Basic Service Delivery and Government Legitimacy in a Post-Conflict Nepal

A research in the Jumla District

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Cover photos: Case study communities Odi (left) and Ghodasin (right), and inhabitants of the Jumla district (middle).

Abstract

In this thesis the construction of government legitimacy in the post-conflict setting of Nepal is analysed from both the citizen as well as the governmental perspective. Basic WASH service delivery has been used as an entrance point and also illustrates the role (I)NGOs have in both contributing to and undermining of government legitimacy. The following factors were identified as crucial in the construction of legitimacy: distance to the local government's office; frequency of (historical) contact between service provider and recipient; quality of services; opportunities for delivering input; and general transparency in the sector. In the local context, basic service delivery proved to be the main arena in which government and citizenry interact. However, as many communities receive their services from NGOs only, contact with the government is in those places virtually absent. This parallel service delivery directly makes the government much less relevant to members of NGO-served communities, negatively influencing the legitimacy it enjoys there. Multi-stakeholder processes can potentially turn this trend, unify service delivery and subsequently enhance government legitimacy. This way long-term stability would be more easily achieved, if legitimacy can be elevated from the local to the national level.

Keywords: government legitimacy, basic services, decentralisation, Nepal, state building, multi-stakeholder processes.

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Contents

Abbreviations

ADDCN	Association of District Development Committees of Nepal
CBO	Community-Based Organisation
CPN(M)	Communist Party of Nepal
CPN(M)	Communist Party of Nepal (Unified Marxist-Leninist)
DDC	District Development Committee
DoLIDAR	Department of Local Infrastructure Development and Agriculture Roads
DTO	District Technical Office(r)
FEDWASUN	Federation of Water and Sanitation Users of Nepal
GO	Governmental Organisations
KIRDARC	Karnali Integrated Rural Development And Research Centre
LDF	Local Development Fund
LDO	Local Development Officer
LSGA	Local Self-Governance Act
MLD	Ministry of Local Development
MPPW	Ministry of Physical Planning and Works
(I)NGO	(International) Non-Governmental Organisation
UCPN(M)	Unified Communist Party of Nepal (Maoist)
VDC	Village Development Committee
WASH	Water, Sanitation and Hygiene
WSSCC	Water Supply and Sanitation Coordination Committee
WSSDO	Water Supply and Sanitation Divisional Office
WUC	Water User Committee

1. Introduction

This thesis was written on the basis of fieldwork that took place from July 2010 – February 2011 in the Jumla district of Nepal. This country has always had my interest and recently I had become more and more intrigued by the political situation and conflict in the country. When the opportunity came to do a research there, I decided that it would be wise to combine this with an internship as well. The first three months I did an internship with SNV Nepal, of which the outputs also formed the basis of the thesis research in the last three months. During the internship I looked into the organisation of the Water Sanitation and Hygiene (WASH) sector of the district and the strengths and weaknesses of SNV's work. Moreover, I researched the role of so-called multi-stakeholder processes (MSPs) in the region, on which I will elaborate more in the theoretical framework. The outputs of my internship can be found in my internship report Van Gaans (2011). I already knew in which general direction my subsequent thesis research would take place, but I left room for manoeuvre in my proposal so I could adapt it to the local situation and possibly changing perspectives or knowledge. When starting my research, I decided to focus on the link between service delivery in the WASH sector and local government legitimacy. This thesis tries to capture the link between government involvement in service delivery and the legitimacy it enjoys among the local population. The point of entry here is the construction of water supply schemes in several communities and the perception the community members have had of the delivering organisation.

In this chapter I will shortly introduce the topic by presenting some literature and the Nepalese context. This should be seen as an introduction into the debate around service delivery and government legitimacy in a post-conflict Nepal. Also, I will elaborate on the questions that have guided this research. The following chapters will expand on this introduction.

1.1 Service Delivery and Legitimacy Issues in Post-Conflict Nepal

Nepal is often referred to as a fragile state, which commonly are described as "states which lack either the capacity and/or the willingness to deliver on their core functions" (OECD 2007). In many fragile, post-conflict areas the availability of and access to many basic services is often limited. The governmental delivery of these services is in these cases often disrupted by conflict and insecurities, resulting in a situation where the local population has to do without them. Amongst others, these services generally include education, health care, (drinking) water and electricity. Once the conflict has ended, the government sometimes remains unable to address its citizens' needs, for example because of insufficient funds or lacking capacity. Due to the serious impact this can have on the local population (e.g. through malnutrition or increasing illiteracy), this can prevent the government from effectively restarting the day-to-day economy (Brinkerhoff 2005, Noor et al. 2010). It is arguable that failing to accelerate the economic recovery again leads to a higher risk for renewed conflict (Collier 2006). When looking at Nepal, at least the poor availability of basic (WASH) services is well-documented (Shah 2010, Visser 2007). How poor services influence government legitimacy (see below) is a question that interested me from the beginning of my internship.

Nepal's situation continues to keep debates going, as some qualify the country as a failing state (Kraxberger 2007), while others see more potential and think the current problems are merely a temporary failure in delivering services (Webster 2011). Both sides find evidence in the current Nepal where on the one hand several regions strive for autonomy, the government's security forces lack control in many areas and central decision-making is virtually impossible, while on the other hand the government is present in one way or another throughout country, trying to live up to expectations (Webster 2011). As Webster clearly points out: there is a serious dichotomy between the local and the national government, with the former actually trying to improve the situation with

insufficient resources and the latter mainly working for self-enrichment rather than representing its people (ibid).

I chose 'government legitimacy' as the main topic of my thesis research because, after having studied the literature, I considered it one of the main determinants for whether or not a country would successfully emerge from post-conflict fragility. From the literature I concluded that basic service delivery and state fragility are strongly related in two ways. To begin with, a fragile state often cannot deliver sufficient basic services to the whole citizenry. At the same time, this works exactly the other way around as well: as long as a government is not able to deliver the required basic services, state fragility is unlikely to improve. As Douma & Van der Haar put it: "in current discourse, state fragility and poor performance in basic services are seen as strongly linked, with state fragility being seen as both a major cause and a consequence of poorly functioning services" (Douma & Van der Haar, in: Noor et al 2010: 20). Next, as will be explained more in the theoretical framework and below, the literature generally agrees on a link between government legitimacy and service delivery: non-state service delivery possibly undermines the government's legitimacy, whereas successful services originating from the government itself probably enhances it. A government that widely enjoys legitimacy is needed in order to reach a stable, strong state in the long term. This research aims to shed light on whether and how there is a link between basic services delivery and government legitimacy in Nepal. If a strong, legitimate branch of the government is realised at the local level, the way is free for a nation-wide strong state as well, limiting the chances of renewed conflict.

Since this research deals with government legitimacy, it is essential to provide a basic introduction to the concept here. I will elaborate more on it later in the theoretical framework chapter. Suchman defines legitimacy as "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions" (Suchman 1995). This entity could in this context be described as the local and/or national government. In that context, Brinkerhoff's definition of legitimacy is relevant as well: "acceptance of a regime as correct, appropriate and/or right" (Brinkerhoff 2005). It is usually assumed that where governments fail to deliver services and function properly, their legitimacy deteriorates seriously. Logically, especially during and after conflicts a government may find this legitimacy significantly affected. Although dependent on several variables, picking up service delivery can be an effective way for restoring it and becoming more connected with the citizenry once again. However, it is likely that during the conflict the service delivery vacuum has been filled-in by (foreign) development organisations, local strongmen seeking power or simply local ad hoc initiatives. These non-governmental service providers might deliver satisfactory services, which can result not only in a negative incentive for the government institutions to not improve the quality of their products, but also affects the legitimacy the latter enjoys in the eyes of the population. In such a case, the struggling government might find it very difficult to restore legitimacy (Oosterom 2009).

Before starting the research, I assumed that the poor service delivery would have the above-described effect on the legitimacy of the Nepalese government. I also expected that restarting service delivery could contribute to dealing with this legitimacy problem. However, there is very little information available that gives insight in how governmental organisations and the local communities themselves see this link. Even if they do, there is still the question whether they actively try to reverse this trend, and what role they see for picking up/improving service delivery. This research tries to fill this knowledge gap that exists around this topic in Nepal.

To summarise: before starting the research I assumed that the government experienced a legitimacy problem, at least partly caused by poor service delivery. Moreover, I expected that the government also perceived it as such, and that they were trying to regain their legitimacy by delivering (WASH) services. Based on the literature on this topic, I expected to find a negative link between NGO

involvement and government legitimacy, i.e. more services delivered by NGOs would lead to less government legitimacy.

Two issues remained unclear during the preparation phase: firstly the role that the Maoist insurgents still play in the region and the influence they have on government legitimacy. Despite being formally included in the political process right now, their historical role in the region has been one of conflict and opposition. I expected this to be of importance, though I could not pinpoint in what way this would be. The second was the role of MSPs. During my internship period I already found that the main coordinating multi-stakeholder platform in the district headquarters was far from effective in realising joint service delivery and avoiding parallel activities by NGOs. It was, however, influential in ensuring a basic distinction in communities, i.e. which community is served by which organisation. Additionally, MSPs can potentially be beneficial for enhancing government legitimacy, as I will later show. The (possible) role they can play in this specific context was unclear during my preparation phase, and was one the attention points during this thesis research.

So, I tried to capture the degree of legitimacy the government enjoys in the remote Jumla district and the way in which this was constructed by both the government themselves (through service delivery) and the local population. Next to this, I researched the role of non-governmental organisations (NGOs) and community-based organisations (CBOs) in service delivery, with a specific focus on how they might undermine the government's legitimacy through competing claims to legitimacy, or, alternatively, the enhancement of legitimacy through MSPs. I found the situation in the field to be largely confirmative of my expectations, with –as I shall show- indeed a legitimacy problem for the government and what could be called 'competing legitimacy' realised by non-governmental actors.

1.2 The Research

As said above, this research deals with the link between WASH service delivery and government legitimacy. Because of the 'fragile state' label one would expect a legitimacy problem, especially in the more remote areas as those are known to have been supportive of the anti-governmental forces during the civil war. Indeed, in those areas the government has been virtually absent during the conflict, seeing its role largely replaced by the parallel Maoist government structure. While this is largely degraded by now, the current influence of this party remained somewhat unclear during my preparation phase. Because of my affiliation with SNV Nepal and its neutral position, however, I could not make this a focal point of my thesis. Sometimes the topic was mentioned during interviews and from these remarks I will draw some preliminary conclusions with regard to the Maoist issue. Nonetheless, I found the social contract (see theoretical framework) between the government and citizenry to have eroded during the conflict and it currently requires rebuilding. If there happens to be a legitimacy problem, it is not necessarily so that the government institutions recognise it as such: it may simply be unknown to them. So, to summarise, the problem could be identified as such: in the post-conflict Nepal and the Karnali zone (of which Jumla is a part) specifically, the government is likely to have a legitimacy problem. With the eye on long term stability and the resolving of the current fragile state of affairs, it is essential that legitimacy is regained. The literature suggests that basic service provisioning is an effective tool for doing so, but at the same time agrees that services originating from non-governmental actors can have an adverse effect: an undermining of the government. This research tries to clarify in an empirical way the mechanisms through which legitimacy is shaped at the local level by both governmental actors as well as by the local population. While plenty is written on state building and the regaining of legitimacy at the macro level, the ground level aspect of this is generally underexplored. By this research I hope to contribute to a better understanding of the relevance of the state at the local level and the ways in which the different actors interact and shape legitimacy. Therefore my main research question is as follows:

How is government legitimacy constructed (or not) at the local level in the post-conflict context of the Jumla district, Nepal, and what is the role of basic service delivery in this?

I adopt both a top-down and bottom-up perspective in this research question, looking at the governmental as well as the citizen aspects of the topic. This means that on the one hand I research the way in which the government tries to enhance its legitimacy (assuming it has a legitimacy problem since the conflict) and, on the other hand, the community perspective is included by looking at the way in which they perceive the (lack of) activities and roles of their government in service delivery. From there, I will look at the ways in which governmental institutions try to enhance their legitimacy. I expect this to be by delivering services as this is one of the most effective and commonly practiced methods for doing so, but then again, it might not be relevant to them at all. Because of the internship I did before starting this research, I had already defined the 'basic service delivery' from my research question as 'WASH services', as this was the type of services with which I was already familiar and which are the most relevant in the context of Jumla.

In order to formulate sub questions for answering the main research question, I will in the next chapter firstly elaborate more on the national and local context of my research. Next, I will narrow my research down in a theoretical framework. Core topics that will be addressed there are government legitimacy, service delivery in fragile states and decentralisation. By doing so, I hope to realise a better understanding of these much debated and diverse concepts. I will conclude that third chapter with a short summary of the used terms. The fourth chapter will then introduce my methodology and the sub questions that I have formulated. I will discuss why I chose for the research set-up that I ended up using, and shed more light on the specific questions by which I will finally answer my main research questions. The second part of this report starts with a chapter in which I will present the gathered data, systematically answering the sub questions. The following chapter will be a synthesis of this information, from which I will draw my conclusions and answer the main research question. The report ends with a discussion on my results, followed by some recommendations.

2. Conflict and Service Delivery

Nepal is a landlocked country between China (Tibet) to the North and India in the South. The country accommodates people from 102 ethnic groups, who speak a total of 92 languages. Although officially abolished, the caste system still has a strong influence on society because of the Hindu majority in the country. Discriminatory behaviour towards certain castes, especially *Dalits* (or untouchables), is still common. The district of Jumla is located in the Karnali region, in the Mid-Western Development Zone of Nepal. The Karnali region consists of five districts, of which

Map 1: The Karnali region (grey) and Jumla District (dark)

Jumla is the most important. The Jumla Bazar (Khalanga) functions as both the district and regional 'head quarters'. The main means of existence in the region remains agriculture with up to 94 per cent of the population depending on it for their income (Shangri-La Association 2006). It is generally considered one of the poorest and most underdeveloped regions in the country, characterised by high illiteracy (26.6 per cent of the adult population; only 9.3 per cent of women can read) and unemployment rates, low life expectancies at birth (50.82 years) and a poor status of availability of basic services like water supply. Moreover, 57 per cent of children below the age of five are victims of chronic malnutrition (ibid, based on a 2006 UNDP study). Unlike what one would maybe expect, the population of the region consists mainly of high caste people, with Dalits absent in most communities. When compared to other regions in Nepal, the Karnali region stands out with its high prevalence of high caste people. Many people in the region feel they suffer from political exclusion, arguing they are being neglected by the national government.

2.1 Conflict and Politics

From the 1930s onwards the royal dynasty, which has ruled over Nepal throughout the last centuries, has seen its power contested. It was, apart from short periods of time, not before 1990 that multi-party democracy was achieved. In September of that year the new constitution was presented to the king, who approved of the reforms. From then on, the king saw much of his power transferred to the democratically elected government. Spear points in the new constitution were the inclusion of a variety of universal human rights, the guarantee of free press and generally a separation of powers.

