Accountability in an Unequal World

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According to the "standard model" of accountability, holding another actor accountable entails sanctioning that actor if it fails to fulfill its obligations without a justification or excuse. Less powerful actors therefore cannot hold more powerful actors accountable, because they cannot sanction more powerful actors. Because inequality appears unlikely to disappear soon, there is a pressing need for "second-best" forms of accountability: forms that are feasible under conditions of inequality, but deliver as many of the benefits of standard accountability as possible. This article describes a model of second-best accountability that fits this description, which I call "surrogate accountability." I argue that surrogate accountability can provide some of the benefits of standard accountability, but not others, that it should be evaluated according to different normative criteria than standard accountability, and that, while surrogate accountability has some benefits that standard accountability lacks, it is usually normatively inferior to standard accountability.

Consider the following cases:

- In the 1990s, many factories in developing countries that manufactured apparel for corporations such as Nike and Gap violated domestic labor laws (Young 2004). But because workers were desperately poor, prohibited from organizing, and easily replaceable, most did not complain.
- In 2005, the Mugabe government's "Operation Drive out Trash" urban slum removal project left as many as 1.2 million Zimbabweans homeless (Wines 2005). Yet, "Zimbabweans cannot change their government democratically" (Freedom House 2005).
- In 1990–91, The Natural Resources Defense Council (NRDC), a United States-based nongovernmental organization (NGO), negotiated on behalf of the Huaorani, an Ecuadorian indigenous group, with Conoco, an oil company that wished to drill on Huaorani lands. After failing to consult adequately with the Huaorani about their wishes, the NRDC endorsed a deal that most Huaorani opposed. The Huaorani had little capacity to effectively protest the NRDC's actions (Kane 1995, 72–75).

What do these cases have in common? In all of them, more powerful actors failed to live up to their obligations to less powerful actors: factory owners and managers failed to obey the law; Mugabe's government failed to respect international human rights agreements; the NRDC broke an implicit promise to the Huaorani. Yet, because the less powerful actors in each case were less powerful, they were unable to sanction the more powerful actors. And because they could not sanction the more powerful actors, they could not hold the more powerful actors accountable.

As these cases suggest, and as I argue below, it is usually normatively desirable for more powerful actors to be held accountable for their treatment of less powerful actors. Among other things, this requires that more powerful actors be sanctioned if they fail to fulfill their obligations to less powerful actors. On the "standard model" of accountability, those to whom an obligation is owed ("accountability holders") generally play a significant role in sanctioning those who are being held accountable ("power wielders").[1] For example, constituents vote unresponsive representatives out of office, mistreated workers file complaints against their employer with the Department of Labor, groups wronged by an NGO report the situation to the

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[1] I follow Grant and Keohane (2005) in using the term "power wielder" to refer to the actor whose actions the accountability mechanism is meant to constrain. The term is especially apt for my purposes, because I am interested in cases in which the actor being constrained has more power than the accountability holder. In many discussions of accountability, however, the actor that I am calling the "power wielder" has *less* power than the accountability holder (e.g., employees often have less power than the employers who hold them accountable).

media. Accountability holders are usually not the *only* ones who sanction power wielders; other actors and background institutions play a role in this process as well. However, significant involvement by accountability holders is often necessary for the sanctioning of the power wielder to be appropriate and effective—and even, in many cases, to happen at all.

The problem with this arrangement is that accountability holders are often too weak to (help) sanction power wielders. This weakness can be due to accountability holders' poverty, ill-health, illiteracy, social or political exclusion, and the dangers of organizing collectively. It is exacerbated by the absence of domestic and international institutions that make sanctioning powerful actors (especially transnational actors) easier. As Grant and Keohane write, "[w]eak actors—including small, poor countries in the Global South and, more, their often disenfranchised publics—lack the capacity systematically to hold powerful actors accountable" (2005, 40; also see Dahl 1999).[2]

Correspondingly, one way to ameliorate this situation would be to try to reduce inequality: if weak actors were made more powerful, it would be easier for them to sanction other powerful actors. Increased equality might be achieved by, for example, reducing poverty among less powerful groups, and supporting the development and entrenchment of institutions that promote or instantiate equality, such as democratic elections, a free press, independent courts, and fair, efficient administrative agencies (Kingsbury, Krisch, and Stewart 2005; Scanlon 2005).

Over the past several decades, a wide range of individuals and groups—including, prominently, poor people themselves—have sought to do exactly this. But while they have made significant progress, gross disparities in health, wealth, literacy, and political and social power persist (Easterly 2001; Pogge 2002). Institutions that instantiate or promote equality are still absent or weak in many countries, especially those that are poor, undemocratic, and/or unstable. They are also absent or weak at a global level (Grant and Keohane 2005; Nyamugasira 1998).

Reducing inequality is, then, a seemingly promising long-term strategy for making powerful actors more accountable to less powerful actors. But it is not sufficient for the short and medium term. We therefore have reason to search out "second-best" forms of accountability that would be feasible under conditions of severe inequality. More specifically, what is needed

is a model of accountability that (unlike standard accountability) does *not* require accountability holders to sanction power wielders, but does provide as many of the benefits of standard accountability as possible.

