

## Doing the wrong things for the right reasons? “Do no harm” as a principle of reform.



DO NO HARM

This Brief explores what “do no harm” means for corruption control in fragile settings and analyses how aid agencies translate the concept into practice. Efforts to control corruption can do harm if they overwhelm a society’s capacity to absorb aid, if they are captured to damage rivals, or if they obstruct the peacebuilding process. Programmes and policies should aim to avoid such outcomes. However, a survey of practitioners shows that agencies give priority to minimising their own fiduciary risk, which is a skewed and narrow understanding of the “do no harm” principle. Policy and practice need to be much better aligned.



### Minimising the stress of reforms in fragile contexts

Governance reform in general, and corruption control specifically, are almost universally regarded as worthy goals, even if consensus on strategies, tactics, and metrics is elusive.

But reforms can place significant stress upon the societies and citizens that aid agencies seek to help.<sup>1</sup> Improving the quality of government and checking corruption costs money, creates risks, and places new demands on institutions. Attempts at reform may shift a society’s politics, alter relationships between leaders and followers, invite countermoves from those with a stake in the status quo, and introduce new uncertainties. Anti-corruption initiatives can be co-opted or captured by venal and repressive regimes to distract the international community from their abuses or to serve as a pretext for locking up critics and leaders of opposition groups. Often, corruption is not reduced, merely displaced. Seeing grand proclamations but few results, citizens may come to distrust the government, reform leaders, and each other. Serious collective action problems may result if disillusionment replaces the initial enthusiasm for reform.

These challenges are difficult enough to navigate in well-institutionalised, affluent countries with strong civil societies and legitimate governments. But many countries in greatest

need of reform are *fragile*. They may be deeply impoverished, scarred by natural disaster, or socially divided; they may have only recently emerged from war, dictatorship, or internal conflict. Adding the stress and uncertainty of significant reforms to those sorts of problems may end up doing considerably more harm than good. As we pursue better governance, how can we avoid making matters even worse? The 2011 *World Development Report*, titled *Conflict, Security, and Development*, challenged the aid community to reflect on its poor record of engagement in fragile contexts (World Bank 2011). Traditional development objectives and modes of engagement are in need of rethinking in light of the dilemmas of fragility, as well as those relating to governance and anti-corruption.

In recent years, such concerns have begun to coalesce around the principle “First, do no harm.”<sup>1</sup> Donors, increasingly seeing their interventions in fragile states as state building, find that the “do no harm” concept provides a useful analytical lens (OECD 2010). The concept, while in no way a codified doctrine or consensus aspect of development policy, may be defined as

avoiding premature or poorly-thought-out reforms that can do more harm than good – notably, steps that overwhelm a society’s capacity to absorb aid and put it to effective use, and that risk pushing fragile situations and societies into particular kinds of corruption that are severely disruptive. (Johnston 2010)

Grindle (2011) argues for an analogous pragmatism in her discussions of “good enough governance.” The goal is to cultivate a broader appreciation of the potential risks of reform and of the practical limits of good intentions in fragile situations. The capacity and ability to reform are generally low in fragile contexts, so a premature and unrealistic push for reform can weaken rather than strengthen such governments (Pritchett, Woolcock, and Andrews 2010; Andrews 2013). Similar concerns have been addressed by the Organisation for Economic Co-operation and Development (OECD 2007, 2013; IDPS 2011). In short, reforms must be carefully chosen and sequenced.

But another set of risks, ironically, grows out of the “do no harm” concept itself. Misunderstanding or misapplying the principle can lead to an introspective, overly cautious, relativistic, uncoordinated, or incoherent approach to aid and reform. After all, working in any fragile situation entails assessing, and taking on, a variety of risks; a policy that is guaranteed never to do harm is unlikely ever to do much good. Considering the importance of lost opportunities and disappointed expectations, this in itself would be harmful to people in need.

Finally, Johnson (2014) identifies a general discrepancy between stated policy and implementation practice of donors in anti-corruption programming, and this extends to the “do no harm” concept. Donors often integrate the concept into their official policies but have problems operationalising it. Alternatively, they may choose to apply a narrow (and thereby misguided) understanding of “do no harm” in order to defend a retrenchment of the anti-corruption agenda to one that focuses mainly on their own resources and internal integrity systems, instead of working with civil society and government.

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## Translating principle into practice: Responses to the practitioner survey

“Do no harm” has gradually been integrated, at least implicitly, into the larger aid-and-development conversation on fragility. But what happens in actual cases? What do aid officials and practitioners understand it to mean, how (if at all) do they follow the principle, and how do they judge whether they are at, or near, a point at which they must reconsider their activities in order to avoid negative consequences?

