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THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN GLOBAL  
EDUCATION: A CASE STUDY ON SUB-SAHARAN AFRICA

By:  
Laura Anne Taylor

A thesis submitted to the faculty of The University of Mississippi in partial fulfillment of  
the requirements of the Sally McDonnell Barksdale Honors College.

University, MS  
May 2019

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## **Abstract**

This paper will work to investigate the effectiveness of educational programs of international non-governmental organizations (NGOs) in developing countries. The purpose of this study is to examine the role of policy in the relationship between a host country and a non-governmental organization. Utilizing a comparative case study approach, this paper examines three different NGOs, operating out of three developing countries in Sub-Saharan Africa, all with the mission of aiding the realm of global education. Each case study examines the state, the NGO, the historical context of NGOs and the government chosen, the relationship of the NGO selected and the government, and finally, a presentation of findings from each case study. The results are computed and compared to create large-scale findings presented through the categorization of government, civil society, and education. Primarily, the findings that weaken the role of NGOs in education are government restraints, disregard for human rights or civil society, unqualified teachers and counterproductive education models that aren't adherent to a nation's curriculum or are unsustainable. These issues, in summation, could benefit from policies to address human rights, sustainability and accreditation as NGOs continue to expand on an international scale. NGOs genuinely are capable to catalyze change in the realm of education; however, it is with the regulation of clear policy that will allow this change to be positive. By regulating and monitoring the role of NGOs in government, civil society, and education, the presence of NGOs in global education can allow for collaboration on an international scale, challenging the entirety of the international community to take responsibility for providing the right to accessible, quality education for all.

## **List of Abbreviations**

ABEC	Alternative Basic Education Centers
BEAE	Basic Education Association of Ethiopia
CONGOMA	Council for Non-Governmental Organization in Malawi
CSWSM	Council for Social Welfare Services in Malawi
CSO	Civil Society Organizations
DFID	Department for International Development
ENSEI	Ethiopian NGO Sector Enhancement Initiative
GDP	Gross Domestic Product
GOE	Government of Ethiopia
GOL	Government of Liberia
HIV	Human Immunodeficiency Virus
INGO	International Non-Governmental Organization
MOE	Ministry of Education
MPEA	Ministry of Planning and Economic Affairs
NGO	Non-Governmental Organization
OECD	Organization for Cooperation and Development
OOSC	Out of School Children
REACH	Reaching Educational Attainments of Children in the Hinterlands
UIS	UNESCO Institute for Statistics
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development

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## **V. Introduction**

Sub-Saharan Africa has continuously battled a lack of funding, resources, unqualified teachers, outdated instruction methods, and inadequate infrastructure. These struggles have inculcated some of the worst education systems in the world, displaying a desperate need for aid. The continent's gradual progression from being a dependent entity to a sovereign state has proven to be destabilizing. Since the 1980s, international financial institutions like the World Bank and International Monetary Fund, have forced indebted African countries to reduce public expenditure. This reduction has encouraged the flourishing of non-state actors like NGOs (Lumkab 1). Conversely, there is criticism amongst the presence of these non-state actors as it creates an interdependency on foreign aid, breeds inconsistencies in the education system, and can be more problematic than helpful as policies guiding these organizations don't call for the same accreditations as government-funded schools.

Both international and local NGOs have utilized "service-delivery" approaches to education in both formal and non-formal contexts, defined as "[providing] people with important welfare services, such as medical care, education and access to credit" ("Service Delivery" 1). However, NGOs are not limited to service-delivery alone. Education For All cited NGOs as having a "vital role in promoting universal and equitable quality of education," heralding NGOs' roles as "alternative education providers, innovators, advocates, and policy dialogue partners" (Miller-Grandvaux,

Welmond, Wolf 10). There are many justifications found through developing literature as to why these organizations are an asset to the education sector, arguing for an increasing role: “NGOs work at the “community-level,” thus affecting social change where others cannot. NGOs can represent and catalyze “civil society,” an element many consider critical for sustainability and democratization; and NGOs are simply more “efficient” than other partners” (Miller-Grandvaux, Welmond, Wolf 10). However, the more complicated question is if the presence of these organizations intervention in the global education sector has provided sustainable developments that both adhere and encourage more effective policies.

The presence of non-governmental organizations all around the world has called attention to the variance of both international and domestic policies used to both define and oversee the role of NGOs in alignment with the part of the government. There is no standard to the relationship between NGOs and the state; some are created and funded by the state government sharing a very close relationship while other state governments actively impose implications to restrict the autonomy of NGOs. This paper intends to evaluate the policies that guide non-government organizations working within the global education system, studying the impact of modern colonization and international development on developing education systems in Sub-Saharan Africa.

Sub-Saharan Africa is inclusive of over 40 countries, but for this paper, three comparative case studies will focus on three specific countries within the region: Malawi, Liberia, and Ethiopia. These countries are selected to be representative of different parts of the vast area of Sub-Saharan Africa, representing the South, the West, and the East. Each case study will evaluate how international non-governmental organizations have

intervened in the education sector, their relationship with the state government, and policy implications for their presence both for the education system and the society they operate within. In addition to investigating each state's policies for NGO operations, I will conduct a policy evaluation of existing law and the guiding governance for all international non-governmental organizations. I seek to make policy recommendations for international development through non-governmental organizations in the sector of global education; perpetuating a collaborative and cohesive model to further efforts for an accessible, quality education on a worldwide scale.

## **V. Research Methodology**

This thesis will utilize a comparative case studies research method, primarily pulling information from international databases, public record interviews, existing policies at the national and international scale, and available NGO business reports. The three case studies were chosen through geographic spacing in respect to regional diversity, representing the West, East, and Southern regions of Sub-Saharan Africa. In selecting the area for my study, I chose Sub-Saharan Africa because it regionally is the worst in the world for education equity, funding, and access, showcasing a strong need for international development and an extensive history of NGOs working in the education sector. In all three case studies conducted, a non-governmental organization was operating within the education sector in a foreign country and had direct relations with the government in some capacity; additionally, each state selected had a pre-existing framework for policy regarding NGOs. Each case study selected was done so concerning the amount of time in the country, the impact made on the education system, and a diversity of policy efforts and accountability measures established by the host nation, in efforts to maximize findings.

This thesis does not serve to measure which NGO is most successful in creating equitable or sustainable education practices as there is far too much variation in programming and contexts. This study instead will more conceptually serve to examine relationships between NGOs and the host government, particularly how these relations

have impacted the education sector and its guiding policies, and evaluate the current policies either at the national or international level to determine their quality and accountability. Finally, policy recommendations will be made to address these findings and promote both large scale global solutions as well as state-level recommendations.