However, with this step towards democracy the political instability, which had been going on for decades, did not end. Governments succeeded each other in a high pace and unrest remained, with especially the Maoists being discontent with the state of affairs. They strived for a complete abolishment of the monarchy and its replacement with a people's republic, based on a new constitution. Their struggles finally resulted in what is known as the People's War. This civil war lasted from 1996 to 2006 between the Nepalese police and army on the one hand and the Communist Party of Nepal (Maoist) (CPN(M)) on the other. The conflict did cost approximately 13,000 people their lives. The conflict was triggered by a CPN(M)-led attack on a police post in Rolpa, in the Western part of the country. This was followed by more hostilities, mainly aimed at government officials, police officers, the military and national banks. While the government at first tried to use existing laws and formal procedures for dealing with the situation (thousands were arrested), from 2001 onwards the Maoists were officially labelled a terrorist group and the army was

used to force a counter-offensive. The number of casualties rose sharply from this point onwards, with especially the Mid-Western (including Jumla) part of the country being overrepresented in death statistics (Do and Iyer 2010). Throughout the conflict, the national government remained partly in control of urban centres, but the insurgents managed to get large parts of the countries' rural areas under their influence. The Karnali region (and therefore Jumla) too were, apart from the district headquarters, by and large controlled by the Maoists. Especially in the poor and remote Mid and Far-Western parts of the country did the Maoists find a lot of support. With time, also the Eastern part of the country fell largely under the influence of the Maoists. The Mid and Far Western parts of the country saw little of the economic progress that was experienced throughout the country in recent years, further marginalising the region (Deraniyagala 2005). Apart from this general poverty and low life standards in the Western zones, additional grievances against the government already existed there since the widely practiced cultivation of hashish had recently become criminalised and Maoist activists had clashed with the government earlier. Moreover, this area already had a history of communist activism and hence many people were generally supportive of the movement. Because of this, it should not be found surprising that this is where the insurgency started (Do and Iyer 2010). Bohara *et al* identified a number of additional factors that might have determined why exactly those areas were the ones where the conflict was fought most fiercely. They see positive links between poverty and violence, and between rugged terrain and intensity of the violence. On the other hand, higher levels of social capital and political participation are found to have an inhibiting effect on the amount of killings (Bohara et al. 2006).

Some efforts were made to end the conflict from 2001 onwards, but only in 2006 was the House of Representatives reinstated and in the same year the Seven Party Alliance government was formed. Some months later, in November 2006, a Comprehensive Peace Agreement (PCA) was forged by the newly formed government and the Maoist insurgents. The Maoists saw several of their goals reached with the official abolishment of the monarchy in 2007 and new elections being held in 2008. The latter elections for the Constituent Assembly were also won by the CPN(M), led by the very same person as who led the insurgents during the conflict, Pushpa Kamal Dahal, or 'Prachanda'. The CPN(M) winning the elections was a dramatic shift away from traditional political elites, radically changing the political landscape of Nepal. The new government, consisting of the two Communist parties as well as the smaller MJF party, abolished the century-old monarchy and reformed Nepal into the Federal Democratic Republic of Nepal (Alexander et al. 2009). In January 2009 CPN(M) merged with a smaller Maoist party and subsequently changed its name to Unified Communist Party of Nepal (Maoist), or UCPN(M). In May 2009 the Maoist-led government collapsed because of a dispute with the president, resulting in the UCPN(M) leaving the government. UCPN(M) found their place in the opposition while the competing Communist Party of Nepal – Unified Marxist-Leninist (CPN-UML) and the Nepali Congress Party (NCP) formed the new government. Currently the government is struggling to write a constitution, with little progress being made as the involved parties are unwilling to cooperate sufficiently. Tensions remain until today.

When multi-party democracy was achieved in 1990, one of the first outputs of the government was the decision to focus on decentralisation as the most efficient way to let people enjoy their democratic rights. In earlier times local government bodies existed under the single-party Panchayat regime. Now District Development Committees (DDCs) were formed from these historical decentralised bodies, but with more power and their existence embedded in the constitution. In 1995 these DDCs united themselves in the Association of District Development Committees of Nepal (ADDCN). Four years later the Local Self-Governance Act (LSGA) passed through, which "has been a means to uplift the state of decentralization in Nepal from the delegation/deconcentration phase, paving the way for eventual devolution of state authority to Local Government in accordance with subsidiary principle in governance" (Ligal et al. 2006). Furthermore, "[the LSGA] envisages DDCs with the responsibilities of legitimate local authority and governing body entitled to run local affairs" (SNV Nepal 2007). With this also comes the major chunk of central government budget that is allocated for

development activities in a specific region. So, DDCs should be seen as the local 'branch' of the central government, at least in theory also including mandates and finances.

In the wake of the conflict, there have not been any elections for the DDC. Officially, community members democratically choose their Village Development Committee (VDC), the smallest administrative unit. These elected persons then jointly choose the DDC members among themselves, so one can speak of two-tiered elections. In practice, however, the last of these local elections was held over a decade ago. During the conflict it has been impossible to hold elections due to safety issues, and ever since the national politics have been too unstable to pull off local elections. At the moment the Jumla DDC therefore consists of a representation of the ten political parties that are also active at the national level. Also after the conflict the Maoists remained influential in the region, enjoying a lot of public support. The competing CPN(UML) too is still widely present, alongside eight other parties.

2.2 Governmental WASH Service Delivery

When looking at the WASH sector from the national perspective, there are a number of government institutions that are of high importance. Firstly, the Ministry of Physical Planning and Works (MPPW) formulates the national policy and guides the sector at large towards the National Development Plans. In short, they are responsible for water and sanitation across the country and coordinate governmental, non-governmental and private actors in the water and sanitation sector. Under the MPPW, several institutions are involved with WASH, with the Department of Water Supply and Sewerage (DWSS) undoubtedly being the most important actor. DWSS is directly responsible for providing water supply and sanitation facilities throughout the country. Next to the MPPW, the Ministry of Local Development (MLD) is responsible for local government bodies, i.e. DDCs, VDCs and municipalities. Under the MLD, the Department of Local Infrastructure Development and Agriculture Roads (DoLIDAR) strengthens several of these local bodies on a variety of technical topics, including water and sanitation (Shah 2010). Noteworthy here is that the MLD directly strengthens DDCs, and indirectly (i.e. through DoLIDAR) also reaches DTOs.

In the Jumla district, as in all other districts, a Water Supply and Sanitation Divisional Office (WSSDO) is operating, which is the core actor in the districts' WASH sector. WSSDO is the legal government body responsible for implementing the national policy. In theory, WSSDO should recently have been shifting its function from an implementing agency to a more coordinating role. In practice, however, WSSDO remains actively involved 'in the field'. DDCs are the district governments whose main function with relation to WASH is the coordination of development initiatives within the entire district. Within the DDC, a Local Development Officer (LDO) is the key person involved with development activities in the district. Under the DDC, a variety of subdivisions can be found, most notably the important District Technical Office (DTO). At least in the policy design, DTOs are responsible for schemes serving less than one thousand persons whereas WSSDOs are engaged in larger schemes. In practice, however, the latter also works with small communities. DDCs do not directly engage in development activities, but rather are responsible for the delivery of these services by others. The DDCs and their subdivisions, however, are lacking in technical and managerial capacities and therefore often not able to successfully engage in the improvement of WASH in their district. "Formal responsibility for the WASH sector lies primarily with the public sector; and this sector generally lacks both the resources and the expertise to cope efficiently" (SNV 2009). This can partly be explained by the above-mentioned recent history of the country. When the conflict ended, a turbulent transition period began in which strengthening of local governments (in terms of resources and capacity) was not a priority. Moreover, during the conflict itself the activities of DDCs were limited to the district headquarters and nearby surroundings due to tensions, giving the current DDCs only a fragile experience in service delivery. Before the conflict, the government engaged in minor service delivery, but the majority of work back then was done by NGOs.

2.3 Non-Governmental WASH Service Delivery

Next to this government side of the story, NGOs and civil society organisations engage in often similar ac0tivities for improving the situation with regard to WASH. Historically NGOs have played an important role in service delivery in Jumla, but during the conflict most of their activities were cancelled. With the signing of the peace agreement, NGOs restarted their work in the region. Some of the more well-known INGOs that are currently active in Jumla are UNICEF, International Committee of the Red Cross and SNV Nepal. Many of these organisations do no longer engage in direct service delivery, but have decided to rather strengthen the local NGOs in doing it themselves. Although financial and material support may be part of this approach, the emphasis is on building the capacity of both local NGOs and governmental organisations. SNV Nepal for example holds close ties with the governmental LDO, WSSDO and DTO, but at the same time supports local NGOs. For what concerns WASH, the main local NGO is the Karnali Integrated Rural Development And Research Centre (KIRDARC). Their headquarters are located in Jumla, but with offices in each of the districts in the Karnali region and one in Kathmandu as well. KIRDARC is an implementing agency, directly delivering services at the community-level. They are –for what concerns NGOs implementing projects at the local level- the most important actor, although there are many more. Next to capacity building from SNV Nepal, they receive material support from CONCERN Worldwide.

When water supply schemes or other communal services are built, usually Water User Committees (WUCs) are formed for ensuring a proper functioning of the scheme in the future. Next to this, they are also involved in sanitation and hygiene interventions as practical implementers. During the construction of water supply schemes, the delivering organisation normally strengthens these WUCs so they will be able to construct, operate and maintain the scheme afterwards. Ultimately this should lead to more empowerment (through social inclusion), sustainability and self-governance. These WUCs function at the community level, and are represented at the district (and national) level by the Federation of Water and Sanitation Users of Nepal (FEDWASUN). Currently, many of the WUCs are not functioning optimally. Once for example the water scheme is constructed and functioning, the institutions that initiated the project (e.g. the WSSDO) leave the community and the WUCs are to sustain the project. In practice, this often proves problematic due to, for example, a lack of resources (human and/or material) or knowledge. As the financial means in communities are most often low, the WUCs are dependent on the organising party. KIRDARC for example provides communities with materials that are not locally available, and are financed mainly by the INGO CONCERN Worldwide. Alternatives for this donor-dependency do exist, with most notably the so-called Sanitation Revolving Loan Fund. This fund provides 25 per cent of the households in the community with funding for constructing toilets. Once constructed, the households will pay back this amount and the second quarter of the population is lent the money. Once full coverage has been achieved, the money from the fund is deposited in the Operation & Maintenance fund. This fund is, ideally, contributed to on a regular basis by all service-using community members. The caretaker's wage is paid from this fund, as are all expenses that he needs to make in order to keep the scheme up and running.

2.4 Sector Coordination

In Nepal there is often poor communication among the governmental organisations, as well as between the governmental and non-governmental organisations. Consequences of this can be serious. A multitude of organisations from different backgrounds are working towards a similar goal, but do so without following a clearly structured, region-wide approach. As Binay Shah puts it: "the parallel and project oriented service delivery system of government and I/NGOs and the lack of coordination between projects and DDC have resulted in fragmentation in coverage with unclear targeting and prioritization of services and an absence of planning and monitoring. There is also no

systematic record keeping of schemes and sanitation facilities at DDC level, no impact measurement of the services delivered and a very weak institutional environment for sustainability" (Shah 2010).

As mentioned above, the WSSDO is in theory responsible for this on the district level, but because of its remaining focus on service delivery rather than sector coordination, continues to fail in this regard. A plausible other explanation for the lack of effective coordination could be the general unwillingness of (I)NGOs to be functioning only under a local governmental organisation. There exists, however, a Water Supply and Sanitation Coordination Committee (WSSCC) that to some degree fills in this coordination gap, at least for the issue of planning (see figure 1, below). Officially, this WSSCC is part of the DDC. Key persons in the WSSCC are the LDO (chairman) and the WSSDO chief (secretary). In Jumla, other involved stakeholders are representatives of the NGOs active in the district and several government officials. Overall, this can be said to be a rather complete representation of the district's main actors in the WASH sector.
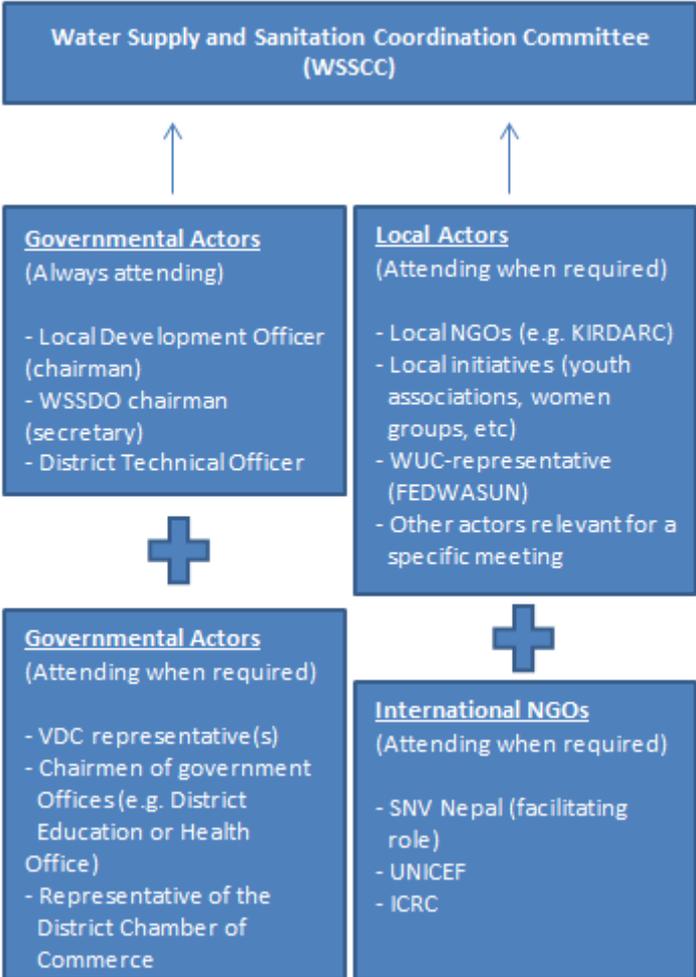
Figure 1: overview of the stakeholders in the local MSP

In figure 1, above, I tried to capture the organisation and composition of this MSP, based on my experiences in Jumla. On the left are the governmental stakeholders whereas on the right side the non-governmental actors involved are presented. At the governmental side a distinction is made between those that are always present and those that only attend when a topic is discussed with which they are involved. The same goes for all non-governmental stakeholders: none of them are present at every meeting.