This article identifies, describes, and theorizes a widespread but barely noticed form of second-best accountability that meets these criteria. Drawing on the work of Mansbridge (2003), I call it "surrogate accountability." Surrogate accountability involves an actor—a surrogate—who substitutes for accountability holders during one or more phases of the accountability process: setting *standards*, finding and interpreting *information*, and, most importantly, *sanctioning* the power wielder if it fails to live up to the relevant standards. I argue that surrogate accountability can provide some of the benefits of standard accountability, but not others, that it should be evaluated according to different normative criteria than standard accountability, and that, while surrogate accountability has some benefits that standard accountability lacks, it is usually normatively inferior to standard accountability.
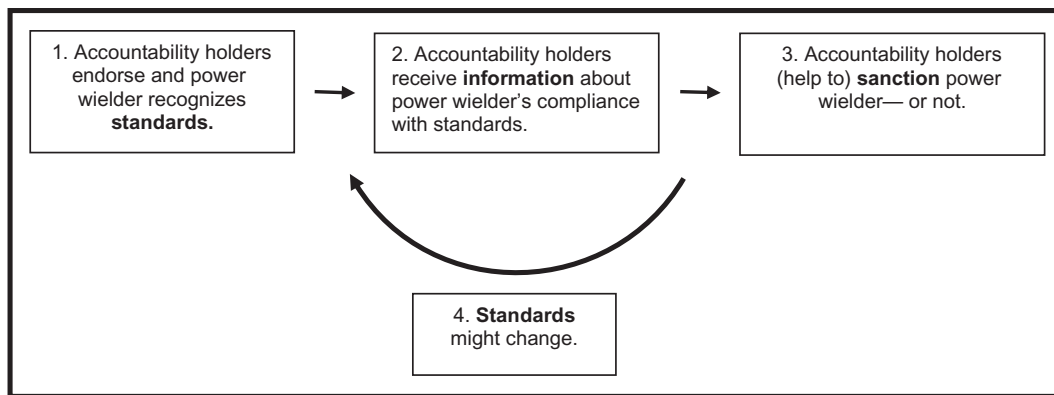
Standard Accountability

In order to identify and normatively evaluate potential second-best forms of accountability, we need a clear understanding of standard accountability (which I will call "accountability" for short). In this section, I reconstruct the concept of accountability as it is often used; distinguish it from other, similar concepts; and explain its internal structure and logic.

We can begin with some familiar examples of standard accountability mechanisms:

- *Electoral accountability*: Constituents hold their political representative accountable for failing to promote their preferences by voting her out of office.
- *Legal accountability*: A government holds a man accountable for arson by trying him, convicting him, and sentencing him to prison.
- *Market-based accountability*: Customers hold a company accountable for a racist advertising campaign by boycotting the company.
- *Civil society-based accountability*: Workers hold a factory owner accountable for unsafe working conditions by contacting the local paper and generating bad publicity about the factory.
- *Administrative accountability*: The EPA holds a company accountable for exceeding pollution limits

FIGURE 1   **Standard Accountability**

by holding an administrative hearing and levying a fine.

Working inductively from these examples, we can define standard accountability as follows: *Actor A (the power wielder) is accountable for its treatment of Actor B (the accountability holder) if A faces significant and predictable sanction for failing to treat B according to recognized standards.* (Recall that the accountability holder is the actor to whom compliance with the standards is owed. While the accountability holder usually plays a significant role in sanctioning the power wielder, other actors and institutions often participate as well.) For clarity, I will henceforth refer to account-ability holder*s* in the plural and power wielder in the singular, but "A" and "B" in the definition above can be individuals, collective agents, or groups.

The foregoing definition of accountability includes three main elements, which Grant and Keohane refer to as "*standards, information*, and *sanc-tion*" (2005, my italics).[3] To elucidate the relationships among these elements, it is useful to consider a sche-matic model of standard accountability. This model consists of four phases that function as an endless loop (Figure 1).

The first phase is determining the *standards* to which the power wielder will be held. These standards might be rules, norms, outcomes, or procedures. The power wielder must abide by these standards or face sanction at phase 3. The kinds of standards to which power wielders are often held include "promote

constituents' preferences," "obey the law," and "do not be racist."

How are standards determined? Sometimes both the power wielder and the accountability holders endorse the standards. They might strike a deal directly with each other: for example, a trade organi-zation and a coalition of environmental groups might agree that members of the trade organization will use environmentally friendly practices. Alternatively, accountability holders and the power wielder might endorse already existing standards independently. For example, a government and its adult immigrants-turned-citizens agree (at different times) that citizens should obey the law. Even when there is agreement about standards, however, there can still be delibera-tion and mutual persuasion about how they should be interpreted and applied in a particular case.

Limiting the concept of "accountability" to cases in which standards are agreed upon is useful in that it enables us to distinguish conceptually between accountability and (justifiable) coercion. When we look at how the word "accountability" is used, however, it is not limited to cases in which there is agreement about standards. For example, few native-born U.S. citizens have agreed to obey the law, but when they violate the law they are still said to be "held accountable" in court. Nor can the concept of accountability be limited to cases in which the stan-dards being used are normatively acceptable: it is perfectly comprehensible to say that Hitler held his underlings accountable for failing to follow Nazi pro-tocol. What does seem to be required for there to be accountability, however, is that (a) accountability holders endorse the standards, while (b) the power wielder recognizes the standards as standards in an accountability mechanism (even if the power wielder does not endorse them).

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[3]The claim "George should be more accountable" can therefore reasonably be taken to mean that (a) George should be held to higher standards, (b) George should provide more information about his past activities, and/or (c) George should be sanctioned more strongly for failing to meet the aforementioned standards.

Accountability holders must endorse the standards because otherwise they are not accountability holders: as I noted above, accountability holders are those to whom the power wielder's compliance with the standards is owed. While there are exceptions involving adaptive preferences and lack of knowledge (discussed below), power wielders usually cannot have an obligation to accountability holders to do something that accountability holders do not want them to do.

As I also explain in greater detail below, the power wielder must recognize the standards as standards so that it has the chance to comply with them and thereby avoid being sanctioned. If the power wielder is not aware of the standards, then the sanction functions more like an after-the-fact punishment than a component of an accountability mechanism. Moreover, for an accountability mechanism to have many of the positive features that we often associate with accountability, such as discussion between the power wielder and accountability holders, the power wielder must not only recognize the standards, it must also accept their legitimacy (i.e., enough so that it is willing to participate in such discussions).

After standards are determined (in phase 1), accountability holders acquire *information* about whether the power wielder has complied with these standards. This is phase 2 of the accountability process.[4] Power wielders themselves are often a main source of this information. Power wielders have both moral and strategic reasons to report back to accountability holders regarding their compliance with standards. The moral reason is that accountability holders deserve to know whether a power wielder has complied with its obligations to them. The strategic reason is to avoid being sanctioned (Fearon 1999). For example, a democratic representative has an incentive to explain her past activities to her constituents to avoid being voted out of office. The greater accountability holders' role in sanctioning the power wielder, the more incentive the power wielder has to persuade accountability holders that she has complied with the relevant standards. More specifically, a power wielder might explain that (a) she complied with the relevant standards, (b) she did not comply, but was justified in so doing, (c) she did not comply, was not justified, but should be excused, or (d) she did not comply, and lacks a justification or excuse (Greenawalt 1984). The back-and-forth instigated by the power wielder's

explanation can be a source of mutual learning and compromise and distinguishes accountability from mechanical enforcement of rigid rules.

