

Co-Governance for Accountability: Beyond “Exit” and “Voice”

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Summary. — This article explores the theory and practice of society’s participation in strengthening government accountability. It argues that both “exit” solutions based in marketization and “voice” solutions grounded in “coproduction,” social protest or consultation are insufficient. The best way to tap into the energy of society is through “co-governance,” which involves inviting social actors to participate in the core activities of the state. By way of demonstration, the article examines case studies from a wide range of contexts (Brazil, Mexico, the United States, India) and policy areas (poverty reduction, infrastructure provision, school reform, electoral administration, police reform).

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1. INTRODUCTION

In the contemporary world of second-wave reforms and democratic transitions, the construction of an honest, efficient and effective government apparatus has moved to the top of the international policy agenda. Academics and policymakers alike now readily accept that good governance and accountability are necessary preconditions for successful economic development (Bresser & Spink, 1999; Evans, 1995; Grindle, 1996; Manzetti, 2003; Pope, 2000; Rose-Ackerman, 1999; Schedler, Diamond, & Plattner, 1999; Vellinga, 1998; World Bank, 1997).

Unfortunately, most contemporary pro-accountability reforms exclude the “voice” of societal actors. On the one hand, “old” public management strategies such as civil-service reform and strict procedural monitoring are explicitly designed to insulate the state from society. On the other hand, New Public Management (NPM) policies such as managed competition and performance contracts also keep society far away from the core activities of the state. Although NPM does have a participative or “social control” current within it (Bresser & Cunill, 1999; Peters, 2001), this is usually marginalized in favor of marketization strategies. Marketization itself allows citizens to let their opinions be known through “exit” options, but it prohibits their active participa-

tion in government. Indeed, recent studies have shown that such policies may even undermine community organization and social capital in the developing world (Cunill, 2000; Wallis & Dollery, 2001).

The “voices of the poor” (Narayan & Petesch, 2002) usually find their way back in, but they are often left speaking into a void. Governments and international development agencies have recently moved “participatory development” up their discursive agendas (c.f. UNDP, 2002; World Bank, 2003), but actual practice has lagged far behind. Participation is usually seen to be important only insofar as it reduces government costs and responsibilities. It suddenly appears to be “practical” and attractive when governments can offload service delivery to nongovernmental organizations (NGOs) and community groups or convince local residents to donate volunteer labor or materials. The direct involvement of citizens

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and societal groups in the core functions of government continues to be extremely rare.

This article argues that the opening up of the core activities of the state to societal participation is one of the most effective ways to improve accountability and governance. Through an exploration of case studies from a wide variety of contexts (Brazil, Mexico, the United States, India) and policy areas (poverty reduction, infrastructure provision, school reform, electoral administration, police reform) the article shows that state reformers should move beyond strategies based on "exit" and even "voice" (Hirschman, 1970; Paul, 1992) to establish spaces of full "co-governance" with society. Instead of sending sections of the state off to society it is often more fruitful to invite society into the inner chambers of the state.

Section 2 below gives an overview of the literature on accountability and society. It begins by defining accountability and discussing the various ways it can be enforced. It then focuses on a wave of fascinating recent works on society's pro-accountability role by authors such as Avritzer, Cunill, Evans, Fox, Goetz, Jenkins, Isunza, Paul, Peruzzotti, and Smulovitz. Finally, it defines and proposes the concept of "co-governance for accountability."

Section 3 includes various case studies of successful examples of "co-governance for accountability." The emphasis is on successful cases since, as Judith Tandler has pointed out, "the mainstream donor community's advice about public-sector reform arises from a literature that looked mainly at *poor* performance... This means that countries and the experts that advise them have few models of good government" (Tandler, 1997, p. 2, emphasis in original). Development professionals are acutely aware of the ways that governments fail. There is a need for the sustained study of successful government innovations in order to inspire and direct positive action.

The cases are organized according to the level at which state actors have opened themselves up to and encouraged the participation of civil society in the structuring of accountability arrangements. The section begins with the case of participatory budgeting in Porto Alegre and moves on to the case of Mexico's Federal Electoral Institute. It then turns to the case studies of police and school reform in Chicago and decentralization and rural development in Mexico. It ends by discussing a pair of examples of "social auditing" from India. Finally, the article con-

cludes with a summary of the principal lessons for institutional reformers and development professionals interested in strengthening government accountability through the involvement society.

2. ACCOUNTABILITY AND SOCIETY

Good government does not emerge spontaneously or naturally out of the good hearts of individual bureaucrats and politicians. It is the result of a tough, and often conflict-ridden, process of institutional design. The principle element that assures good government is the accountability of public officials. This involves both answerability, or "the obligation of public officials to inform about and to explain what they are doing" (Schedler, 1999a, p. 14) and enforcement, or "the capacity of accounting agencies to impose sanctions on powerholders who have violated their public duties" (Schedler, 1999a, p. 14). Although some individual officials may never need institutional structures to assure their commitment to the public good, most do need it at least some of the time. The only way to guarantee good government is by institutionalizing powerful accountability mechanisms that hold every public official responsible for his/her actions as a public servant.

The celebration of free and fair elections is one of the most powerful pro-accountability mechanisms in existence. Through periodic elections, political leaders who work for the common good are supposed to be reelected, and leaders who use public office for particularistic ends are supposed to be removed from office. Nevertheless, there are both structural and contextual problems with elections in the contemporary world.

There are at least three different structural problems with elections as accountability mechanisms. First, elections only hold elected officials accountable. The vast majority of public officials are appointed bureaucrats who are not directly accountable to the public through the electoral process. Second, because elections only occur once every few years and force an incredible diversity of opinions and evaluations together into a single ballot, it is virtually impossible for elections to give clear *accountability signals* to individual office holders (Przeworski, Stokes, & Manin, 1999). Third, even if the accountability signal were somehow clearly discernible, the fact that most

politicians are elected by only a small portion of the population often forces politicians to favor patronage, “pork” or corruption over initiatives that would bring long-term benefit to the public as a whole (Varshney, 1999).

