on PFM and accounts, the development of a Medium-Term Expenditure Framework (MTEF); which is being developed with the assistance of the World Bank and is tied to the structural reforms of civil service. The Minister of Finance in the 2005 budget made a commitment to measure progress towards DBS.

5.4.4. Programme Effectiveness

The assessment of the programme effectiveness focuses on results (output), intermediate outcomes and goal and purpose of CP.

Results

The results (output) of the DFID programme are assessed between the years 2000-2004, using the scale of fully, largely, partial, very limited, and no progress, too early to say. The table below reflects the overall achievements of the program were fair during this time frame.

Table 5.7. Achievement against programme outputs

Outputs relating to each (sub) programme of the Country Programme 2000 – 2004: to be delivered by/before end 2004 unless otherwise indicated.	Extent to which Output achieved
Electoral process IEC institutional capacity strengthened to deliver fair, free, transparent and accessible elections in a cost-effective and sustainable manner.	Largely
A strategy for poverty reduction Credible PRSP (approved by Cabinet) which will be supported by government, private sector, civil society and development partners.	Largely
Strengthened capacity and coordinated engagement of key stakeholders (including civil society) around PRS finalization and implementation planning.	Partial
Public sector management and delivery Lesotho Revenue Authority delivering on sustainable, equitable and improved tax management.	Largely
(by 2007) Pro poor polices developed and implemented by Lesotho Justice Sector.	Too early to say
Strengthened GoL capacity to provide an effective, efficient and accountable policing service that is responsive to the needs of the community.	Partial
Improved institutional & policy arrangements for sustainable and efficient management, financing and delivery of public/private agricultural services.	Largely
Donor coordination GoL more efficiently coordinating donor activities around the PRS and PSIRP (no specific DFID projects).	Partial
Regional engagement (by 2006) Capacity enhanced in appropriate Lesotho institutions to formulate, negotiate and implement trade policies which are inclusive and pro-poor.	Partial
Food security A viable, replicable resource management support process enabling rural households to pursue agreed community priorities tested and established.	Largely
Improved homestead agricultural production of vulnerable households in four Southern districts affected by food insecurity.	Largely
HIV/AIDS Improvement in the sexual health of (50,000) Basotho youth by decreasing HIV/STD prevalence and teenage pregnancy.	Unknown
Scaling up on a sustainable basis of the private sector response to HIV/AIDS in Lesotho.	Partial
(2005) Strengthened enabling environment (in BLNS) for women, men and young people most vulnerable to HIV infection (across BLNS).	Partial
(2007) Effective multi-media edutainment capacity established in respect of HIV/AIDS, health and lifestyle (across 8 Southern African countries).	Too early to say
Job creation Extension in the range of business support (and social integration) services delivered to returning mineworkers and their families in Lesotho.	Partial
(2008) Increased investment in and international competitiveness of the Lesotho garment industry (for sustainable benefit of the poor, particularly women).	Too early to say
(2006) Sustainable expansion in the provision of financial services to SMMEs, the poor and vulnerable especially women (across Southern Africa).	Unknown

Source: Gayfer, Flint and Fourie (2005: 18)

Sustainability of Results

The results of the programme are sustainable because the DFID programme receives a lot of support from development partners.

Outcomes

The evaluation of outcomes is reflected in the table below. The table shows the impact in Lesotho (2000- 2004) and the DFID's contribution to those impacts using the scale of high, medium, low and nil.

Table 5.8 : Assessment of Achievement (Impact) and Dfid Contribution by Programme Outcome

		Achievement (Impact)	DFID contribution
Outcome 1	Electoral process: A new legitimate electoral process established through local efforts (with external support).	High	High
Outcome 2	Poverty reduction strategy: Effective vision 2020/PRSP implemented and influences resource allocation.	Too early to judge	High
Outcome 3	Public sector management & delivery: Significant improvement in public sector management and delivery in support of PRSP objectives and targets.	Low	High
Outcome 4	Donor coordination: Effective coordination of transparent donor support around PRSP.	Medium	High
Outcome 5	Regional engagement: Lesotho actively and constructively engaged in regional processes and organisations (leveraging positive outcomes)	Low	Medium
Outcome 6	Food security: A PRS oriented response to crisis.	High	High
Outcome 7	HIV/AIDS: GoL effectively addressing HIV/AIDS.	Low	Medium
Outcome 8	Job creation: Improvement in employment generation	High	Medium

Source: Gayfer, Flint and Fourie (2005: 19)

The study found that the progress and contribution of DFID towards the outcomes to vary, without any consistency.

5.4.5. Development Progress

This is the section that shows the report of the country's overall development progress. The DFID together with other development partners are working towards this goal, country development.

It is a challenge to assess the development progress in Lesotho due a lack of and poor quality of data. When the DFID report was made in 2005, there was no data on the progress made on the MDGs in Lesotho, and the progress report of 2002 was yet to be published. The only information found was from the Lesotho Vulnerability Assessment Committee (LVAC) with the support from DFID on the issues of vulnerability in Lesotho. However, the GoL has not made LVAC official and its effort to develop a Poverty Monitoring Unit (PMU) which would be used to monitor the implementation and impact of the PRS have been disorganised and slow. The PRS was developed on data that dated back to 1995, to be changed to the recent data as soon as it was available, the old data informed the MDG 2015 targets and the Vision 2020 targets. Given such information, it is impossible to reach reliable conclusions on the

progress made in Lesotho but there is a clear view that development goals are behind in the country.

AID Effectiveness

The aid received for the poor when compared with one received by Bolivia is low. Both bilateral and multilateral donors give 120 USD for each of the 950,000 people living under 1USD/day in Lesotho. Before the 1990s, donations were given on the basis of governance and service delivery. Big projects in Lesotho like the Lesotho Highlands Development Scheme has brought much services and benefits to the highlands but these projects are not sustainable and have not been able to generate revenue towards development. Lately, overseas development administration (oda) has been helpful in adopting a shift in government mentality to a wider perspective on development where service delivery is made strong by creating demand. Foreign aid has been very helpful in Lesotho especially in areas like development, policy reform, technical innovation, community led approaches, capacity building and government reform. The then unpublished MDG report note the importance of aid in the Lesotho's development especially in the midst of reduced miner wages and a big decline in oda in the 1990s. It has been concluded that Lesotho regardless of its slow progress, the country is heading towards attaining its development goals provided that there is change in leadership and good ethics around the work place. But there are those with negative feedback who note that Lesotho has a large government which is incompetent in-service delivery and reforms, a weak garment industry, a growing HIV/AIDS epidemic, and uncertain relations between the country and donors and the Republic of South Africa. Although the GoL is working to fix all these issues, there is however no sign of change, effectiveness, or commitment that gives hope that the MDGs in Lesotho will be achieved.