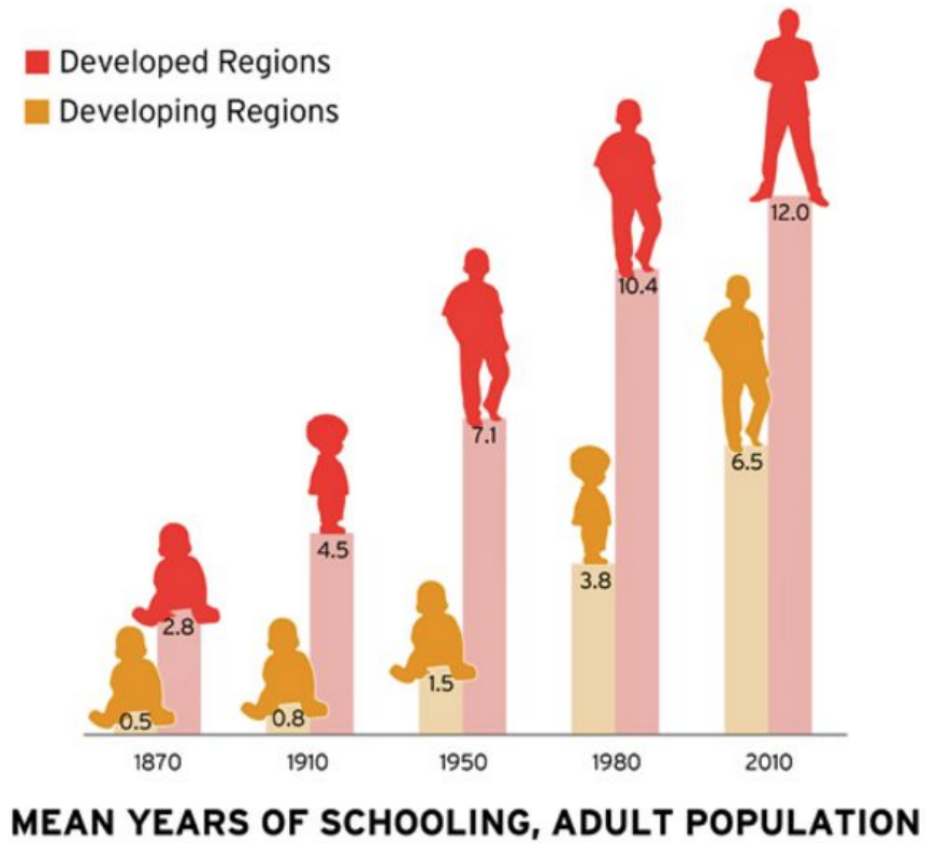
## **V. Theoretical Framework**

### **A. Sub-Saharan Africa's Current State of Education**

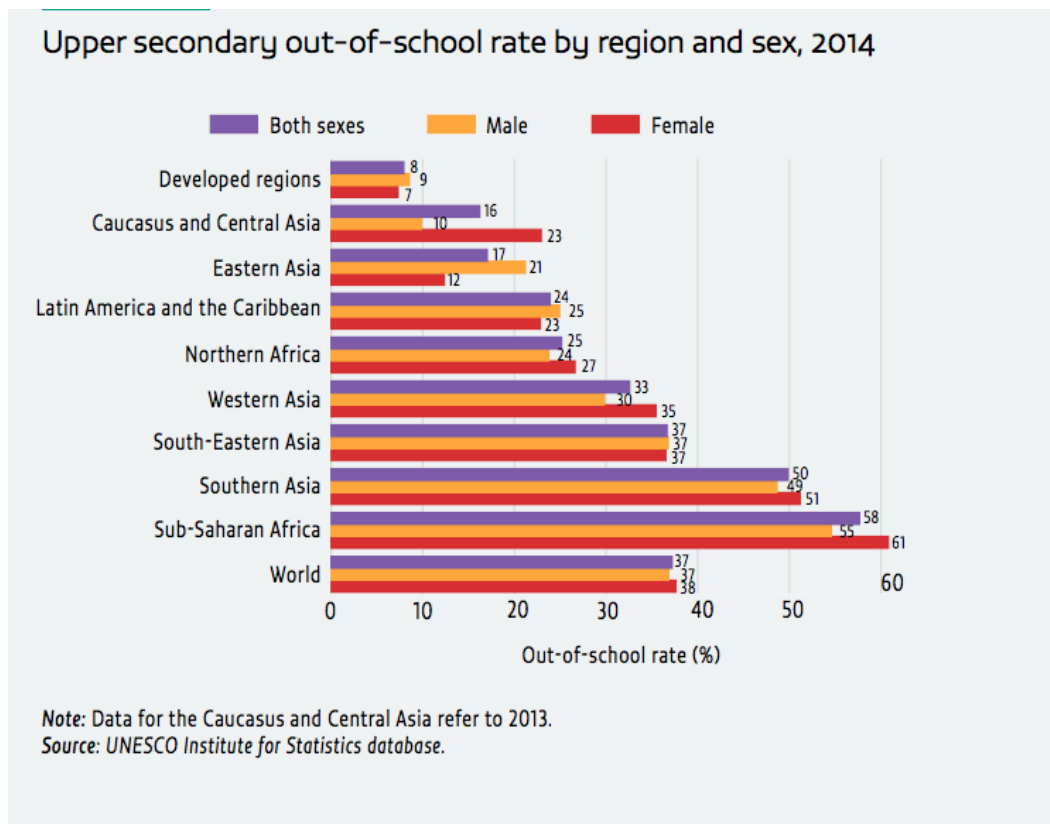
On a global scale, the achievement gap of students in developing countries versus those of developed countries is significant, as developing countries fall behind in every education level, as seen in Figure 1. Geographically, Africa as a continent is in the region classified as “developing” (“World Economic Situation and Prospects” 145). Out of 617 million worldwide, six out of ten youth are not reaching a learning minimum in both the subjects of reading and math (UNESCO 1). Accounting for 202 million, Sub-Saharan Africa has the single most significant number of children and adolescents who are not meeting proficiency, with nearly nine out of ten kids between the ages of about 6 and 14 not reaching minimum proficiency levels in both reading and mathematics. In addition to poor proficiency levels, Sub-Saharan Africa has the highest rates of education exclusion in the world. The out-of-school rate in sub-Saharan Africa is 21% for children of primary school age (about 6-11 years), 34% for youth of lower secondary school age (12-14 years) and 58% for youth of upper secondary school age (15-17 years), according to UIS data (UNESCO Institute of Statistics 1). These statistics, demonstrated in Figure 2, are the highest proportion for any region worldwide, likely as a result of the failure to prioritize primary school enrollment.

These statistics reflect similar patterns amongst the countries of Malawi, Liberia, and Ethiopia, each located in a different region spread across Sub-Saharan Africa. Each country evaluated through the case study research method has comparable economic expenditures, at 4%, 3.8%, and 4.7%, respectively, accounting for the public spending on education as a percentage of the overall gross domestic product (GDP) (“Malawi,” “Liberia,” “Ethiopia” CIA World Factbook 1). Additionally, each country has relatively similar literacy rates and school life expectancies. Given the challenges to provide a quality, accessible education in the current economic climate, these governments, like most African governments, must make strategic decisions on how to ensure their growing student populations with higher levels of education, with private actors and international development commonly utilized.





*Figure 1, Retrieved from: Center for Universal Education at Brookings Institute, 2015*



*Figure 2: Retrieved from UNESCO Institute for Statistics database.*

## B. NGOs and International Development

International development became a booming industry following World War II as actors like the World Bank, and non-governmental organizations intervened in “developing” countries. This post-colonial industry has flourished on the idea of differences between those “developed” and those “underdeveloped” (Escobar 5). Many scholars argue that capitalizing on these differences through international development inculcates the legacy of colonialism in the “overall privileging and ‘import’ of Western Concepts such as civil society and NGOs” (Howell, Pearce 23). NGOs are non-governmental, non-political, non-profit making, voluntary organizations established for the benefit of members (a grassroots organization) or of members of the population (World Bank 1). The combined forces of globalization, debt crises, and economic

adjustment have weakened the economic role of governments, especially in developing countries, only increasing the opportunities for international development and intervention by NGOs.

This intervention has flourished as a multi-billion dollar industry as international NGOs sit at the negotiating table with International Financial Institutions such as the World Bank and International Monetary Fund, inter-governmental organizations such as United States Agency for International Development and Canadian International Development Agency and representatives of nation states. One scholar believes that NGOs represent a “third sector initiative in the globalization process,” one in which governments have been more withdrawn in certain spheres of involvement, allowing an opportunity for NGOs to fill gaps in the development process, noted as “philanthrocracy,” by the author (Dibie 2). Amutabi argues that because of the dominating role that NGOs have in the role of development that subsequently, little development happens without this private input, modeled in the government structure of Kenya, which allows for the inclusion of NGOs in government development plans. Likewise, other scholars assert that issues arise when NGOs design programs with little collaboration with the state and conversely, the same consequences are likely to occur when government offices fail to involve the NGO community in the policy process. This failure to communicate can often lead to misunderstandings between the two actors (Kadzamira, Kunje 1). Following an examination of available literature, it is evident that there are many different critical perspectives on the conceptual ideology of NGOs and their role in development, policy, and advocacy.

Arguing the positives of private actors in education, Dibia states that the key to achieving both sustainable development and an increased standard of living is the collaboration between government, NGOs, civil society, and the private sector (Dibia 7).

With a positive viewpoint, Mundy and Murphy state that NGOs:

“are frequently portrayed as the building blocks of a prototypical ‘global civil society’, with the power to influence, and perhaps democratize, the structure of world politics, both through increasing influence within existing international institutions and their capacity to use this influence to leverage change in individual nation states” (Mundy, Murphy 85).

With this as the premise for their involvement, NGOs often advertise themselves as the voice of civil society and the marginal population, employing this rhetoric to involve themselves in international policy and decision making forums.

In a different position of these empowering claims, some scholars are more critical in the allowance of autonomy for NGOs in the nations they serve. For instance, Petras and Veltmeyer take the stance that NGOs cannot claim the title of “non-governmental” organizations as they “receive funds from overseas governments, work as private subcontractors for local governments and/or are subsidized by corporate-funded private foundations with close working relations with the state” (Petras, Veltmeyer 2). This ideology argues that NGO programs are then accountable to overseas donors, not the local government or citizens. Furthermore, Shivji argues that the corruption of African states, in light of the World Bank claims, has created an environment in which, “decision-making and policymaking slipped out of the hands of African states as the West financed policy and governance consultants in their thousands to produce policy blueprints,

poverty reduction strategies and manuals on good governance” (Shivji 14). As NGOs mentor, monitor, and oversee these operations, both these claims argue that African states lose their capability as a sovereign entity while policymaking and policing fall into the hands of NGOs.

Although the finite role of NGOs in advocacy, policy, and development is far from being defined, it is evident the robust involvement that NGOs invest in all three of realms of development, policy, and advocacy. These presented ideologies are just a small look into the many conceptions of NGOs and their role in these realms. However, there are two critical variables shown in the three subsequent case studies that have been assessed to have the most substantial impact on the continuously evolving role of NGO programs in the education sector. First, are the objectives and strategies of the NGOs themselves and second, each country provides a unique combination of social and political realities that have shaped what NGOs can do. These two factors combine to form the similarities and differences in the analyses presented conceptually.

### **C. Applicable International Governance**

International Public Law is “a set of rules produced by states in order to regulate relations between them” (Alihusain 1). Many legal scholars have declared that NGOs play a vital role in making international law more responsive to the needs of the international community. Former President of the International Court of Justice, Rosalyn Higgins, pointed to NGO demands as a “one phenomenon in the reformation in international law,” stating that “an aspect of that reformation is a change in the concept of international law, and in particular, in our notions of the identity of the users and beneficiaries of international law” (Higgins 207). Through this ideology, NGOs on a

global scale can “help foster a universal legal conscience, loyalty to and compliance with a certain set value...[becoming] unavoidable participants in the emergence, drafting and monitoring of international norms” (Alihusain 1).

Despite this powerful impact in influencing international public law, there is currently no universal international NGO guiding policy. This lack of policy leaves the governing system for international non-governmental organizations to fall under the jurisdiction of the United Nations Article 71 in Chapter X: The Economic and Social Council which reads “the Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned” (UN Charter, art. 71). Additionally, governance for NGOs is outlined by the Human Rights Council in the right to education, described in the realization of human rights principles guaranteed in international law.

Most notable and recent legislation or reports from international governance of value to this report are both the report by Special Rapporteur on the right to education, Kishore Singh, evaluating “state responsibility in the face of the explosive growth of private education providers, from a right to education perspective,” and the reaffirming of resolution 8/4 of 18 June 2008 which recalls all other Human Rights Council resolutions on the right to education (UN A/HRC/32/L.33 1). A Special Rapporteur is, “an independent expert appointed by the Human Rights Council to examine and report back on a country situation or a specific human rights theme” (Office of the High Commissioner 1). Singh in his report emphasizes, “the need to preserve education as a

public good, which must not be reduced to a profit-making business;” Additionally, he assesses that “states must develop a regulatory framework for all private providers of education, including sanctions for abusive practices” (UN A/69/402 2).