The threat of sanction not only gives the power wielder an incentive to explain her past activities, it also gives her an incentive to dissimulate—to claim that she has complied with the relevant standards more than she actually has. For this reason, there must also be the potential for third parties and/or accountability holders themselves to independently gather information about the power wielder's adherence to the standards.

In response to the information provided at phase 2, a decision is made, at phase 3, about whether to *sanction* the power wielder. It is this sanctioning component of the accountability process that gives accountability teeth, and thereby distinguishes it from responsibility, responsiveness, and deliberation (cf. Gutmann and Thompson 1996). Examples of sanctions in some familiar accountability mechanisms include: voting an elected representative out of office, suing a corrupt CEO, and boycotting a company.

As I noted above, standard accountability mechanisms vary with regard to who sanctions the power wielder. The crucial point for the argument to follow, however, is that accountability holders usually play a significant role in this process. In some cases, accountability holders are the primary actors involved in imposing the sanction. For example, when workers strike for better conditions, most of those imposing the sanction are accountability holders. In other cases, accountability holders impose the sanction, but they rely on mediating agents over whom they have some control to do so. For example, if a worker hires a lawyer to sue her boss, the lawyer is a mediating agent because the worker can fire him at any time. Accountability holders also sometimes sanction power wielders with the help of background institutions. By "background institutions," I mean stable, entrenched institutions, such as an elections board, a free press, or a police force, that help to generate the conditions that make it possible for accountability holders to sanction power wielders (Warren 1996).

In yet other cases, sanctions are imposed primarily by independent (usually institutional) actors, such as courts or administrative agencies. The difference between a background institution and an independent institution can depend on circumstances and interpretation: a court might be viewed either as a background institution that enables a rape victim to press charges against her attacker or it can hold the attacker accountable on the rape victim's behalf, with minimal participation on her part. What matters is that even

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[4]This phase corresponds to the "principal-agent problem" (Shapiro and Stiglitz 1984). I do not utilize the language of "principal" and "agent," because, among other reasons, it deemphasizes the other components of accountability.

when the task of sanctioning the power wielder is undertaken primarily by an independent actor, accountability holders often play a necessary part in imposing the sanction, for example by pressing charges or filing a complaint. In short, many prominent accountability mechanisms rely on accountability holders to impose or help impose the sanction. As a result, if accountability holders are weak, accountability mechanisms that rely on them are severely compromised.

Regardless of who imposes the sanction, the purpose of the sanctioning phase of the accountability process is to pressure the power wielder to comply with the relevant standards. For a sanction to serve this purpose, the power wielder must be aware, in advance, of both the standards themselves and the potential for sanction if it fails to comply with them. The sanction must be withheld in most cases in which the standards are met and imposed in most cases in which they are not met. Finally, the sanction must be neither too mild nor too severe: if it is too mild it will function not as an effective deterrent, but rather as an additional cost that the power wielder must bear in order to avoid complying with the standards. If the sanction is too severe, it might dissuade power wielders from taking worthwhile risks. For example, if political representatives who failed to abide by their constituents' preferences were sanctioned not by losing an election but by being shot, they might never act on principle or introduce their constituents to new ideas.

The fourth and final phase in our stylized model of accountability is that the standards to which the power wielder is held might change over time. In part as a result of the back-and-forth discussion typical of most accountability processes, a power wielder can transition from refusing to recognize a standard as legitimate to voluntarily agreeing to more rigorous standards. For example, customer boycotts of multinational corporations (MNCs) to protest sweatshop conditions for workers have arguably shifted from coercive pressure tactics to consent-based accountability mechanisms, as MNCs have come to recognize customer demands as justified and have agreed to standards that incorporate those demands. This transformation is especially plausible in the case of collective actors such as MNCs, because over time individual officials within those collective agents can be replaced by others who hold different views.

Types of Accountability

At the beginning of this section I categorized types of accountability based on the sort of sanctioning mechanism that they utilize—electoral, legal, etc. Other authors have subdivided the concept in myriad other ways.[5] The most prominent of these is between what Grant and Keohane (2005) call "participation" forms of accountability (accountability to those who are affected by an actor's actions) and "delegation" forms (accountability to those who have entrusted an actor with power). This distinction is also often referred to as a distinction between "downward" and "upward" accountability. In the context of NGOs, downward accountability is accountability to "partners, beneficiaries, staff, and supporters," while upward accountability is accountability to "trustees, donors, and host governments" (Edwards and Hulme 1996, 8). As we will see below, this distinction elides the very possibility of surrogate accountability, making it difficult to see.

Normative Benefits of Accountability

Now that we know what accountability is, we turn next to the question of why it is valuable. We need to know this so that we can determine how potential "second-best" forms of accountability measure up to standard accountability—and confirm that they are indeed second best. While "accountability" is often treated as a buzzword that is good in and of itself, there are at least six reasons why accountability might be normatively desirable in a given context. (I can only gesture at these reasons here; a full explication is beyond the scope of this article.)

First, accountability enables—more precisely, it *helps to constitute—nondomination*. By nondomination, I mean that actors are prevented from lording their power arbitrarily over others (Pettit 1997). For example, an unaccountable autocrat might serve his people faithfully, but if he were ever to change his mind and begin executing them, they would be at

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[5]Woods (2001) distinguishes between "horizontal" accountability (to similarly-situated actors) and "vertical" (either upward or downward) accountability. Edwards and Hulme (1996, p. 8) distinguish between "strategic" accountability ("accounting for the impacts that an NGO's actions have on . . . the wider environment") and "functional" accountability ("accountability for resources, resource use, and immediate impacts"). Spiro (2002) makes a similar distinction between "external" and "internal" accountability. Woods (2001) differentiates between "Constitutional" and "democratic" accountability, while Ferejohn (1999) draws a roughly parallel distinction between "legal" and "political" accountability. In addition to these dichotomies, there are also more extensive classificatory schemes (Edwards and Hulme 1996; Grant and Keohane 2005; Mansbridge 2003). None—except for Mansbridge's concept of surrogate representation—offer traction for theorizing surrogate accountability.

his mercy, with no recourse. The only way that they can have a sense of security—the only way that they can not be dominated—is if they have some capacity to sanction the autocrat for illegitimately undermining their interests. Because it provides exactly this capacity, standard accountability is the perfect antidote to domination.