5.5. Evaluation Report- Lesotho Phela

Phela Health and Development Communications (PHDC) is a social and behaviour change communication NGO based in Maseru, Lesotho. The organization's primary concern is the development and distribution of behaviour change communication (BCC) materials. To complement this multi-media strategy, Phela also engages in social mobilisation that involves Training of Trainers (ToT) and holding community dialogues on issues relevant to the concerned target audiences throughout Lesotho. Phela is committed to working in alignment with the National Strategic Frameworks and guidelines as drawn and directed by the National

AIDS Commission (NAC). Phela Health and Development Communications mostly operate with multimedia communications (radio, television, print) and advocates for social change and health education. It works with the Soul City Institute of Health and Development Communications Regional Program together with other organisations in Southern African Countries. When Phela was established in 2002, there was an external evaluation team (CIET) which was employed to carry out a mini study to measure the HIV/AIDS prevalence in Lesotho. The study also measured the knowledge, attitude and practice levels. In 2005, there was a mid-term impact assessment and in 2007 at the final stages of the project, the final impact assessment was carried out (the current report). Monitoring and Evaluation is an important part of every organisation, this is the case for Phela's programming. Organisations have monitoring as one of its important activities as it ensures good progress, cultural sensitivity and relevance. For this reason, all of Phela's programmes are based on information derived from focus groups conducted with the relevant audience and consultations with stakeholders.

The report shows that Phela had a positive impact during its first five years of service. This was made possible by the support from the Soul City institute, all the regional programme partner organisations, all local partners and stakeholders, and members of the communities who were constantly consulted with. The financial assistance from the Irish Aid, DFID, the European Union, The Royal Dutch, and PB made the assessment process possible.

Phela together with other regional organisations shared the same programme objectives from 2002 to 2007: - to cover at least 40% of the population

- to influence positive behaviour change to 15% of exposed people

- to educate 20% of the population

- and to educate people about the prejudice towards people living with HIV/AIDS

This report was prepared with the aims to; determine the reach of Phela intervention, describe the patterns of exposure and the audience, and to determine the impact of Phela on the intended HIV/AIDS related attitude and behavioural outcomes that the Phela media series intended to address.

5.5.1. Overall Levels of Exposure to Phela

Since 2002 when Phela started operating in Lesotho, it has succeeded to attract interest from most people between ages 18-45 years, and some from outside this age range. The report shows that by 2007, about two thirds of adults and youth had heard of Phela. Reaching adults on radio and Television was low, 18% of adults have heard of Phela on radio and 12% have watched it on Television. Printed materials were more accessed than other media outlets, especially among the youth; as the study shows that more youth have access to booklets than adults.

5.5.2. What People Thought Of Phela

People who had heard of the program were asked what their take was on it, among the adults who had heard of Phela, about 90% of them said the material are helpful and about 79% of them confirmed that the program is much needed in Lesotho. The youth who had heard of Phela, 80% girls and 77% boys said they enjoyed the material.

5.5.3. Impact of Phela

The program of Phela was designed to tackle concerns about HIV/AIDS, the knowledge, attitudes and behaviours. This survey on the impact of Phela was conducted approximately 4-5 years after the implementation of the program.

5.5.3.1. Impact on Dialogue about HIV/AIDS

The change in behaviour shows that dialogue is effective and efficient means of behavioural change. The 2007 study indicates that Phela material was used in discussions about AIDS among the youth and adults. The social media outlets (tv, radio and print) were the source of conversations surrounding AIDS. There is evidence that there were general discussions about HIV/AIDS even though it was more among the adults than the youth. For both adults and youth, those who tested negative but had knowledge about Phela were more likely to discuss about HIV/AIDS. The 2007 study shows that 81% of adults who know about Phela had discussed HIV/AIDS compared to the 58% of those who had no knowledge of Phela.

5.5.3.2. Impact of Knowing on Prevention And Transmission

Making information on HIV/AIDS easily accessible to the public empowers them to get the knowledge on how to protect them and practice safe sex. Phela has published information regarding HIV on several facts; causes of HIV/AIDS, that there is no cure, prevention by using condoms and HIV can be passed to children.

A study conducted in 2007 shows that about 50% of adults had knowledge about the causes of AIDS and that there is no cure. Over 66% of Basotho were found to know that AIDS can be passed to children and condoms can be used to prevent the disease. Phela was concluded to have been the source of information especially for less educated adults. Those who were aware of Phela were found to be more knowledgeable about HIV/AIDS than those who did not know about Phela. Those who knew about treatment were found to know that a HIV+ individual can live longer while on medication and that they could still transmit the virus even when on treatment.

5.5.3.3. Impact on Decreasing Stigma towards People Living With HIV/AIDS

Stigmatisation of people living with HIV/AIDS is an issue as it affects the quality of life of those infected and affected. Phela has been dedicated to educate people about HIV and how it is transmitted and prevented. Media is used to pass the message to the public and education on how to offer support to people living with the virus.

Study showed that adults had more understanding and that most of them agreed that they would care for someone living with HIV; Phela has helped people understand that people living with HIV/AIDS should not be isolated in communities and families; they should be offered support and care. Among the youth, those exposed to Phela (majority) showed understanding and said they would befriend someone with HIV/AIDS.

5.5.3.4. Impact on HIV Testing

It is important for an individual to know their status so that if HIV+ they can access treatment early and if negative they can know how to maintain their status. Phela has been encouraging Basotho to test under the VCT (Voluntary Counselling and Testing) with their partners to minimise the risk of infection. But VCT is not famous in Lesotho, with 14% of males and 17% females having tested in 2001 but in 2007 the numbers had doubled respectively. Phela was able to increase the number of adults who test.

5.5.3.5. Impact on Condom Use

The years 2002-2007 saw an increase in condom use between casual partners in Lesotho. Adults who knew about Phela were found to use condoms more than those who don't. Regular exposure to Phela increased condom usage between casual partners.