Both forms of legislation call for a better framework for privatized education and accountability for the organizations that operate within this sector. Section F, entitled “Public-private partnerships and mobilizing investment in education as a social responsibility,” of the Special Rapporteur report states:

“If the private sector is to be made a development partner with a social interest in education, then public policies should foster contributions to education as a priority in terms of corporate social responsibility. Since education is a social responsibility involving parents, the community, teachers, students, and other stakeholders, they can have recourse to complaints procedures and human rights protection mechanisms in cases of violation of the right to education, abusive practices and corruption by private providers. The Special Rapporteur would like to encourage a system that provides the possibility for any entity or individual to initiate legal action in the case of abusive practices by private providers as public-interest litigation” (UN A/69/402).

This correlation of investment in education as a social responsibility emphasizes the need for accountability through legal action, a subject this is similarly detailed in the July 2016 resolution for the right to education which calls for:

“Putting in place a regulatory framework for education providers, including those operating independently or in partnership with States, guided by international human rights obligations, that establishes, inter alia, minimum norms and

standards for the creation and operation of educational services, addresses any negative impacts of the commercialization of education, and strengthens access to appropriate remedies and reparation for victims of violations of the right to education;”

Additionally, the document “further urges all States to regulate and monitor education providers and to hold accountable those whose practices have a negative impact on the enjoyment of the right to education” (UN A/HRC/32/L.33). The Council calls for a “support [to] research and awareness-raising activities” in efforts to investigate the expansive impact of commercialization in the sector of education. The continued emphasis of legal accountability and responsibility of these organizations who invest and commercialize the industry of education over several years promotes a common theme, however, addresses a noticeable policy gap that has yet to be discussed on an international scale. Although some accountability measures are seen in the case studies presented, they are mostly through private consultants hired by the NGO or paperwork deadlines set by individual councils, committees, or ministries allocated to oversee NGO activity. The findings of these case studies again emphasize the policy gap and need for accountability through legal action on an international scale.



## **V. Case Study Analysis**

### **A. Case Study: Save the Children in Malawi**

#### *About the Organization*

This case study will evaluate the work of Save the Children in the nation of Malawi, operating since 1983 in over a dozen districts (“Help Save Children in Malawi” 1). Save the Children is an international non-governmental organization that was founded in London in 1919 by Eglantyne Jebb and her sister Dorothy Buxton, in response to the horrors brought to children after World War I (Amutabi 64). The mission statement of Save the Children Malawi claims, “we seek to ensure that children in need are protected, healthy and nourished, educated and live in economically secure households, while helping communities mitigate the impact of HIV and AIDS. Save the Children is also working to make education more accessible and equal. We increase children’s access to basic education, help children stay in school and enhance the quality of education” (“Help Save Children in Malawi” 1). To achieve these goals, the organization designed sponsorship programs, benefitting early childhood to early adulthood. These programs focus on everything from providing early literacy programs, job and relationship skills, and health education and health care; all designed “to transform students into lifelong learners by building strong curriculums and passionate teachers” (“Help Save Children in Malawi” 1).

### *About the Country*

Malawi is a small country located in southern Africa bordered by Tanzania, Zambia, and Mozambique. Malawi's geographically landlocked position makes it one of the most densely populated and least developed countries in the world with a population of 19,842,560 and limited land resources ("Malawi" 1). More than half the country is below the poverty line, with many students forced to choose between employment and education, with only 35% of children completing primary school (Borgen 1). The school life expectancy, defined as "the total number of years of schooling (primary to tertiary) that a child can expect to receive, assuming that the probability of his or her being enrolled in school at any particular future age is equal to the current enrollment ratio at that age," is only 11 years for both male and female students ("Malawi" 1). Much of this can also be attributed to financial restraints as the government does not fully fund any other educational level other than primary, with only 8% of the 4.6 million students across Malawi completing secondary school (Borgen 1). This lack of funding calls for a strong need for international aid, with donors providing a whopping 40% of the public education expenditure (Borgen 1).

### *Historical Context of NGOs and the Malawi Government*

To effectively evaluate the work of Save the Children in Malawi, it's important to provide historical context for both the role of international aid and education in this particular country. Hastings Kamuzu Banda achieved Prime Ministership when Nyasaland became Malawi upon obtaining independence from Britain in 1964 "Banda Announces..." 1). Shortly after, Banda began a process of recession, "outlawing all other political parties and transforming the democracy into a one-party

dictatorship...[declaring] himself life president in 1971” (Franz 1). This one-party dictatorship led to many tensions amongst the government and civic groups such as the Christian Service Committee, one of the Christian NGOs operating in Malawi in the early 1970s, leading to the formation of a Working Party Committee. In 1985, the working party evolved into the Council for Social Welfare Services in Malawi (CSWSM), then later evolved as the Council for NGOs in Malawi (CONGOMA) took over from CSWSM, changing the name in 1992. CONGOMA is a membership umbrella organization that is a designated NGO coordinating body in Malawi as stipulated in Section 24 and 25 of the Non-governmental Organizations Act 2000. Membership to CONGOMA is open to National and International NGOs and most recent statistics show membership actively stands at 550 NGOs involved (“About Us” 1).

In 1993, all international assistance to Malawi was in danger of being discontinued as the international aid groups pulled their financial aid in efforts to pressure political reform to stop human rights abuses and Banda to legalize other political parties (Britannica 1). The following year, the first national elections were held and Bakili Muluzi was elected to office with universal education at the center on his platform. The new government eliminated school fees, significantly increased access to education across the country boosting primary school enrollment from 1.6 million to three million (Borgen 1). However, direct and indirect costs of schooling continue to be prohibitive for the poorest of families. Additionally, the sudden expansion of primary education “is generally believed to have occurred at the expense of quality,” likely attributed to poor teaching quality, weak infrastructure, lack of resources such as classrooms and textbooks, and persistent health issues (Miller-Grandvaux, Welmond, Wolf 14). Although religious

NGOs had been permitted by the government to work in education for decades, the era of democratization allowed for the emergence of more international and local NGOs. However, the history of tight state control lingers in government restraints over NGO programs.

Following the rise of NGOs after democratization, policies were created to limit the freedom of these foreign organizations' actions. A government official was quoted, "now there is a need to control them...closer consultation is needed so that the ministry is fully aware of what is happening on the ground" (Muedini 14). In 2000, Malawi's parliament enacted the Non-Governmental Organizations Bill with the objective "to make better provision for the registration and operation on Non-Governmental Organisation in Malawi (NON-GOVERNMENTAL ORGANISATIONS BILL 1)." The opening lines of the Bill state:

"This Bill seeks to enact the law relating to Non-Governmental Organisations (NGOs) in Malawi. Specifically, the Bill addresses issues relating to registration and requirements for the NGOs operating in Malawi so that there is equitable sectoral and geographical distribution of the NGO activities in Malawi, accountability and transparency of NGOs in their activities; coordination and consultation with Government in implementation of activities of NGOs and uniformity in the interpretation of policies.

The Bill seeks to enhance the NGOs contribution to the economy through provision of social services and creation of employment by ensuring that this is done efficiently and equitably" (NON-GOVERNMENTAL ORGANISATIONS BILL 2).

The Act created a NGO Registration Board consisting of members appointed by the government to oversee NGO activities, with strict preconditions that the NGO “must be a member of a government-sponsored umbrella organization and have letters of permission from the appropriate ministry, indicating the sectors in which the NGO will be allowed to operate” (Miller-Grandvaux, Welmond, Wolf 7). Additionally, NGOs must be able to account for all activities to the Board and the organization will be audited every year. In November of 2018, the Malawi government presented an amendment to the Bill that provided an even stricter set of policies:

“This Bill seeks to amend the Non-Governmental Organizations Act (Cap. 5:05) by modernizing the Act in order to comply with constitutional standards, improving efficiencies in the operations of the responsible institution and strengthen the role that the institution plays in regulating Non-Governmental Organizations in Malawi.

The Bill seeks to achieve this by removing the reference to a non-statutory established institution, the Council for Non-Governmental Organizations in Malawi (CONGOMA) and allowing the membership of that organization to become voluntary.

The Bill further removes all statutory responsibilities of CONGOMA and rightly places those responsibilities under the Board. To entrench the role that the Board undertakes in regulating the NGO sector, the Bill proposes that the Board should be renamed, "Regulatory Authority." As such, the functions that were being undertaken by the CONGOMA have been transferred to the authority under the Bill.

The Bill has also proposed harmonization provisions relating to exercising of some powers, such as the power to prescribe fees under the Act and the need to promote self-sustenance of the authority.

The Bill further enhances the penalties that were last decided upon at the time of enacting the Bill in 2001” (NON-GOVERNMENTAL ORGANISATIONS (Amendment) BILL 4).

In retaliation, the NGOs “obtained a court injunction restraining parliament from deliberating on the bill until amendments are made” (Masina 1). This level of government restriction would impact the current operating NGOs and put severe restraints on the creation or development of NGOs for the future, potentially transitioning out the long-standing heavy influence of international aid and Western presence in the state.