Next to this 'official' meeting platform in which WASH activities are discussed, there also is a more informal platform that meets when there is no need to assemble the whole WSSCC. This nameless, *ad hoc* committee has no fixed attendants and meets irregularly. As there are issues around WASH discussed by a variety of stakeholders, it could be identified as a second MSP in the district. For the time being, these local initiatives with limited authority and influence are the only form of sector coordination in Jumla. In practice their functionality is generally considered low by many of the involved stakeholders. Some even go as far as calling the WSSCC only a formality with little practical relevance and even less mandate. With infrequent meetings and serving mainly as a platform for 'sharing', the Jumla MSP can hardly be considered as unifying service delivery.

Figure 2, below, tries to capture the WASH service delivery sector of Jumla. As can be seen, there are many stakeholders involved and service delivery is indeed parallel. A sector-wide approach is often proposed as the most efficient and complete way of dealing with this problem. Ideally, actors from all different backgrounds should create full transparency and cooperate for improving the situation. In order to arrive at such a sector-wide approach, fine-tuning between the different agencies has to take place. This, however, is probably an unlikely scenario in the Nepalese context. As Jeremy Ockelford argues, in Nepal there is a nation-wide unwillingness to be coordinated "due to rivalries between government departments or due to the reluctance of NGOs to work with government", which, combined with "the failure of one department to take the lead in co-ordination", is at the basis of the problem of poor sector coordination (Ockelford 2009).
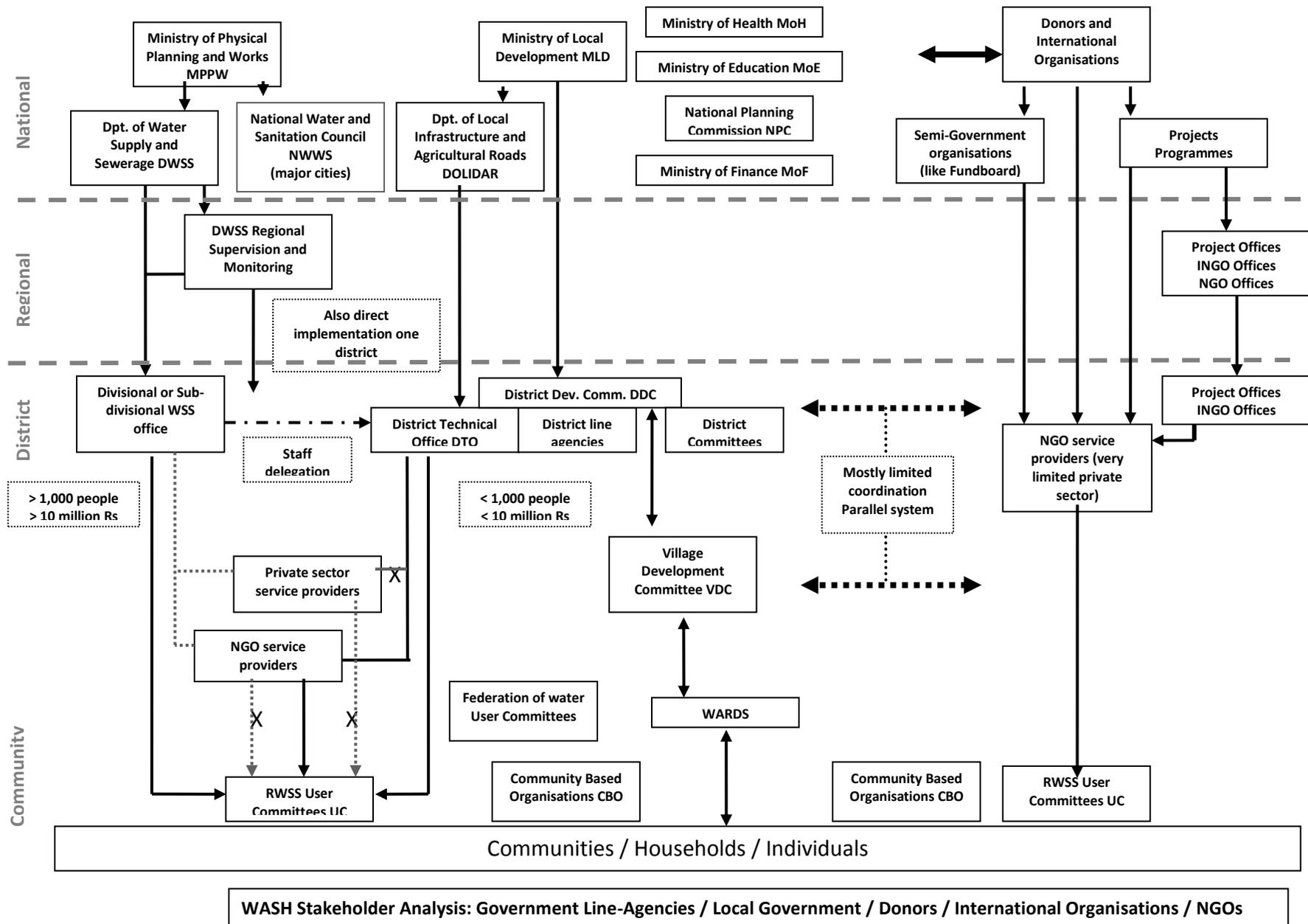
Figure 2: WASH Stakeholder Analysis (source Visser, 2007)

3. Theoretical Framework

As this thesis report deals with government legitimacy and service delivery in a decentralised, post-conflict area, it is useful to elaborate more on these topics and concepts. First I will discuss the role of service delivery, with a focus on state-building as well. Next I will present some literature on decentralisation and the implications this has in post-conflict states. Decentralisation is a relevant concept in this research, not only because the Nepalese context cannot be understood without it, but also because decentralisation and legitimacy are closely linked. This is followed by a chapter on government legitimacy and how this can be operationalised. Finally I will introduce the research questions that have guided this report and discuss my methodology.

In the literature the link between decentralisation, service delivery and legitimacy is often assumed (see for example Brinkerhoff 2011, Crook and Manor 2002 and Noor et al 2010). To summarise the generally accepted idea: decentralisation can lead to better service delivery, and better service delivery again is beneficial for the restoration of government legitimacy in post-conflict societies. However, little is known about the functioning of this mechanism at the local level. In Nepal I found the local situation in Jumla to be largely disconnected from the national level. For many (if not all) Nepalese in the region, 'the government' consists of those institutions up until the district level. In fact, the DDC is generally called 'the government' while the central government is spoken of as 'Kathmandu'. While aware that the central government works from the capital, they generally consider them hardly relevant. If practice underlines theory, i.e. if decentralisation indeed leads to more government legitimacy through better service delivery, then the question remains: what implications does this have for the national governments legitimacy. (How) can the successes at the local level be generalised to the national level as well? In the end, if the situation of a fragile state is to be improved, also the national government has to be considered legitimate. Decentralisation is included here to address this issue and propose for a dual understanding of this problem: both from the local and the national level.

3.1 Service Delivery and State Building in Post-Conflict Settings

In this first chapter I shall introduce the role that is generally attributed to service delivery in post-conflict societies. Information presented here serves as an overview of the current debate around this issue. Poverty-related factors are often seen as causes for conflict. As was mentioned above, this combined with some additional grievances are generally considered motivations for the conflict in Nepal. The People's War can therefore be seen as a struggle for change, improvement of life standards and perhaps for economic resources. In struggles like these, grievances around the (lack of) access to certain services are often used for mobilising people (Vaux and Visman 2005). In the case of Western Nepal, where the conflict sprouted, these grievances included landlessness, low life standards, poverty, exclusion from (local) politics and corruption (Deraniyagala 2005). Although these factors can be crucial in triggering a conflict, they remain at least as important during the tensions and once they have ended. If (a lack of) service delivery is one of the causes of the conflict and after this is not sufficiently addressed, it may lead to renewed tensions:

"*Providing essential services at the time of peace may help to cement a political agreement. Providing it in a specific area may send a political message about inclusion and exclusion. Mistakes and spoilers could threaten the peace, but well-thought out strategies could contribute positively*" (Vaux and Visman, 2005:10).

Brinkerhoff identifies three core tasks which the government has to successfully fulfil in order to satisfy its population and qualify for 'good governance': security, effective and efficient delivery of basic public goods and services, and managing political participation and accountability (Brinkerhoff and Johnson 2009). Security has been achieved with the forging of the Comprehensive Peace

Agreement and the latter category, political participation, can be realised through working towards more inclusive processes. Remains the delivery of services. In a post-conflict setting, it is beneficial if the delivery of these services is (re)instated as soon as possible. Rather than working from the national level, delivering through local government institutions saves time and money, plus brings additional benefits with regard to government legitimacy (Brinkerhoff and Johnson 2009). The downside of working through local institutions is often the limited capacities of these actors. While many INGOs have shifted their focus from direct service delivery to capacity building, limited capacity and resources remain problematic at the local level in Nepal. On the other hand, working at the local level offers an opportunity for engaging the public and as such strengthening the bond between government and citizens.

There is a general consensus that service delivery originating from international organisations can lead to an undermining of governmental legitimacy in (post-)conflict areas. In a situation where the government has difficulty in providing satisfactory services to all citizens, which is the case in Nepal, NGOs filling in this gap can create parallel service delivery structures (Berry et al. 2004, Oosterom 2009). This might be good for service delivery as quick and, from the donor perspective interesting, visible improvements in life standards are realised, but state building might seriously suffer from this. Long-term reliance on external parties also means missing out on chances for state-building as credit goes to non-state actors (Batley and Mcloughlin 2010, Brinkerhoff 2011).

Berry *et al* argue that a successful way for avoiding undermining in a case where the government is unable to deliver, would be through strict cooperation where key human resources are not drawn away from the government and budgets of the non-governmental service providers are aligned to government budget. Moreover, through a contracting scheme governmental and non-governmental capacities for service delivery would be harnessed (and thus enhanced) while at the same time a growing gap (or increased parallel service delivery) are avoided (Berry et al. 2004). Batley & Mcloughlin, however, argue that this 'harnessing' and completely managing of non-state service provisioning is risky. If the government tries to completely control and supervise non-state actors in post-conflict service delivery, this requires high capacities of the former lest the latter's efforts are damaged without any additional benefits. They propose that in a context where non-state actors provide services and the government is weak, first of all a careful analysis should be made of the non-state actors and their willingness to cooperate with the government. From this point several options could be considered for ensuring mutually beneficial engagements. These are often 'secondary roles' for the government: policy-making, setting up regulations, contracting (outsourcing) or direct service delivery. Only by carefully analysing the specific context an optimal role for the government can be chosen. This role should be possible while considering the specific governments' capacities and willingness to fulfil it, and has to lead to overall improved service delivery while posing an as little as possible threat to the non-state actors' activities (Batley and Mcloughlin 2010).

An alternative that has increasingly become popular in Nepal for, at least theoretically, avoiding this 'crowding-out' of the state are the so-called multi-stakeholder processes or platforms (MSPs). These can be defined as follows:

"Multi-Stakeholder Processes (MSPs) are:
   - *Processes that aim to involve stakeholders in improving situations that effect them.*
   - *Forms of social interaction that enable different individuals and groups, who are effected by an issue, to enter into dialogue, negotiation, learning, decision making and collective action.*
   - *About getting government staff, policy makers, community representatives, scientists, business people and NGO representatives to think and work together" (Wageningen International, 2009).*

So, MSPs are processes that include (ideally all) relevant actors that are involved in a certain issue and combine forces to improve the situation. When this is effectively implemented, service delivery is ideally no longer parallel but unified. In Jumla, however, the only form of an MSP in WASH service delivery is the above-described WSSCC. While it can potentially fulfil the ideal MSP role, for now it remains somewhat ineffective.

3.2 Decentralisation

Decentralisation basically refers to the redirection of governmental power from the central to a more local level, or, as Ribot puts it: an "act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy" (Ribot 2002). He further distinguishes between two types of decentralisation: political (or democratic) and administrative decentralisation (also known as deconcentration). The former refers to a situation in which local governmental organisations are elected by the local population and as such are their representatives. The administrative option, on the other hand, is one characterised by local branches of the central government that are *not* locally elected (Schau and Haug 2005). Political decentralisation is seen as a 'strong' type of decentralisation as there is more involvement of the citizenry and a more downward type of accountability is therefore included. In administrative decentralisation accountability of the local institutions is still upwards, to the central level, and therefore is dubbed a 'weak' form of decentralisation (Ribot 2002).

Especially in post-conflict situations decentralisation is often considered beneficial for the recovery of the country. As will be elaborated on below, the inability of the government to provide services in an equitable and inclusive fashion is a contributor to state fragility. When centrally organised through a weak government, service delivery tends to be selective and inefficient, possibly providing new incentives for conflict (Brinkerhoff 2011). It is generally agreed upon that empowering local governmental bodies and providing them with more autonomy can prevent this. When provided through decentralised structures, services are delivered throughout the country by the governmental level that is closest to the citizenry. This enables the government to adapt the methods for doing so to the local situation, while taking local needs and priorities into consideration. This should not only increase the quality of services, but ideally bring government and citizens closer together as well. Moreover, since all regions are served when decentralisation has successfully been brought about, people in remote areas (like Jumla) are given a voice in politics while they normally would go without (Brinkerhoff 2011, Brinkerhoff and Johnson 2009).

Crook and Manor (2002) found that legitimacy is closely linked to decentralisation: in cases where the national government decentralises its tasks to local 'branches', the citizenry tends to view the government as more legitimate. This is because, amongst others, decentralisation often creates more transparency for the local population and enables them to participate more in the political process. The government itself also becomes more effective and responsive to the local population. However, the authors found this relation only in cases where the decentralisation took place "generously". When the national government provided the locally elected bodies with too little resources and mandates, cynicism towards the government was actually increased rather than diminished (Crook and Manor 2002).

As is written above, with the founding of the multi-party democracy in 1990, the newly formed government chose for decentralisation. Categorising the Nepalese type of decentralisation proves difficult when using Ribot's distinction. Formally, citizens choose their Village Development Committee (VDC) directly and indirectly the District Development Committee (DDC) as well. In practice however there have not been any local elections for over a decade now and as such it might be difficult to place the Nepalese situation under political decentralisation. Because of the limited

influence the people have on the composition of the local government, it might be better to refer to Nepal as administratively decentralised. In fact, the local government is formed mainly by local offices and representatives of some of the central government's different departments. There also remain strong linkages between central and local, with central planning and budgeting still in place. (NDF 2002).

3.3 Government Legitimacy and the Social Contract

As written in the introduction, Suchman defines legitimacy as "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions" (Suchman 1995). This 'entity' could in the Nepalese context be described as the local and/or national government. In that context, Brinkerhoff's definition of legitimacy is relevant as well: "acceptance of a regime as correct, appropriate and/or right" (Brinkerhoff 2005). Since the focus of this research is on the local and regional scale levels, I want to define the 'regime' in Brinkerhoff's definition as 'local government'. These are the VDCs and, more importantly, the Jumla DDC of which they are part. Brinkerhoff argues that a lack of legitimacy is an important contributor to state failure. Furthermore, he sees the delivery of services as positively affecting government legitimacy. Legitimacy is not an objective status a government can have, but rather a perception of it by those who behold it. Also, legitimacy is dependent on the collective observations of those who observe it, while individuals might have different opinions. In other words, a government is legitimate when the general opinion of those governed is one which labels it as such. Particular individuals might disagree with this, but this does not affect legitimacy as long as this is not the prevailing opinion. A government can also be considered legitimate by many when there is insufficient knowledge on them. That is to say, at one given point a population might consider its government legitimate, but in retrospect with more information might think otherwise (Suchman 1995). Legitimacy is not something that can simply be measured, nor something that one either completely has or has not. It is continuously formed between government and citizen.