The situation appears even worse when we take into account the empirical context. Democratic institutions are extremely weak in the contemporary world. The effectiveness of elections as mechanisms of sanction and control is weakened by the distance between political and civil society, the clientelistic nature of many political parties, the excess private funding for candidates, and the lack of public information about the general workings of government and even less information about the specific behavior of individual office holders.

As a result, “vertical accountability” mechanisms, such elections, that require government officials to appeal “downwards” to the people at large have been complemented by “horizontal accountability” mechanisms that require public officials and agencies to report “side-ways” to other officials and agencies within the state itself. Guillermo O’Donnell has defined horizontal accountability in the following manner.

The existence of state agencies that are legally enabled and empowered, and factually willing and able, to take actions that span from routine oversight to criminal sanctions or impeachment in relation to actions or omissions by other agents or agencies of the state that may be qualified as unlawful (O’Donnell, 1999, p. 38).

Examples of horizontal accountability mechanisms include human rights *ombudsman*, corruption control agencies, legislative investigative commissions and administrative courts.

There has been a phenomenal growth of such institutions throughout the world in recent years.¹ Unfortunately, as with elections, these many new agencies of horizontal accountability are plagued by both structural and contextual problems. Structural difficulties include the impossibility of monitoring the almost infinite number of government actions (and inactions) as well as the political isolation that results from these agencies’ statutory or constitutional independence (Maor, 2004). Contextual difficulties include the lack of adequate funding, limited enforcement capacity, the absence of second order accountability (i.e., holding accounting agencies accountable) and the

overall weakness of the rule of law needed to enforce agency sanctions.

Fortunately, there is a third way to hold government accountable. In addition to elections and horizontal accountability agencies, societal actors can directly oblige government actors to answer for their actions and sanction them for wrongdoing. Samuel Paul’s (1992) article in *World Development* on “Accountability in public services: exit, voice and control” was one of the first to put forth such an agenda.

The traditional public accountability mechanisms such as expenditure audits and legislative reviews seem unequal to the task of ensuring accountability for public services at the micro level... Public service accountability will be sustained only when the “hierarchical control” (HC) over service providers is reinforced by the public’s willingness and ability to exit [i.e., marketization] or to use voice [i.e., direct participation] (Paul, 1992, pp. 1047–1048).

Paul here simultaneously articulates the accountability function of marketization strategies and, even more importantly, makes the crucial argument that direct societal participation is often even more effective than strategies based on “exit.”

The 1996 symposium on “Development Strategies Across the Public–Private Divide,” also published in *World Development*, then expanded and filled out this initial discussion of society’s pro-accountability role. This series of articles argued that “state-society synergy” (Evans, 1996a, 1996b) is one of the best ways to strengthen government accountability. In sum,

the image of the good bureaucrat—carefully insulated from constituents—has its usefulness, but openness to the role of the “coproducer” ... may be the best way to increase effectiveness and ultimately the best way to preserve the integrity of increasingly besieged public institutions (Evans, 1996b, p. 1131).

For instance, in her contribution to the symposium Elinor Ostrom documented how the involvement of citizens in the planning and implementation of water and sanitation projects greatly improved their effectiveness and reduced corruption in urban Brazil (Ostrom, 1996). Wai Lam’s contribution showed how community participation in irrigation programs in Taiwan has made service delivery much more efficient and effective (Lam, 1996). This is also consistent with Tendler’s path-breaking work in *Good Government in the Tropics* (1997) which

demonstrated the salutary effects of the co-production of services by street-level bureaucrats and societal actors.

This literature performed a great service in so far as it pushed academics and development professionals to take societal participation seriously. No longer was society viewed as a “bother,” a “contaminant” or as the source of bureaucratic “capture.” States and societies could be strengthened simultaneously. Nevertheless, this first wave of writings was also limited in scope insofar as it tended to emphasize depoliticized forms of participation, circumscribed societal action to specific local services and to the implementation phase of government projects, and left out the important discussion of the legal institutionalization of participative mechanisms.

In recent years, two different currents of research have arisen that expand on this earlier literature. First, authors such as Catalina Smulovitz, Enrique Peruzzotti, Nuria Cunill and Sylvio Waisbord have argued that more political forms of societal participation such as mass mobilization, media exposés and the use of the courts are also effective ways for society to improve government accountability. Smulovitz and Peruzzotti distinguish this form of accountability from the electoral and the horizontal forms by calling it “societal accountability.” They define this as,

a nonelectoral, yet vertical mechanism of control that rests on the actions of a multiple array of citizens' associations and movements and on the media, actions that aim at exposing governmental wrongdoing, bringing new issues into the public agenda, or activating the operation of horizontal agencies (Peruzzotti & Smulovitz, 2000b, p. 150; 2002, p. 32).

For example, in their analysis of the social response to two extra-judicial killings in Argentina, the authors have documented how the combination of mobilization, legal action and media exposure can effectively guarantee that the judicial system operate impartially, even when the perpetrators are well connected or even part of the government apparatus itself (Peruzzotti & Smulovitz, 2000a, 2000b, 2002). Waisbord has complemented this analysis by focusing on the role of investigative journalists and media scandals in obliging public servants and politicians to be more accountable (Waisbord, 2000).

Cunill (1997, 2000) follows this same line of research but focuses more on the action of

citizens in general than on that of organized civil society. For her, the most important society driven pro-accountability mechanisms are legal reforms such as popular referendum laws, administrative procedure acts that require public consultations, “amparo” laws, and freedom of information acts (Cunill, 2000, pp. 25–39). Since such laws open up the state to the action of the common citizen they create space for the active enforcement of accountability by the public.

This literature is a welcome addition to the accountability debate since it obliges us to look beyond “well-behaved” local participation in specific government projects to a more openly political and even confrontational engagement with the government apparatus as a whole. Nevertheless, these writings still envision and defend an arms-length relationship between state and society. As Cunill has written, “co-management is irreconcilable with control. The efficacy of [social control] is directly dependent on the independence and the autonomy that societal actors maintain with respect to state actors” (Cunill, 2000, p. 9-my translation).