#### *The Relationship of Save the Children and the Malawian Government*

Save the Children first started operating in Malawi during the rule of Banda, operating eight pilot schools spread around the country by the new election. However, with the emergence of new government leadership, the NGO had to renegotiate their model during a time of significant change within the education sector. Consequently, the vital components of the Save the Children education model all quarreled with the newly instituted government policies. The new government curriculum mandated eight subjects while the reduced Save curriculum taught only four subjects in the early standards. Additionally, the teachers that Save the Children recruited from the community mostly only had primary school certificates and were trained by the NGO which did not meet the Ministry of Education standards for teacher qualifications. Finally, the village construction of Save the Children school buildings did not adhere to the strict

government standards for classroom construction (Miller-Grandvaux, Welmond, Wolf 7). Historically, the government supported NGO schools under the sole condition that all the schools had to operate under the same standard. However, to pressure Save the Children community programs to conform to the newly implemented policies, the Malawi government threatened to withhold from paying the salaries of the teachers, a condition that would make the program unsustainable (Miller-Grandvaux, Welmond, Wolf 7).

Despite the early tensions between state and Save the Children and the evolving policies to more closely police NGOs, perhaps the history and tenure of the NGO in the region has allowed it to become a strong ally in research and innovation with the government. Save the Children in Malawi has influenced the education sector by having the government testing their innovative curriculum and teacher training approaches with intentions to potentially adopt the model into the national curriculum. Traditionally, to influence policy in this way, the NGO must work with the government to shape research that will demonstrate success through quantitative results, requiring a combination of research and analysis of both the process and the results. Through this process Save the Children and the Malawi Institute of Education have “undertaken longitudinal research into curriculum and teacher training effectiveness” by evaluating Save the Children’s reduced curriculum in government schools and the teaching method utilized by the NGO which provides more support to a greater range of students (Miller-Grandvaux, Welmond, Wolf 34).

Additionally, Save the Children has partnered with the Malawi Government and other intergovernmental organizations in producing literature such as “Legal and Policy Frameworks to Protect the Rights Of Vulnerable Children in Southern Africa” and

“Reforming Social Welfare: A New Development Approach In Malawi’s Ministry Of Gender, Children and Community Development.” The NGO has also been included in advising and consulting efforts as Save the Children was named as one of two NGOs to a national task force, funded by USAID, to develop a national reading strategy because of the positive results of their Literacy Boost program. In 2013, Save the Children and World Vision co-hosted a national reading event with the Ministry of Education, USAID, and DFID that was nationally broadcasted (“Literacy Breakthrough: Global Ripples from Our Programs” 2). This is also an example of how Save the Children made great efforts to work with the media to increase the exposure of NGO activity collaborating with the government to boost civil society, a trend that allowed for better transparency in operations and a push for public support of NGOs. In spite of the restricting policies imposed on the government, the most recent sponsorship information reports that Save the Children has expanded to support 455 schools in three districts (“Malawi Annual Sponsorship Update” 2).

### *Findings*

This case study exhibits the many ways that NGOs are influencing education policy in Malawi. Although Save the Children is working directly with the government, other NGOs in the country have joined together to take a different approach in addressing the government whether through umbrella groups like CONGOMA or a similar strategy of media exposure. They have worked to influence the policy agenda for education in the creation of “coalitions of national and international NGOs and other civil society organizations, e.g., teacher unions and church groups, whose purpose is to advocate for better quality and access” (Miller-Grandvaux, Welmond, Wolf 58). Taking a



confrontational approach to lobbying efforts through the use of media, they have published “critical articles in newspapers and distributed tracts espousing that the Ministry of Education is not doing its job to ensure that teachers are paid well and receive appropriate training” (Miller-Grandvaux, Welmond, Wolf 58). This approach has faced pushback of the government as the group stands in opposition of current policies and although advocating for the advancement of the education system, have been questioned on the validity of their position as they are not Malawi nationality, further challenging the autonomy of NGOs in foreign states.

Additionally, this case study reinforces the literature regarding the lack of clear accountability. The accountability for NGOs was initially in the hands of CONGOMA, letting a board of NGOs rule each other, before transitioning to more prevalent and stricter laws where the government took over regulatory authority through the NGO Bill and creation of the NGO Registration Board. Furthermore, it shows the influence of the country’s social and political conditions in shaping the conditions for NGO involvement in Malawi. Both exhibited through the sudden change in requirements that altered the presence of Save the Children following the shift in governance in the late 1990s, as well as the NGOs using their role as a form of social mobilization by pulling their international aide in response to human rights violations. Finally, the relationship between Save the Children and the government, backed by the sustainable practices of the NGO within the country exhibits the benefits of welcoming NGOs to the education world in appreciation for their innovational approaches and methods to failing education systems.

## **B. Case Study: More Than Me Foundation in Liberia**

### *About the Organization*

The More Than Me Foundation was founded in Liberia in 2008 by Katie Meyler, a native of Bernardsville, New Jersey, who first visited the country as an intern for an evangelical charity in 2006 (Young 1). After meeting young females who were exploiting themselves for clean drinking water or food, Meyler created an organization to protect girls from sexual exploitation, “because we believe that no young girl should have to sell themselves to meet their basic needs” (“Who We Are” 1). The mission of the organization is, “to use education as a catalyst for transformative social change for every girl in Liberia,” with the vision of the organization simply, “every girl empowered” (“Safeguarding at More Than Me” 1). The More Than Me Foundation created an academy in Monrovia, Liberia to both protect and educate young females while working directly with the Liberian government to expand their impact across the nation. To date, the charity has raised over \$8 million, including almost \$600,000 from the U.S. government and controlling a current total of 19 schools, teaching 4,000 students (Young 1).

### *About the Country*

Liberia is a small English-speaking nation in West Africa with a population of nearly 5 million people (“Liberia” CIA World Factbook 1). Liberia’s education expenditures account for only 2.8% of GDP (2012), ranking 155 in the world (“Liberia” CIA World Factbook 1). The most recent literacy rates showed that only 47.6% of the population age 15 and over could read and write (“Liberia” CIA World Factbook 1). This statistic shows vast improvement from the literacy rate in 2004, reported at a scant 28%

following the brutal civil war that destroyed over 80% of the 2,400 schools established in Liberia (“Liberia” CIA World Factbook 1). At the end of the war, only about 50 percent of the 1.5 million children who should have been attending primary and secondary school were enrolled as close to 800,000 children were either forced to flee their homes or obliged to become child soldiers, abandoning their education in the process (Dukuly 1).

Additionally, the Ebola epidemic further weakened Liberia’s infrastructure, propelling the education system into a state of emergency. There are several issues in the Liberian education system, similar to those seen around the Sub-Saharan Africa region. Topics such as unqualified teachers and lack of attendance in schools have created a domino effect from ailing primary, secondary, and tertiary schools. The CIA World Factbook cites that only 17% of teachers have a tertiary degree-level qualification (“Liberia” 1). A staggering 65% of primary school age children are out of school, with only 20% of students enrolled in Grade 1, later enrolling in Grade 12 (“Who We Are” 1). In the year of 2013, every single one of the 25,000 applicants to the University of Liberia failed the entrance exam, exposing the detrimental effects of a failing primary and secondary education system (“Who We Are” 1). The culmination of these gaps in the education system have highlighted a desperate need for investment in education, a need answered by both NGOs and the Liberian government alike.

#### *Historical Contexts of NGOs and the Liberian Government*

The outbreak of civil war in 1989 brought a proliferation of NGOs in Liberia; however, it wasn’t until 2008 that the Liberian government created policies to better clarify the respective roles between NGO and state (Tiepoh 1). Following the war, the international community began to intervene in Liberia to “take the lead in ensuring not

only the provision of humanitarian assistance but also the protection of life and property and eventual return to peace” (“NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA” 3). The most utilized instrument in supporting this mission was the development and presence of NGOs, most specifically, international NGOs. In the rapid expansion of these organizations over time, several concerns have been expressed by governmental authorities, the general public, and even NGOs themselves, outlined below in Figure 3. In response to these key concerns, the Ministry of Planning and Economic Affairs (MPEA) became the Government of Liberia organization mandated “to monitor and evaluate the activities of NGOs and enhance the cooperation between GOL and NGOs” (NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA 7).

**The Government has raised the following key concerns:**

- There is little or no reference and engagement by NGOs with line ministries and local authorities
- Duty free privileges are abused
- Some NGOs evade payment of required taxes
- Some portions of the laws of Liberia are compromised or disregarded
- There is little or no level of sustainability of NGO projects
- Some NGO projects and programs are not in line with the Government’s development agenda

The NGOs have expressed the following key concerns:

- The absence of clear guidelines for NGO operations culminates in complexities in obtaining incorporation and accreditation
- The lack of decentralized accreditation procedures
- The propagation of demands from different government institutions for the submission of various reports, instead of a centralized reporting mechanism
- The absence of published and transparent fee structures
- The incidence of corruption on the part of certain public officials
- The harassment of field workers by local officials
- The new international aid modalities operates to marginalize national NGOs
- The existence of competition between national and international NGOs
- The inadequacy of capacity building and partnership mechanisms to support national NGO programs
- The inadequacy of government efforts to inform and involve civil society in its development agenda

While acknowledging the contributions NGOs have made to the country, the public expressed the following key concerns including:

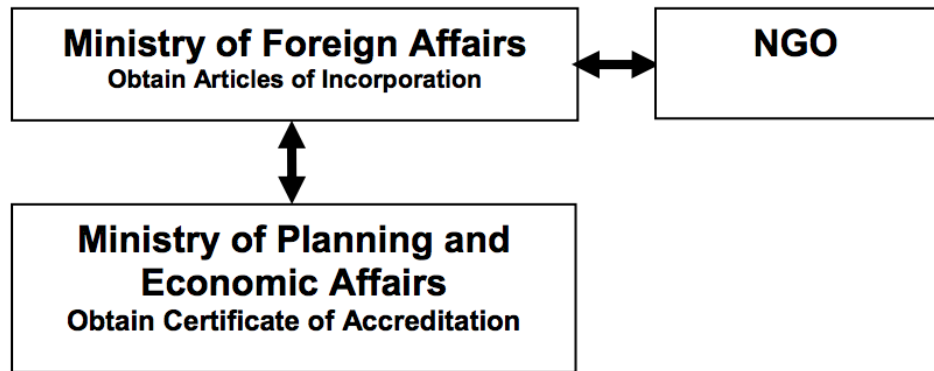
- Very little impact on beneficiaries
- Little or no input from target beneficiaries during the project cycle
- Proliferation of NGOs
- Skewing of NGOs' activities
- Underutilization of local NGOs
- Prioritizing relief activities over development, despite the transition to development
- Disrespect towards local authorities
- Inadequate accountability
- Inadequate transparency

