BUILDING DIALOGUE BETWEEN CITIZENS AND THE STATE

Six factors contributing to change in the Within and Without the State programme in DRC

This case study reflects on progress of Oxfam’s Within and Without the State (WWS) programme in the Équateur Province of Democratic Republic of Congo (DRC) following a visit by the WWS Programme Coordinator in March 2016. Despite the project being relatively new in DRC, signs of change are already being seen. This case study outlines six key contributing factors to constructive engagement between civil society and the state, using examples and testimonies from community members involved in the project. It keeps two questions in mind: What does this change look like? And how is this change happening?
INTRODUCTION

Within and Without the State (WWS) is a five-year global initiative (2011–2016) funded by the Department for International Development’s Conflict, Humanitarian and Security Department. In each country context that WWS operates, it takes a unique approach to enhancing the social contract between civil society and local or national government, tailored to the local context and civil society space and using appropriate methods of engagement with local authorities in a non-confrontational way. The social contract model promotes constructive engagement between citizens and state; encourages both parties to respect each other’s rights and fulfil their responsibilities; and promotes mutual accountability. The social contract model is particularly appropriate in a fragile context, where government may be nervous about the role of civil society and where there is little tradition of political engagement or experience of effective governance.

Having previously reported on the different approaches of our Afghanistan and South Sudan projects, noting some similarities despite very different contexts, this paper builds on that and discusses the approach of the DRC team and assesses the progress of the project given its relatively recent commencement in communities in October 2015.

In the DRC protection model, community protection committees identify protection issues and work between communities and government or armed groups to broker peaceful solutions. Promoting a process of non-confrontational dialogue and strengthening women’s voices within it has had tangible results in reducing abuses, improving gender equality and developing more positive relationships between citizens and those in power. WWS has adapted this approach as a pilot for governance work in the west of DRC, renaming the structures ‘community development committees’ in recognition of their role in raising wider issues beyond protection threats. As much of the international community’s focus has been on the east of the country, which has a long history of conflict, the presence of NGOs is limited in the west, despite the high rates of poverty and endemic issues of fragility and weak governance.

This case study reviews the positive impact that WWS has had so far in the DRC and reports on the changes being seen already. It keeps two questions in mind: What does this change look like? And how is this change happening?
Activities in communities started in October 2015. Yet despite a relatively short start-up time, the community structures and local governments visited in March 2016 had good momentum and were well aware of their roles and responsibilities and the different entry points for mutual engagement. There are two reasons for this: (1) the existing presence Oxfam has in the target communities means that they have been able to build on previous projects and community structures, which has supported the local team’s context analysis and understanding, and (2) as a result of the maturity of the protection approach in DRC (which started in 2008), Oxfam has learned a lot about what works in terms of facilitating engagement with authorities and ultimately supporting longer term impact. Clear protection guidelines and toolkits have supported the staff and communities to quickly understand the process of establishing forums of interaction; embedded in these guidelines are tools to support power and gender analysis, which has ensured that the project is adapted to the local context in order to ensure effectiveness.
2 HAVING SEPARATE SPACES FOR WOMEN

In all WWS projects, project teams have learned that gender inequality and dominant negative cultural and gender norms can not only be a result of conflict and fragility, but more crucially also a causal factor. However, it has been observed that in a wide range of contexts, the process of meaningfully engaging women in collective decision making in community structures remains a challenge and teams across the world are still learning through trial and error how best to achieve this.

In parallel with tackling issues around transparent and accountable governance, WWS in DRC has sought to transform the attitudes and role of women in local communities. Issues of gender inequality are very visible in Équateur and in particular within marginalized ethnic groups such as pygmy people. Through ensuring that women have a separate space to meet (e.g. women’s forums), they are able to have a safe space in which to discuss the unique risks they face in their lives and build confidence to speak publicly in front of male community members and local authorities. Members of the women’s forums agreed on how crucial it was to have this separate space.

‘Before we had the women’s forum we didn’t have power to talk in front of our husbands.’

‘We wouldn’t feel so comfortable to talk if we didn’t have the women’s forum, it empowered us and we feel free.’

Members of women’s forums in Bikoro, Équateur, March 2016

Protection committee, DRC, December 2014. Photo: Eleanor Farmer/Oxfam
3 FINDING NON-CONFRONTATIONAL ENTRY POINTS FOR DIALOGUE WITH POWER HOLDERS

Over the past eight years, the protection programme in DRC has been learning from what works in terms of how to engage citizen and civil society in interaction with local power holders. In the WWS programme, the community development committees in Équateur have engaged with local government authorities through different means. This is one of the first steps on a long journey of building trust between the community and local authorities. What we have learned so far from WWS is how welcome this opportunity for dialogue is, not only for the community in terms of having an opportunity to advocate for issues that affect their lives, but also for local authorities themselves in being able to bring clarity over legal issues and share challenges that they are facing.

Different strategies have been used for facilitating this engagement. Formal, mixed meetings with different government staff, such as the territorial administrator, police chief, port authorities and school directors, can provide a safe space for community members to raise the issues most pertinent to them in front of authorities, subtly putting pressure on government members to act and respond in the presence of their colleagues. Staff and community groups have also used strategies of having follow-up one-on-one meetings with specific local authorities to push for particular agendas, for example regarding school fees, arbitrary arrest and lack of clarity around taxes. Provincial round tables for ongoing issues that are unable to be resolved at the territorial level are also being experimented with in the west, allowing local authorities themselves, along with communities, to have an opportunity to escalate persistent challenges to provincial authorities higher up the chain of command in order to bring about change.