5.5.3.6. Impact on Numbers of Concurrent Sexual Partners

The transmission of HIV related diseases has been attributed to having multiple sexual partners. Therefore, having one sexual partner can limit the chances of getting infected thereby creating new infections. Phela reports a drop in multiple partners between the years 2002 and 2007 among the Basotho. In 2002, 58% of men and 36% of women were reported to have more than one partner but in 2007, the numbers had decreased to 43% and 17% respectively. These results were due to the accessibility of Phela material to the public.

5.5.3.7. Conclusion

Phela's intervention was found to be positive in passing the information to the public about HIV/AIDS and people living with the virus. There is still however a need for more education on ARVs as well as VCT services. Phela also had an impact on both adults and youth even though access was low in the rural areas. This is due to limited access to TV in the rural areas so other means have to be found to make information available throughout the country.

5.6. The Lesotho National Human Development Report- UNDP Lesotho

The Lesotho National Human Development Report: Leveraging the Power of Youth to Promote Human Development of 2015, conducted by UNDP Lesotho was done under the orders of UNDP, in a similar way with its previous other reports. The GoL had no role in the commissioning of the reports of UNPD Lesotho, since 1990 UNDP has been producing its own analysis reports on the role they play in Lesotho's Human Development, progress, trends and policies. The organisation has been involved in health issues, education and human rights and choices as well as the economic growth of the country. The first National Human Development Report produced by UNDP Lesotho was in 1998. The report was on human security; a second report that was published in 2006 which centred on the issues of HIV/AIDS, food insecurity and poverty. The foregoing report also included the MDGs progress in Lesotho and an assessment of human development status. The 2015 report was about youth issues relating to health, education, employment, politics, and gender and culture dynamics. This report showed results of improvement in human development in Lesotho between 2004 and 2014, but the country is still classified under less developed countries. Improvements in education and literacy rates were recorded but did not change the status of Lesotho being classified as having the lowest human development among the youth. This is due to factors like poverty, dependency, limited access to information, economic resources, the gap between rural and urban life, which are affecting the youth. The report calls for equal

resource allocation and development programs which include the youth to solve this problem of low human development among the youth.

The Lesotho National Human Development Report: Leveraging the Power of Youth to Promote Human Development, was conducted with the aim of raising awareness on issues of exclusive human development. The report calls for policy debates on how to be inclusive in development and growth, it also calls for policy actors in Lesotho to include citizens as well as other relevant stakeholders to ensure successful development goals.

5.7. Conclusion

This chapter examined the findings. It looked at the legislative framework for NGOs in Lesotho and then considered the experiences of NGOs in Lesotho in regards to their accountability and governance through the use of case studies. The chapter also made note of the government report regarding NGO government.

5.8. *Discussion of Findings*

According to Caluser and Salagean (2007: 12), governance is an act of using power to manage resources and make policies. This includes the use of available resources by policy actors to achieve policy goals either being economic, social, cultural and political goals. Governance therefore denotes “a complex set of structures and processes which are generally associated with national administration” (Caluser and Salagean, 2007: 12). The World Bank Group (2002) defines governance as “the process and institutions through which decisions are made and authority in a country is exercised”.

Good governance, therefore, is following a set of rules or standards in an act of governance and a manner in which policy actors conduct themselves during the process (Caluser and Salagean, 2007: 12). The principles of good governance are imperative as they assure good governance in any entity, through participation, rule of law, transparency, accountability, predictability or coherence, and effectiveness. It is argued that these principles are also important for sustainable development (Caluser and Salagean, 2007: 12). The study as stipulated in chapter four employed the principles of good governance according to the World Bank, which are: public sector management, accountability, legal framework for development, and Transparency and information which are common themes across the literature. Therefore, employing these themes will guarantee accuracy and reliability of the findings of this study.

Governance, as a concept is the process of decision- making and the process by which decisions are implemented or not implemented (Kioe Sheng, ND). This is applicable in various entities such as national, corporate, international and local governance. Good governance according to Abdellatif (2003: 4) is characterized by transparency, participation, accountability, effectiveness, equality and rule of law. The World Bank lists; public sector management, accountability, legal framework for development, transparency, and information as key concepts for good governance (Maldonado, 2010: 5). It is a leadership that considers and acknowledges citizens' role in decision making, and on political, social and economic issues that promote development. Good governance is about the protection of human rights, cultural rights, civil rights, economic, political and social liberties and the assurance of human dignity through services rendered such as health care, housing, food security, education and security services.

5.8.1. Public Sector Management

This involves the public expenditure management, public enterprises and civil service reform, which relates to improving the efficiency of public institutions. More emphasis is placed on public expenditure management, budget planning and also enforcing strong budgeting techniques. Civil service reform is meant to encourage good governance especially in developing countries that borrow from the World Bank with the hope of strengthening their states to achieve development (World Bank, 1991: 14). Reform of public enterprises includes the privatisation of public enterprises that are not profitable, improvement of market and competitive conditions, and also the relations between the public enterprises and governments to improve the management and to limit the political influence. Kaufmann et al. (2008: 7) notes that in the Governance Indicators of the World Bank Institute, government effectiveness is defined in relation to the quality of public services, the quality of policies formulated and implemented, the quality of civil service and the ability to act outside political influence, and the credibility of the government's commitment to its policies.

Governments are the entities responsible for the needs of their citizens and to satisfy these needs, government institutions are entrusted with delivering services through the use of taxes and national resources, under the guidance of the rule of law (CIPFA and IFAC, 2013: 13). This therefore means the government institutions are answerable for their decisions on the amount spent, how it was spent and the manner in which the resources are used. It is implied that public interest should be satisfied but in an effective and efficient manner in

consideration of the legislation and government policies. Government institutions are capable of delivering services in a manner that ensures integrity of the public and their ethical values (CIPFA and IFAC, 2013: 13). Poverty reduction and sustainable development in developing countries like Lesotho is increasingly becoming an international agenda. Babbington, Hickey and Mitlin (2008:16) argue that bilateral and multilateral agencies are financing NGOs as they have assumed the role of poverty reduction in countries where governments do not have the capacity to play the role and deliver services. According to Pholo (2013: 121) the government of Lesotho has made efforts to secure donations and technical support from UNDP to develop a clear focal point for coordinating the development assistance. However, it is important to note that aid comes with conditions that enable the donors to have influence on policy decisions of the recipient countries; this is the case in Lesotho.