***Figure 3: Retrieved from the Republic of Liberia National Policy on Non-Governmental Organizations in Liberia.***

The MPEA outlined a policy framework that clearly defines a NGO functioning within Liberia as, “an independent, non profit making, non-partisan and charitable organization, established in accordance with the Associations Law of Liberia, having the primary goal of enhancing the social, educational, professional, scientific, athletic,

cultural and economic well-being of communities; and it may operate nationally or locally on a non discriminatory bases” (NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA). The policy was enacted on June 15th, 2008. The policy then sets very specific perimeters for eligibility as a nationally recognized NGO and further, outlines the accreditation process, detailed in Figure 4. A valuable component to the policy framework is the frequency of requiring reaccreditation, with accreditation only valid for a four-year span. Requirements for reaccreditation include a letter of request along with an extensive application form and financial and activity reports for the previous three years and the most up to date audit report for the fiscal year of the NGO operations (NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA 12). This allows for the MPEA to closely monitor NGO activities and hold NGOs accountable to the nation’s operation standards.

## Flow Chart of Accreditation Procedures



*Figure 4: Retrieved from Republic of Liberia National Policy on Non-Governmental Organizations in Liberia.*

Additionally, the policy framework seeks to breed a network of NGOs, encouraging the flourishing of collaboration through the leadership of respective Ministry leaders. Section 11 of the policy establishes an NGO council, “to effectively ensure self-regulation and other capacity strengthening structures and mechanisms” (NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA 11). This council encourages membership for all accredited NGOs, providing another benefit for accreditation. The Council, as outlined in the policy, shall “establish a Code of Conduct for NGOs in line with internationally accepted standards, popularize and build awareness of this Code, and the Council will be available to receive petitions and complaints from NGOs, from Government bodies and from members of the general public on violations of this Code” (NATIONAL POLICY ON NON-GOVERNMENTAL ORGANIZATIONS IN LIBERIA 11). Currently, there are two education networks created under Section 11, the Accelerated Learning Program and the

Education Department Partners Coordination, both chaired by the Minister of Education. These networks provide another mechanism to stimulate a strong partnership between the Government and NGOs.

*Relationship Between More Than Me and the Liberian Government*

In this particular case study, the NGO works directly with the government, as the Ministry of Education partnered with the More Than Me organization in a multitude of capacities. As the NGO became more developed over time, More Than Me was paying to send more than 100 girls to local schools and in 2013, announced plans to open their own academy (Young 2). Leadership from the More Than Me organization was quoted to be, “committed to maintaining a center of excellence at our academy while also scaling our successes into pilot government schools across the country (“Who We Are” 1). At the 2013 opening of More Than Me Academy, the Liberian President, Ellen Johnson Sirleaf, showed Government support in quoting her plans “to expand Katie Meyler’s initiative to as many communities as possible” (Young 1). On the More Than Me website, the organization publicly regards their relationship with the Liberian Government with the statement:

“We work closely with the MoE, and they are aware of the curriculum we are currently using (a mixture of Liberian and US curriculum, but following Liberian standards). The MoE has accredited our institution and our Country Director and Principal have regular meetings with officials at the MoE. They are very supportive of our policies and practices and look to us as a model for other schools” (“What We Do” 1).



The nation of Liberia additionally has utilized the NGO as a tool for advocacy as Meyler and then Minister of Education, George Werner, frequently traveled together to share the idea, “if Liberia couldn’t manage its primary schools properly, why not let charities or private companies do it instead? (Young 2). They appealed to donors to expand upon the financial capabilities of More Than Me while also appearing in international education forums to advocate for the education system to be given over to the private sector. Much of their work eventually led to the 2016 deal with social enterprise corporation, Bridge International, through the Partnership Schools for Liberia Initiative. Through the PSL program, the Liberian government delegated management of 93 public schools to eight private contractors ranging from local non-profit organizations to for-profit multinational companies (Romero 9). As part of the partnership, in 2016-2017, More Than Me was given control of 19 schools in Liberia, educating 4,000 students (“Sex Abuse Scandal & Cover-up at US NGO, Liberian Gov’t Slow to React” 1).

Despite their continued involvement in the government’s privatized education plan, the relationship of More Than Me and the Government of Liberia has recently reached a point of contention. In collaboration with TIME Magazine, ProPublica, an independent, nonprofit newsroom that “produces investigative journalism with moral force,” published an investigation of More Than Me’s involvement in a series of sex crimes (“About Us” 1). ProPublica released a documentary in October 2018 entitled, “Unprotected,” revealing how More Than Me had, “missed opportunities to prevent [a] prominent employee from raping girls in the charity’s care” (Young 2). Because of Meyer’s need to be in America for fundraising, she partnered with a local man named Macintosh Johnson as “co-founder” of More Than Me, responsible for sending Meyler

regular reports of attendance, recruitment, and needs, with his personal home serving as the organization's base.

After a student reported to the academy clinic with symptoms consistent to a minor sexually transmitted disease and confessed to being violated by a male staff member, it was later exposed that Johnson abused his position of power by sexually assaulting several students (“More Than Me Academy Recruiter Appears in Court on Rape Charges” 1). The staff of More Than Me interviewed girls who also exhibited symptoms and reported they had been attacked by Johnson, attempting to decide if the organization was liable for their assault. The interviews confirmed, “they were raped at the charity's school, the office, the guest house, even in the company car” (Young 1). Johnson was reported to the Liberian government and convicted of rape, with ten girls pressing charges. However, a More Than Me document, titled “confidential,” identified 30 total victims, making up roughly a quarter of the student body (Young 1). 10 girls took the stand in Monrovia's “specialized sexual offenses court,” in Fall of 2015, describing instances of rape dating over five years, some starting as young as age 10 (Young 1). The jury was hung and before a mistrial was conducted, Johnson died in prison, likely as a result of his untreated sexually transmitted disease. The organization addressed the situation on their website for the first time following the publishing of the investigation as, “Our Worst Nightmare.” They detail the events as follows:

“On June 12, 2014, our school nurse told senior management that a student had confided to her that an important member of our team, Macintosh Johnson, a program coordinator and community liaison, had sexually assaulted her. Once our senior team learned this horrific news, Liberian police were contacted and the

suspect was arrested 4 days later. His trial began in September 2015 with a case brought by the Government of Liberia. The courage of the first student to come forward gave 9 other girls the confidence to come forward, too. After a mistrial in 2016, the defendant died in prison” (“Who We Are” 1).

This was just one of the many measures the NGO took to reprimand their actions or lack thereof following the publication of the story. Additionally, the charity issued a public apology and founder and CEO, Katie Meyler, stepped down pending investigations by the Liberian government, More Than Me’s Board of Directors and the charity’s Liberian advisory board. The Liberian Advisory Board of More Than Me created an independent panel with members representing “prominent civil society, women’s and professional associations and appropriate Government of Liberia functionaries,” to review all of the circumstances and allegations, overseen by Liberian lawyer, Counsellor T. Negbalee Warner, in collaboration with a globally recognized international counterpart from the African subregion (“Statement by the Liberian Advisory Board of More Than Me” 1). The panel seeks to advise both the Liberian Board and the United States Board for Directors for More Than Me to take appropriate actions in compliance with the demands of the Government of Liberia’s Ministry of Justice, Ministry of Gender and Children and Social Protection, and Ministry of Education. The investigations have incited protests in Monrovia, the resignation of several board members, suspension of significant donor funds, and challenged the morality of allowing More Than Me to continue their education operations or to halt their progress.

## *Findings*

The initial analysis of the case study of More Than Me and the Liberian Government exhibited one of the most robust NGO-government partnerships seen in contrast to the other two. Additionally, Liberia had produced a clear, descriptive policy guide to the operations of NGOs within their country. The combination of clear policy and the government's willingness to collaborate with non-state actors, conceptually, provides a seemingly strong foundation for the role of NGOs in global education. However, the criminal investigation of leadership identified a monumental policy gap both on a national and international scale, reaffirming the need for accountability and legal action by NGOs.

Primarily, this case study identifies the complexity of interpreting the scope of criminalizing human rights violations that occur by a non-governmental organization in a host country. Johnson was prosecuted for statutory rape, which criminalizes any form of penetration with a girl under 18. More Than Me leadership has been largely criticized for their role in subjecting their female students in a vulnerable setting, with many actors within the Liberian people as well as the international community demanding for justice. In lieu of these claims, they wouldn't be held to the same charge as Johnson; however, it's unclear what policy or law they would be accountable to. Liberia operates on a "mixed legal system of common law (based on Anglo-American law) and customary law," accepting both compulsory International Court of Justice jurisdiction with reservations and International Criminal Court jurisdiction ("Liberia" 1). Despite the involvement of international actors in this particular case, neither were utilized; additionally, the United Nations and the United States government were uninvolved.