Determining the general definition of legitimacy is one thing, but operationalising it in order to be able to research how it is constructed in practice is another. Oosterom (2009) puts forward a distinction between input- and output-oriented legitimacy, originally formulated by Scharf (1999). The former is involved with the citizens and their willingness to accept the government and live by its rules, while the latter refers to the role of the government and its ability to deliver services, guarantee security and engage in other civil affairs. According to Scharf, both sides are essential for democratic legitimisation. Input-oriented legitimacy is, in modern democracies, ensured by representative organisations that are held accountable by the citizenry through elections. Oosterom adds to this that this type of legitimacy should be seen as the willingness to accept the regime and live by its rules. Output-oriented legitimacy on the other hand only exists when the governing institutions "achieve the goals that citizens collectively care about" (Boedeltje and Cornips 2004). Boedeltje and Cornips further distinguish objective and subjective components of output-oriented legitimacy. The objective part refers to the fact that with more input from citizens and other stakeholders, the amount of knowledge increases at the decision-making arena and hence the outcomes are 'better and more intelligent'. The subjective part of outputs refers to the satisfaction that citizens get from government policy, or the degree to which they see their personal preferences included in decision-making. One could expect that if opportunities for delivering input increase (i.e. more objective output-oriented legitimacy), so does the subjective perception of the outputs. When regarded in this respect, input- and output-oriented legitimacy are strongly related (ibid). There is some debate on which type of legitimacy should be given the most attention. Some authors argue for both (see for example Boedeltje and Cornips, above), while others choose one specific type over the other. Hanberger, as cited in Boedeltje and Cornips, for example argues that output-oriented legitimacy is becoming increasingly important as governments fail to respond to pressing problems.

On the other hand, authors like Marjoke Oosterom emphasise that it is input-oriented legitimacy that is currently receiving insufficient attention as the focus tends to lie on the practical outcomes of service delivery rather than on the process itself. The OECD does not narrow legitimacy down to only two types, but distinguishes between five kinds: general, embedded, process, performance and international legitimacy. These relate to the support from the population to the state (general); the historical context of the state in people's lives (embedded); the functioning of the government institutions in terms of, for example, governance (process); the output, e.g. the actual delivery of services, which is similar to the above-mentioned output legitimacy (performance); and the international domain which can, for example, accept or reject a government as being legitimate (international) (OECD, 2008, in Noor et al, 2010).

With this debate in mind, I do not choose which type of legitimacy is to be preferred, but rather will include all of them in my analysis if I found them to be of relevance in the local context. The focus here will after all be on how legitimacy is constructed at the local level. I do not expect all types to be of equal importance, but I expect all of them to be relevant in one way or another.

It is argued that for reaching greater democratic legitimacy, firstly the input aspect should be expanded by ensuring that all stakeholders (citizens) can have an equal degree of influence/input. Due to obvious practical constraints, a functioning system of representation is considered the most fair way to do so. Once this has been achieved, the output factor should be improved by working through interactive processes, i.e. through arenas in which all stakeholders, both government and citizenry, provide input (Boedeltje and Cornips 2004). So, while input-oriented legitimacy can be strengthened by more inclusiveness and participation, output-oriented legitimacy is best boosted by enhancing the service delivering capacity of governmental organisations. Next to a better delivery of services, if we agree on the subdivision of the latter into the objective and subjective categories, output-oriented legitimacy too could benefit from more citizen involvement (objective) and an increased insight in what the citizenry actually wants (subjective).

A closely related topic is that of the social contract and can be described as "an abstraction capturing the willingness of citizens to accept the control of the state in return for the maintenance of order and provision of security"(Noor et al. 2010). In practice, this could imply a situation in which the citizens accept and support the government and obey by its laws and obligations, in turn for, for example, basic services like water supply schemes. Failure of the government to provide the latter can then lead to an eroded social contract, i.e. a citizenry that is less willing to be governed by this specific government. The other way around, if the citizenry refuses to pay taxes, the government might stop their service delivery. Thus, it is a process in which both parties continuously interact. In Nepal, with its turbulent recent history and low government involvement in remote areas like the Jumla district, it is in the first place unclear whether a concept like the social contract is even relevant. Indeed, as Boege et al (quoted in Noor et al, 2010) writes: "[a]n identity as "citizens" and the "idea of the state" does not meet with much cultural resonance within these societies, as people are relatively disconnected from the state, neither expecting much from state institutions nor willing to fulfil obligations to the state"(Boege et al. 2008). Whether this is the case in the Jumla district will become clear during my research. I assume now that there is a positive linkage between service delivery and the existence and strength of a social contract. This is also argued by, for example, Brinkerhoff (2005).

In order to enhance state legitimacy through service delivery, improvements (in this case more reliable access to safe water) should be perceived as such by the recipients, and furthermore it should be considered an improvement because of government activities (Noor et al, 2010). It is thus, rather than a guaranteed outcome of service delivery, unclear if and how service delivery affects the social contract. For analysing the community part of this thesis research, I will use the concept of social contract when looking into the legitimacy issue as experienced by the ordinary people. This

means practically researching whether households see the government as responsible for service delivery and see how satisfactory this service delivery actually is. Do they perceive the service delivering state organisations actually as their government, or rather as 'one of the several organisations working in this field'?

3.4 Research Outline

During my internship period I worked in the same region on a similar topic, which enabled me to do a stakeholder analysis of the WASH sector and in that way create more transparency for both myself and the internship provider with regard to the complex network of (I)NGOs, CBOs and governmental organisations. The internship outputs turned out to be highly beneficial for my thesis and enabled me to already (partly) answer a number of earlier formulated sub questions for this thesis research. To recapture, the main research question is the following:

> *How is government legitimacy constructed (or not) at the local level in the post-conflict context of the Jumla district, Nepal, and what is the role of basic service delivery in this?*

In order to answer this I formulated a number of sub questions which I will present here. The first question has to do with the WASH sector in general and has largely been dealt with during the internship period. The remaining questions are more in-depth with regard to the main research question, i.e. they centre more on legitimacy and related topics. The first sub question is the following:

> 1. *In what way is the WASH sector organised? What are the roles of the different stakeholders and what is the link between them?*

Obviously the first step that needed to be made was getting familiar with the organisations active in the sector, both state and non-state actors. In order to do so, I have done a stakeholder analysis by both studying the literature and doing personal interviews with involved people. The answer to this first exploring question has already largely been presented in the second chapter of this thesis. Additional information will be provided when needed during the remaining chapters. This first sub question mainly served the purpose of creating a workable understanding of the WASH sector.

With the concept of legitimacy broken down into smaller, more researchable fragments, it is possible to set up a framework for analysing legitimacy of the local government in Jumla. Input-oriented legitimacy can be identified by finding out in what ways community members are able to hold the local government accountable (through democratic processes and elections), how they can let their voices be heard and researching to what degree they feel that input is actually used (i.e. actual participation rather than a theoretical formality). Output-oriented legitimacy will foremost be determined by looking at the actual outputs of the government in the selected case studies. Next to this, I will look at the more subjective side of this: the degree to which community members are satisfied with these services and the value they attach to the social contract. To this end the following two questions have been formulated:

> 2. *Is it important to recipients by whom the services are delivered? What expectations do citizens have with regard to the source of WASH service delivery?*

> 3. *Is there a social contract in the communities?*

They will both be answered in chapter four and five. Moreover, I will analyse the differences that exist between communities. As will be more elaborately explained below, I selected several communities, two of which were government-served and two that received their services from non-

state actors. To see whether there are any differences in the services between the communities the fourth sub questions was formulated, while the fifth focuses more on the legitimacy side of the distinction: is there a difference in government legitimacy in one community when compared to another?

4. *What are the differences, if any, in service delivery in the communities that are government-served and in those that are not?*
5. *How does government legitimacy differ between communities that have received their services from the government and those that were served by non-state actors?*

The fourth question will be answered during the description of the case studies in chapter four, while the fifth will be part of my analysis and conclusion, the fifth and sixth chapters respectively. Since the process of decentralisation has most likely had a strong impact on the way in which the population perceives its government, the next question deals with this topic. I expected decentralisation to have had an influence on the way in which services were delivered, and therefore it might be of importance with regard to the construction of legitimacy as well. My sixth sub question, already addressed above and returning in my conclusions, is as follows:

6. *How has the process of decentralisation affected WASH service delivery, and what implications could this have for government legitimacy?*

Next to the citizen aspect of legitimacy (do they perceive the government as legitimate?), I also analyse the governmental side. As written above I expected them to have a legitimacy problem, but it is unclear to what degree they themselves consider this to be true and, if so, problematic. As I have shown, in the literature there is a general agreement that successful and satisfactory service delivery can help in eradicating this problem. By firstly finding out if the government perceives itself as having a legitimacy problem and subsequently looking at the ways (if any) in which they use WASH services for improving the situation, this should lead to a proper understanding of the governmental aspect of legitimacy. The next two sub questions deal with this aspect of the research:

7. *How do government institutions regard their own legitimacy?*
8. *(How) do the service-delivering governmental actors try to enhance legitimacy?*

These questions are mainly answered in chapter 5.2. Finally, in line with my internship research, multi-stakeholder processes (MSPs) are included in this research. Despite not optimally functioning at the moment, these processes might be of more importance in future service delivery and could (possibly unintentional) influence the construction of legitimacy by citizens. Therefore my last sub question addresses this topic:

9. *How can multi-stakeholder processes contribute to (future) government legitimacy?*

This concluding sub question will be answered by adopting a future perspective in my final chapter, the conclusions. When combined, the answers to these nine sub questions will provide an answer to the main research question. Next, I will discuss the choices that I have made for conducting my research.

3.5 Methodology and Limitations

The above mentioned socio-economic facts of the Karnali district, indicating a poor and desperate area, combined with the historical relation the region has with the Maoist movement, makes Jumla an interesting case for my research. The problematic state of affairs with regard to access to basic services made SNV Nepal select the region as the location for my internship. Since I already got

acquainted with the major stakeholders and the local context because this internship, I decided to continue my thesis research at the same location. Since basic service delivery is still an on-going process in this region, Jumla is an ideal case study for looking into the link between basic service delivery and government legitimacy.

As said above, during the internship period I visited several communities and became aware that some communities receive their services from state institutions whereas in others NGOs are the sole providers. Because of this I decided to choose several communities for my case studies, most of them having been served by different organisations. By looking at this, possible differences in legitimacy and social contract would, I expected, become very clear. For some communities the government is hardly a relevant institution while for others it is their only source of services. Of the four communities I did my research in, two are government-served while the other two have received their water supply schemes from the local NGO KIRDARC. I expected that in the communities served by the NGO, government legitimacy will be lower than in those communities that have received these services directly from the government. From the literature (e.g. Oosterom, 2010) I was able to conclude that NGO-involvement in politically fragile areas can seriously undermine government legitimacy, which I assumed to be happening in Jumla as well.

For the communities served by the government, I decided to do the same research in one village targeted by the District Technical Office (the community of Odi) and one that had received its services from the Water Supply and Sanitation Divisional Office, or WSSDO (Seridhuska). The reason for looking into both government institutions was to see whether one strategy/method of service delivery is more positively regarded by the recipients and as such is more effective in ensuring legitimacy than the other. Of the two communities that received their water supply scheme from KIRDARC, I looked for one in which the government has been completely absent in service delivery whatsoever. This had to be non-WASH service as well, and a community which suited these criteria was found in Thapagaun. The other community on the other hand had to be one in which the government has not been involved in WASH service delivery, but has been active in other fields of service delivery. A community that met these criteria was Ghodasin, which I had already visited ealier. By including these distinctions in community selection, I planned to find out if government legitimacy is lower in communities where the government has not been delivering water supply schemes than in communities where it has done so. Furthermore, the implications of delivering WASH services specifically on government legitimacy would become clear. Annex I tries to capture the location of the communities and the distance to the district headquarters.

Next to the distinction with regard to nature of the service provider, I decided to choose two (one NGO- and one government-served) communities relatively close to the district headquarters and two others that are generally considered remote. This served the purpose of getting knowledge on a possible link between distance to the government institutions, the amount of services communities have received and the degree of legitimacy the government enjoyed.

I selected households randomly, but this was steered by availability as many people were either busy or simply absent, especially during the winter season. The interviews I did were of a semi-structured nature, usually following a number of simple questions to steer the conversation in a certain direction, from which people could express their concerns and share their experiences. I tried to do these interviews in a one-on-one situation, but as all people were outdoors as much as possible, often other people joined in. It was not always possible to prevent them from mingling in the conversation as well. I selected my respondents randomly, usually starting with the knowledgeable person with regard to the specific WASH programme (often a constructor or someone affiliated to one of the political parties). This person usually provided me with all the technical details and other required information about the practical side of the service delivery. After this, I randomly selected households. As the communities are small, I could simply decide to do interviews at, for example,

every fifth house. I usually tried to hold on to a 2/3 male and 1/3 female respondent ratio, as the latter often had very little knowledge on responsibilities and background of service providers. Women in Nepal probably benefit more from the water supply schemes than men do, but their opinions of and involvement in the service delivery are by and large identical, while I found men to have widely varying experiences and opinions. When in some cases a specific caste was over- or underrepresented, I added additional households from these backgrounds to my research population.

During the interviews I did in the communities, I tried to get as complete a representation of the community as possible. However, there were some limiting factors in ensuring this. Firstly many people, especially (young) men, bureaucrats and NGO staff, left Jumla because of the severe cold during the winter season. This limited the people available for interviews often to the elderly and people with little income, who often had not enjoyed any education. Seeing that many of these people were mainly involved with agriculture and had little knowledge on government issues and service provisioning might have had a negative impact on the quality and depth of the interviews. Next, I found that doing interviews with women was extremely difficult as they generally had practically no knowledge on the process underlying service delivery. Well-aware of the practical side (construction, quality of the service), they most often did not have any ideas on the 'why' of service delivery, a topic which was usually dealt with by their husbands and/or sons. This has led me to interview more men than women in all communities. A third limitation has been the use of a translator. It has been extremely hard to find a good translator in Jumla and in the end I had to settle with one whose translating skills were mediocre. Despite his goodwill, some nuances have probably been lost in the process. Often misunderstandings between us took a long time to resolve, 'breaking' the interview and making it difficult to pick up the conversation later on. Finally, there occurred some practical issues that negatively affected the possibilities for doing interviews in especially Odi. There, on the day of my arrival a female community member died, disrupting the town. Most men were busy with the cremation and as such were not or only shortly available during my time there. Moreover, the visit coincided with a local holiday of which the date is only fixed shortly in advance. When this unexpectedly happened we had to return rapidly to the district headquarters as my translator refused to continue working. After this there was no second opportunity to go back to Odi because of the distance and time pressure.