Policy implementation does not only require commitment from governments but also the capacity to carry the necessary tasks. According to Smith (1973: 199) Western nations are blessed with effective and efficient bureaucrats in policy implementation. They differ from the Third World who are faced with inept personnel, political leaders who lack vision, insufficient support for policies, corruption and many more negative factors that inhibit the progress of implementing policies. It is possible for the planning and drawing of government policies to be a smooth and rational process, but this is meaningless if the bureaucrats cannot implement them.

In the year 2000, according to GOL (2014: VI) at the Millennium Summit, Lesotho was among the nations that signed a global agreement to eradicate extreme poverty and achieve human development by implementing the Millennium Development Goals (8 goals were set). In so doing, Lesotho was committing itself to plan and execute the policies that will assure the achievement of these goals but due to its development status it relies heavily on donations to help implement the poverty reduction programs and service delivery. It is the responsibility of government entities to plan and define their goals towards a sustainable outcome. The management team should have the same vision and should ensure that resources are utilised towards this vision, while operating within the rule of law. Participation of the public and other stakeholders is imperative for the success of the process; also prioritisation of the usage of resources is a factor towards the success of the process (CIPFA and IFAC, 2013: 18).

It is essential to view policy implementation process as a catalyst for social and political change, this change of perspective will enable governments to develop a sound model for implementation (Smith, 1973: 200). Governments draw policies with the hope of bringing changes in societies, this according to Smith (1973: 200) means “old patterns of interaction and institutions are abolished or modified and new patterns of action and institutions are created.” Also, government policies are designed to achieve different results, some policies are implemented to bring about mediocre changes in people’s lives while some are modified from old policies to improve the impact they bring, but all the policies are implemented to bring about change and result in new structures of interaction and institutions. The government of Lesotho in partnership with numerous international and national organisations offer support for the delivery of basic services which the government falls short of delivering to its citizens. This is done through the implementation of development programmes by the donors together with the government. These programmes are in conjunction with the MDGs, sharing the vision of the achievement of all the eight MDGs objectives towards sustainable development. The MDG Status Report of 2013 was compiled by the government of Lesotho with the financial support of the UNDP and the UN System in Lesotho. Secondly, The United Nations which has implemented a programme called the Lesotho United Nations Development Assistance Action Plan (LUNDAP) 2013-2017, and United Nations Development Assistance Framework (UNDAF) 2018- 2022. The third report is by SADC, SAHARA and African Development Bank on the HIV Testing and Counselling (HTC) policy. The fourth report is from the United Kingdom on The Department For International Development (DFID), a program the United Kingdom finances in Lesotho. The next report is from PHELA, an NGO that is financed by the Irish Aid, DFID, European Union and The Royal Dutch to implement the PHELA Health and Development Communications programme. Lastly, a report from the United Nations Development Program (UNDP) on Lesotho National Human Development Report, a youth and development-based programme.

Given that change is expected from the implementation of government policies, it is important for governments to develop an assessment strategy during this process (Smith, 1973: 208). This will enable the government administrators to determine the changes brought about by the policy through comparison of the newly established institutions and patterns of interaction with the anticipated objectives, so as to establish whether it is meeting its objectives.

5.8.2. Accountability

Entities need to be accountable for their decisions and should also hold each other accountable. According to the World Bank Group (2002), accountability can be internal or external. Internal accountability according to the World Bank Group (2002) and Sida (2002: 3) may be a role assumed by the judiciary or parliament holding the executive accountable or the role of ministers through monitoring or auditing government employees. External accountability on the other hand is assumed by citizens, their role is to hold political leaders accountable through elections, public meetings or performance feedback. This however requires including the public in the decision-making process; it further implies that all members of society are equally involved in decision-making. Sida (2002: 3) purports that participation requires an inclusion of the public, not only a few selected but everyone has to be part and parcel of the process. This emphasises that governance is an inclusive process that requires all to take part in the decision-making process with the government. It also requires equal treatment of citizens by the government either through service delivery or an inclusive application of laws and policy to all its citizens.

The understanding of policy implementation necessitates the acknowledgement of numerous actors involved in the policy process (O'Toole, 2000: 266). Even in the organisational sphere, policy making does not only require infrastructural and resource capacity but also different stakeholders (clients, political support, and other external influences). This implies that the beneficiaries of the policy should be acknowledged by being part of the implementation process; their involvement should be prioritised as it has an impact on policy outcomes. Multi-actor participation is inclusive of other institutions, governments, agencies, or sectors that are crucial for implementation success (O'Toole, 2000: 266).

Studies by Dreze and Sen (1989) in Bird, Booth and Pratt (2003: 17) point out that majority of African governments are characterised by a lack of transparency and accountability, oppression and cruelty. Policy decision-making is centralised making accountability a myth for those who wish to make the government answerable for the policies and their consequences.

Due to a lack of accountability guideline from the government of Lesotho specifically for NGOs and other non-profit organisations operating in Lesotho, the Government of Lesotho's involvement in the accountability processes has been very limited and unstructured.

Reporting to donors is done based on the agreement between the organisation and the donor. Keulder and Benz (2011: 19) indicate that reports usually consist of a narrative and a financial report. The narrative covers all the activities (in detail) completed for that particular reporting period; while the financial report consists of a list of all expenses incurred during the period of agreement. However, these reports are adjusted to suit the donors' requirements, making them unreliable.

The study with the help of cases in Lesotho found that the NGOs do conduct assessment reports as a means of accounting. The reports are either commissioned by the donors or at times by both the donors and the Government of Lesotho work together to compile the reports. For instance, The MDG Status Report of 2013 was compiled and published by the Government of Lesotho (GoL) and the then Prime Minister. The process was led by the Department of Monitoring and Evaluation in the Ministry of Development Planning, with the technical and financial support of the UNDP and the UN System in Lesotho. The report also gives credit to other actors who contributed to the government departments, ministries, agencies, development partners, civil society organisations, and members of the private sector. The Lesotho Council of NGOs was among the actors that gave support towards the formulation of the report; it did so by conducting country-wide consultations for the Post 2015 agenda. This report was overseen by external experts, an economic advisor from UNDP, the director of BOS and the director of PSP. Also, the assessment of The Lesotho United Nations Development Assistance Plan of 2013-2017 was ordered by the United Nations Country Team (UNCT) together with the GoL and other partners to help identify the challenges that were encountered before entering into the next phase. It was conducted in with compliance with the United Nations Development Group Guidelines for UNDAF Evaluations.