Article 71 has a specific section that regards “Statements containing complaints against Governments,” whereas “written statements from organizations in consultative status charging violations of human rights are dealt with under Council resolution 75 (V), as amended” (Charter of the United Nations Art. 71, Repertory, vol. III 3). As written, there are no current policies in Article 71 to consult on violations of human rights committed by organizations. Additionally, the UN under Article 71 only consults international non-governmental organizations which, “[considers] an organization to be international when it has affiliates in at least three countries,” or national organizations only on special circumstances (Charter of the United Nations Art. 71, Repertory, vol. III 3). As More Than Me only operates in Liberia, the UN does not consider its workings to be under international law. The Right to Education outlined by the General Assembly by the United Nations very ambiguously defines that “private providers of education are accountable to the State and to the public for their activities” (UN A/HRC/32/L.33).

The majority leadership of More Than Me are not Liberian citizens; the only section addressing NGO violation of Liberian law outlined in the National Policy on Non-Governmental Organizations is the establishment of the Standing Independent Appeals Committee who primarily deal with faults in accreditation, reporting of annual activities or financials, or any other violations of the guidelines in the policy, which does not involve mention of criminal offenses. Not a single leader of the More Than Me organization was in attendance at the trial, leaving little of a case to build against Johnson without anyone to testify. Public Defender Elisha Forekeyoh capitalized on the absence of anyone from the NGO’s leadership, closing his cross-examination of the academy’s social worker with the quote, “So Madam Witness, all these people that accused the

defendant are all in America?” (Young 1). There is widespread critique in both Pan-African and international news publications that cite the absence of MTM leadership as the reasoning for the mistrial.

The Committee on Gender Equity, Child Development and Social Protection of the Liberian House of Representatives have called for the NGO to be “charged, prosecuted and subsequently shutdown as justice to the 10 young girls between the ages of 10 and 16 who were reportedly raped by the MTM liaison officer” (Sonpon 1). Representative Julie F. Wiah, Lofa County District #2 lawmaker and chairperson of the House Committee, wants “the government and non-governmental institutions, including the Ministries of Education, Justice, and Gender, Children and Social Protection as well as UNICEF (United Nations Children’s Fund) to collaborate and ensure that justice is served to those children and generations yet unborn” (Sonpon 1). This call for collaboration on a multitude of platforms is necessary to ensure consistencies in the reconciliation and accountability of potential human rights violations or criminal offenses of instances where the “protector” becomes the abuser, especially in settings where professionals are placed in environments working directly with vulnerable children. Although not all forms of misconduct equate to crimes under the national laws of member states, current policies provide little to no guidance on how to bring these “protectors” to justice.

### **C. Case Study: Pact in Ethiopia**

#### *About the Organization*

Pact is a nonprofit international development organization founded in 1971 operating in nearly 40 countries to “improve the lives of those who are challenged by

poverty and marginalization,” with the goal of “[striving] for a world where all people are heard, capable and vibrant” (“Our Promise” 1). Pact began working in Ethiopia in 1996 under a grant from the United States Agency for International Development (USAID) to strengthen the NGO sector (“Pact Ethiopia” 1). In Ethiopia, Pact is cited as “one of the pioneers of non-formal education,” as the organization has developed over 1,000 Alternative Basic Education Centres reaching and enrolling over 214,000 out of school children throughout the nation (“Pact International.” 1). Pact’s programming primarily focuses on and targets the most marginalized areas of the country, determined from factors such as food insecurity, safety-net, and conflict-prone areas.

Their most recent Ethiopian education project, entitled “REACH” or Reaching Educational Attainments of Children in the Hinterlands, was created with two objectives: “to expand access to quality basic education to 15,120 out of school children (OOSC) in the catchment areas of the project intervention and to increase the retention of children in learning centers through the provision of safe water and sanitation facilities in Alternative Basic Education Centers (ABEC)” (“Reaching Educational Attainments of Children in the Hinterlands” 1). To address these objectives, the project focused on increased enrollment of level one children and providing resources such as learning materials, clean facilities, behavior change communication activities, facilitators/teachers needed to staff these centers and finally, leadership and monitoring of the program. Although the education initiative has concluded, Pact continues to operate in of Ethiopia through a multitude of projects today, continuing their 20+ year partnership with the Ethiopian government in addressing capacity building, governance, natural resource management, and livelihood of the nation’s population.

### *About the Country*

Ethiopia is a country located in the Horn of Africa with a population of 108,386,391 (“Ethiopia” 1). The country has a comparable literacy rate to that of Liberia, with 49.1% of the population over age 15 with the ability to read and write (“Ethiopia” 1). However, Ethiopia accounts for one of the lowest school life expectancy investigated at only eight years total. Unique in Sub-Saharan Africa’s history, the Ethiopian monarchy mostly evaded colonization, with the exception of a brief Italian occupation from 1936-41 (“Ethiopia” 1). However, the last 50 years of Ethiopia’s history have proved to be less than fortunate, plagued by “civil war in the 1970s, sustained armed conflict until 1991 and again in the late 1990s, drought, and mass famine in 1973 and 1984 that affected millions and claimed hundreds of thousands of lives” (Miller-Grandvaux, Welmond, Wolf 3).

The era of a new government began in 1991 after the President of Ethiopia at the time fled to Zimbabwe, ending over a decade of military dictatorship and leading to the country’s separation into nine ethnically-based regions, dependent on the central government’s budget allocation (Joireman 5). Although the country still massively lacks civil society, the number of registered NGOs in Ethiopia has proliferated following this government shift, whereas, under the previous government NGO intervention was ultimately non-existent. The country continues to be defined by the dominance of the state over almost all aspects of society, with no exception of the modern colonization of NGO programs.



### *Historical Context of NGOs and the Ethiopian Government*

Amongst the three case studies conducted, Ethiopia exercises the most restrictive control over NGO activities. One of the most restrictive policies prohibiting the NGO involvement lies in the decentralization of government through the allocation of Intergovernmental Fiscal Transfers to regional, city, and woreda (district) level governments. Each region of the nation receives a block grant fund from the government, and to ensure equity between these locations, any money that is brought into a region through NGO activity is under law required to be subtracted from the overall total amount allocated to that region. Because of these restrictive policies, many regional governments are not willing to sacrifice a portion of their budget for the presence of an NGO. As a nation still evolving from a socialist form of government, there is still a level of distrust from the government towards the idea of private enterprise. Their concern specifically regarding international NGOs can also be political, a worry that international NGOs, funded by foreign governments, spread foreign ideas and values. With the government suspicious of foreign influence, a system of “capacity building” has become increasingly popular amongst international NGOs in the region, focusing their attention on strengthening local NGOs both as an approach to build civil society and as a means to improve education.

The Ethiopian government has consistently exercised its dominant power by deregistering, dissolving, or preventing NGOs from continuing their activities. In 1995, the government nullified 45 NGOs that had been registered because they were said “not to have begun their activities.” In early 2001, 12 NGOs, both on the international and local level, were “deregistered” for “not completing everything in their plans and

becoming involved in income generation activities” (Miller-Grandvaux, Welmond, Wolf 7). A Code of Conduct for NGOs was created in 1999 by a group of NGO leaders, used as a statement for operating principles. However, the most recent policy that guides NGO activity and the first comprehensive law governing the registration and regulation of NGOs is the “Proclamation to Provide for the Registration and Regulation of Charities and Societies,” proposed by the Ethiopian Parliament in 2009 (“Civic Freedom Monitor: Ethiopia” 1). The policy established the Charities and Societies Agency, reporting to the Ministry of Justice, to oversee all operations and hold NGOs accountable.

NGOs can either be classified as a charity or society and given one of three legal designations: Ethiopian Charities or Societies, Ethiopian Resident Charities or Societies or Foreign Charities, based on where the organization was established, its source of income, the composition of membership, and residential membership status:

*“Ethiopian Charities or Societies* - Charities or Societies formed under the laws of Ethiopia, whose members are all Ethiopians, generate income from Ethiopia and are wholly controlled by Ethiopians. These organizations may not receive more than 10% of their resources from foreign sources. (Article 2 of CSP)

*Ethiopian Resident Charities or Societies* – Ethiopian Charities or Societies that receive more than 10% of their resources from foreign sources. (Article 2 of CSP)

*Foreign Charities* - Charities formed under the laws of foreign countries, or whose membership includes foreigners, or foreigners control the organization, or the organization receives funds from foreign sources. (Article 2 of CSP)”

(Ethiopia: Proclamation No. 621/2009).

Additionally, the policy creates several restrictions to entry, activities and speech and advocacy, outlined in Figure 5.

<p><b>Barriers to Entry</b></p>	<p>Excessive Agency discretion in the mandatory registration of Charities and Societies:</p> <p>CSP Article 68 requires all charities and societies to register. It further requires Foreign organizations to obtain a letter of recommendation from the Ethiopian Ministry of Foreign Affairs.</p> <p>CSP Article 69 allows the Agency to deny registration if, inter alia, (1) the proposed charity or society is “likely to be used for unlawful purposes or for purposes prejudicial to public peace, welfare or good order in Ethiopia”; or (2) the name of the charity or society is in the opinion of the Agency contrary to public morality or illegal.</p>
<p><b>Barriers to Activities</b></p>	<p>CSP Article 14j–n restricts participation in activities that include the advancement of human and democratic rights, the promotion of equality of nations and nationalities and peoples and that of gender and religion, the promotion of the rights of disabled and children’s rights, the promotion of conflict resolution or reconciliation and the promotion of the efficiency of the justice and law enforcement services to Ethiopian Charities and Societies</p>
<p><b>Barriers to Speech and/or Advocacy</b></p>	<p>The restriction on NGOs that receive more than 10% of funding from foreign sources from participating in essentially all human rights and advocacy activities may effectively silence civil society in Ethiopia by starving NGOs of resources, and thus essentially extinguishing their right to expression.</p>
<p><b>Barriers to International Contact</b></p>	<p>The CSP does not directly restrict International Contact, but the restriction on foreign funding may have a negative effect on International Contact.</p>
<p><b>Barriers to Resources</b></p>	<p>The restrictions on NGO resources may force the closures of many organizations, especially Human Rights organizations. This is of particular concern in Ethiopia where local sources of financing are very limited and NGOs are thus dependent on foreign funding. Alternatively, NGOs may abandon disfavored missions or activities if they cannot raise funds locally to sustain them.</p>
<p><b>Barriers to Assembly</b></p>	<p>48-hour advance notification requirement; wide government discretion to impose time, place, manner and content restrictions; and vague provisions on criminal penalties for violations.</p>