‘Before we had this project, we didn’t know how to approach local authorities, but now we know we will make dialogue and ask for action, and if we don’t get action, we will advocate further.’

Traditional chief of one of the community development committees in Bikoro, Équateur, March 2016
4 FINDING COLLECTIVE SOLUTIONS WHEN THERE IS LIMITED ABILITY TO SUPPLY

An ongoing and complex question Oxfam and civil society organizations are grappling with in DRC is how to support good governance at the local level and the social contract in a context where there is limited ability to supply and deliver services due to a lack of state resources. As community groups begin to engage in non-confrontational ways with local authorities and there is a more honest dialogue about what the government realistically can and cannot provide, opportunities are arising for communities to work alongside government to bring practical solutions as well as reach out to other organizations who can supply basic services for communities. One example from WWS is in Bokatola where the issue of a lack of a sustainable water source was raised with local authorities and both authorities and the community worked together to find a solution.

Box 1: Water sanitation in Bokatola

As part of the WWS project in Bokatola, community development committees started prioritizing their local needs into community development plans. WWS staff supported them to engage in regular meetings with government authorities and local power holders to present their community development plans and find collective solutions.

In Bokatola, both the community and medical authorities were noticing a high prevalence of waterborne diseases. This was due to most fresh water sources drying up in the dry season and the community being forced to use a dirty water source where animals also drank. The Chief Medical Doctor and traditional leader for that zone, agreeing that this was a major problem, subsequently went with representatives of the community development committees and wider population to examine the source. The Chief Medical Doctor did an initial chlorination to purify the water source and explained to the population the importance of chlorine for purification purposes. The community themselves cleared the rest of the water source and built a fence to keep animals away. UNICEF, who were part of this meeting, also agreed to include Bokatola in a local WASH project.
The WWS programme in DRC has made initial gains on gender sensitization in communities. Despite the traditional patriarchal structures in the local context of Équateur, traditional community leaders and other male members of the community were already sharing positive messages of gender equality. Several female members of the women’s forum also shared that they were seeing positive changes in their private lives and household dynamics as a result of being part of the project.

‘Before I was part of this project and we knew that men and women can be equal, even if I was in another room my husband would ask me to pass him a glass of water, now he gets it himself.’

Women’s forum member from Bikoro,

‘I married when I was young so even though I had been to school, I didn’t stay long enough to get my diploma. I didn’t realize that my education was important and that as a woman I can be equal to a man. Now my husband has agreed that I can go back and do my state diploma, he understands that I am important too.’

Change agent from Bikoro, March 2016. Photo (left): Annabel Morrissey/Oxfam
‘I was 17 when I was married. My marriage wasn’t registered and my husband didn’t give my family a dowry. When I learned about marriage registration, I told my husband “I can’t stay like this”. Now he has given money to my family as a dowry and we want to get our marriage registered.’

Women’s forum member from Bikoro
Governance work in contexts such as DRC with such endemic fragility takes time and the DRC team have learned to readjust what they consider ‘success’ to look like. Since there are such limited resources in the government to meet the supply side of meeting citizen’s needs and issues of law and order are so complex, success and progress come through the form of compromise for a ‘good enough’ solution. One example of this has been the progress made around the price of marriage registration (see Box below).

Box 2: Legally registering marriage

In all four communities where WWS works in DRC due to mobilisation from WWS changes agents, there has been increased demand from couples to legally register their marriages, a practice which hasn’t taken place for a long period of time – in some communities it has been nine years since the last marriage registration. This issue was raised in the collective meetings with the government in each site and a discussion held on key blockages. In DRC, whilst there is an official price of registering marriages, the cost in each community can vary according to the price set by the Territorial Administrator. Combined with a lack of awareness around inheritance rights, the high price of marriage certificates has resulted in many couples not registering their marriage. This can result in the husband’s property being taken back by his family when he dies and the woman being left with nothing to provide for herself and her children.

The women in the Ingende women’s forum were extremely vocal about this issue and shared this with the community development committees; this was then taken forward as a collective priority of both men and women in this community. They raised this with the local government, asking for a reduction in the fees of marriage certificates. Although they initially met resistance, after persistent advocacy with the local authorities, the Territorial Administrator agreed to reduce the registration fee from 50,000 CFA to 15,000 CFA in January 2016.

Considering this is still early days of community mobilization and interaction with the local government in Ingende, this change has encouraged the community and other WWS project sites that are pushing for a similar outcome. They have learned that when they work together to consistently push an issue and have perseverance, change is possible. Although this is in a sense a form of compromise between local authorities and communities, it will have a big impact on the number of couples who are now able to register their marriage and guarantee women’s inheritance rights.
CONCLUSION

What we are seeing in these early days of WWS in DRC may seem like small compromises, but they represent the first building blocks in using the social contract model to enable non-confrontational dialogue between citizens and the state. Through a combination of creating women’s groups who can meet separately, develop confidence and talk freely about the issues relevant to them; mixed development committees who receive training on advocacy and how to approach the government; and training for local government and community members on the Congolese law, we are already seeing impact in our local governance work in Équateur, DRC. How that change happens and what that change ultimately looks like is unique to the contexts and constraints of governance in Équateur. As WWS now enters into its second phase, the team are continually shifting their approach and remaining dynamic with the changing context, whether that be changes in provincial authorities, the implementation of decentralization, and the likely impact of national elections and change in power over the next year.

Theatre production by WWS Change Agents on the importance of marriage registration, Bikoro community, March 2016. Photo: Annabel Morrissey/Oxfam
NOTES

1 For more information see http://policy-practice.oxfam.org.uk/our-work/citizen-states/within-and-without-the-state