A final limitation with which I had to work is the fact that I worked with SNV in the previous months and was still supported by them. SNV Nepal tries to be as neutral as possible in their work, and me asking after sometimes sensitive political issues under their flag would endanger this. That is why I could not directly ask after political issues. If community members introduced these topics themselves into the conversation I did ask additional questions. In general my relation with SNV Nepal has steered my research somewhat by indirectly determining my case study location (because of my internship). Moreover, upon arrival in the region I was introduced to all main actors as an SNV intern. This might or might not have had influence on the way people responded to my questions. Either way, during my case studies I did specifically *not* mention my association with them as to get a neutral response from informants.

4. The Case Studies

In this chapter results from the four case studies are presented. Firstly Thapagaun, an NGO-served, relatively remote community is addressed. The second case study is Odi, also remote within the district, but DTO (i.e. state) served. The final two case studies are the near communities of Ghodasin and Seridhuska, the former again served by KIRDARC and the latter by the state institution WSSDO. All communities received their services recently, in the last three years. Annex I shows the location of the communities, as well as a rough guess of the route to these places. Table 1, below, gives a basic overview of all four case studies.

Table 1: summary communities

	Thapagaun	**Odi**	**Ghodasin**	**Seridhuska**
Distance from HQ	5 hours	12 hours	2 hours	1 hour
Households	46	230	91	240
Caste	Chhetri	Rokaya (Chhetri)	Chhetri	All castes, both Brahmin & Dalit
Nature of provider	NGO	Government	NGO	Government
WASH delivering organisation(s)	K-BIRD (1980s), now KIRDARC	RRRSDP (DTO)	K-BIRD (1980s), now KIRDARC & SNV Nepal,	K-BIRD (1980s), now WSSDO
Other service delivery	No other Government service delivery	No other Government service delivery	Government service delivery (other than WASH)	Government service delivery (other than WASH)
Costs of project	Unknown	45,000 EUR (50,000 budgeted)	Unknown	7,500 EUR (22,000 budgeted)
Number of taps	7	19	9	13
Community involvement	Labour during construction	Labour during construction	Labour during construction	Labour during construction

As can be seen in table 1, the communities are quite different from one another in terms of population and proximity to the district headquarters Khalanga. However, when looking at the composition of these communities, one sees that they are fairly homogenous. Three out of four case studies consist of one caste solely. This is typical for the entire region, characterised by a high prevalence of the so-called Chhetri caste group. These are, apart from the Brahmin castes, the 'highest'. Dalits, the untouchables, are completely absent in most communities. This also reflects in my case studies: only Seridhuska had some non-Chhetri inhabitants.

I found that, regardless of the service provider, a water user committee (WUC) was formed in the communities. These WUCs were newly set up as no such committees existed before the commencement of service delivery in my case studies. However, in all cases they at least partly consisted of important community members. The WUCs core task is managing the water supply scheme once the service provider has left the community. This involves both the financial and practical sides of the service. The former consists of managing the Operation and Maintenance (O&M) fund, purchasing needed tools and materials and paying the caretaker. The practical side has more to do with settling disputes among water users and mobilising community members when their labour would be needed in (re)construction and maintenance works. In all cases a community caretaker was appointed, who in return for his labour receives a financial compensation from the O&M fund.

Per case study I first provide some (demographic) facts with regard to the community, the services they have received and the way in which they have been involved in all this. After this, I will focus on where community members see responsibilities, i.e. whom they think is initially to care of WASH services in a community. Next, the frequency of contact with the service provider and government is discussed, followed by a short representation of the general attitude community members have with regard to the government. This usually revolves around the topic of service delivery in both their and other communities. Finally, I end each case study with a description of the responses given to a fictional case. This is one in which both the government and an NGO would offer identical services at the same time. This usually resulted in a discussion on which party would be preferred and/or trusted over the other.

4.1 Thapagaun

In Thapagaun, about five hours by vehicle and foot from the district headquarters Khalanga, the forty-six households received a water supply scheme from KIRDARC some two years ago. Materials were largely provided by KIRDARC (funded by CONCERN Worldwide). Materials that were locally available (cement, stone, et cetera) were provided by the community members themselves. They also had to provide labour during the entire construction process. Before the project was finished, community members had to walk down to the river to fetch their water, which would take up to four hours every day. Now there are seven taps in the community, which comes down to six or seven households per tap. The quality of the water is overall considered a major improvement over earlier times, with the prevalence of stomach problems becoming ever lower as the source of the water is no longer the big river (with communities living upstream) but a clean spring at a higher altitude . However, during the monsoon the water is sometimes too muddy while in the winter there is no water at all because of frost. These are problems that cannot be helped, though. Access to the water supply scheme is equal for all households. All households are able to obtain sufficient water for their daily needs from the taps and all pay the similar user fee. Of course, some households find the tap in front of their house while others have to walk a little further, but this has not posed any problems for the community members. Thapagaun is fairly homogenous, consisting solely of high-caste (Chhetri) households making their livelihood from agriculture, so caste-related discrimination is not an issue in the community. Currently community members pay 20 NRs/month, of which half goes to the caretaker and the remainder is deposited in the O&M fund. The money is paid to the chairman of the water user committee, who in his turn pays the caretaker. This caretaker is responsible for the maintenance and repair of the scheme. Community caretakers are usually those persons that have a technical background and, after having been appointed by the community members themselves, are trained by the service provider. In Thapagaun he thus far he has been able to resolve any problems that have occurred, sometimes with help from community members. All households think 20 NRs is a reasonable price for what the water supply scheme is providing them with and I did not hear of any households unable to pay this amount. The amount of water matches their needs of drinking water. However, additional water is required for agricultural activities and for their livestock, so community members still have to go down to the river frequently.

The responsibility for the functioning of the scheme lies with the nine members of the Water User Committee (WUC), with possible back-up (material support) from KIRDARC. During the construction phase, a KIRDARC technician provided technical trainings for nine months to a community technician/caretaker who is now generally able to fix minor breakdowns. More serious problems (i.e. those which could not be repaired by the caretaker) have not yet occurred. In case that would that ever happen, all the informants indicated that community members themselves should provide labour and work for the repair of the scheme. Only in case of calamities they would ask help from outside the community. Generally this would be from KIRDARC, although there also were two people who would demand (additional) help from the local government. The general response however was one of self-help and avoiding calling on external parties. An often heard reason for this is that many

people do not consider water supply a government task. For generations access to water has been a responsibility of the individual community members themselves, i.e. they had to go down to the river and carry the water up to their houses. Despite the fact that there has been delivered a scheme by an external party, people still feel responsible for their own water. Moreover, this can possibly indicate that the community feels accountable for the scheme and as such that the project has been successfully handed over to the community. I found comparable sentiments in the other case studies as well: in all communities self-help has historically been the norm, only in case of calamities would outside help be asked for. Many community members still somewhat feel like this. Interestingly the caretaker is the one whom the community members find responsible for detecting problems and calling for collective action. This reduces the role of the WUC to a more formal one, only engaging in the managing of the O&M fund and possibly communicating with external parties (although there has not been much need for this so far). KIRDARC staff lives in the relatively nearby town of Kudari, where WUC members sometimes travel to for discussing the functioning of the scheme. Help from their side, however, has not been needed yet.

Communication with external parties, e.g. expressing concerns or requesting services, is not always easy for community members. NGOs visit the community sporadically and can usually be found in Kurali (two hours walking). There is plenty of opportunity to propose issues to for example KIRDARC, who according to the community members display interest in the problems the community has. Many community members, however, found that the local government expresses little interest in the community and although they can make requests to the relative nearby VDC, expressing concerns to them does not really have effect. Instead they would have to go the district headquarters, a return trip taking over a day with slim chances of success. An exception to this difficulty in communicating with the government is in election times. During the previous elections, eleven years ago, several political parties came to Thapagaun to ask for support from the community members. In return they were promised for example water supply and a good road leading to the village. None of the parties ever returned.

It was often commented that the government has little interest in Thapagaun and rather focuses its resources on other communities. Indeed, several interviewees indicated that the government would be the last actor they would ask for any service whatsoever, being an organisation that "never looks and never cares". Generally there was an agreement among community members about what the government *should* do in an ideal situation, which is to say that people had an idea about what constitutes government responsibilities/roles. These include the construction of roads, schools and also water supply schemes. In practice, however, the government does only a fairly limited number of these: in Thapagaun only the school has been financed by them. A sentiment that lived strong among the households is one of being neglected and being a non-relevant community. Many people had an explanation for the government's failure to deliver additional services. Often heard was that the government only focuses on communities "in which important people live" and "where people know how to talk like gentlemen". In Thapagaun there are few people that have enjoyed any education and there are none that have sufficient knowledge on how to make formal requests to the government, let alone successfully lobby for services. In the past, requests were made through the VDC, but this has never resulted in services from the government. Moreover, there are no influential or politically powerful people in the community, making it –in the eyes of many of the informants- an irrelevant place for the government. Besides, many people gave the composition of the local government as a reason for the community's perceived neglect. It was often mentioned that the Maoists run the local government and that they mainly work for communities that have supported them in the past. Thapagaun, at least in the past largely supportive of the competing parties CPN-UML and NC, would therefore have not received any help from the government.

In a fictive situation where the government and a local NGO would offer identical services, all respondents would, without exception, choose the NGO for delivering them. Usually motivations for

this were twofold. On the one hand, the government has in the past visited the communities for surveys et cetera, but in the end never delivered services. Furthermore, as this gap was filled-in by NGOs who did a good job in service delivery, many people indicated that they were confident that again the cooperation would be successful, unlike a scenario in which the government would help. The latter has a reputation of promising services or visits which are endlessly postponed, as such not creating any goodwill among the citizens.

4.2 Odi

Several hours further walking from the district headquarters than Thapagaun, Odi can be considered one of the more remote communities in the district. Despite the often heard complaint that the government chooses for the easily-accessible communities close to Khalanga, Odi has received its water supply through the Rural Reconstruction and Rehabilitation Sector Development Program (RRRSDP), originating from the DTO, the governmental technical office. There have been two projects in Odi, of which the total costs were estimated at 5 million NRs (50,000 EUR). The actual costs were a little bit lower at 4,5 million, or 45,000 euro. All materials that were not locally available were provided by the DTO. During the construction process all labour was provided by the community itself, assisted by DTO engineers and RRRSDP personnel. These included engineers and social mobilisers. The 230 households in Odi now share 19 functional taps, which comes down to twelve households per tap. All households in the community use the taps as the most nearby alternative is two hours walking from Odi. Like Thapagaun, the whole community consists of households from the same caste (here Rokaya) and all households have equal access to the service. Some people indicated that the quantity of water they can use is sufficient for their household, but several others mentioned that the high number of households with whom the taps are shared causes problems, often resulting in families not being able to retrieve enough water due to high pressure on the limited amount of water. I did not find any reason to assume that some families suffered more from this problem than others. Moreover, several respondents indicated that the amount of water was insufficient for hygienic purposes, only their demand for drinking water was being met. Next to high population pressure on the scheme there is also a limited amount of water daily available; the taps worked only in the mornings and evenings because of insufficient capacity at the collection chamber. Households pay 20 NRs every month, which partly is used as a wage for the caretaker. The rest is stored in an O&M fund.

In Odi there is one WUC key person ('head') for the water supply, but he was unfortunately not present during my visit due to a funeral. This chairman is responsible for the O&M fund and, although supported by a user committee, practically did most of the work alone. Many community members feel that the water supply scheme is functioning properly and that there is not much need for a complex organisation taking care of it, nor for a clear division of responsibilities. No major breakdowns have occurred so far, but in case this would happen the general opinion is that direct action would have to be taken by the community members themselves. Minor issues can be helped by the caretaker and if not, the whole community would be motivated to help as everybody is suffering the consequences as well. Major responsibility lies, according to many community members, with the community itself. Only in case of complete destruction of the water supply scheme (for example by a land slide) outsiders would be asked for help. In such case the delivering organisation, "triple R", would be asked since they have worked to the satisfaction of the community members before.

What is most interesting here is that in every single interview I did, the respondent indicated that the water supply scheme was constructed by an NGO. Most of them did not know a name, but several others knew even that it was delivered by "Triple R", the common abbreviation of RRRSDP. However, nobody believed me when I told them afterwards that RRRSDP is a government project, not an NGO. This was usually met with high suspicion, because "the government never comes to this community".

So, the situation in Odi is one where practically everyone I spoke to was highly negative about the government, but praised the RRRSDP as being godsend, literally. Later on I will give possible explanations for this phenomenon. The rest of this chapter on Odi should be considered with the above in mind.

In Odi I found mixed feelings about the actual and wanted roles of the government. Several community members were extremely negative about the government's attitude towards the town and thought the government solely worked in either easily-accessible communities or in places where "there are not only village men, like here". So, similar arguments like in Thapagaun, with the addition that several people here thought that the government "only digests development money" and are therefore generally unwanted in the village. This group of people absolutely preferred NGOs because "the government is like God, we can pray but that's it" while NGOs frequently visit the community and offer help where needed. Others, however, thought that for the long term more government involvement is beneficial as NGOs phase out with time, while the former stays and can offer continuous support. Also heard was that the government currently is not able to do this because of a lack of funds. Moreover there was the group of people that are negative about both government and NGOs and propose to do completely without either. NGOs are considered by them as only working for gaining popularity ("they work in remote places only so people like them") while the government is not to be trusted because of too many broken promises and false hopes.

Overall, however, virtually all informants agreed that, if they had the choice, they would rather have NGOs deliver future projects. The main reason for this is, like in Thapagaun, that there exists some form of trust in the organisations that have previously delivered satisfactory services. From the above can be concluded that an NGO receives the benefits for doing a project in which they were not involved. Moreover and perhaps more importantly, the government has delivered a water supply scheme about which the users feel positive, but which is attributed to a 'competing' organisation. While *they* should be considered as successful service providers, they are stuck with a negative image and are not likely to see this change in the near future as people will most likely turn to NGOs for future projects. After all, communities have the power to decide to whom they request a certain service, either through the official VDC/DDC channel or directly to an NGO.