The second alternative current of research is more “transgressive” insofar as it explicitly violates the separation between state and society. For instance, Ernesto Isunza has recently written about “transversal accountability” in which societal actors participate directly in the leadership and operation of state pro-accountability agencies (Isunza, 2003). This parallels Anne Marie Goetz and Robert Jenkin's description of the “The New Accountability Agenda” which emphasizes “hybrid” or “diagonal” forms of accountability (Goetz & Jenkins, 2001, 2002a) in which “vertical” actors carry out intrastate “horizontal” accountability functions. In a similar spirit, Leonardo Avritzer has put forth the idea of “participatory publics” which occur when societal participatory practices are taken up by and embedded within the state (Avritzer, 2002). Archon Fung and Eric Olan Wright have also followed this line of research in arguing for “empowered participatory governance” which expands the sphere of democratic participation beyond formal electoral politics to involve society at large in deliberation over the design and operation of fundamental government services such as schooling, policing, environmental protection and urban infrastructure (Fung & Wright, 2001). In addition, Jonathan Fox has argued for an “interactive approach” to state-society relations which envisions the improvement of

accountability through the participation of society in the core functions of government (Fox, 2000).

This group of authors goes beyond the circumscribed participation implicit in the “co-production” literature as well as the arms-length action of the “societal accountability” literature to posit a full “co-governance for accountability” which confuses the boundary between state and society. In addition to co-producing specific services and pressuring government from the outside, societal actors can also participate directly in the core functions of government itself. This form of civil society participation is special because, as Goetz and Jenkins have written, it “represents a shift towards augmenting the limited effectiveness of civil society’s watchdog function by breaking the state’s monopoly over the responsibility for official executive oversight” (Goetz & Jenkins, 2001, p. 365). The present article looks both to bring together these various texts into a coherent literature and to demonstrate the salience of this budding “transgressive” school of thought by offering some examples of how it works in practice.

3. CASE STUDIES

(a) *Participatory budgeting in Porto Alegre, Brazil*

The Porto Alegre city government represents one of the most effective schemes of state-society collaboration for accountability in the developing world. Since 1989, when the Worker’s Party (PT) first won the city government, Porto Alegre has placed spending decisions for over 10% of its annual budget in the hands of the people. Every year, more than 14,000 citizens in this city of 1.3 million participate in neighborhood meetings as well as 16 regional and five thematic assemblies to set priorities for government investment in infrastructure and basic social services. Each assembly then elects two councilors to serve on a citywide Council of Participatory Budgeting (COP), the organ responsible for putting together the final citywide budget plan. At each level of the process (neighborhood, district, citywide) decisions are made through intense negotiation and the use of sophisticated weighted voting systems designed to assure a fair distribution of resources. At the end of the process, the proposed budget is then submitted

to the local legislature for final approval and promulgation. During the following year, the regional and thematic assemblies, councilors and neighborhood groups evaluate the previous year’s negotiation process and monitor the implementation process of the previous year’s budget.

The participatory budgeting (PB) process is an excellent example of “co-governance for accountability.” Normal citizens are involved directly in the planning and supervision of public spending, activities normally under the exclusive purview of public officials. This arrangement is clearly a step beyond both the “co-production” and the “societal accountability” models of civil society participation. Instead of trying to influence policy from the outside or only at the local community level, the citizens of Porto Alegre are invited inside the governmental apparatus itself.

This arrangement has had an important impact on accountability. First, it has drastically reduced the possibilities and incentives for corrupt behavior on behalf of bureaucrats. Each neighborhood and region is informed as to the exact amount of funds that will be invested in which products and services in its area and, even more importantly, since the citizens themselves participate in designing the budget, they feel they have a personal *stake* in making sure the government complies with its commitments (Navarro, 1998, pp. 70–71).

Second, the budgeting process reduces the political use of public funds by opening up alternative channels for the participation of civil society. The crucial element is the entirely open and public nature of the budget assemblies. Any adult can attend, speak and vote in the assemblies (Avritzer, 2000, p. 18). Moreover, it is easy to form a new group and thereby gain access to special organizational representation. This leads to easy “exit” options for members of clientelistic groups where “voice” is not an effective form of protest.

Third, PB limits the capture of state institutions by wealthy interests. Popular participation itself does this by replacing the power of money with the power of voice. In addition, the special design of Porto Alegre’s system reinforces this tendency even further. The algorithm used for determining budget priorities intentionally tilts investments towards poorer neighborhoods. Due to this built in pro-poor bias, the same need presented by two neighborhoods is much more likely to be implemented in the poorer one than the wealthier

one (Baiocchi, 2001, p. 48). Marquetti (2003) has recently empirically demonstrated the significant redistributive impact of the PB.

The origins of this successful pro-accountability arrangement can be found in society. First, the *idea* of instituting a participatory budget had its origins within civil society. It was the Union of Residents' Associations of Porto Alegre (UAMPA) that first advocated the introduction of such a mechanism in the city in 1986 (Avritzer, 2002, p. 145). Second, Avritzer documents how the expression "participatory budget" did not exist in the PT's electoral platform for city government in 1988. The design of today's PB arrangement only arose after a period of intense negotiation and participation between the new government and civil society groups (Avritzer, 2000, p. 9). Third, the particular institutional form developed by the Porto Alegre government was largely modeled on already existing practices of deliberation and negotiation in civil society (Navarro, 2002).

The Porto Alegre experience offers many lessons for pro-accountability state reformers. First, poor, uneducated people can and do effectively participate in the core activities of governance. Abers (1998) documents that while in 1991 29% of Porto Alegre's residents earned three times the minimum wage or less, 45% of the budget participants fit this profile. The underprivileged not only actively participate, but they even participate *more*, relative to their size in the population, than better off groups.