In 2014 the authors conducted telephone or e-mail interviews with aid and development professionals working in fragile situations.<sup>2</sup> There is no internationally agreed list of fragile states, but we devised a list of 29 countries based on the World Bank’s classification.<sup>3</sup> We then identified relevant staff members of 14 major international aid agencies working in those countries. The result was a list of 93 individuals whom we invited, by e-mail, to answer a short questionnaire with a combination of closed-ended and open-ended questions.<sup>4</sup> We obtained 23 completed interviews – by no means a statistically significant cross-section of the entire development community, but still a useful first sampling of outlooks among people on the frontlines of implementing development and aid policy.

Not surprisingly, all but two of our 23 respondents agreed that corruption control measures can cause damaging stress in fragile societies. In general, they demonstrated good understanding of both the stabilising and destabilising effects of anti-corruption interventions in the settings where they work. Our analysis will thus focus first on the importance of understanding and responding to context, and then discuss what “do no harm” means for design and sequencing of policies and programmes.<sup>5</sup>

### **Context: If you don’t know the context you will never know whether you do harm**

Most open-ended responses stated that a thorough analysis of country-specific cultural and political issues is essential to minimise stresses. The specific nature, sources, and severity of stress clearly depend upon the society in question; moreover, stress can also result from misunderstandings about how to implement various corruption-control initiatives.

Practitioners reported that their agencies try to gain a better understanding of the political economy of countries where they work in order to fine-tune existing programmes. However, less than a third of respondents believed that such minimal responses were likely to succeed in reducing stresses to acceptable levels in programmes. Knowing the context is not enough: aid agencies also must respond to it by changing strategy and implementation to more effectively make national institutions resilient to stresses.

One source of stress has to do with citizens’ views of government. Some government entities or actions that appear dysfunctional to outsiders may actually be working in informal ways that citizens consider acceptable – perhaps even improving on past levels of performance. For example, patronage as a source of jobs can have positive effects for a government that needs loyal supporters in key posts (Grindle 2012). If patronage

practices are not a source of conflict or exclusion but serve integrative purposes, then efforts to curb them in the name of anti-corruption may be more disruptive than beneficial in the short to medium term. Thorough knowledge of the social context is needed to make such judgment calls. At times officials focus on the views of counterparts or intermediaries – elites, politicians, even rebel leaders – to the exclusion of ordinary citizens and “grassroots” perspectives. Reform efforts will also frequently create winners and losers, intensifying social and political tensions.

### Policy and programme choices: Tread carefully and prioritise trust-inducing, problem-solving, inclusive measures

All respondents who agreed with the initial proposition that reform is a source of stress also agreed that such issues should be taken into account when designing anti-corruption efforts. However, once design and implementation of programmes begins, dilemmas and trade-offs will appear. Attempts to be cautious and adapt programmes to the local context can be undermined by disbursement pressures, perverse organisational incentives, political imperatives, or simply a lack of time or resources. It becomes difficult to move from principle to practice and to maintain a consistent focus once implementation has begun.

For example, if the objective is to remove ghost workers from the payroll, then the introduction of biometrics systems – a widely recognized best practice – may be much more cumbersome and more widely opposed in the country than relying on social audits. Yet both aid agencies and governments may opt for a technocratic, high-spending solution such as biometric systems for various reasons: civil society interventions such as social audits necessitate a good understanding of local politics and power relations, require time to show impact, disburse few funds, and often mean that task managers will be dragged into the messy business of “thinking politically” in policy and programming. Donors can find comfort in technocratic solutions that are considered apolitical, but this is often a false comfort. All choices are political in fragile contexts, in the sense that all interventions relate to the question of who gets what, when, and how.

To explore such trade-offs, we asked respondents to rank the importance of various stress-related risks. The question was: “What is the priority for your agency when trying to reduce stresses?” The options were:

- That own aid funds are protected against corruption
- That initiatives and reforms do not overwhelm a society’s capacity to absorb aid
- That anti-corruption initiatives cannot be captured by the government to consolidate their own power
- That anti-corruption initiatives do not interfere with/obstruct the peacebuilding process

All four options respond to risks that would cause harmful stresses to societies. However, that does not mean that these

options should be given equal weight. An approach to reform based on the “do no harm” principle might first prioritise (b) and (d), then think about (c), and only then be concerned with (a). But the responses in Table 1 show that priority is given first to (a) and then to (d), (b), and (c).