Second, some types of accountability *increase rule following* by power wielders. For example, legal accountability encourages people to obey the law by punishing them when they break the law without a valid justification or excuse. The degree to which rule following is normatively desirable depends on the content of the rules. While the predictability and even-handedness associated with rule following can be independently valuable, these benefits are easily outweighed by the harm of unfair or vicious rules.

Third, some types of accountability *promote accountability holders' preferences*. An example is a political representative's accountability to her constituents through elections. I refer to "preferences" rather than "interests" because if and when a group's preferences and interests diverge, accountability gives the representative a reason to prioritize the former over the latter. As with rules, the degree to which promoting accountability holders' preferences is normatively desirable depends largely on the content of those preferences.

Fourth, accountability sometimes *promotes valuable substantive or procedural norms*, such as justice, courteousness, or honesty. For example, if consumers boycott a product in response to a company's racist advertising campaign, the company might retract the advertisements in order to avoid future sanction, even if they broke no official rules. While consumers' preferences for nonracist advertisements are the motivating force in this example, a norm against racism is a distinct good, different from the good of promoting preferences (in this case, consumers' preferences for nonracist advertisements). As with the previous two benefits of accountability, this one accrues in some cases but not others. Moreover, as the example of Hitler offered above suggests, the very same logic through which accountability mechanisms promote compliance with "good" norms also enables them to promote compliance with "bad" norms.

Fifth, accountability sometimes *promotes civic virtues and self-development* on the part of both power wielders and accountability holders. Many accountability mechanisms entail activities such as asking questions, listening, offering reasons, and deliberating with others who have different perspectives. These skills can help actors gain self-confidence and self-

respect; they can also enhance political and social life more generally. As I noted above, if power wielders view the accountability process as illegitimate and so refuse to participate, these benefits of accountability are less likely to emerge.

Sixth, accountability sometimes *provides useful information* to accountability holders, power wielders, and third parties. In particular, it can help accountability holders and power wielders to better understand each others' needs and perspectives. It can also promote better intragroup communication and understanding. All of this can have benefits beyond the immediate context of a given accountability mechanism (Buchanan and Keohane 2004; Young 2006).

In addition to potentially providing one or more of these six benefits, accountability mechanisms also impose costs. The costs of accountability in a given context might include the time and resources necessary for deliberation, monitoring and enforcement, constraints on creative problem solving, and/or slower response times in emergencies (Wenar 2006). In searching for second-best forms of accountability, we are primarily looking for those forms that provide as many of the benefits of standard accountability as possible. But we also want to minimize the costs typically associated with standard accountability, as well as other costs.

Accountability under Conditions of Inequality

We now know what standard accountability is and why it is often normatively desirable. But accountability of more powerful actors to less powerful actors is difficult to achieve—especially when the power wielder is transnational, and especially when the power wielder and/or accountability holders are operating in contexts that are poor, unstable, and/or undemocratic. I turn now to explaining why this is the case.

Of the three main elements of accountability, *standards, information*, and *sanction*, the challenges associated with sanction are the most daunting. As Grant and Keohane write, "sanctions remain the weak point in global accountability since they can only be implemented by the powerful" (2005, 41). According to this logic, sanctions are the "weak point" not only globally, but any time that less powerful actors try to impose them on more powerful actors. But while sanctions are the biggest obstacle, all three elements of accountability—standards, information, and

sanction—can be difficult to implement under conditions of inequality.

Standards

I argued above that the standards in an accountability mechanism must be endorsed by accountability holders and recognized by the power wielder. They must also be specific enough to provide a basis for judging whether the power wielder has complied with them. Finally, the standards must be normatively acceptable. (This last criterion is not necessary for an accountability mechanism to be recognizable as such, but it is necessary for it to be worth having.) Finding standards that meet these criteria is difficult when the power wielder is more powerful than accountability holders, and when one or both are operating in poor, unstable, and/or multicultural contexts. This is because (a) in these contexts, power wielders' "imperfect" obligations to accountability holders take on extra importance, (b) it is difficult to translate these imperfect obligations into standards that are sufficiently specific, (c) it is hard to judge the normative acceptability of potential standards, and (d) the set of accountability holders that must agree to the standards is frequently unclear. I shall explain these points using the example of international humanitarian NGOs' accountability to aid recipients.

Some kinds of standards to which international humanitarian NGOs ("NGOs" for short) should be held can be identified relatively easily. These include standards that are derived from NGOs' perfect obligations. By "perfect obligations" I mean obligations that are consistent across contexts and do not admit of degrees (O'Neill 2000; Rainbolt 2000). For example, actors should never—or, virtually never—steal, murder, cheat, degrade others, or lie for personal gain. NGOs and aid recipients can usually agree that NGOs (and their employees) should not engage in these acts. If NGOs or their employees do engage in these acts, it is often difficult to hold them accountable because of corrupt or incompetent justice systems in the countries in which they work (Stockton 2001). But the challenge in these cases is primarily one of imposing sanctions, not identifying standards.

In contrast, it is much more difficult to identify the standards to which NGOs ought to be held when it comes to their more "imperfect" obligations. Imperfect obligations are obligations, but actors have some discretion in determining when, how, and to what degree to fulfill them. For instance, NGOs seem to have imperfect obligations to use their resources efficiently and minimize aid's negative effects. NGOs

would be blameworthy if they blithely ignored these obligations. Yet, how they comply with these obligations, and the degree to which they do so, are to some degree up to them. So even when an NGO's imperfect obligations can be stated in the form of general principles (e.g., "use resources efficiently"), it is difficult to articulate these obligations in a way that is specific enough to provide a basis for determining whether a given NGO should be sanctioned in a given case.