Second, governments can only get back as much as they put in to efforts to activate civil society participation for accountability. In Porto Alegre, citizens are taken out of their usual role as only "advisors" or information providers to government projects and thrust directly into the decision-making process itself. In addition, the government actively encourages the participation of unorganized citizens through the use of government employed community organizers (Abers, 1998, p. 514). As has been shown to be the case in other cities that have tried participatory budgets, without such full involvement by the government, "participation" schemes can easily end up only strengthening previously existing clientelistic networks and unbalanced intra-community power relations (Goldfrank, 2002; Nylen, 2002).²

Third, governments need to take civil society into account in the design of the participative mechanisms themselves. The PB did not spon-

aneously arise out of the minds of enlightened bureaucrats. It originated in civil society, was pushed forward by social actors and was ultimately modeled on previously existing practices in civil society by a new government that itself consisted mostly of individuals who had made their careers as community and social activists. Participatory mechanisms usually hold the mark of their birth.

Fourth, according to Fung and Wright (2001), the Porto Alegre experience is an excellent example of how a healthy balance can be struck between "devolution" and "centralized supervision and coordination." Although devolution and decentralization are important because they bring government closer to the people, if carried out blindly, they tend to reinforce inequalities both within the newly "autonomous" local units as well as between them. Decentralization is only productive if the center remains responsible for the supervision and coordination of the activities in the local units.

(b) *Mexico's federal electoral institute*

Mexico's Federal Electoral Institute (IFE) stands out as another example of successful "co-governance for accountability."³ The principal activities of the IFE include organizing federal elections, distributing public funds to the political parties, monitoring the use of both public and private funds by the parties, checking for media bias in the coverage of political campaigns, putting together and cleaning up the official electoral roll, and running public education campaigns (IFE, 2000a). The IFE actively involves societal actors at five different levels.

First, the IFE is run by an independent, nine member "citizen-run"⁴ General Council that serves as both a special horizontal accountability agency for electoral affairs and as the IFE's principal directive body (Schedler, 1999b). Second, the meetings of the General Council are public. The minutes and decisions are widely publicized, reported on by the media, and are available via the Internet. Third, one representative from each registered political party sits on the General Council. These party representatives can fully participate in the discussions of the General Council and have access to most of the same information as the councilors but do not have the power to vote on initiatives or decisions. Fourth, the IFE councils that are responsible for organizing and

supervising the federal elections at the state level are also “citizen-run” in so far as they are appointed by the General Council without any formal interference from local or state governments (Isunza, 2003).

Fifth, during its most important moment of “service delivery,” the organization of the federal elections, the IFE recruits a huge army of citizen volunteers. During the months leading up to the 2000 elections the IFE trained over 800,000 citizen volunteers to run 113,423 polling sites (Woldenberg, 2001). Each one of the participants receive two training courses designed and implemented by the IFE. In addition, the IFE trains both national and international observers in the basics of electoral law (Pozas, 1996). Finally, each political party is permitted to send one representative to each voting booth on election day. In total, more than one million citizens were mobilized in 2000 to assure the realization of free and fair elections.

Overall, the IFE has been remarkably successful. The lack of significant post-electoral protests and mobilizations in the year 2000 was unprecedented for a presidential election in Mexico. In addition, the fact that there has not been a new electoral reform since 1996 is a testament both to the great breakthrough of this reform and to the legitimacy that the institution continues to enjoy up through the present. Other than the 1933–42 and 1963–70 periods, the seven years during 1996–2003 marks the longest period the Mexican political system has gone without an electoral reform since the promulgation of the Mexican constitution of 1917 (Molinar, 1996). Finally, the IFEs recent historic US\$100 million fine of the Party of the Institutional Revolution (PRI) and its aggressive investigation of the irregular financing of the campaign of sitting president Vicente Fox demonstrates its ability to stand up to even the most powerful interests.

The stimulant for the 1996 reform was the widespread social unrest and demands for democracy that arose out of the economic meltdown of 1994–95 as well as the Zapatista uprising. In addition, one of the most important influences on this electoral reform was the activism of nonprofit electoral watchdog groups. The leading group during this period was *Alianza Cívica*. For the 1994 elections, this group mobilized over 12,000 national electoral observers and 400 international observers, carried out its own parallel “quick count” of the electoral results, published a report on bias

in media coverage of the campaigns as well as a guide for electoral observers and a final evaluation of the election as a whole (Olvera, 2003). This organized civic activity motivated the 1996 reform and many of the activities that the IFE carries out today (e.g., the “quick counts,” the training of electoral observers and the analysis of the media) are based in practices that *Alianza Cívica* first initiated (Olvera, 2003).

In addition, the successful 1996 reform was the first electoral reform negotiated, designed and implemented by all of the important actors in political society. The 1990 reform which first created the IFE was pushed through by the ruling Party of the Institutional Revolution (PRI) with the support of only a part of the rightist opposition party, the Party of National Action (PAN). The 1994 reform gave the IFE an increased level of autonomy and was passed by the PRI and the PAN along with a small fraction of the leftist opposition, the Party of the Democratic Revolution (PRD). Finally, the 1996 reform was negotiated, designed and passed by all three of the main parties from left, right and center (Prud’homme, 1996).

This case study offers a number of important lessons for state reformers. First, it confirms the willingness and capacity of poor people to participate in the core activities of governance. Second, the rule of equal and opposite reaction applies here once again. Normal citizens will only participate at such massive levels if the policies being implemented are seen to respond to demands that have originated in civil society, are designed with the participation of a broad range of actors, and actively incorporate citizens into the process of implementation itself.

Third, none of the achievements of the IFE would have been possible without a significant amount of resources dedicated to the reform and operation of the IFE itself. Societal participation is best stimulated when it is perceived as a complement rather than as a replacement for government action. Without a core group of 2,500 civil servants, significant salaries for the General Council and a large operating budget US\$480 million in the year 2000 (IFE, 2000b), the IFE would not have been able to successfully carry out its tasks nor stimulate the popular legitimacy it needed in order to involve the active participation of civil society.