**Figure 5, Retrieved from: Civic Freedom Monitor: Ethiopia (2018).**

The policy is coined in the international community as one of the most restrictive known to date to the autonomy of NGO activity in a country. The legislation has attracted major actors within the international community to push the Government of Ethiopia to

repeal. These organizations include activists, advocacy groups, Think Tanks, major rights groups such as Amnesty International and Human Right Watches. Similarly, donor countries such as the United States, the United Kingdom, and other partners like the European Union and the United Nations utilized diplomatic or political ties to urge GoE to reconsider this restrictive legal instrument. In the ten years since the law was passed, civil society has been decimated as the majority of NGOs were unable to survive without foreign funding and many groups were forced to drop human rights work to comply with the law in order to secure their registration. In February of 2019, under Prime Minister Abiy Ahmed, the government approved the Organization of Civil Societies Proclamation and repealed the 2009 CSO law, lifting the ten percent foreign funding limit, restricting the intrusive powers of the CSO agency, and addressing the lack of appeal process over registration (“Ethiopia: Abiy's First Year as Prime Minister, Review of Freedom of Association” 1).

#### *Relationship Between PACT and the Ethiopian Government*

Pact, during their operating time in Ethiopia, had a perceived positive relationship with the government likely because they exercised the well-received capacity building approach to many of their operations. The NGO, established in the nation shortly following the adoption of the country’s Constitution and reinvigoration of the Ministry of Education, was able to partake in the evolvement of the education system and work to reclaim and define the role of NGOs in Ethiopia. One of the ways they did this was through the initiation of the Ethiopian NGO Sector Enhancement Initiative (ENSEI), which became fully operational after Pact Ethiopia was registered with the Ethiopian Government in 1996. The initiative’s main purpose was to strengthen Ethiopian NGOs

“dedicated to working with and helping people to ensure that they have a role in making decisions that affect their lives,” which included a series of organizational capacity assessment exercises to establish baselines of strength for individual NGOs, in turn creating a basis for evaluating the impact of training and other inputs (Tesege 2). Additionally, Pact linked grants to capacity building interventions, an innovative approach at the time, providing a pool of funds for subgrants to partner NGOs. This made a significant difference to the start-up of NGOs within the country and defining the norm with some development agencies and donors.

Pact utilized “exposure visits” to allow government officials to view the beneficial collaboration of NGOs in other developing countries in hopes of changing the attitude of political leaders. In their first three years of operation alone, fifty-two members of CSOs and public institutions took part in different exposure visits; all initiated and arranged by Pact Ethiopia for “the purpose of drawing lessons on policy issues and sectoral approaches,” each visit inclusive of key sectoral and/or government decision makers, a Pact Ethiopia staff person and representation from the relevant NGOs (Tesege 60). Exposure Visits were cited in an evaluation conducted on the effectiveness of Pact Ethiopia to have led to tangible outcomes in the following of fields:

- “In influencing organizational decisions to adopt and implement new approaches
- Contributing to improvements in GO/NGO relations; this is particularly true for the period prior to the 2005 elections.
- Easing registration processes; renewal of registration period has been extended from one year to three years even though there may be other contributing factors” (Tesege 64).

Further addressing the perception of NGOs, Pact has been the leader in several collaborative efforts within the NGO community in Ethiopia. Adopted in 1999, Pact worked with other organizations to create the Code of Conduct, in attempts “to have sent a positive signal about the ethical underpinnings of NGOs, provided evidence of NGO ability to impose self-regulation, and increased collaboration among NGOs.” Likewise, Pact helped create and support the Basic Education Network, now known as the Basic Education Association of Ethiopia. To date, the BEAE is comprised of 45 indigenous non-governmental organizations and 14 partner international organizations. Members of the BEAE have operated in every part of the country and state that they are “an umbrella organization that has taken the initiative of bringing together, supporting and linking the member organizations to maximize their efforts to make education accessible, particularly to those who don't have the opportunity” (“Networking” 1). In addition to their policy and political advocacy in defining the role of NGOs in the country through these efforts, Pact demonstrated the sustainability of their education measures by handing over 707 ABECs to local governments and communities at the conclusion of their recent REACH initiative, most of which now operate as full-fledged primary schools (“Reaching Educational Attainments of Children in the Hinterlands” 1).

### *Findings*

Ethiopia, more than any other country evaluated, experienced various policy shifts within the education system regarding the role of the non-governmental sector for the past twenty-five years. An advocacy role similar to that of Save the Children or More Than Me, has been slow to arise for NGOs in Ethiopia, likely as the government’s ambivalent stance toward independent and especially international groups did little to

encourage the emergence of effective advocates. However, Pact Ethiopia, in theory, took many actions that could be successfully utilized in a country more welcoming to international development. Although some of their efforts have engaged officials within the Government of Ethiopia, they have modeled determined attempts at positively influencing the role of NGOs in global education in collaboration with other non-state actors, media perception, other foreign ally agencies like USAID, and even the Pan-African community through their exposure visits.

In contrast to noting positive contributions made by Pact Ethiopia, the Ethiopian government also created one of the most detailed policies to guide non-governmental involvement, although it may have overstepped. The policy showed that too many restrictions could nearly eliminate the role of human rights advocacy and international development within the country entirely. In response to the policy and the either reduced action or complete dissemination of non-state actors, the country's current state is a testament that NGO involvement can play a role in all parts of a nation's civil society. The government provided a 12-page explanatory document attached with the newly drafted bill that the previous law, "ironically paved [the] way for the expansion of corruption, the rising of public grievance as well as disappearing of alternative discussion forums that has also prompted wider mal-administration and public outrage (Abiye 1)." Because the existing law restricted "the development of culture of democracy," the document further explains "how several projects such as on the rights of women, children and people with disabilities have been decreasing over the past decade for they could not solicit finance from foreign sources" (Abiye 2). This case study dually demonstrates the positive contributions that an NGO, Pact Ethiopia, has had in a nation over the course of

inconsistent policies and resistance to any form of human rights development and advocacy operations, prioritizing the aversion to modern colonization over the perhaps necessary need for civil institutions, also demonstrating the potentially detrimental impacts the sudden removal or tight-lined limitations on NGO involvement can have on civil society.



## **V. Analysis/Policy Recommendations**

As previously noted, the two variables that have been assessed to have the most substantial impact on the role of NGO programs in the education sector are the objectives and strategies of the NGOs themselves and second, the unique combination of social and political realities of the countries NGOs operate in. These two factors combined to shape the similarities and differences in the analyses presented conceptually. In the assessment of each case studies' findings, categorization of the NGOs role have emerged to align with roles in government, civil society, and education. These organized roles allow for clear broadscale conclusions and corresponding recommendations. The recommendations made seek to provide either policy reform or creation mostly at the international level but also at both the state and local. To effectively present key findings and make recommendations, each of the following sections will address a few findings that were prevalent in each case study, followed by recommendations on how to address the problem.

### **A. Role in Government**

The role of government, either centralized or decentralized, through all three case studies, has the greatest influence on the autonomy and capabilities of an NGO's influence in a country. Through the assessment of each case study, it is proven valuable to more closely define the role of NGOs in the education sector, however, in respect to the development of a partnership, entailing a mutual, collaborative decision-making process. The most prevalent needs to be addressed are the lack of a regulatory

framework for any social procedures beyond just that of socioeconomic guidelines, accountability measures and clarity of who these organizations are accountable to, and finally, the absence of an international governing body for NGOs to be held by law to. To address these findings, at the national level, I recommend policy creation and better accountability for social procedures. At the international level, ambitiously, I recommend the development of an Ethics Board and International Law Reform.

Evidence for these claims is found in several instances throughout the case studies. Not a single policy framework presented by any of the three governments addressed any regulations beyond that of financials or economics. Forms of accountability were mostly addressed through budget forms and business codes, however, these policies have a significant gap in addressing the social aspect of these organizations potentially committing human rights violations as seen in the Liberian Case Study. Furthermore, there is no universal regulatory framework for even the most basic bottom level of policy, meaning that an INGO, like Save the Children, must alter their education model for each country they serve and that the government at any point have the power to change their policies completely. This was seen both in the Malawi case study and the Ethiopian, where NGOs who had long operated under the existing framework were suddenly threatened or run out, with potentially detrimental impacts on education and civil society as a result. Implementing policy also to address instances of human rights abuses or social responsibility and the measures to hold these organizations accountable can allow for a more cohesive understanding of the roles of NGO and state.

On the international level, the theoretical framework addresses the need for sanctions for abusive practices and the lacking policy to address the role of privatization

in education through multiple reports by the United Nations for many years. Article 71 may provide a simplified framework, but this alone won't address the stipulations of human rights abuses or corruption. An Ethics Committee would be beneficial to be created with the intent of accountability for the practices of NGOs and the countries who serve them. This committee can address grey area issues such as the More Than Me Sexual Assault charges which stumped and infuriated the international community on just who should be held responsible in that instance. Additionally, another ambitious large-scale claim, International Law reform should theoretically include NGOs if they play as prominent a role in the global world in reformation and as "a legal conscious." Especially as reports are citing that NGO activities are increasing all over the globe and as the leaders of NGOs are sitting at the negotiating table of some of the largest financial institutions, state governments, and intergovernmental organizations alike, their role should be just as defined and monitored as those they serve alongside of.