In the case of the HTC Country Report, the Ministry of Health and Social Welfare was involved at the final stages of the assessment, their role was to confirm the report. The assessment was ordered by the SADC Secretariat who also offered support for its compilation. The Lesotho National Authorities and Officials oversaw the implementation of the collection of data and analysis was done by the M&E expert together with the Project Director for the project. The report was published by SAHARA in 2009.

It was also established that the Government of Lesotho does not involve itself in the process of assessments of some NGOs, the donors call for the evaluation process and publishes the findings without any government interaction. The assessment of the Department For International Development (DFID), United Kingdom's Lesotho country program is one but many evaluation reports compiled on the orders from the DFID's Evaluation Department. This assessment was conducted by an international team from the United Kingdom with the assistance from some local consultants under the supervision of PARC (Evaluation Department). The DIFD's policy on evaluation requires that the Lesotho office staff be involved in the process and the results must be communicated accordingly. Phela's evaluation was also exclusive of the GoL, in 2002 Phela conducted a mini study to measure the prevalence of HIV/AIDS in Lesotho with the help of an external evaluation team. It again conducted a study in 2005 which was a mid- term impact assessment, in 2007 another assessment was carried out which was the final impact assessment. Lastly, The Lesotho National Human Development Report: Leveraging the power of youth to promote human development of 2015 was conducted by UNDP Lesotho with orders from UNDP, in a similar way with its previous reports. The GoL had no role in the commissioning of these UNDP reports of Lesotho.

Accountability in southern African democracies is a problem which cripples hope for development and any kind of growth these countries can ever hope for. Citizens in this region have become victims of their own patriotism; their participation in country elections has proved to have negative consequences for them. This is witnessed in ruling parties, instead of the citizens holding them accountable of state resources, the systems have made it impossible as the resources are misused by such ruling parties for their own political advancement. According to Bird, Booth and Pratt (2003: 16) "formal representation is structured by patronage and nepotism, not by policy preferences or policy results". It has not only become a norm but a culture for countries to experience democratic suicide from the hands of leaders who were elected by citizens with the hope of a better future. This as stated by Bird, Booth and Pratt (2003: 16) has demoralised the democratic institutions in these countries and the citizens as they continue to be side-lined in policy decisions.

The relations between donors and CSOs in Lesotho appear to lack strategy and framework. The approach seems disorganized and lacks co-ordination with each donor managing its own

funding programmes (Reality of Aid Africa Network and Hand in Hand Lesotho, 2014: 9). Furthermore, the mechanisms for accountability used by CSOs deny them the choice to decide the appropriate accounting mechanism for the organisation but give donors the power to propose focus and thematic areas of support. This is largely seen in the strong association between the themes and programmes of CSOs and those of donor funds. Most CSO initiatives appear to target the Lesotho government and the local communities. Very few organisations target donors with their lobby and advocacy activities. Donors are merely seen as providers of funding, and capacity building in the context of infrastructure development. While some donors have made attempts to invite CSOs to present their views in some areas that they have technical capacity, including in international trade and HIV AIDS, they continue to routinely exclude civil society from their decision-making organs.

Good governance constitutes of democracy, transparency, accountability, the proactive promotion of people's participation in decision-making and resource allocation, while protecting them from subjective actions by government and other forces (African Development Bank, 2006: 21). Democracy works well when people effectively use their freedoms to demand accountability and to participate. This is more so that the right to participation has been enunciated alongside the freedom of association, assembly and expression as fundamental to the achievement of social, economic and cultural development in various international human rights instruments. Although in Lesotho the protection of the right and freedom of association is evident in the existence of several political parties and right to organise under the labour laws, economic, social and cultural rights such as the right to economic opportunities, equality and justice that goes with it remain principles of state policies only.

5.8.3. Legal Framework for Development

The connection between good governance and the rule of law as described by Schlemmer-Schulte (2001: 697) is that the rule of law serves as a legal aspect of good governance. The legal representation sets a foundation for policies which informs the activities in the institution on a daily basis. These laws are set to stabilize and guard society which can improve its chances of development and poverty alleviation (World Bank, 1994: 23). According to CIPFA and IFAC (2013: 18), "the public sector achieves its intended outcomes by providing a mixture of legal, regulatory, and practical intervention". The ability to identify

an issue and the appropriate remedy for it is the role of the management of these government entities. The decision to intervene in any issues that have been identified needs to be sound and based on the capacity of the institution, the resources required for the intervention and the evaluation of these decisions is necessary for the successful interventions (CIPFA and IFAC, 2013: 18).

Lesotho being a constitutional monarchy suggests that it has a constitution in place. The Constitution of 1993 was passed by the parliament of Lesotho as one of many quests to democratise the once British colony. The constitution is the ultimate law of Lesotho, any other law that is not consistent with the constitution shall be annulled. Section 4(1) of the Constitution provides for the protection of fundamental human rights and freedoms. Everyone in Lesotho regardless of their race, sex, colour, religion, language, national of social religion, political or other opinion, property, birth or other status is entitled to fundamental human rights and freedoms. That entails the right to life; the right to personal liberty; the freedom from inhuman treatment; freedom of association; the right to equality before the law and the equal protection of the law; and the right to participate in government.

The Constitution also provides for Freedom of Association; section 16 (1) shows that all persons shall not be denied the freedom to associate freely with other persons for ideological, political, religious, labour, economic, social, cultural, recreational and any other reasons of interaction.

Section 20 (1) states that every citizen of Lesotho has the right to participate in public affairs directly or indirectly through a representative of their own choice; also to be allowed equal access to the public services.

Section 25 of the Constitution of Lesotho lists the principles of state policy, it elaborates that these principles will inform the public policy of Lesotho. However these principles will not be obligated by the Courts of law but will be dependent on the State capacity (economic and development factors). They will be employed to guide the authorities and agencies in Lesotho in the performance of their daily functions to assist them to achieve their objectives while also functioning within the boundaries of the law. These principles are: equality and justice; protection of health; provision of education; opportunity of work; just and favourable conditions of work; protection of workers' rights and interests; protection of children and

young persons; rehabilitation, training and social resettlement of disabled persons; economic opportunities; participation in cultural activities; and protection of the environment.

Successful policy implementation requires a sound governing structure where planning and transparency are the norm. Good governance is therefore an imperative for successful policies. Mgolombane (2008) emphasizes by stating that organized environments are the result of good governance, such environments produce effective policies as factors such as culture, process and people are considered in the planning process. The Government of Lesotho's Constitution aims to provide such an environment that is conducive for human development and policy implementation as it gives guidance provided by the principles of the state policy.