This is a general problem, not limited to situations of inequality, poverty, and instability. However, it is more serious in these situations. This is because in these contexts, imperfect obligations of more powerful to less powerful actors can have life-or-death significance for the less powerful. People's lives depend not only on powerful actors (such as NGOs) avoiding causing serious harm—which is usually characterized as a more "perfect" obligation—but also on them effectively fulfilling official responsibilities, acting with due diligence, complying with the duty of care, exercising good professional judgment, etc., all of which are imperfect obligations. Moreover, in environments that are dangerous and characterized by cultural difference, it can be difficult for accountability holders and power wielders alike to judge what should *count* as compliance with an imperfect obligation. For example, even if there is agreement on a standard of due diligence, there can be disagreement about when protecting oneself (or one's employees) from violence overrides the requirements of due diligence.

This last claim also holds for more perfect obligations as well, though to a lesser degree. While NGOs should never be corrupt or exploit others for personal gain, it can be difficult to discern what *counts* as corruption or exploitation in highly constrained and/or cross-cultural contexts. For example, some (not all) female refugees who engage in what some call "exploitative" and others call "transactional" sex with NGO workers in West Africa do not want those workers held accountable by NGOs. As one woman said to investigators, "[i]f I tell you the name of the NGO worker I have sex with, he will get fired, and then how will I feed my child and myself?" (Zinisa 2004). While this "preference" is expressed in the context of a horrifically constrained set of options, and while there might be other very good reasons for NGOs to sanction aid workers who have sex with aid recipients, accountability to this woman is not one of them (Elster 1982). My point is not that aid workers are justified in trading food for sex with aid recipients, but rather that if an NGO fires the worker who had sex with the woman just quoted, this cannot easily be

described as accountability to the woman, because she rejects the standard that the NGO is utilizing.

The difficulty of specifying standards that correspond to imperfect obligations does not apply to procedural standards, such as "promote accountability holders' preferences." However, the set of cases in which procedural standards are likely to be sufficient to capture a power wielders' obligations to accountability holders is quite limited, especially with regard to transnational actors. For example, many NGOs see themselves as responsive to aid recipients' preferences, but ultimately oriented toward achieving more objective outcomes, such as reducing child mortality or promoting gender equity. Even when a purely procedural standard is appropriate, moreover, it can be difficult to implement, because it can be tricky to specify the set of actors whose preferences should be included (Grant and Keohane 2005). For example, not only aid recipients, but also potential recipients and local non-recipients of aid are affected by NGOs' actions, so it is difficult to determine whose preferences a given NGO should take into consideration.

Information

In addition to identifying standards, procuring and interpreting information about power wielders' compliance with these standards is also difficult under conditions of inequality. This is the classic principal-agent problem (Shapiro and Stiglitz 1984). Recall that in the standard model of accountability, information about compliance is provided by the power wielder and, at least potentially, by accountability holders and/or third parties. However, if accountability holders cannot sanction the power wielder, the power wielder has no external incentive to report back to accountability holders regarding its compliance with standards. Moreover, it can be very burdensome for accountability holders to track down (and publicize) this information themselves. As one commentator writes, somewhat harshly, about poor people in the Global South: they are "typically unorganized, inarticulate, often sick, seasonally hungry, and quite frequently dependent on local patrons. They are less educated, less in contact with communications, less likely to use government services, and less likely to visit outside their home area" (Chambers 1993, quoted in Nyamugasira 1998, 300). Third parties, then, are often the best option for providing information about power wielders' compliance with standards under conditions of inequality. I return to this point below.

When it comes to interpreting and making judgments about information that has been gathered, it can be difficult for everyone—accountability holders, third parties and even power wielders themselves—to judge power wielders' culpability for failing to comply with relevant standards. This is especially the case in violent or unstable contexts, because it is often unclear whether power wielders operating in these situations could reasonably be expected to have complied with relevant standards more fully than they did.
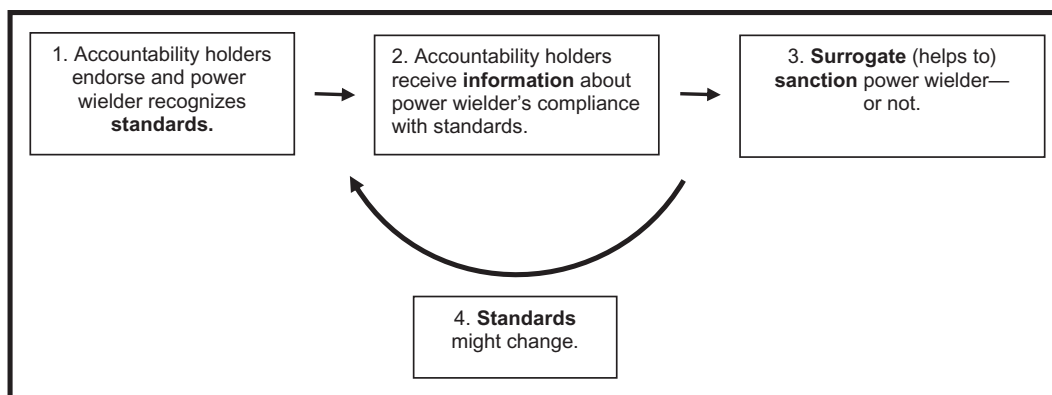
Sanction

The final and most daunting challenge to standard accountability under conditions of inequality is that weak accountability holders generally lack the capacity to sanction more powerful power wielders.[6] The greater the role that accountability holders are supposed to play in sanctioning the power wielder, the greater an obstacle to accountability their limited power is. As noted above, the difficulties faced by accountability holders who are poor and vulnerable are exacerbated by the absence of accessible, fair, and efficient institutions that mitigate the effects of poverty and vulnerability.