Box 1: K-BIRD

Before the Peoples War, the government engaged in minor service delivery, but the majority of work back then was done by NGOs. Most notably in this respect is the K-BIRD (Karnali-Bheri Integrated Rural Development) programme, an initiative that was funded by CIDA, the Canadian International Development Agency. Under K-BIRD a broad variety of development works were initiated, including the construction of water supply schemes throughout the district (including probably all my case studies). Rather than the Canadian government, however, people tend to recall only the name of the project, talking about K-BIRD as if it were an organisation itself. In most communities I visited, K-BIRD had worked in the 1980s, long before the conflict. These schemes often involved little more than one or two taps and I have found none of these to be still functioning. However, people still fondly remember K-BIRD and practically all community members recall them as a highly trust-worthy organisation. As I will explain elsewhere, I found that any activities that are carried out in communities are highly appreciated by the community members, directly creating a strong relation with the provider. When the government is absent, remote communities are often likely to identify themselves more with NGOs than with this government. This is confirmed by the bond many people in the district still have with K-BIRD, the long-since finished programme under which a multitude of services were delivered in the 1980s. The fact that people still remember them and praise them until this day indicates the strength of such a relation that comes to be during and after successful service delivery.

4.3 Ghodasin

My third case study is the village of Ghodasin, relatively close to Khalanga at a distance of two hours walking. This community again was served by KIRDARC, assisted by SNV Nepal. KIRDARC was requested to start their activities here by the DDC, which again received the request directly from the community. A user committee was formed which expressed, on behalf of the community, the need for a water supply scheme to the VDC in the nearby town of Urthu. After this the official procedure was followed, i.e. the request was forwarded to the DDC where it was discussed and agreed upon. While this is supposed to be common procedure, it is not commonly practiced. Finally KIRDARC was appointed as the organisation that was to take care of service delivery in the community. This resulted in the current nine taps in the 91-household community, which means that every tap is shared by approximately ten households only. Every tap falls under the responsibility of tap stand user committee, consisting of five people and with women being included in each of them. Above these committees, there is one supervisory committee (the WUC) that is responsible for the community at large. This construction is unique among my case studies, as in all the other there exists no other committee than the WUC. The WUC consists of eleven persons of which no less than nine are women. As such, social inclusion can be said to be ensured in Ghodasin, even more so since people from the lower castes are, again, absent in the village.

Every tap has got appointed, unpaid supervisors of both sexes and in case of break down these caretakers are generally able to repair it themselves. Moreover, in the community there are three caretakers that earn between NRs. 800-1000 every month. Only when the problems prove beyond their capacities, for example when non-local materials are needed, KIRDARC or government bodies are requested to come to their aid, which generally happens. Fundraising is done through collecting money from the water users (NRs. 20-25/month), plus asking a NRs. 1,000 fee from people visiting the community. This 'visitors fee' is a local initiative for making some revenue from the community's Open Defecation Free (ODF-) status: if a visitor encounters a case of open defecation he is given 1100 NRs, but if not, the 1000 NRs are deposited in the O&M fund. Next to contributing to the fund, this also works as an incentive for community members to use their toilets. Because the community was involved in the construction of the project, and maintains it themselves, a sense of ownership is created. Community members remarked that, in case the community finds either their knowledge or the functioning of the project insufficient, more trainings are requested by them directly. If anything, this proves that the community is actively involved in the project and that there is willingness to continue improving the situation. This attitude is strengthened by the knowledge that Ghodasin is often seen as a 'show case' of an ODF community and both NGOs and government have a lot of interest in this community, taking visitors here to show the progress that took place. Possibly being aware of this important role they fulfil, community members could have become more assertive, maybe having experienced more success in making demands than peers from other communities.

Different from the two communities that were discussed before, Ghodasin maintains regular contact with both governmental and non-governmental organisations. This has, as I will show, most likely to do with the proximity to the DDC. The government for example built the local school, takes care of road construction and visits the community on a yearly basis to inform after needs. Moreover, KIRDARC visits the community frequently, so concerns can be expressed without too much effort to both actors. The VDC is located in Urthu, a thirty minute walk from Ghodasin, which makes the local government easily reachable when needed. Most community members recalled going to the VDC when they first needed a water supply scheme and are aware that consequently KIRDARC came to construct it because their request had made it through the selection at the district level. The government involvement in other (non-water supply) fields in the community, plus the knowledge that the NGO came to deliver services at the government's request, makes most people from Ghodasin less critical than those in other communities. Moreover, practically all people were aware

of the current budget problems with which the local government has to deal. This argument was hardly mentioned at all in Thapagaun and Odi, where people accused the government of laziness.

An interesting observation in Ghodasin, as compared to the previous two communities, is that here most people understood why the government did not engage in the delivery of water supply themselves. During interviews with government staff it was indicated that there is hardly any money for follow-up activities (expansion of the scheme, reconstruction where needed, etc). Awareness of this lack of budget made that many people in Ghodasin have got very little expectations of the government in this respect and rather ask KIRDARC directly for any additional activities. In the previous two case studies, however, people thought very negatively of the government's absence in these follow-up activities and did not mention the limited budget when explaining the situation. This can possible be explained by assuming a lack of information on the community members' side.

Again in the fictional case of identical future service delivery by NGO or government, the responses varied. Several community members indicated that they would absolutely prefer to receive future services from the local government because "we are Nepali citizens, of course the government should be the one to help us". Others however have little trust in the government, not only because of its finances but also caused by the many unfulfilled promises made by them. One of the respondents put it "a government promise is not a promise, that is why we prefer NGOs". The general attitude however was one which is not as outspoken as in earlier case studies. Most people would prefer an NGO because of an assumed higher quality of the services and a nicer working modality, but are not necessarily negative about the government. The latter has created a lot of goodwill among many community members because of their regular involvement with the community and the fact that past requests to the government have often been answered. All in all, the government is a more relevant actor to the community members than it is to those of Thapagaun and Odi. This is, I think, mainly because of the smaller distance to the government, their (past) involvement in the community and mainly the regular contact they have with the villagers. The latter results in community members having a better understanding of the government and its finances, as well as of the decision-making procedure. This possibly has prevented many of the prejudices that live in other communities from arising.

4.4 Seridhuska

My fourth and final case study is in the community of Seridhuska, nearby the district headquarters. Seridhuska has received its water supply from WSSDO, the other service-delivering subdivision of the district government. Materials were provided by the WSSDO, except those which were locally available already. Of the budget of 2.2 million NRs (roughly 20,000 EUR) only some 7,500 euros were actually used for the project. Seridhuska is formed by the first two wards of Thalium VDC, which in total consists of nine wards. The distance between these wards is ten minutes walking at the most, but only the first two of them received services from the government, the others having been served by NGOs. There are two hundred and forty households in Seridhuska, sharing thirteen taps. This comes down to at least eighteen households per tap, the highest number of all case studies. Ten years ago eight taps were constructed and, when population growth demanded it, an additional five were constructed two years ago. At this moment, however, two taps are not working for an unclear reason, increasing the population pressure on the eleven working taps. While some people did not experience any problems from this and said to have enough water whenever they needed it, others mentioned occasional fights over water because some taps receive more water than others. This has to do with insufficient capacity of the collection chamber, resulting in some taps not getting water in case of shortage. Moreover, as this community is heterogynous in terms of welfare and caste (ranging from Sunar (Dalit, or 'pariah') to the high priest caste Upade (Brahmin)), access was said to be unequal. Especially people from a Dalit background mentioned that upper caste community members broke pipes to irrigate their own lands and that they (the low-castes) had to repair this all

the time. Community members pay 100 NRs/year, which is significantly lower than in the other case studies (on average 240 NRs/year). This amount is needed for repair materials, leaving little or no money for the caretaker who therefore does not work fulltime. His irregular works leads to infrequent access to water, which the community members again use as a motivation for not paying more money per month. This vicious circle is, from what I could observe, at the basis of some tensions over water in Seridhuska.

In Seridhuska people's opinions about the government were very divided, some being very positive and willing to request them again in the future while others were close to hostile. One explanation for many of the negative emotions about the WSSDO in the community might have arisen from the previous time the WSSDO worked in the village. Back then, a budget of 2.2 million NRs was available, of which about one third has been actually used in the project. This was common knowledge among many people I interviewed and was confirmed by a member of the WUC. Community members had to provide a lot of labour but saw "not a rupee" in return (while this is common among NGOs, who often provide a financial compensation for community members involved in construction). The remainder of the money has, according to many locals, disappeared in the pockets of government staff, or, as was often said "it was digested". An elderly man stated to the applause of a few bystanders that "the government does not give us anything, only work", with which he meant that he had to provide labour and got nothing in return.

Whatever history the community has with the government, most people still indicated that water supply is a community responsibility, but if there would be an outside organisation that should assist in ensuring access to water then that would have to be the government. The ease with which the government was convinced in the past to come to this specific community was by many explained as related to political networks: some local strongmen have ties with the government. Some people were even of the opinion that without knowing the right people it would be improbable, if not impossible, to attract the government to a community. Moreover, Seridhuska knows a relative large number of educated people that know how to talk with the government. These people, often working in the district headquarters, for example invited government staff in their houses, treated them on meat and raksi (local hard drinks) and were not shy to demand projects. When asked what the difference with for example the remote Odi was, many people did not hesitate to express (with regret) that in communities like that the population consists mainly of farmers and hence are not an interesting community for the government. Many people said the main difference between the settlement of Odi and themselves was that there "is nothing to gain" in the former, suggesting that the government has a preference for working in communities where they could gain long-term benefits themselves. One interesting remark was made by a woman whose husband is an influential community member. Her opinion with regard to this topic is that in times of the previous conflict Seridhuska was relatively sympathetic with the government. In Thapagaun, she thought, more support for the Maoists could be found. The reason that the government has not delivered services there could, according to her, well be related with this, i.e. communities that have largely been loyal back then are now seeing more benefits coming in their direction. I have, however, not been able to cross-check this.

Seeing that Seridhuska is the only community where problems over the service have arisen, mainly between people from different castes, might indicate that more heterogeneous communities are more prone to issues like these in the first place. After all, the other homogenous settlements that my other cases were, were without problems. In Seridhuska, however, relations within the community were very different with the high caste people being able to use the service disproportionately, and maybe worse, those from low castes being put at a disadvantage. It was the government that delivered services here, which, as we saw, were not always appreciated by all community members. The problems that arose over the service have influenced the satisfaction people experienced from it, leading to a more negative attitude towards the service provider.

5. Legitimacy and Social Contract in the Jumla District

In this chapter I will present my findings with regard to how government legitimacy is (re)constructed in the district. A distinction is made between the community members' aspect and the governmental side of the story. Firstly the citizen side of the topic is presented, guided by the earlier described concepts of input- and output-oriented legitimacy and the social contract. After this I will elaborate on the state side: how does the government perceive its own legitimacy and how do they deal with this in practice? In advance, though, I would like to state that I found my expectations to be true: the local government in Jumla has a legitimacy problem. The way in which the government is perceived by the local population differs greatly per community, as I will show below. Fact is that in all of my case study communities the government finds itself competing with other actors for legitimacy, often unsuccessfully.

I found that the process of decentralisation has had a large influence on the way local citizens perceive the government. Rather than 'Kathmandu', now the district government is by far the most relevant state actor to practically all people in the region. As I will argue, their service delivery is the main activity over which legitimacy is constructed. This on the one hand enables them to listen to local needs and as such possibly enhance legitimacy. On the other hand, the local government is credited and legitimised, while the national level does not benefit any longer from government activity at the local level.

5.1 Government Legitimacy in Practice

The degree of output legitimacy (the type of legitimacy associated with delivering services) that is enjoyed by the local government is significant, but it differs largely per community. I found a strong link between the distance to the district headquarters and the amount of services the government provided. As I shall later mention, water supply projects have, at least recently, been more or less fairly divided between remote and nearby communities, but for other services this is not necessarily so. Remote communities are often harder to reach as there are no (good) roads leading to the villages. More importantly, many services are concentrated in and around the headquarters, while the areas that take a day walking to be reached obviously do not have such services. These include for example health posts and safe bridges. In especially Thapagaun and Odi, the more remote communities among my case studies, people were generally not at all pleased with the amount of services they received from the government. Once again, that Odi *did* receive its water supply scheme from the DTO was not perceived as such by the community members. In the communities closer to the district headquarters Khalanga, I found less negative emotions with regard to the government-delivered services. In Seridhuska people were overall pleased with the road, school and water supply scheme. Ghodasin citizens, while having been served by an NGO, too were satisfied with the amount of service they had access to. The population was generally aware of the role the government had played behind the screens, i.e. delegating service-delivery tasks to in this case KIRDARC.

Input-oriented legitimacy, on the other hand, I found less strong throughout all my case studies. As described, this type of legitimacy is related to the willingness of citizens to accept and rely on the government. The RRRSDP involved the local population of Odi throughout the entire process and successfully handed over the scheme to them. People were very positive about the way the project had taken place, but unfortunately the whole scheme is not attributed to the government but to an organisation mistakenly considered an NGO. In the other government-served community, Seridhuska, people were dissatisfied with the working modality of the state institutions. While being able to express concerns and getting the government to construct taps, throughout the entire process people felt the government did not really listen to them and only the more influential people were included in decision-making. Moreover, it was common knowledge (or rumour?) that a lot of

money, destined for their community, had disappeared in the pockets of government staff, constructors and local strongmen. For the other two communities it is difficult to address input-oriented legitimacy as the government did not actually deliver a water supply scheme in those villages. In Ghodasin, however, people were aware that their requests to the government resulted in an NGO coming to their help and as such many of the people there felt included and listened to. In Thapagaun the opposite is true: several requests to the government did *not* result in any action and hence they generally felt excluded and neglected. Input-oriented legitimacy can as such be said to be lower in this community.

A historical explanation (i.e. embedded legitimacy in the OECD distinction: legitimacy constructed over the role the government has historically had in people's lives) for why people in Ghodasin and Seridhuska think more positive about the government than those living in Odi and Thapagaun do, could be that the former have been able to obtain more services and maintain contact with the government during the conflict period. Only recently has the government picked up work in remote, previously inaccessible areas, having left the population of those areas discontented for many years. If the RRRSDP programme in Odi had been recognised as government-originated, then this might have changed for this community. For now, however, the government is considered to be uninvolved with the community as it has always been. This works the other way around as well: in other remote communities where the government did succeed in getting the message ("we do care about you") across, more legitimacy might be found. I found this historical relation with the state to be of high importance in all communities, determining the expectations citizens have for the future as well. The case of K-BIRD (see box 1, above) illustrates a similar point: despite having ended their activities decades ago, they are still considered legitimate by all those that have experienced their works. The historical relation that people have with the service provider, regardless its nature, remains important.

The degree of process legitimacy the government enjoys highly depends on the knowledge of the person asked. In Ghodasin people were well aware that the government had regular contact with NGOs, delegated tasks to them and as such were able to cooperate well with other involved organisations. The same goes for Seridhuska, where most people knew that the DDC has sent the WSSDO to deliver services here. However, in the same community many people were not at all pleased with the responsiveness the government has shown towards them. Demands for financial compensation were ignored and people felt they were treated unfriendly. It is problematic to draw any conclusions for Thapagaun and Odi as the government did not deliver water supply schemes there. However, people were very content with the way RRRSDP had involved them in the entire process. This at least shows that the working modality of the DTO is successful and, if they had succeeded in informing people about their government background, the government could have enjoyed more legitimacy in this community.