Government institutions in their responsibilities to implement laws, should instil a level of commitment to such laws in their roles. Through the compliance with good governance, the institutions should use their position of influence for the benefit of their societies and stakeholders. According to CIPFA and IFAC (2013: 15), "fair legal frameworks, enforced on an impartial basis as well as an independent judicial system should assist in building societies where individuals and organisations alike can feel safe. They do this by affording legal protection for rights and entitlements, offering redress for those harmed, and guarding against corruption". The government bureaucrats, through the provisions of the rule of law are held accountable for their actions and decisions in resource allocation.

Good governance has since assumed a wider scope of definition which now goes beyond economic and administrative processes to being linked to democracy, the rule of law and participation (Austrian Development Cooperation, 2011: 5). The concept although not clearly defined in international law, it has been acknowledged in numerous international documents such as the United Nations Universal Declaration of Human Rights (i) in Article 21, which emphasises on the importance of participation in government, and (ii) in Article 28, which notes that everyone is entitled to an international order in which the rights and freedoms set forth in the Declaration can be fully realised (Austrian Development Cooperation, 2011: 6).

The quest towards poverty reduction and development has led to a world that is co-dependent, where politics and political institutions are increasingly regarded as integral to human development. These institutions are expected to operate smoothly, in an efficient manner as they serve the most vulnerable members of society who do not have a voice and

are highly reliant on public services (Austrian Development Cooperation, 2011: 6). Due to its membership status in international and regional economic arrangements, Lesotho had to develop the National Vision 2020. The Vision aims that by 2020, Lesotho would have achieved a stable democracy, prosperity and peace with itself and neighbours. It also states that, Lesotho by 2020 will have an efficient and informed human resource, its economy will be strong, the environment well managed and a technologically advanced population.

The National Vision 2020 has become the guideline for policies and national plans in Lesotho. For instance, the National Strategic Development Plan (NSDP) 2012/13- 2016/17 was developed in conjunction with the objectives of the National Vision 2020 to ensure its achievement. Other policies are the Poverty Reduction Strategy Plan 2004 (PRSP), MDGs (2000- 2015) which later became the SDGs (2016- 2030) which are also adopted to ensure the attainment of Vision 2020.

Given the Lesotho's road to ensure a sustainable development through its policies, is it safe to say good governance is directly linked to development and democracy? The definition by the World Bank and Abdellatif (2003:9) suggest a connection between the concepts. They argue that good governance is associated with the environment that is conducive for sustainable development, human rights and growth, which are the characteristics of democracy. Democracies encourage full participation of citizens in state matters such as policy making, their priority is citizen well-being. Democracies also promote human development, like good governments, they strive for efficiency in service delivery, economic, political growth and development. This suggests that democratic states are considered as good governance, they take into consideration the poor in their service delivery through different government institutions and their inclusiveness in policy decision making which makes accountability possible.

The success of good governance depends on the implementing bodies, either the governments or individuals to always consider the public's interests, adhere to the rule of law and government policies, and keep away from serving personal or organisational interests. Ensuring that the interests of the public are served means the society at large benefits from the government or institutional intervention and those services provided will benefit the society and other stakeholders (CIPFA and IFAC, 2013: 14). The problem of 'implementation' negligence in governments or organisations has led to an assumption that

once a policy is made by a government, it proceeds to implementation stage and it will have the anticipated results. Smith (1973: 197) brings attention to the fact that this assumption can be a reality but it is dependent on certain conditions in societies. These are the conditions that are found to be limiting policy success in less developed countries (Third World). Policies made by less developed countries governments are barely based on the interests and needs of the people; public participation in policy planning is absent. Political parties and interest groups are often found to be dormant in the policy process, their involvement is very limited and mostly government bureaucrats are expected to carry the weight. It is only during the implementation stage that the interest groups and political parties are expected to participate. Due to this exclusive process, it is only during the implementation stage that such policies are either terminated or changed to meet the needs of the interest groups. This is what sets the policy-making process of developed countries (Western Nations) and the Third World apart.

The atmosphere for NGOs activity in Lesotho is a favourable one, both in law and practice. The organisations register under the Societies Act of 1966, they are governed by numerous laws such as the Cooperative Societies' Act 2000, the Labour Code 1992, the Partnership Proclamation, and the Friendly Society's Act. This implies a need for one legislative framework that will inform the NGOs activities in Lesotho. Given all the above legal frameworks, there is no clear framework that informs the accountability of NGOs. A major setback is the legislative framework within which CSOs operate in Lesotho, it is loose and it partakes in the reasons for weak internal management systems of CSOs (African Development Bank, 2006: 25). The lack of monitoring tools in the laws undermines good governance and creates the enabling environment for indiscipline and corruption; it is also worth noting that the absence of NGO/ government dialogue exaggerates the problem. Apart from a draft Memorandum of Understanding to guide the relationship of the government with Lesotho Council of NGOs (LCN), which the government is still yet to sign, there are no current initiatives to improve the linkages and partnerships between the government of Lesotho and NGOs. Furthermore, CSOs do not have the capacity to monitor government transparency and accountability and also lack the skills to participate in policy dialogues with the government especially on the budget process

It has been established in the study that NGOs have adopted their own internal policies that guide their assessment processes. The DFID's Evaluation Department's policy requires that

there should be the inclusion of Lesotho staff in the assessment process and that it is mandatory to share information among the parties involved in the process. This is also the case in the assessment of The Lesotho United Nations Development Assistance Plan as it is indicated that the assessment was conducted in compliance with the United Nations Development Group guidelines for UNDAF Evaluations. Phela has established its M&E system which informs it to conduct studies before they implement an intervention, mid-intervention and post-intervention. This according to Phela ensures positive progress, cultural sensitivity and relevance of their programmes; therefore, their programmes are based on information derived from assessments. Also, Phela is committed to working in alignment with the National Strategic Frameworks and guidelines as drawn and directed by the National AIDS Commission (NAC).

Given the important role of NGOs in poverty alleviation and development, it is therefore important to acknowledge the need for good governance and its principles in the assurance of institutional service delivery. Austrian Development Cooperation (2011: 6) states, “in the same way that human development requires more than just an increase in the income level, good governance is more than just the existence of an efficient public sector. It also calls for fair and responsible institutions that respect human rights. Governance structures must ultimately be fully responsible to their citizens, and the population must have the possibility of participating in discussions and decisions that affect their lives”. Good governance is mutually exclusive to democratic rule; careful consideration of both is the right path to development in all its forms (social, political and economic).