Surrogate Accountability as a Second-Best Solution

I have suggested that under conditions of inequality, all three parts of the accountability process—standard setting, information gathering, and, especially, imposing sanctions—are difficult to achieve. Given these difficulties, in addition to pursuing standard accountability *via* increased equality over the long term, we also have reason to search out second-best alternatives to standard accountability for the short and medium term. One such alternative is "surrogate accountability." I will argue below that there are three types of surrogate accountability, corresponding to the three elements of accountability that I have been discussing: surrogate accountability$_{standards}$ (SA$_{stds}$), surrogate accountability$_{information}$ (SA$_{info}$), and surrogate accountability$_{sanction}$ (SA$_{sanct}$). SA$_{sanct}$ is the most important of

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[6]On my conceptualization of "inequality" and "power," A's inability to sanction B for failing to comply with B's obligations to A is sufficient evidence to assert a power inequality between A and B—although it is, of course, not an exhaustive account of the power dynamics between them (Foucault 1978, 92–93; Lukes 1974). One noteworthy way in which weak accountability holders sometimes can sanction more powerful power wielders is by combining forces and seeking "strength in numbers." This is not always adequate.

FIGURE 2   Surrogate Accountability$_{sanction}$

the three types, so I shall begin with it. (Because SA$_{sanct}$ is so important, unless otherwise noted, "surrogate accountability" refers to SA$_{sanct.}$)

Surrogate accountability occurs when a third party sanctions a power wielder on behalf of accountability holders because accountability holders cannot sanction (or play their role in helping to sanction) the power wielder. As I discuss below, surrogates should, if possible, deliberate with accountability holders and seek their authorization to act on their behalf. As a conceptual matter, however, surrogates are independent: accountability holders cannot sanction them. This feature of surrogate accountability is important to recognize because it is a large part of what makes surrogate accountability (usually) normatively inferior to standard accountability. The difference between standard and surrogate accountability, then, is that in standard accountability, accountability holders (help) sanction the power wielder, whereas in surrogate accountability, another actor or actors—the "surrogate" or "surrogates"—take over this task.[7] Thus, the only difference between Figure 2, which represents surrogate accountability, and Figure 1, which represents standard accountability, is that in Figure 2 "accountability holders" has been replaced by a "surrogate" in the third (sanctioning) phase.

My use of the term "surrogate" is analogous to Mansbridge's usage in her concept of "surrogate rep-

resentation."[8] Mansbridge writes that "[s]urrogate representation is representation by a representative with whom one has no electoral relationship" (2003, 522). For example, Representative Barney Frank of Massachusetts is a surrogate representative for gay people outside of his district, because he represents their interests even though they cannot sanction him by voting against him. Analogously, surrogate accountability occurs when a surrogate sanctions a power wielder on behalf of accountability holders even though the accountability holders cannot sanction the surrogate.[9] (While a representative—surrogate or otherwise—can engage in surrogate accountability, surrogate representation and surrogate accountability differ insofar as representing and sanctioning are different activities).

Here are some examples of surrogate accountability. The first three refer back to the cases cited at the outset of this article:

- Nike and Gap act as surrogates for factory workers by sanctioning factory owners who violate local

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[7]Even when a surrogate is involved, accountability holders often retain *some* capacity to help sanction the power wielder. My objective, however, is to develop a conception of second-best accountability that can accommodate cases in which accountability holders are extremely weak. While it is important not to exaggerate power differentials between power wielders and accountability holders, it is equally important not to understate them (Crewe and Harrison 1998).

[8]Both Mansbridge and I use "surrogate" in a way that is similar to the OED's definition: "[a] person or (usually) a thing that acts for or takes the place of another; a substitute." Surrogate accountability holders are like surrogate representatives and surrogate mothers (and different from surrogates for the severely mentally disabled) in that they *primarily* substitute for the original actor's capacity to carry out an intended action or achieve a desired objective, not for the original actor's capacity to decide what is best for him or herself (cf. Buchanan and Brock 1990, especially chap. 2). Unlike surrogate mothers, however, surrogate accountability holders and surrogate representatives often operate without official authorization from those for whom they substitute.

[9]The parallel is clearer if we expand Mansbridge's definition of surrogate representation to include representation by a representative whom one cannot sanction, through elections *or any other means* (such as withholding donations).

labor laws (e.g., by not renewing their contracts). The workers, however, cannot sanction Nike or Gap.

- Foreign governments act as surrogates for poor Zimbabweans by sanctioning Mugabe on poor Zimbabweans' behalf, but poor Zimbabweans cannot sanction the foreign governments.[10]
- Joe Kane (a journalist) acts as a surrogate for the Huaorani by sanctioning the NRDC for breaking implicit promises to the Huaorani. The Huaorani, however, cannot sanction Kane.[11]
- Donors act as surrogates for aid recipients by sanctioning NGOs that fail to meet accepted standards of aid provision, but aid recipients cannot sanction donors.
- NGOs act as surrogates for Chinese peasants by sanctioning the World Bank for failing to adequately protect or compensate the peasants affected by its projects, but the peasants cannot sanction the NGOs.

As these examples suggest, when surrogates sanction power wielders on accountability holders' behalf, they usually do so in a different way than accountability holders would have done. For example, when Nike and Gap act as surrogates for mistreated factory workers, they do not go on strike, as the workers might have done if they were less vulnerable. They instead switch suppliers.

Surrogate versus "Second-Order" Accountability

The definition of surrogate accountability offered above states that accountability holders are unable to sanction surrogates. Sometimes, however, even if accountability holders cannot sanction a power wielder, they can sanction the actor who sanctions the power wielder on their behalf. For example, even if the Huaorani cannot sanction the NRDC, perhaps they can sanction Kane by denouncing his book as inaccurate. I will call these situations cases of *second-order standard accountability*: they are standard, because accountability holders can sanction someone; they are second-order, because accountability holders can sanction the actor who is sanctioning the power wielder, not the power wielder itself. Because powerful

actors often value the legitimacy and moral authority that accompanies the public perception that they are acting in less powerful actors' interests, accountability holders can often sanction these would-be surrogates by claiming that they are not acting in their (the accountability holders') interests. Accountability holders can have the capacity to sanction the would-be surrogate but not the actual power wielder if the power wielder has other objectives that it deems more important than fulfilling its responsibilities to accountability holders. For example, the Huaorani might be able to effectively sanction Kane but not the NRDC if the NRDC thought that the environmental benefits of making the deal with Conoco were more important than any fallout that might result from the Huaorani's objections to the deal.