During the construction of my theoretical framework I assumed that the objective/subjective dimensions of output-oriented legitimacy, as put forward by Boedeltje and Cornips (2004), would be useful in my analysis of legitimacy in Jumla. To recapture, the former refers to better government services because of the involvement of citizens and other stakeholders in decision-making, or simply 'better services because of more knowledge'. The subjective part refers to the satisfaction people get from services, for example through finding that the service provider has listened to their preferences. I found that in Jumla there is no opportunity for structural input from citizens in the decision-making arena, other than requesting services through the VDC. However, in the local MSP other stakeholders (NGOs, CBOs) can directly contribute to this. This possibly makes the government more legitimate in the eyes of at least those actors. Objective output-oriented legitimacy therefore remains a useful concept in this case study. In case there would be a way for citizens to deliver input, then the concept's relevance would increase even more. I found the subjective part to be more important to many citizens: whenever complaining about the government, grievances over unfulfilled promises

and not-returned requests were brought up. Likewise in communities where the government did deliver services, people expressed appreciation over the government showing up after having been requested to construct a water supply scheme.

5.2 Government Perspective on Legitimacy

Both the Local Development Officer (LDO) and the DTO chairman of Jumla expressed deep concerns over the public opinion with regard to the government. They are well aware of the legitimacy problems the government has in especially the remote areas and the preference the local population there has for service delivery by (I)NGOs. In order to prevent negative feelings for the government from arising or escalating, the DTO consciously engages in development work in the most remote areas. In the last year, over fifty per cent of their projects (RRRSDP, but also construction of schools, VDC buildings, etc) were done in remote communities like Odi. How come, then, that people continue to complain over a lack of government involvement in their community? And why is actual governmental service delivery not recognized as such?

One first reason for this, according to the DTO chairman, might be the differences in working modalities between governmental organisations and NGOs. NGOs visit communities frequently and often have a social mobiliser present throughout the entire construction process. Moreover, they are keen on indicating which NGO is doing exactly what for the community. The DTO staff on the other hand visits less frequently and generally "fails in getting the message across of what we are doing for the local population". It was even suggested by the local SNV Nepal advisor that government staff rather say they work for an organisation called RRRSDP than for 'the government' as this would ensure more participation from the community members. The LDO said that information dissemination and communication with community members is not their first priority at the moment. This is, however, steadily changing as the use of media (most notably radio broadcasts) and information boards are being included in the government projects. As an explanation for the citizens' remarks with regard to the lack of government involvement, the LDO mentioned that the government bodies are accountable for the water supply schemes during construction, but once completed responsibilities lie with the community members themselves. This is opposed to the work of (some) of the NGOs, who also take responsibility for the functioning of the scheme once it has been finished. Due to a lack of funds, the government can hardly engage in maintenance and repair. They will help in case of calamities, but minor breakdowns are not considered their responsibility. I found that NGOs generally help whenever requested and hence impress the community members, while the government has to respond with a 'no', upsetting community members. So, shortly, this second argument can be summarised as, in the words of the LDO, citizens "failing to take responsibility themselves for the functioning of the water supply schemes". The government is present in those remote communities, does deliver services, but is less effective and visible when compared with NGOs.

Another explanation for the often heard complaints about the government's absence in remote communities could be the nationwide tendency of criticising the government. I too experienced this during my stay in Nepal: at all levels and among both citizens and government staff a lot of cynicism and negative comments on the national government were heard. National newspapers were no exception to this either. Negative feelings about the national government (or the lack thereof, as the formation of a government was in a months-long deadlock) might resonate at the local level. As the DTO chairman put it: there are no communities where "the government never comes". Every community is part of a VDC which engages in development activities, funds allowing. People have high expectations of the government (first-class water supply schemes, a school, health post, roads, etc). With a limited budget (which admittedly is sometimes unfairly distributed, see below) not all demands can be responded to, creating a situation in which citizens feel neglected. The government, however, provides amongst others subsidised rice and salt through local depots and pays a monthly

amount of money to elderly people. As such, it is fairly safe to say that there are no communities completely neglected by the government. However, because of relatively little or unknown (once again see the case of Odi) government involvement in a region where NGOs are focussing their activities on, people might have the idea that the government is completely absent. In fact, many people expressed during interviews the opinion that the government by default doesn't work in remote areas. From this can be concluded that, next to being less 'visible' than NGOs and having a more limited budget, there is also a possible gap between expectations that people have of the government and the services they actually get. So, while there factually are no government-abandoned communities in the district, this is perceived differently by community members. People are aware of the fact that they *do* receive subsidised food from the government, but at the same time argue that they are not being helped by them whatsoever. From this could be concluded that people consider some services from the government as natural and essential, and do not speak in appreciative terms about them. Other services, like water supply schemes, could then be considered as additional and, when not delivered, could create the perception of an uninvolved government. In other words: there possibly is a baseline of self-evident services by the government (e.g. subsidised food, retirement fund for the elderly). When nothing is added to this, complaints arise.

Next to ensuring access to water supply for all citizens, one of the main reasons for working in remote areas is directly addressing the legitimacy problem the government has in those areas. The DTO chairman gives a number of reasons why these attempts for boosting legitimacy thus far have been mainly ineffective. A large part is attributed to the trend, which continues until today, of political leaders and decision makers "wanting to give to their own clusters mainly". These key persons are mainly from the communities close to the district headquarters, enjoy a good education and want to implement projects either in their own communities or in those with which they have a strong relation. This prevents some of the more remote and politically seen less interesting areas from being reached in the first place, and also within those areas services are not fairly distributed. So, in the words of the DTO, "distribution of limited resources is biased". The LDO regretfully confirms such practices and adds to this that also his superiors at the central level utilise their influence to change the local agenda and that "political parties compel us to select certain projects". Reasons for this could be both politically motivated as well as personal preference (for example family ties). In such cases attempts at "doing justice" are often vain and resources are differently allocated than would otherwise have been the case. This confirms to some degree the sentiment of choosiness from the government side which lives among many citizens in the area. Combined with the abundance of NGO activity in those peripheral areas and the above mentioned low visibility of government activities, this has led to the popular belief that *only* NGOs care for the more remote areas and the government solely cares for easily-accessible and more interesting communities. The refusal to believe that the water supply scheme in Odi has been delivered by the government can partly be explained by this.

Another important contributor to failed attempts at creating goodwill could be the issue of elite capture. The LDO mentioned that elite capture at the local (ward and VDC) levels takes place. In this case that would be local strongmen and/or political party members forming the users committee, which is required for obtaining government projects, amongst themselves, effectively keeping 'ordinary' people out of decision making and preventing them from getting any knowledge on what is going on. If this happens, local elites can get the government to construct a water supply scheme in a community and get all recognition for this themselves. The community members that were not involved might never know the project originates from the local government. I have not found such practices in any of my case studies, but it is a serious problem in communities where it does happen.

Opinions on how to tackle the legitimacy issue vary. The DTO chairman argued that the 'young circle', to which he belongs, is struggling for more justice, but thinks it is not working because of an unsuccessfully implemented decentralisation process, making biased resource distribution possible.

His opinion is that the policy and decisions should be made on the central level, implemented through the local government, because this leaves less space for elite capture. The LDO does not share this idea and is ("I have to be...") optimistic about the future, aiming at reaching a 100% coverage of safe drinking water by 2017, whatever the order of things and "whatever they say". This is not to suggest that he agrees with the current ways of selecting communities, he simply sees no alternative. Both agree, however, that local elections would boost democracy and accountability through a better representation at the local level, making it easier to deliver services across the entire district in a more fair way. Moreover, and perhaps more importantly, is the problem of insufficient budget. Delivering fairly distributed services according to the wishes of the recipients is, at this moment, far from possible. The current situation therefore is one of simply delivering services in communities one by one, hoping to ultimately achieve complete coverage of communities in the region in terms of water supply schemes.

As argued in the previous chapter, indeed the government finds less support in areas where the NGO has delivered water supply schemes. All government officials in Jumla find water supply initially a government responsibility ("we are the ultimate parent") and indeed see long term problems arising from NGOs doing this work. Fact is, however, that the government cannot take care of the whole district themselves. By law all development organisations, including (I)NGOs are under the supervision of the DDC and all development activities are to be coordinated by them. In practice the government is often bypassed as community members do not use the formal channel (i.e. request to the DDC through the VDC) but rather request projects directly from NGOs. Apart from the technical benefits of this (representation in the local government is poor and chances of obtaining services through the formal channel are slim), there are several other reasons as well. Firstly, most people considered the services delivered by NGOs to be of a higher quality than those from the government. Perhaps more importantly, many people mentioned the nice way in which they were involved in NGO projects, while those that worked in construction of government projects mainly complained about it. Apart from NGOs offering some kind of a financial compensation for the labour while the government did not, I found no differences in the ways in which they involved the community members. Rumours like these, of course, find their way to communities where no services have been delivered yet, possibly influencing the decision whom to ask for services there. Moreover, the NGOs move about more or less independently, not continuously discussing with the government. This bypassing of the government has led to the earlier described situation of parallel service delivery, while the government would rather see one of joint work. So apart from preferences, the service delivering sector at large enables communities in being served by NGOs without the government even being considered. Once a project has been finished opening ceremonies are held where, dependent on the NGO, sometimes district level officials are also invited for the formal part of these festivities. In that sense one could say that they recognise the government and not completely bypass them.

The DTO suggested that in the future "NGOs should be endorsed in the DDC. We do not want to bound them, but work simultaneously for the development of the country." For this to be possible, a number of criteria were mentioned. Firstly there would have to be a political consensus on the central level, which should lead to a better allocation of funds and improved policy. After this, elections at the local level have to take place so more representation takes place and citizens are more willing to pursue their needs through the local government rather than going straight to NGOs. Lastly, strengthening of the coordinating body WSSCC is essential for creating more transparency and ensuring better cooperation between the involved stakeholders. In the words of the LDO: "NGOs should not be competitors but development partners".

6. Conclusions and Discussion

6.1 Conclusions

During my research I found that the local government in Jumla is, in line with my expectations, facing a serious legitimacy problem. The assumed link between service delivery and government legitimacy proved even stronger than I assumed in advance, with possibly strong implications for long-term stability in a post-conflict setting. The nature of the service provider in a specific community, i.e. governmental or non-governmental, strongly influences the way in which citizens there perceive the government. The latter's legitimacy is directly related to this. Whether the concept of a social contract would be relevant in the case of Jumla was unclear when I started my research; I expected its existence in certain communities to be directly linked to service delivery. This proved more true than I had imagined: in communities where the population mentioned to receive no services from the government, the social contract was virtually absent. Community members there did neither expect anything from state institutions, nor were they willing to fulfil any obligations towards the state. On the other hand, the government-served communities were characterised by a much stronger social contract.

Determinants of legitimacy
Several concrete factors were found to be of importance in the process of constructing legitimacy:

- Proximity to the district headquarters: for communities close to the district headquarters it is and has been easier to maintain (frequent) contact with the government. Making requests and lobbying for services has always been easier for nearby communities, making them more likely to have experienced the government in a positive way. On the other hand, communities that are remote within the district have to put a lot of effort in reaching the headquarters, and vice versa: for government officials it is not possible to quickly and frequently visit these places.
- Contact with state institutions: face-to-face contact with service providers is of great importance for the way in which citizens construct government legitimacy. Even if this contact does not result in services, actually having some kind of relationship is crucial for a positive perception of the government.
- Historical relation with the service provider: this factor is partly linked to the distance to the headquarters and consists of the history the specific community has with the government. Communities in the Jumla district have been receiving services for decades now, and I found the history of services in a specific community of importance for the current view the citizens have of the government. Villages that have always received (some) services directly from the government now generally tend to think positive of them. The exact opposite is also true: places that have received their services from (I)NGOs in the past and therefore have *not* received them from the government, now tend to blame the latter for this and speak negatively about them. Logically, the distance to the district headquarters is of importance here as close-by communities are in practice more likely to receive services from the government, while more remote areas are largely served by NGOs. Communities that have received satisfying services from the government in the past, now also hold them accountable for any future services. For those that have historically been served by non-state actors this is reversed: they have expectations of these NGOs to continue service provisioning into the future. I would once again like to refer to the K-BIRD case here (box 1). Also the history certain communities have with political parties could still be of importance, but this remains a controversial topic.
- Transparency: I found that in most communities people were not aware of the way in which WASH service delivery is organised. The common procedure of coordination by the DDC and the delegation of service delivery to both governmental as well as non-governmental

organisations was generally unknown to the recipients. In those communities that were served by NGOs, the inhabitants were usually not aware of the fact that this had earlier been discussed or ordered by the government. When perceived as a stand-alone service delivery by non-state actors, hard feelings grow with regard to the government. When on the other hand transparency is created, as in the case of Ghodasin, people realise that the government has at least played some role in the services they received, and credit them for this. The case of Odi also illustrates an important point: people have strong expectations about government activities. When people do not expect the government to deliver services, i.e. where service delivery is considered an NGO-only task, it is essential to inform people about the opposite before the project begins, so as to prevent the wrong organisation being credited for it.

- Output and input: this refers to the quality of the services and also the way in which these were delivered. I found that if services were insufficient, of poor quality or not corresponding with the price they paid for it, people would accuse the government of sloppy work and "working only for themselves, not for us", i.e. for image-building rather than for actually improving living standards. Most people are familiar with the quality of services that other (NGO-served) communities enjoy and therefore expect at least a similar quality level in their own village. The second factor, how services are delivered, relates to the way in which people perceive the process of service delivery. When people find out or even expect that money destined for services disappears, they are quick to jump to conclusions and call the government 'not to be trusted'. NGOs seem to less prone to such accusations as they are in the first place seen as trustworthy organisations. The government on the other hand generally still has to prove itself to the local population.

  When people find that they are included in the decision-making and constructions processes in a fair and constructive way, a lot of 'goodwill' is created. I found that people greatly value it when their opinion is asked after and they feel that their input is used. When on the other hand this influence is limited to a select group of people and the rest of the community is simply put to labour, this is counterproductive.

With these factors being identified as key components around which legitimacy construction at the local level revolves, now some general conclusions can be drawn.