Fourth, the case of the IFE forces us to question the commonly accepted idea that neutrality arises exclusively out of the absence of partisanship. Although some of the effectiveness of the IFE does indeed arise out of the

professionalization and nonpartisanship of its staff, a great deal of its legitimacy also arises out of the saturation of partisanship or the radical plurality of those who participate in the decision making processes of the IFE. The General Council is made up of nine citizen councilors, but also surrounded by a whirlwind of party representatives and media "intrusions." Each voting booth is staffed by trained members of civil society, but also intensively watched by representatives from each political party. One of the principal reasons why the electoral reform of 1996 was more effective than the reforms of 1990 and 1994 is because a greater diversity of political positions were taken into account at the negotiating table in 1996 than during the other two reforms.

(c) *Police and school reform in Chicago*

Like many cities in the developing world, Chicago has a "tradition of machine politics, insular administrative bureaucracies installed in reaction to political manipulations, a vibrant tradition of neighborhood activism [and] extreme socioeconomic inequality" (Fung, 2001, p. 73). Research by Archon Fung shows how the Chicago city government has improved the performance of its schools and police forces by actively incorporating the participation of civil society. As in Porto Alegre and with Mexico's IFE, the Chicago government has gone far beyond methods of consultation, co-production and protest to open itself up to full "co-governance" with the citizenry at large.

This is particularly true in the case of school reform. In 1988 the city assembly passed the Chicago School Reform Act which created a "local school council" (LSC)⁵ for each of the Chicago Public School's (CPS) 530 elementary and high schools. The LSC's principal tasks are hiring and firing school principals, approving school budgets, developing long-term strategic planning documents called School Improvement Plans (SIP) and dispersing all Chapter 1 funds⁶ (Fung, 2001, p. 77). These reforms have made the Chicago school system one of the most open to participation in the entire United States.

Chicago's police reform also involved a significant increase in citizen participation. The 1995 reform of the Chicago Police Department (CPD) organized police officers into 279 "beat teams" that are required to hold open "community meetings" each month in which police officers and citizens work together to identify

problems and plan solutions (Fung, 1999; Skogan & Hartnett, 1997). Here the mode of participation is more akin to "societal accountability." Citizens are not given any direct legal power over the operations of the police. They simply provide information and pressure the officers to attend to specific problems. Nevertheless, the close citizen oversight of police activities does serve as a powerful accountability mechanism since citizens' complaints can trigger existing internal mechanisms of supervision and control (Walker, 2001).

There is evidence that both school and police services have greatly improved as a result of the reforms. During 1994-98 the murder rate declined 24%, robbery fell 31% and sexual assault fell 21% in Chicago, results that are comparable to radically different "zero-tolerance" strategies like those imposed by Rudolph Giuliani in New York (Fung, 1999; Skogan & Hartnett, 1997). In addition, school performance as measured by a specially developed "metric of school productivity" shows that during 1987-97 "while students entering the system have become increasingly disadvantaged and less well prepared, the majority of schools have become more effective in educating them" (Fung, 2001, p. 99).

The origins of the two reforms are quite distinct. School reform arose out of conflict between state and society and was driven by social protest.

In the Chicago schools, reform resulted from a pitched battle that pitted a diverse social movement composed of parent organizations, 'good government' civic groups, educational reform activists, and a coalition of business groups against traditional school insiders such as the Chicago Teacher's Union and the Board of Education (Fung, 2001, p. 77).

In contrast, police reform arose out of consensus between government and civil society and was principally directed by reformers within the state.

Absent the street heat and legislative pressure that drove school reform, [the reform] discussions at the intersection of professional, political and civic interests led quietly to the formulation of a participatory variant of community policing (Fung, 2001, p. 78).

Nevertheless, neither of these reforms were the independent creation of "far-sighted" bureaucrats. Both state and society actors were crucial in the development of each participation mechanism, and the more active civil society

was involved in the development of the reform proposals the more complete was the opening up of the state to society.

These institutions are excellent examples of what Fung calls “accountable autonomy.” For both cases,

the role of central power shifts fundamentally from that of directing local units (in the previous hierarchical system) to that of *supporting* local units in their own problem-solving endeavors and *holding them accountable* to the norms of deliberation and achievement of demanding but feasible public outcomes (Fung, 2001, p. 87, emphasis in the original).

For example, while local school councils in Chicago are responsible for drawing up budgets and sanctioning principals they are also simultaneously monitored and evaluated by central agencies. This adds an interesting new twist to our theoretical discussion of accountability because here local participative bodies are accountable to centralized bureaucratic agencies. Instead of civil society holding government accountable it is now government that is holding civil society accountable.

These Chicago cases reinforce the above lessons. First, the most active participants in Chicago are once again the poor and uneducated. In addition, Fung documents that minority dominant areas tend to have higher participation rates than white dominant areas (Fung, 1999). Second, the success of these Chicago cases also depended on the government opening the process beyond already organized civil society organizations and employing community organizers to stimulate participation and facilitate community decision making.

Third, civil society participation in the design phase of participatory structures proved to be crucial here as well. Neither of the Chicago reforms arose purely out of the minds of social planners and their relative success depended on the ability of the government to involve social actors from the very beginning. Fourth, as with Porto Alegre and the IFE, the supply side of the equation is crucial. Without a capable and well-financed state apparatus that can actually respond to popular demands and participation, such accountability mechanisms would create more disenchantment than hope.

Finally, these cases push us further toward the conclusion that the supposed either/or choice between centralization and decentralization is a false dichotomy that needs to be

reanalyzed. Although devolving power is important, there is an equal need to strengthen the center, at least in its coordinating and monitoring capacities.

Nevertheless, the accountability mechanisms in Chicago are clearly not as open and participatory as those in place in Porto Alegre or the IFE. On the one hand, the local school councils are elected bodies that do not bring a clear popular mandate arising out of popular assemblies such as the COP in Porto Alegre. On the other hand, the police “community meetings” do not have any direct legal authority over police behavior as does the IFEs General Council. Indeed, this may be why the level of citizen participation in Chicago is also much lower than it is in Porto Alegre and with the IFE. An average of only 20–25 people participate in each beat meeting per month and there are only an average of 1.5 candidates in the elections for each open spot in the school councils (Fung, 1999).