Second-order standard accountability might at first appear indistinguishable from first-order standard accountability that is mediated by another actor. The two concepts are different, however: in cases of second-order standard accountability, accountability holders do not have predictable effects on the power wielder, whereas in cases of mediated first-order standard accountability they do. For example, if a victim of asbestos poisoning publicly denounces a law firm that is pursuing, pro bono, a class action lawsuit against an asbestos manufacturer, that is second-order standard accountability: the victim is sanctioning the surrogate (the law firm) for its performance as a surrogate; he is not sanctioning the asbestos manufacturer, and the effects of his actions on the asbestos manufacturer are unclear. In contrast, if the victim hires a lawyer to sue the manufacturer, that is mediated standard accountability: he is using the lawyer as a mediating agent to sanction the manufacturer.

Second-order standard accountability is also distinct from *second-order surrogate accountability*. In second-order surrogate accountability, accountability holders cannot sanction either the power wielder or the surrogate. However, a fourth actor—a second-order surrogate—can sanction the first-order surrogate on accountability holders' behalf. For example, an employee of the British Department for International Development (DFID) stated that "DFID sees itself as accountable to [the] UK public, but they want us to be accountable to those in greatest need."[12] In this example, DFID acts as a first-order surrogate for "those in greatest need" by sanctioning NGOs on their

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[10]Insofar as sanctioning Mugabe does not lead him to comply with his obligations to Zimbabweans, foreign governments are not effective surrogates.

[11]As I explain below, Kane is actually a "second-order surrogate," in that he is sanctioning the NRDC for failing to act as a good first-order surrogate.

[12]Statement by Michael Mosselmans, Head of Conflict and Humanitarian Affairs Department of DFID in Humanitarian Accountability Project and the Royal Danish Ministry of Foreign Affairs (2003, 52).

Figure 3   The standard/surrogate and
            first-order/second-order distinctions

	First-order	Second-order
Standard	Aid recipients sanction an NGO.	Aid recipients sanction donors for their performance as surrogates (i.e. for sanctioning NGOs on aid recipients' behalf).
Surrogate	Donors sanction an NGO on aid recipients' behalf.	Constituents sanction their government for its performance as a surrogate (i.e. for sanctioning NGOs on aid recipients' behalf).

behalf. The U.K. public acts as a second-order surrogate for those in greatest need by threatening to sanction DFID if it fails to do this. Similarly, customers of Nike and Gap can act as second-order surrogates for workers at the factories that supply Nike and Gap by sanctioning Nike and Gap if Nike and Gap fail to sanction the owners of those factories for violating labor laws. While one can imagine infinite regress of both types of accountability, e.g., third-order standard accountability, fourth-order surrogate accountability, etc., these scenarios rapidly become schematic and hypothetical, and lose their utility as potential second-best alternatives to standard accountability. Figure 3 provides examples of the four possible combinations of the standard/surrogate and first-order/second-order distinctions.

While these distinctions are conceptually useful, I will leave second-order standard accountability aside. Contrary to initial appearances, second-order standard accountability is not a quality substitute for first-order standard accountability: while accountability holders' capacity to sanction a surrogate might limit the harm that the *surrogate* can do to accountability holders, it is not a reliable way for accountability holders to pressure the original power wielder (e.g., sanctioning Kane would not predictably improve the NRDC's treatment of the Huaorani). On its own, second-order standard accountability might even embolden a power wielder to continue disregarding its responsibilities to accountability holders.

Other Types of Surrogate Accountability

As I noted above, there are two types of surrogate accountability in addition to SA_{sanct}. Surrogate accountability$_{standards}$ (SA_{stds}) occurs when a surrogate

substitutes for accountability holders in negotiating and agreeing to the *standards* to which the power wielder will be held, but accountability holders cannot sanction the surrogate (Figure 4). For example, an NGO engages in SA_{stds} when it works with a factory owner to establish the procedures that the factory will use to dispose of chemicals that would otherwise harm people living nearby. It is easy to see why SA_{stds} is crucial: neither the information gathering nor sanctioning components of an accountability mechanism will do any good if the power wielder is held to standards that are counterproductive or too lax.

Recall the aid recipient, discussed above, who did not want NGOs to sanction aid workers for having sex with aid recipients, because she wanted to continue trading sex for food. This woman is not obviously mistaken about her interests, given her very limited options. Because she would not participate in a standard accountability mechanism that invoked a prohibition on transactional sex as the relevant standard, it would be illegitimate for a surrogate to agree to this standard on this woman's behalf. Again, NGOs might be justified in prohibiting their workers from engaging in transactional sex, but they must justify this prohibition in terms other than their role as surrogate standard setters for this woman.

Surrogate accountability$_{information}$ (SA_{info}) occurs when a surrogate gathers *information* on accountability holders' behalf, but, again, accountability holders cannot sanction the surrogate (Figure 5). For example, if a journalist reveals that a mayor is stealing from her town's coffers, she engages in SA_{info} on behalf of the residents of the town. As I mentioned above, third parties sometimes help to provide relevant information in standard accountability mechanisms. In SA_{info}, in contrast, because accountability holders cannot gather information (or insofar as they cannot gather information), surrogates are the only source of information, other than power wielders themselves. Still, SA_{info} differs less from the corresponding phase of standard accountability than do the other types of surrogate accountability.

To summarize, surrogates can substitute for accountability holders at phase 1 (SA_{stds}), phase 2 (SA_{info}), or phase 3 (SA_{sanct}) of the accountability process. Two or more of the three types of surrogate accountability can, and often do, occur together. For example, a journalist who writes an exposé about the corrupt practices of a corporation provides *information* to accountability holders (e.g., the corporation's employees) and *sanctions* the corporation directly (insofar as bad publicity constitutes a sanction in its own right).