However, democracies can become bad governments (Abdellatif, 2003: 13). The issue of corruption within government structures and political leadership according to Barrett (2005:1) jeopardises development but there is hope that free and fair elections will do away with corrupt leaderships. Both democracy and good governance are crucial, a state that has both is characterised by good management of state resources which are used for the advancement of the public, efficient and effective government institutions, a functional rule of law, attracts foreign investment, the government is transparent and stable in its daily activities. Austrian Development Cooperation (2011: 6) states that “a functioning public sector that respects principles such as transparency and participation and is accountable to its citizens, a dynamic civil society that can express and respond to the needs of the poorest

members of society, and a justice system that provides legal security all contribute to human security, poverty reduction, and protection of the environment”. This therefore concludes on the importance of good governance to all activities of governance and development.

5.8.4. Transparency and Information

Good governance relies on transparency and information due to the highly sought after reliable information. According to the World Bank (1992: 39), transparency and information are important for the economy, curbing corruption, evaluation and efficiency of the government in delivering its policies. Information of the decisions made should be free and readily available for access especially to those affected by such decisions (Caluser and Salagean, 2007: 12).

Transparency is a requisite in government service delivery; this is due to the necessity of the beneficiaries of the services to hold the government accountable. Government institutions have to ensure that truthful and reliable information is available to the public and stakeholders regarding performance, plans and objectives as well as resource utilisation reports (CIPFA and IFAC, 2013: 17). Successful implementation of government policies significantly relies on transparency and truthful information. The World Bank has adopted this approach as a way of keeping the participation of the public in the decision-making process through making information available to them. It also emphasised the importance of improving transparency and information in the financial markets (World Bank, 1992: 40).

Transparency and information also help minimise the chances of corruption. This issue has always been associated with politics in governance, but it has become a general institutional issue. According to the World Bank (1992: 40) there needs to be collaboration between the government and the public towards fighting corruption by motivating transparency while making decisions. However, this crucial role was delegated to the labour unions, universities and media. Transparency, accountability and participation according to Austrian Development Cooperation (2011:5) are the central principles of good governance, “International Declarations such as the Millennium Declaration, the Declaration on the Right to Development, international conferences such as the International Conference on Financing for Development, or the World Summit on Sustainable Development, and other relevant documents such as the Human Development Report of 2002 or the report by the UN Secretary- General ‘In Larger Freedom’ of 2005 define good governance and human rights as

important prerequisites for poverty reduction and development and confirm their mutual interaction”.

Entities have the responsibility of demonstrating their deliverables, their plans towards achieving them and resources needed for the process. This requires frequent public reports that will keep the stakeholders and the public informed about the performance and resource utilisation in service delivery. The information presented in the reports should reflect the true activities within the entity and should also be endorsed by management and bureaucrats to ensure reliability (CIPFA and IFAC, 2013: 40). Given the high demand for good governance in the development cooperation between counties and donor communities, the entities are required to implement the principles of good governance; prioritise transparency and inclusiveness to ensure human development (Austrian Development Cooperation, 2011:5).

The MDG Status Report of 2013 was compiled and published by the Government of Lesotho. This report indicates the progress of each eight global MDGs with the help of the recent available information. It includes components which provide information on the status of the country in relation to progress made, as well as indicating the problems that prohibit the country’s progress to meet the MDGs by 2015. However, it is not stated in the report how it will be accessible to the public after publication especially the people in rural areas who cannot read and write.

The participation and inclusion of the public is integral to the validity and reliability of the information derived for assessment. Institutions have an obligation to be transparent to stakeholders, clients, citizens and its employees, to have reliable information accessible and free to everyone. Company reports should be published in a simple form to enable understanding from readers of all backgrounds; this can be done through the use of different communication platforms such as the social media, publishing report documents, etc. CIPFA and IFAC (2013: 39) state that “public scrutiny creates a demand for transparency and improved accountability, so its influence can help to build pressure for a more open, and, ultimately, more effective public sector”. This also equips them with information about the programmes making the intervention a transparent process. The LUNDAP 2013- 2017 assessment was concerned with its relevance, effectiveness, efficiency, sustainability and coherence. The process was guided by the Evaluation Terms of Reference (ToR) which calls for inclusiveness and participation, therefore consultations were made with the government,

non-government stakeholders, UNCT in Lesotho and available residents and non-UN technical staff and advisors. During the consultation on LUNDAP, 71 participants were given questionnaires as part of the evaluation process, and of those respondents, 62% were government officials, 18% were NGOs, and 20% were United Nations Lesotho staff.

During the HTC assessment, the Lesotho National Authorities and officials were given the responsibility of overseeing the data collection process (field work) which implies that there was public participation. However, the reports do not indicate whether these final reports will be available to the public, and how their distribution will be ensured.

Phela Health and Development Communications (PHDC) is a social and behaviour change communication NGO based in Maseru, Lesotho. The organization's primary concern is the development and distribution of behaviour change communication (BCC) materials. To complement this multi-media strategy, Phela also engages in social mobilisation that involves Training of Trainers (ToT) and holding community dialogues on issues relevant to the concerned target audiences throughout Lesotho. Phela Health and Development Communications mostly operate with multimedia communications (radio, television, print) and advocates for social change and health education. As much as Phela depends on media to pass its message through to the people, there is still a question of how many people have access to such media outlets, also the question of whether their progress reports are made public.

Governments of the less developed countries are reliant on private institutional assistance in their role of service delivery. The partnership therefore requires cooperation and transparency between the entities to maintain accountability. The result has been an increase demand for means of accountability between institutions that form partnerships as it improves their level of effectiveness and efficiency in service delivery (CIPFA and IFAC, 2013: 18).

5.9. Conclusion

This chapter has discussed the Societies Act and its applicability. It stated the findings in a form of reports that expose how the listed NGOs together with their development partners have evaluated and published their progress reports reflecting on their roles of development assistance in Lesotho towards the achievement of poverty reduction and human development in Lesotho. The chapter concluded with a discussion of the findings employing the key

principles of good governance (public sector management, accountability, legal framework, and transparency and information).

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

The main questions asked by the study were: what is the public policy process in Lesotho? What is the link between governance and accountability in the policy implementation process? What is the current status of the governance provisions for NGO functionality in Lesotho? What are the strengths, weaknesses, opportunities and threats to the accountability provisions on Societies (Amendment) Act 2001?