The Social Contract
I found that the nature of the social contract in the Jumla district varies greatly between the different communities. In some communities the government is generally considered a relevant actor and even more than that: the main organisation that provides services. These communities are characterised by a willingness to obtain their services through government institutions and here an overall positive attitude towards them can be found. On the other hand there are communities, usually more remote, where there is no such relationship. Here the tendency is to bypass government institutions for obtaining services and a general unwillingness to fulfil obligations towards the government, for example paying taxes. It is therefore not possible to generalise on the social contract between government and citizens as it varies greatly per community. However, in none of the cases I found the social contract to be complete and strong. Despite attempts of the government to strengthen it where necessary, citizens remain suspicious of the government and therefore maintain a certain distance from them. The distribution of legitimacy is similar and closely related to the social contract: one finds that the government enjoys more legitimacy in those areas that have a long term, positive relationship with the state. This is clearly linked with the proximity to the district headquarters where the government resides and the frequency of contact between citizenry and government.

Legitimacy Construction

I found that legitimacy is mainly constructed by interaction, and delivered services turned out to be the main issue around which interaction between government and community members took place. WASH projects were in many communities the only external interventions they experienced, with other services like roads, schools and electricity often absent. In communities where these water supply schemes were constructed by for example NGOs, contact with the government was virtually inexistent. So, I found basic service delivery even more important than I previously expected in the construction of legitimacy: it forms the main (and in some communities only) arena where government and citizens meet. During my fieldwork I experienced the value people attach to face-to-face contact and interaction. When there is practically no contact between government and citizens, legitimacy too is low. Not necessarily because of the absence of services, but even more so because of the fact that the community members do not 'know' the government. Basic services themselves are of great importance for the construction of legitimacy, not only because they improve the quality of life, but mainly as they bring with them a process of interaction.

While legitimacy is low, it is not absent. In the more remote areas the government is often not considered a relevant actor as they hardly interact with the community members, but in other villages the government plays a more important role. I personally think that if the services in Odi had been actively presented as government-funded, people would speak differently about them. In cases where there were no state institutions directly involved in service delivery, but frequent contact between government and citizenry existed and the latter knew of the government's coordinating role, more legitimacy was found.

In all four case studies the government found itself competing for legitimacy with other actors. As indicated, the degree to which they are successful in this is directly related to the nature of the service provider in the specific community. In those communities targeted by 'competing', non-state actors, citizens associate themselves less with the government. While the literature suggests that these competing claims to legitimacy might be a conscious strategy by non-state actors, I found this not to be the case in Jumla. While acknowledging that they, the NGOs, build a trust relation with the local population and therefore prevent the government from doing the same, I found no reason to believe that NGOs were deliberately engaging in such activities.

Government efforts, NGO involvement and MSPs

The local government fully recognises the problems it has with legitimacy and parallel NGO service delivery. Especially the differences in working modalities of NGOs and the government have an impact on the way the services from the different providers are perceived. The government works with limited resources and therefore cannot engage in follow-up activities and 'promoting' itself actively. For boosting their legitimacy, there are only a few strategies they work by: apart from simply working towards water supply schemes for all communities, they actively seek to deliver services in the remote communities in which there more often exists a general feeling of being neglected. I found that the governmental actors utilise WASH service delivery as the most important way for constructing legitimacy as there are hardly any alternatives for 'proving' themselves to the local population. Because of limited resources they are often unable to live up to the quality standards of the NGOs, so for enhancing legitimacy they mainly try to adopt principles of equitable and fair services, while no longer limiting themselves to nearby communities.

NGOs generally position themselves differently: they actively show which NGO they are by raising billboards and using various other media. Moreover, they regularly revisit communities once the services have been delivered and, more than the government, engage in repair and maintenance activities when requested. Once a project has successfully been constructed, there usually are opening ceremonies and celebrations, further increasing their popularity. While government officials are not completely neglected in this, attention is once again drawn to the NGOs. Fact is that they on

average have more resources that can be allocated towards communication and community involvement. This puts them at an advantage when compared to service delivering state organisations.

With the formation of the Water Supply and Sanitation Coordination Committee (WSSCC) there is a district level MSP that aims to unify service delivery and create transparency in the sector. For now, its activities are mainly limited to the latter activity. This has led to more openness in WASH service delivery, with clearer roles for stakeholders and less overlap in service delivery. Participants in the platform have become more familiar with each other and some first steps towards joint targeting of communities have been made. Despite this, the current MSP is far from capable of taking the WASH sector past its current parallel nature. To change this situation, NGOs would have to start working under the government flag rather than autonomously. It is understandable that such proposals will not be eagerly welcomed by NGOs.

6.2 Discussion and Recommendations

While the literature suggests that poor service delivery in a post-conflict setting and the resulting slow economic recovery might lead to renewed conflict (e.g. Collier, 2006), I personally found no support for these claims during my research. Although the quantity and quality of the services are still poor in Jumla, I did not find any suggestions that this results in more anti-government sentiments. This is not to say that the local population is satisfied with the (local) government – by and large they are not. While legitimacy is problematic in certain areas, the local government's failure in successfully delivering services to all communities is, as far as I could observe, no direct reason for concern in relation to renewed conflict. At the same time a legitimate government *is*, as I have argued, an important condition for becoming a stable state. Without it, Nepal is unlikely to lose its fragile country label. I found service delivery to be a crucial platform for constructing legitimacy and it can as such contribute greatly to state-building in Nepal. So, on the one hand I do agree that service delivery is of great importance in the recovery process of Nepal, but on the other hand I would not say that future stability is directly at risk solely because of its current state.

As I have shown in chapter three, there is much debate on the role of (international) NGOs in service delivery. Firstly I would like to emphasise once again that NGO involvement in the Jumla services sector works counterproductive for the construction of government legitimacy. My research confirms the general consensus on this in the literature. However, of interest here is not only whether NGOs undermine government activities, but also how this can be prevented in the future. I think that more than anything else a careful analysis of the local situation is required and no clear cut solution for this problem exists. In this regard I agree with Batley & Mcloughlin (2010). MSPs offer in this case potential and they are in my opinion correctly the focus of much current research. Fact remains that if MSPs are to avoid the 'crowding-out' of the state, at least in the case of Nepal this requires a mentality change of non-state actors as well. They would possibly have to agree with having less autonomy and working with other priorities. Their compliance in this regard is, as this research illustrates, essential in moving beyond parallel service delivery and the resulting fragmentation of government legitimacy. In this respect MSPs remain challenging as well.

In retrospect I found the concept of the social contract a useful tool during this thesis research. Including it in my theoretical framework proved very beneficial as it enabled me to get a good understanding of the relation between government and citizenry. Virtually all conversations I had at the local level were in one way or another related to the social contract and, when observed with the concept in mind, jointly formed as good an understanding of the local sentiments as an outsider can hope to get. Subsequently for researching legitimacy especially the output and input-oriented types (Oosterom, 2009) proved particularly useful, as well as the embedded and process types as defined

by the OECD (2007). For the Nepalese context these were the main issues over which legitimacy was constructed.

Discussion
With interaction or simply 'contact' between both parties being identified as the main factor in legitimacy construction, a few discussion points can be presented.

Firstly, limited financial resources are not necessarily a limiting factor for the government to create goodwill among the local population. While it effectively prevents the government from providing services to all communities, this is not to say that legitimacy cannot be built. For this to happen a more coordinating role of the government is required, which should be clearly communicated to community members and be combined with frequent visits to communities. When community members are aware of the government's limited resources and the coordinating role it therefore adopts, a lot of miscommunication and hard feelings can be avoided.

Secondly, the parallel service delivery between government and NGOs should be limited as much as possible. The existing MSP in Jumla, the WSSCC, can potentially play an important role in this. It is currently functioning and is respected by all participants, but its influence is still limited. Especially non-state organisations often engage in service delivery without any communication to other members of the MSP. Enforcement methods do not exist and therefore service delivering organisations do not feel obliged to involve others in their projects. However, when the suggestions of structural planning and coordination through the government are adopted at large and the subsequent services are presented as being approved of by the government, parallel service delivery is partly avoided. This is in line with the suggestions made by Batley and Mcloughlin (2004). As in Ghodasin: people recognise that local state institutions are able to coordinate and that they are not being withheld from realising services despite having only few resources. So, when formally adopted into local policy making and possible with enforcement methods installed, the functions of the MSP could be expanded. Service delivery could still be presented as funded and realised by a specific NGO, but now also with acknowledging the central role of the government. With government and service-providing NGOs jointly visiting communities and making clear the role each party plays, both interaction and transparency are ensured. Now popular sentiments of a "not caring" and "not coming" government would in such a situation possibly be prevented from arising.

Finally, the process of decentralisation has led to a situation in which the local government is seen as *the* government. I found that in the past (before decentralisation) there has hardly been any contact between the local population and the central government. In the last couple of decades this has changed, although most people did not seem aware of the process of decentralisation. Rather, they simply perceived a change in contact with the government and (in some cases) service delivery. In line with theory, this has probably had a positive effect on legitimacy of the local government. I found, however, that the central level (still) hardly has any relevance for the population in the Jumla district. For the future this has serious implications: Nepal is to not likely to lose its status of fragile country if the central level is not considered legitimate. Rather, if the situation of Jumla is generalised to other remote areas, some political stability throughout the country is achieved, but it would turn Nepal into a patchwork of more or less autonomous areas that are very negative about the central level. So, while the initial goal of more autonomy at the local level is reached, long-term stability might suffer from a degraded legitimacy of the central government. I think the goal itself should therefore not be to enhance local government legitimacy, but rather use this as a means for ensuring the same for the national government.

So, summarising, I found that service delivery is essential in the construction of legitimacy. Not necessarily because of the services themselves, but mainly because of the interaction that takes place between citizens and state institutions. In many communities the local government is spoken

very negatively of and they are considered to be uninvolved whatsoever (which this is not per se true as there are some services that are available to *all* communities). The communities in which this is felt correspond with those in which services are delivered by non-state actors and there is little face-to-face contact between government and citizens. I think that the parallel nature of the service delivering sector is at least partly to blame for this. With a more unified service delivery and more transparency towards citizens, I think legitimacy of at least the local government can become more widespread. The existent MSP in the district can play an important role in realising this, but it would require some sacrifices from all, especially the non-state service-delivering organisations. How this could be translated or scaled up to ensure more legitimacy for the central government as well requires additional research.

Future research recommendations
This research has demonstrated the link between basic services provisioning and government legitimacy in a decentralised, post-conflict area. Suggestions for increasing legitimacy at the local level have been made, but the effect on long-term state-building has remained somewhat unclear. Government institutions at the local level might get past their legitimacy problems, yet the central government might not benefit from this. The question of how increased legitimacy at the local level can be translated to the national level remains unanswered and requires additional research.

Another topic that needs further looking into is how to organise the service delivering sector in such a way that both government and NGOs can benefit from joint service delivery. When the sector moves beyond parallel service delivery, the effects on the government will be straightforward: they will no longer be accused of neglecting areas; can convince a greater part of the population of their willingness and probably will experience greater legitimacy. NGOs on the other hand will mainly be limited in their freedom to work according to their own wishes and see part of the credit for their work being earned by the government. In order to really unify service delivery, drawbacks for the NGOs would have to be minimalized or compensated alternatively.

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Annex I: Map of Jumla district and the approximate locations of the case study communities
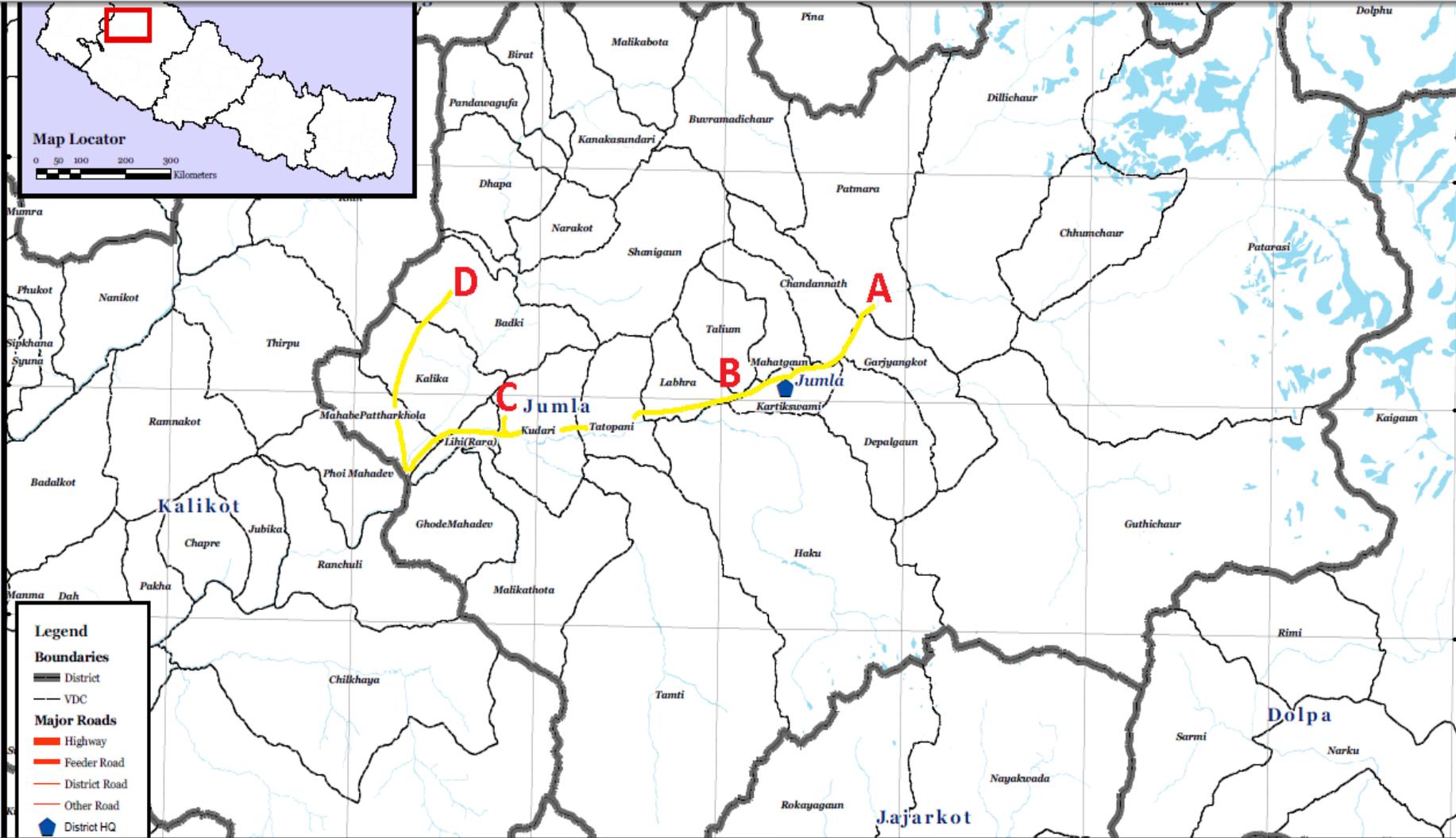
A= Ghodasin, B= Seridhuska, C= Thapagaun, D= Odi. Yellow line tries to capture to route to these communities.