(d) *Decentralization and rural development in Mexico*

Decentralization on its own is just as likely to strengthen corrupt local networks as it is to promote participation and accountability. Pro-accountability arrangements cannot be expected to arise spontaneously from devolution, but need to be intentionally structured. This is the central lesson of Jonathan Fox’s research on the use of World Bank funds for municipal development projects in rural Mexico.

The Mexican Municipal Funds Program has been almost entirely financed by two large loans received from the World Bank, one for US\$350 million for 1991–94 and a second for US\$500 million for 1995–99. This money was targeted for use in basic infrastructural improvements for the poorest communities in the rural areas of the poorest states and was implemented through municipal governments. Autonomous “solidarity committees” were to be organized in each community in order to supervise government spending, decide which projects would be funded and contribute the necessary labor power.

Unfortunately, since the solidarity committees did not have any legal standing or formal authority over the Municipal Funds program itself, the actual level of participation and the effective autonomy of the committees from the municipal, state and federal government depended entirely on the whims of local

bureaucrats. Many committees were therefore entirely ignored or allowed to participate only in the implementation phase of the projects.

Nevertheless, this participatory mechanism was actually relatively successful in the state of Oaxaca. In this state the community assemblies made the project selection decisions in 63% of the cases (Fox & Aranda, 1996, p. 37). Fox and Aranda argue that one of the principal reasons for this high level of participation is that Oaxaca is an area that is endowed with a very high level of "horizontal social capital" ⁷ due to a long and rich indigenous tradition of community collaboration and self-governance. Equally important, the government of the State of Oaxaca was flexible and open to working with these traditions. Instead of imposing a new organizational structure on society, a healthy mixing between state and social forms was permitted (Fox, 1994). Indeed, in Oaxaca this tolerance of autonomous social forms goes back much further than the Municipal Funds program. The state's municipal structure itself, with 570 municipalities based in local organizational forms, demonstrates the government's long-standing commitment to accommodate legal forms to traditional practices.

The communities that had higher levels of participation had more effective development projects. When the community was directly involved, it tended to monitor the use of funds more closely and to pick projects that were more useful for the population as a whole. In contrast, when the selection process was manipulated from the outside, investment tended to be shifted toward highly visible although not always useful projects (Fox & Aranda, 1996, p. 37).

A few years into the program the government intervened in order to increase community participation and make the distribution of resources fairer. The formulas used for poverty measurement and funds distribution were improved and, even more importantly, made public. Moreover, the amount of funds that could be spent in the municipal capital was limited to 25%, thus requiring municipalities to channel funds to the most needy, isolated areas. Finally, the required amount of community contributions was made variable depending on the impact on poverty the selected project would have. High-impact projects required less community contribution than low impact projects, thus encouraging investment in true "public goods" (Fox & Aranda, 1996, p. 12; Fox, 2002, pp. 104–105).

These changes stimulated community participation and strengthened social capital. This occurred because the reforms made communities aware of their right to a precise amount of funds, actively involved the poorest areas, and empowered those actors who looked beyond their particular interests and towards the development of the community as a whole. Here institutional reform had a direct impact on trust, fairness and participation (Fox, 2002).

Nevertheless, the origins of this particular scheme of state-society synergy for accountability was entirely "top-down." Instead of arising out of intense negotiations between social actors and government reformers the participation scheme was thought up and designed by the federal government in consultation with World Bank staff. This may go a long way in explaining why community participation has not been more dynamic in the Municipal Funds Program, and why the case of Oaxaca is more of an exception than the rule. Indeed, the "top-down" nature of the entire National Solidarity Program (PRONASOL), of which the Municipal Funds program was only a part, has led many scholars to disqualify it entirely as an attempt at social manipulation intended to help the former ruling party, the Party of the Institutional Revolution (PRI), and the powerful interests it defends remain in control (Dresser, 1994, p. 144; Soederberg, 2001, p. 104).

Such evaluations of the program as a whole are solidly supported by the extreme level of pro-government propaganda that accompanied almost every step of the Solidarity Program. Moreover, the distribution of solidarity funds corresponded much more closely to political criteria than to need-based criteria (see Cornelius, Craig, & Fox, 1994). Nevertheless, these well-documented facts should not lead us to ignore exceptional cases like those of the more participative communities of Oaxaca that support the prospect of successful co-governance for accountability even under difficult conditions.

There are various lessons to be learned from this case study. First, as we have already seen above, the direct involvement of social actors and practices from the design stage greatly contributes to the success of accountability mechanisms that depend on active participation from civil society. Second, this case also confirms the importance of the formal, legal empowerment of participatory bodies. Without a clear institutionalized location in the decision

making process, these bodies are left open to the winds of manipulation and are quickly bypassed by unwilling or authoritarian public officials.

Third, government transparency and institutional design have an important impact on community participation. Co-governance for accountability stands a much better chance at success when government actors respect social actors enough to fully inform about the details development programs and design participatory institutions so as to assure the active involvement of the most marginal actors. Finally, this case also demonstrates the value of what Norman Long has called “interface analysis.” This type of analysis pushes us to

focus upon intervention practices as shaped by the interactions among the various participants, rather than simply on intervention models, by which is meant the ideal-typical constructions that planners, implementers or their clients have about the process (Long, 1999, p. 4).⁸

The best way to evaluate experiences of societal participation is to delve into how state-society relations work themselves out on the ground in specific contexts, as here in the State of Oaxaca.

(e) *Grass-roots anti-corruption initiatives in India*

One area of government that seems to be particularly resistant to societal participation is the auditing of government expenditure. This task is usually thought to be far too technically sophisticated and politically delicate for the average citizen. Freedom-of-information acts have recently started to sprout up around the world, and citizens are encouraged to use public information to pressure corporations or governments from the outside to comply with their duties or to decide their votes (e.g., Fung & O’Rourke, 2000). But it is difficult to find examples in which normal citizens are as directly involved in the activity of auditing government expenditure as they are, for example, in the activity of budget design in Porto Alegre.