6.1. What is the public policy process in Lesotho?

The need for policy-making is highly influenced by external actors due to Lesotho's dependency on financial aid. The process of policy-making involves a number of actors and organisations, it is not clear how the participants are selected but the process is government-led. Political parties are however excluded from the process, it is monopolised by the ruling party. This implies that policies will be favourable to the ruling party hence motivating the discontinuation of policies after governments change. Policy implementation in Lesotho, due to the monopolisation of the process, is the top-down approach of implementation, like the HIV risk reduction strategies for women.

Policies like the MDGs, SDGs are not uniquely drafted for Lesotho and its needs; but for all developing countries in general. These policies are imposed on countries that are members of the regional and international communities; financial gain for implementing these policies is usually a motivation for the developing countries.

Policy-making in Lesotho also lacks vision for development and economic growth, the government is characterised by incompetency and self-gain more than improvement of public services. To conclude, the process is absolutely political and exclusive making policies in Lesotho weak and irrelevant to Basotho.

6.2. What is the link between governance and accountability in the policy implementation process?

Phela emphasised the importance of assessments, research done before a policy intervention provides information about the severity of an issue, how and where the intervention is

needed, and the factors to be considered before the intervention and so on, this gives the policy a chance to have positive or anticipated results. The progress assessment is also important; it is done during an intervention to assess if the policy is in the right direction of addressing the problem so that decisions of termination, improvement or continuation can be made. A post intervention assessment is also done to record the successes or failures of the policy, the lessons learnt and areas that need improvement and so on. This information will be utilised for the second phase of the intervention of other similar policies that will be implemented in the future. Information derived from all the assessments should be compiled and given as accountability reports to stakeholders and the public. All stages of policy implementation should be made transparent; information should be readily available to the public to enable them to hold the actors accountable.

There is a further need for sound planning by the government, well equipped and knowledgeable bureaucrats are needed for policy implementation so as to achieve success. Calculation of necessary resources and unforeseen risks, the environment and its surroundings are other important factors that need to be considered in the planning stage. The government of Lesotho indicates a limitation in this area, the lack of accountability provision in the Societies (Amendment) Act 2001 proves lack of planning and vision by the government. Lesotho can learn lessons from South Africa which has in place the Non-Profit Organisations Act number 71 of 1997 which encourages non-profit organisations to uphold certain standards of governance, transparency and accountability and to make improvements where necessary; to engage with the public and make their information accessible; and to have a working relationship with the government, donors and beneficiaries.

To add, the South African Ministry of Social Development published the Codes of Good Practice for South African NPOs, under the provisions of the NPO Act 1997. The document's objectives among others is to promote NPOs to include in their operations good governance; effective management; optimisation of resources; successful fundraising; productive relationships with government, beneficiaries, donors, sponsors, and the public. Lesotho on the other hand has no clear guidelines for NPOs which will enable accountability and their governance according to the country's legal framework. This means Lesotho can learn from South Africa and be more engaged with the NPOs registered in the country to ensure their accountability.

6.3. What is the current status of the governance provisions for NGO functionality in Lesotho?

The environment for NGO functionality in Lesotho is conducive but not sufficiently regulated. This gives the NGOs the freedom to operate according to their own discretion; the government does not interact much with them. NGOs are required to register under the Societies (Amendment) Act 2001, and then are free to commence their operations. Their dominance can be traced to poverty reduction and basic service delivery especially in remote areas where the government does not have the capacity to reach. The role they play is important for the country; but the government does not closely regulate their activities. This reveals a weakness in the governing structures of Lesotho, the lack of provisions in the Societies (Amendment) Act 2001 shows that the amended act has loopholes which should have been addressed through thorough consultations with policy experts and learning from other countries.

6.4. What are the strengths, weaknesses, opportunities and threats to the accountability provisions on Societies (Amendment) Act 2001?

The government of Lesotho does not make provisions for NGO accountability in all its policies that govern NGOs. There are a number of policies like the Cooperative Societies Act 2000 and the Labour Code 1992 which work in conjunction with the Societies Act. The lack of provision results in NGOs adopting their own policies on accountability which suit their own interests and those of their donors. This however means that government and the public cannot hold NGOs accountable for their actions or inactions. Their reports therefore are questionable, the integrity and reliability of the information they present, and this process requires consultation and public participation which in this case is very limited.

The inability for NGOs to be held accountable implies that the policies they seek to implement are uninformed, hence their interaction is not necessarily needed by the public they serve, and this results in poor service delivery hence policy failures.

6.5. Study Limitations and Recommendations

6.5.1. Limitations of the Study and Opportunities for Future Research

This is a qualitative desktop study. While suitable for a coursework masters dissertation, it also provides the building block for further empirical investigation in Lesotho.

6.5.2. Recommendations

Policy-making process in Lesotho as indicated in the study is an exclusive process which is mostly dominated by the ruling party. This implies that the opposition parties get a little or no say in the matter as well as the citizens. However, the case of the district of Qacha's Nek consultation with the people for the decentralisation of local government shows a journey towards change in Lesotho's policy-making process. Currently Lesotho is undergoing a process of reforms, this was prescribed by the SADC Commission of Inquiry in 2015 following the political and security turmoil of 2014-2015 in the country. The Commission, as a way forward prescribed that the Constitution of 1993, the security sector, the parliament, judiciary and the public service should be reformed and the process should be an inclusive and a consultative one. The study therefore suggests that engaging with the constitution, consultation with stakeholders, the opposition and the public can be a reflection of a democratic country that has hope for reaching its developmental goals. The role of the constitution is to address issues of governance and accountability, also due to Lesotho depending heavily on foreign aid, the Constitution should reflect this and make provisions for such activities.

Lesotho can learn from South Africa which has regulations for non-profit organisations. The Codes of Good Practice and the Non-Profit Organisations Act of 1997 are a few of such regulations that inform organisations to encourage accountability, good governance, transparency, participation, and donor relations in their daily activities. These can also be used as a guideline by GoL to improve the Societies Act 2001, there is also need to merge all regulations (Societies Act, Cooperative Societies Act 2000, Labour Code 1992, Friendly Societies Act) that inform CSO, into one regulation.

Accountability of NGOs in Lesotho is unregulated, due to the loopholes in the current legislative framework, the Government and the public are limited in holding the organisations accountable. Through the establishment of sound policies and better relations between the stakeholders, accountability and transparency can be restored in Lesotho.

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