### **B. Role in Civil Society**

A role I didn't initially foresee playing as large of a role in the findings of these case studies was the impact made by NGOs on civil society. Whether it was the NGO taking social responsibility to address the corruption or violations of the government by pulling international aide, as seen in Malawi, capacity building by NGOs in Ethiopia, or the many ways that NGOs addressed healthcare or national emergencies by providing relief such as More Than Me with the Ebola epidemic in Liberia, these organizations have gone beyond just taking responsibility for the education sector. Policy recommendations for this role are mostly national as that is directly the society that is impacted, however, my previous suggestion of an Ethics Board at the international level

would also benefit the findings of this role. At the national level, I propose policies to protect the civil society of the country through the introduction and enforcement of Child Protection Policies in relation to the nation's pre-existing policies for each NGO, collaborative joint plans for sustainability, and a crisis management plan for the nation to support their population in the absence of international development.

A few of the major concerns or threats to civil society that I evaluated throughout the study were the absence of child safeguarding policies in alignment with the government, western influence on students and traditional culture, and finally, inculcating a dependency on foreign aid to build civil society. Two out of the three NGOs evaluated had child safeguarding policies in place for the organization; however, they were broadscale and not aligned to the government of the country they served. Furthermore, western influence on both students and the residents of these countries can be problematic in the future. Meyler of More Than Me was cited by the government to take children out late for parties, have them over for sleepovers, and make her students' personal lives exploitative for the purpose of attracting donors (Young 1). NGOs have the power to change attitudes and expectations in communities towards education and what youth, in particularly, young females are capable of. However, if they have no policies to ensure they aren't acting recklessly at the expense of the youth they claim to serve, these attitudes won't be positive.

Finally, in utilizing the Ethiopian case study as an example, my final recommendation seeks to address sustainability through collaborative joint plans between NGOs and the government, and a crisis management plan for the nation to support their population in the absence of international development. When Ethiopia suddenly changed

its policies and pushed out a substantial majority of NGO involvement in the country, the case study showed how civil society was negatively influenced. To avoid both the crumbling of civil society without the role of NGOs, as well as the dependency of foreign aid for developing countries, I propose framework created for joint sustainability so that the work of NGOs can be continued beyond their physical involvement in the nation, as well as a crisis management plan if the government could no longer depend on international aid to fund a substantial allotment of the education budget. NGOs and local organizations need an identity that is more substantial than merely an implementer of donor and government projects. In changing the expectations for sustainability and recognizing that NGOs are assimilating into the culture of the countries they serve, civil society can benefit from the presence of these actors. If NGOs are regarded as nothing more than contractors, they will lose their ability to innovate, create new relationships between community and state, and transform the nature of the citizen in society.

### **C. Role in Education: Innovation in Curriculum and Mechanism of Delivery**

As the basis of this study, and the only role I initially foresaw investigating before understanding the many outside influences, the role of NGOs in education holds my final assessment and recommendations. I've summarized the findings of this role into two primary needs: promoting better collaboration between the Ministries of Education and NGOs and accreditation requirements for curriculum and staff. To address this two-pronged approach, I propose stricter accreditation requirements for NGOs and Ministry of Education mandated activities such as forums and evaluations. One commonality shared by each of these case studies was the strategies developed by NGOs to provide education to the excluded in developing countries as an alternative approach to State

Education, including factors such as small class size, flexible timetable, child-centered pedagogy, and complementary courses/approaches. Criticism on NGOs in education has ridiculed that these “alternative approaches” are unsustainable and problematic as they are often taught by unqualified volunteers and as private forms of educations, aren’t held to the same national standard. The case studies evaluated provided examples of models that reinforced this claim as well as debunking it.

Providing an example to reinforce these claims, More Than Me announced that they would open their own academy in 2013, despite a lack of professional experience operating schools or safeguarding vulnerable children. More Than Me recruited teachers instead that were, “innovative, out-of-the-box thinker and risk-taker,” largely staffing the academy with yearlong American “teaching fellows,” each asked to fundraise \$10,000 to participate (Borghese 1). Selected to lead the academy as the principle was a 31-year-old high school English teacher with no administrative experience who was given the responsibility to select and train Liberian teaching counterparts and plan lessons for four subjects she had not previously taught. This lack of experience likely attributed to creating an unsuitable environment for protecting vulnerable girls, as seen through the academy’s sexual assault scandal.

In a positive light, in nearly every case study the NGO provided some sort of educational advancement in the country. Save the Children partnered with the Malawian government for valuable research and planned joint literacy events that were broadcasted at the national level. In further research of the NGO, I found that the Save the Children education model in another developing country in the region was mandated into the national curriculum. Liberia started the Partnership Schools in Liberia initiative which

allowed for innovative experimental models from several NGOs, including More Than Me, to help raise policy recommendations for the national standard. Pact in Ethiopia turned over 707 ABECs that now operate as primary schools through the local government. It is very unlikely that the government alone could have produced these same capabilities of research for education models and deliverance of education to rural regions.

These developments are monumental and broadcast the capabilities that these organizations have to make great change, however, without the same mandated standards, disparities amongst the educated youth in the country can negatively impact civil society and education in the future. If a student is provided with this “alternative approach” of learning at a high-achieving primary school, they are likely to not have the same experience or assimilate into the same level as their peers as they move to secondary school. In order to address these disparities, education NGOs should meet accreditation requirements upon registration. These accreditation requirements should mandate both a baseline curriculum to meet the same standards as the government model; as well as require all teachers working for these alternative schools to be certified through the nation’s same standards, whether through a certain exam or a course requirement ran by the Ministry of Education. These policy changes would allow for uniformity of the basic right to education for the nation’s youth while also leaving room for innovation without the same implications.

To further the role of education, also largely the role of government, I propose programming between the Ministry of Education and NGOs to promote better collaboration. This programming would likely be inclusive of activities such as regular

forums and performance evaluations. Across the board, nearly every nation had some form of NGO coalition or advocacy group formed to work with the MOE. In modeling the Liberian government, whose policy created an NGO council with the purpose to effectively ensure self-regulation and other capacity strengthening structures and mechanisms, this would further promote both research and accountability. Working together, NGO and MOE collaborators could develop a research question and methodology then conduct the research necessary to determine the direct link between the work it does and its contribution to global education agendas such as the Millenium Development Goals. The Liberia case study shows proactive work of the government, however, the Ethiopian case study shows adaptable actions made by Pact Ethiopia to implement in other countries.

Independently, Pact Ethiopia holds itself accountable by hiring an evaluation team to conduct an evaluation of key areas such as: “the conceptual approach and methodology; the organizational capacity assessment tools and processes; service delivery to partners including the quality of training, technical assistance, etc.; building the capacity of service providers; monitoring and evaluation of Impact; and dissemination practices” (Tesega 1). Following the evaluation, the key findings are summarized and presented below along with the recommendations. Either through mandating that each NGO does this individually and turns in a report to the MOE for reaccreditation or if the MOE has the resources necessary to conduct something of this nature in house, then distrust amongst private education could potentially be alleviated and this literature could be utilized for research and advocacy for changes either in the national model or for other NGOs.



They could also seek to implement the work of Pact Ethiopia in conducting exposure visits, utilizing Pact Ethiopia's formula of mixing decision makers (government officials) with program implementers (civil society) and facilitators (Pact Ethiopia) along with choosing the 'right' country (well known for its expertise and demonstrated best practice in a specific sector) to visit. This model allows for all partners involved to laud the value and contribution of their visit to the development of their sectoral area of work, in turn also building professionalism, expertise and relationships within and across the communities of interest. Even without the travel expense, bringing together these groups to study other working systems could allow for success in future developments. Although these findings only provide examples to the types of programming that a MOE could conduct, the recommendation as a whole is to challenge governments of these developing countries to actively ensure that these NGOs are meeting the needs of the government. With these policies, NGOs can serve as a powerful tool for research in education, as opposed to a force of experimentation at the expense of the nation's youth. This in turn will promote sustainability for the future of education.

## **VI. Conclusion**

Non-governmental organizations have made their powerful role in the sector of global education evident, regardless if their mechanisms are through service delivery, policy advocacy, or international aid. While the motivation and modalities of these partnerships vary, the rise of private sector involvement brings new opportunities to education financing. The expanding involvement of these private actors and the diversity of their development activities have resulted in either alleviating or competing with developing governments that don't have the same capacity to ensure both quantitative and qualitative development of education systems. Seen from all three case studies, NGOs are doing more than just providing economic relief or necessary resources. These organizations and the people that comprise them are assimilating into culture and society, sometimes in problematic ways. The presence of these organizations presses the issue of the capacity of Sub-Saharan Africa's governments to provide a framework not only to regulate but also to monitor these partnerships to ensure their actions are constructive and not destructive in contributing to the country's overall development goals.

Although the evaluation of these case studies raised several policy gaps on a national and international scale, it also brought to light several positive attributes that each NGO Government relationship had brought forth. By utilizing the innovations and continuous work that each nation has done with NGOs to create a more unified global

understanding of this relationship, global education could likely benefit more from the presence of these organizations. NGOs have the resources, finances, and interest to better global education. Largely, the issues that prohibit them from doing this effectively are government restraints, disregard for human rights or civil society, unqualified teachers and counterproductive education models that aren't adherent to a nation's curriculum or are unsustainable. These issues, in summation, could benefit from policies to address human rights, sustainability and accreditation as NGOs continue to expand on an international scale. NGOs truly have the ability to catalyze change in the realm of education; however, it is with the regulation of clear policy that will allow this change to be positive. By regulating and monitoring the role of NGOs in government, civil society, and education, the presence of NGOs in global education can allow for collaboration on an international scale, challenging the entirety of the international community to take responsibility for providing the right to accessible, quality education for all.

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