Nevertheless, as Anne Marie Goetz and Rob Jenkins have cogently argued, the cases of the *Mazdoor Kisan Shakti Sangathan* (MKSS) movement in Rajasthan, India and the *Rationing Kruti Samiti* (RKS), or Action

Committee for Rationing, movement in Mumbai, India show that when reformist bureaucrats are faced with an active pro-accountability movement in civil society it is possible to make important inroads into the area of social auditing. The central accountability problem that both of these organizations face is the widespread corruption in the provision of government services to the poor. Wages for public works projects are frequently skimmed off by public managers and the materials used in these projects are often artificially overpriced and of bad quality so as to allow the maximum room for kickbacks. In addition, the country’s Public Distribution System (PDS), which is in charge of channeling basic food items and other fundamental household goods like kerosene to the poorest households, is rife with corruption. One of the principal problems here is the selling of these goods by owners of “ration shops” for personal profit (Goetz & Jenkins, 2002b).

Most communities in India already have local “participatory” institutions that are supposedly responsible for monitoring the performance of government programs. Nevertheless, these “Vigilance Committees” and “Village Assemblies” are often captured by actors who are implicated in the process of corruption itself. For instance, they are frequently chaired by the representative of the municipal ward and their members are appointed in a top-down fashion. In addition, many government ration shops are owned or controlled by the very same politicians who are on the committees that are supposed to supervise them (Goetz & Jenkins, 2001, p. 371).

As a result of the failure of these state run participatory mechanisms, movements such as MKSS and RKS have found it necessary to create their own autonomous society-driven mechanisms for auditing public projects. The MKSS has developed a methodology through which it independently investigates government spending practices and then exposes and compares this information to reality through public hearings (*jan sun wai*) (Goetz & Jenkins, 2002a, pp. 41–42). In the hearings obvious discrepancies and missing accounts are presented and the public is given the opportunity to check their own personal experience as public employees or suppliers with the accounts. Public officials often attend and many cases exist in which this process has worked to directly shame them into returning large amounts of “misdirected” funds.

Goetz and Jenkins present the case of the RKS in Mumbai as another example of what they call “diagonal accountability,” or the participation of “vertical” actors in “horizontal” enforcement activities. Since the official “Vigilance Committees” are ineffective, the RKS has developed its own parallel system of informal vigilance committees. For each ration shop, five local women who are clients of the shop monitor and evaluate the quality and prices of the goods being sold. This activity has been facilitated by the RKS citywide campaign to oblige shopowners to display prices publicly as well as samples of the goods on sale. The reports of the informal committees are then put together and presented both to the user community and to the central coordinating bureaucracy of the PDS in the city (Goetz & Jenkins, 2002b).

This process was particularly successful during the period immediately following the 1992 riots in Mumbai, after which the city government was very interested in being perceived as being responsive to the poor. In addition, during this period an important reform minded bureaucrat held the job of Regional Controller of Rationing. Nevertheless, once this reformist left his post the process became much less effective. The authors therefore claim that the RKS’s experience with “diagonal accountability” has been only a “limited success story” (Goetz & Jenkins, 2001). As we saw with the case of the MKSS, society-driven pro-accountability initiatives that confront the state and demand inclusion in the basic activities of government can be highly effective. Nevertheless, the RKS experience also shows us that ultimately the success of these movements often also depends on constructing alliances with progressive government officials as well.

From this pair of cases we can learn various lessons. First, they give us a fascinating alternative to “participative” mechanisms like the “Bangalore Scorecard,” which are limited to simply surveying and reporting on the opinion of the public concerning the performance of government services. As Goetz and Jenkins argue, such initiatives are grounded in a fundamentally naive view of politics and bureaucratic inefficiency because they assume that bureaucrats are simply ignorant of the problems with government (Jenkins & Goetz, 1999). Bureaucrats need to be made directly accountable to the citizenry and the best way to do this is to allow citizens to get involved in the activity of auditing from the inside and to confront

bureaucrats face-to-face with their complicity in bad performance or corruption.

Second, co-governance for accountability does not need to begin with reformist or progressive governments. Success can also arise out of the action of independent organizations and social movements that press their demands on the state and push their way into the auditing of government programs. Third, it seems that at some point in the process these movements do need allies within the government. Without state support or at least tolerance, such movements will most likely be repressed or rendered ineffective by state action. Finally, both of these cases confirm that sensitive and complex activities such as public auditing are not beyond the capacity of poor, illiterate citizens.

4. LESSONS FOR INSTITUTIONAL REFORMERS

This article has argued that the active involvement of civil society and the strengthening of the state apparatus are not mutually exclusive or even contradictory initiatives. This is the central idea of “co-governance” as a concept. If institutions are properly designed, a virtuous cycle that reinforces both state and society is possible. This is particularly important to emphasize today given the thrust of much of the NPM literature that proposes the devolution of state responsibilities to social actors via the market.

In addition, this article questions those strands of the “old” public management literature that emphasize the insulation of bureaucracy from societal actors. As Kaufman has recently argued,

The implication of accountability reform is different, however, when it refers to the establishment of popular assemblies and other forms of direct grassroots participation in administrative decisions. Although some forms of inclusion, such as partnerships with non-governmental organizations (NGOs) may enhance capacity, others, such as popular assemblies, may be a step backward in terms of the efficiency, effectiveness, and even the accountability of state organizations (Kaufman, 2003, p. 284).

The above case studies challenge this sort of circumscription of societal participation to “well-behaved” or “enlightened” actors such as NGOs and argues for the full inclusion of the

citizenry as a whole in the core activities of government.

This article has shown that the first step for government reformers looking to construct co-governance for accountability should be to trust and actively involve societal actors from the very beginning of the process. Reformers should not wait for civil society to start trusting government nor should they wait to involve society until after the government has already designed a new participatory mechanism “from above.” As the above case studies show, the earlier societal actors are involved in the design process the more effective participatory measures tend to be. The best “entry points” are therefore those issues and locations where there are previously existing social demands and practices surrounding a specific accountability issue.