**Table 1. “What is the priority for your agency when trying to reduce stresses?”**

Priority	(a) Own aid funds are protected	(b) Initiatives do not overwhelm society’s capacity	(c) Anti-corruption initiatives cannot be captured	(d) Initiatives do not interfere with peacebuilding process
1 High	14	6	4	8
2	4	5	7	6
3	3	5	7	3
4 Low	2	7	3	5
0 (not ranked)	0	0	2	1
<b>Total</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>

Note: Responses to question 3 in questionnaire at <http://bit.ly/12hDPKY>

Clearly, concerns that the “do no harm” principle might encourage self-protective responses are not misplaced: our respondents unmistakably rank the protection of their own agencies’ funds as the highest priority overall. More than twice as many respondents ranked agency self-protection as a top priority compared to those who gave top priority to society’s capacity to use aid constructively or to preventing the capture of anti-corruption initiatives. Those concerns – which lay at the core of the original “do no harm” argument – were low priorities.

When respondents were asked whether aid agencies and host governments should go ahead with anti-corruption controls even when significant stresses seemed likely, five said “yes” outright; no one said “no.” The remaining 18 said that they did not know. Most of those who said “yes” defended their responses by arguing that the long-term consequences of not fighting corruption outweighed the immediate damage that might be done. This view risks conflating “do no harm” with doing nothing, which is wrong. “Do no harm” means choosing the least harmful among a range of possible interventions; this sometimes means doing nothing, but not always. For example, if external support to an anti-corruption authority can lead to conflict, then one should consider whether the same effects can be achieved by supporting, for instance, the supreme audit institution, or civil society.

Clearly, “do no harm” means different things to people in different situations. Too often, however, it may be interpreted in ways that discourage risk taking and innovation, overwhelm recipient governments, or avoid confronting the inherently political and conflictual nature of an anti-corruption intervention.

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U4 is a web-based resource centre for development practitioners who wish to effectively address corruption challenges in their work. The centre is operated by the Chr. Michelsen Institute – an independent centre for research on international development and policy – and is funded by AusAID (Australia), BTC (Belgium), CIDA (Canada), DFID (UK), GIZ (Germany), Norad (Norway), Sida (Sweden) and The Ministry for Foreign Affairs of Finland. All views expressed in this brief are those of the author(s), and do not necessarily reflect the opinions of the U4 Partner Agencies or CMI/U4. (Copyright 2014 - CMI/U4)

## Conclusions

Our survey of development officials working on anti-corruption in fragile settings, the first of its kind, has produced preliminary yet sobering findings. “Do no harm,” in the sense proposed in *World Development Report 2011*, has not been embraced as a principle of reform for anti-corruption efforts in fragile states. Official policies may refer to the need to tread carefully, but at the operational level the core “do no harm” mandates – not overwhelming society’s absorptive capacity and avoiding capture of anti-corruption initiatives – are not given top priority. Instead, aid agencies interpret “do no harm” first and foremost as a duty to protect their own funds from corruption. This is at best a narrow, and at worst a damaging, interpretation of the principle.

A “do no harm” approach is not necessarily a do-nothing approach. While it is difficult to counter corruption in fragile

contexts, it is definitely possible – and the gains are high when one succeeds. If aid agencies focus mainly on their internal integrity systems instead of working with civil society and government systems to reduce corruption, they may ironically do considerable harm. At the same time, anti-corruption interventions that are not adapted to fragile contexts may overload the country’s administrative system and/or lead to conflict or grievance. It is always good to minimise corruption, but not all anti-corruption interventions – many of which, after all, originate in countries with robust institutions and civil societies – are right for all contexts and all times. Insisting on corruption control without reflecting on the consequences for fragility can be the wrong thing to do, even if we do it for the right reasons.

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## Notes

<sup>1</sup> *World Development Report 2011* defines “stresses” as the “political, social, security, or economic risks that correlate with organized violence. Violence is more likely when a combination of stresses operate in an environment characterized by weak institutions. Stresses can be internal – within the potential capacity of an individual state to control – or external, emanating from regional or global dynamics” (World Bank 2011, xv).

<sup>2</sup> The authors gratefully acknowledge Olivia Gamble’s diligence in contacting interview subjects and gathering responses while dealing with the challenges of telephone and e-mail connections in many parts of the world.

<sup>3</sup> “Harmonised List of Fragile Situations FY13,” <http://bit.ly/1loTpVT>

<sup>4</sup> See the questionnaire on the U4 website at <http://bit.ly/12hDPKY>

<sup>5</sup> This discussion draws upon Olivia Gamble’s very useful summary of open-ended responses to our questions.