In addition, when designing participatory mechanisms government reformers should be aware that transparency is not enough. Governments cannot expect information provision to generate single-handedly the positive feedback loops between state and society outlined in the above case studies. Governments should directly stimulate the participation of society. Otherwise, the only actors who will put to use the new information are journalists, academics, nonprofit organizations and already existing community organizations. Although these groups are indeed crucial in maintaining accountability, the cases above show that there is a qualitative forward leap when the population at large and the poor in particular are directly involved in enforcing accountability.

Once initiated, the best way to assure the sustainability of a participatory framework is through its full institutionalization. As we saw in the case of the Municipal funds program, the formalization of even limited “top-down” participatory schemes allowed for the development of much fuller participation. The case of the RKS in Mumbai, India provides us with important negative examples of this same point. Here the absence of a clear legal framework left participation up to the whims of individual bureaucrats, leading to the eventual overturning of participatory schemes once there was a change of heart on the part of government. The difference between the two Chicago cases also reveals the importance of formalizing participatory procedures. One of the major reasons why the school reform has been more effective than the police reform is because the former institutionalized the

involvement of civil society in the formal legal structure much more clearly and explicitly than the latter.

There are three different levels at which participatory mechanisms can be institutionalized. First, participatory mechanisms can be built into the strategic plans of existing government agencies. Second, new agencies can be created whose goal is to assure societal participation in government activities. Third, participatory mechanisms can be inscribed in law.

Although the first level of institutionalization is more or less widespread in the developing world and the second level is relatively common, the third level is extremely rare.⁹ Why this is the case is more or less evident. Law-making under democratic conditions involves the messy process of legislative bargaining and a full role for political parties. State reformers and multilateral agencies tend to shy away from such arenas, especially when they are dominated by opposing parties or factions. Therefore, reformers usually settle for executive procedures, special agencies or innovative individual bureaucrats to carry out their participative strategies.

This is a mistake. As the above case studies show, if dealt with in a creative fashion, partisanship can be just as effective as isolation in the search for effective accountability mechanisms. It is necessary to involve political parties and the legislature in order to institutionalize fully participative mechanisms through the law.

In general, professionalism and independence are necessary but by no means sufficient to assure the long-term survival of accountability. Effective pro-accountability structures need to be legitimated by society both at their founding moment and during their everyday operations. This requires the multiplication, not the reduction, of “external eyes” (Smulovitz, 2003) and the diversification, not unification, of political and ideological perspectives.

Finally, these case studies also show us that decentralization alone does not automatically lead to an increase in societal participation or an improvement of government accountability. Although devolution and decentralization are important because they bring government closer to the people, if carried out blindly they tend to reinforce inequalities both within the newly “autonomous” local units and between them. Decentralization is only productive if the center remains responsible for the supervision and coordination of activities in the local units.

If carefully applied, co-governance can be much more rewarding than alternatives such as marketization, bureaucratic insulation, “co-production” or “societal accountability.” Co-governance for accountability is usually more difficult to implement, but it is well

worth the effort. By transgressing the boundaries between state and society institutional reformers can unleash invaluable pro-accountability processes which are almost impossible to tap into through less ambitious strategies.

NOTES

1. In Latin America, Belize, Brazil, Columbia, Costa Rica, Chile, Peru and Mexico have all recently created or revived such institutions. This trend is also present in Asia, Africa, Australia and Eastern Europe. Some recent examples include the new *Ombudsmen* in Poland (founded in 1987), the Philippines (founded 1989) and South Korea (founded in 1994), the National Counter Corruption Commission in Thailand (founded in 1998), the Independent Commission Against Corruption in New South Wales, Australia (founded in 1988), the Public Protector in South Africa (founded in 1994), and the Inspector-General of Government in Uganda (founded in 1996) (Pope, 2000; Schedler *et al.*, 1999). Over 80 countries currently have a national *Ombudsman* (Bennett, 1997).

2. Navarro (2003) has recently argued that such intense involvement of the government is one of the principal problems with the PB scheme. This is because it violates the “autonomy” of civil society and opens up the process to manipulation by party and governmental interests. Following the “societal accountability” line of thought, Navarro therefore advocates for what he calls the full “institutionalization” of the PB process by allowing societal actors to decide on the allocation of public funds without any interference from the government (Navarro, 2003, pp. 124–125). Needless to say, from the point of view of the present article the full interpenetration of state and society present in the Porto Alegre PB process is one of its most important strengths, not one of its weaknesses.

3. I am not the first to draw a parallel between Porto Alegre’s PB and Mexico’s IFE. In his recent text on *Democracy and the Public Space in Latin America*, Avritzer claims that these experiences are two of the best examples of the institutionalization of what he calls

“participatory publics” (Avritzer, 2002, pp. 135–164) or the embedding of societal practices within the state. My approach differs from Avritzer’s in so far as I give equal credit to government and party “entrepreneurs,” while he tilts the balance toward the role of societal actors.

4. The councilors are elected by two-thirds of the legislature for seven-year terms and are chosen among the most well-known scholars and leaders of civil society.

5. LSCs are formed by six parents, two community representatives, two teachers, the school’s principal and an additional nonvoting student for high schools.

6. Special state funds allocated to schools on the basis of the economic disadvantage of their student body.

7. Fox defines “horizontal social capital” as the existence of social practices of mutual trust and cooperation within a given community (Fox, 2002, p. 113).

8. I would like to thank Ernesto Isunza for bringing this extremely valuable text to my attention.

9. There are some exceptions, including the above Porto Alegre and IFE cases as well as Bolivia’s Law of Popular Participation (Cunill, 2000; Oxhorn, 2001), Mexico City’s Law of Citizen Participation (Mellado, 2001) and Brazil’s 1995 administrative reform that formalizes social control through the legal category of “Social Organizations” (Barreto, 1998; Bresser, 1999; Nassuno, 1998). Nevertheless, these exceptions only prove the rule that participatory mechanisms are usually vastly underinstitutionalized and depend too much on the ingenuity and good will of individual bureaucrats.

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