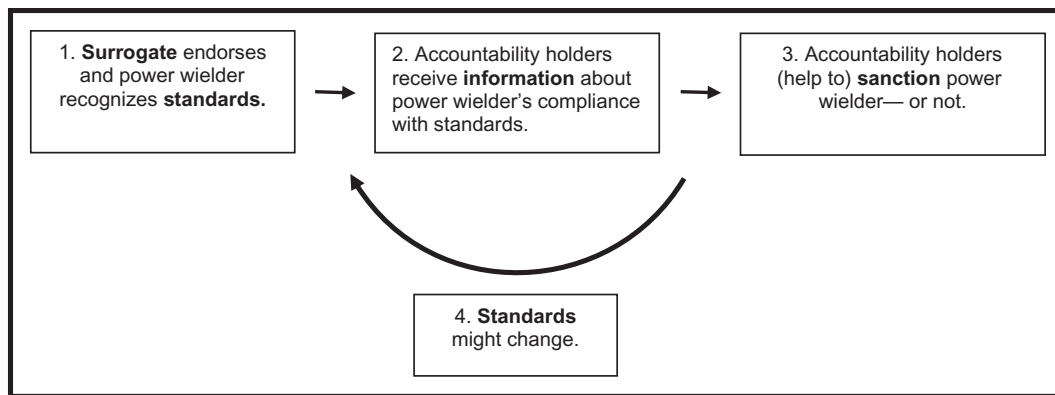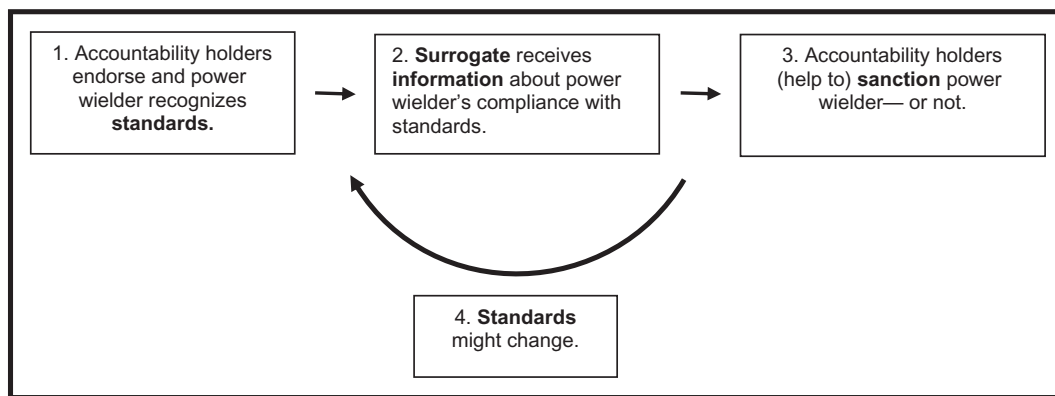FIGURE 4   **Surrogate Accountability**_{standards}

FIGURE 4   **Surrogate Accountability**$_{standards}$

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┌────────────────────────────────────────────────────────────────────────────┐
│  ┌──────────────────┐    ┌──────────────────┐    ┌──────────────────┐       │
│  │ 1. Surrogate      │    │ 2. Accountability │    │ 3. Accountability │      │
│  │ endorses          │ →  │ holders receive   │ →  │ holders          │      │
│  │ and power wielder │    │ information about │    │ (help to) sanction│      │
│  │ recognizes        │    │ power wielder's   │    │ power wielder—   │      │
│  │ standards.        │    │ compliance with   │    │ or not.          │      │
│  │                   │    │ standards.        │    │                  │      │
│  └──────────────────┘    └──────────────────┘    └──────────────────┘       │
│                                    ↑                                          │
│                          ┌──────────────────┐                                │
│                          │ 4. Standards      │                               │
│                          │ might change.     │                               │
│                          └──────────────────┘                                │
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FIGURE 5   **Surrogate Accountability**$_{information}$

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│  ┌──────────────────┐    ┌──────────────────┐    ┌──────────────────┐       │
│  │ 1. Accountability │    │ 2. Surrogate      │    │ 3. Accountability │      │
│  │ holders endorse   │ →  │ receives          │ →  │ holders          │      │
│  │ and power wielder │    │ information about │    │ (help to) sanction│      │
│  │ recognizes        │    │ power wielder's   │    │ power wielder—   │      │
│  │ standards.        │    │ compliance with   │    │ or not.          │      │
│  │                   │    │ standards.        │    │                  │      │
│  └──────────────────┘    └──────────────────┘    └──────────────────┘       │
│                                    ↑                                          │
│                          ┌──────────────────┐                                │
│                          │ 4. Standards      │                               │
│                          │ might change.     │                               │
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I stated above that efforts to specify subtypes of accountability using categories of "delegate" versus "participation" or "upward" versus "downward" elide the very possibility of surrogate accountability. We can now see why this is so. These dichotomies focus attention on actors' structural relationships to one another—literally, where they stand in relation to one another (e.g., above, below). Surrogate accountability, in contrast, focuses attention on what actors—in particular, what actors capable of acting as surrogates—*do*. The concept of surrogate accountability opens up possibilities for noticing, describing, and normatively evaluating activities that the aforementioned dichotomies conceal. Rather than assume that, for example, all governments that donate to NGOs are automatically involved in upward accountability, while all aid recipients are automatically involved in downward accountability, the concept of surrogate accountability highlights the fact that donor governments can act in dramatically different ways: they can set standards, gather information, and/or sanction NGOs on aid recipients' behalf, or they can pursue an agenda opposed to aid recipients' interests.

Normative Criteria for Evaluating Surrogates

Now that we know what surrogate accountability is, we can ask how surrogates should be normatively evaluated: what distinguishes a better surrogate from a worse one?[13] A primary basis on which surrogates should be evaluated is how well they substitute for accountability holders. More precisely, when a surrogate negotiates *standards* on behalf of accountability holders, how close are those standards to what accountability holders would have agreed to? How close did the surrogate come to gathering the *informa-*

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[13]More precisely, the question is how actors aspiring to be (good) surrogates should be evaluated (Rehfeld 2006).

tion that accountability holders would have gathered? How close did it come to *sanctioning* power wielders as accountability holders would have done? As we have seen, standard accountability is potentially normatively valuable for several reasons. The more surrogates do what accountability holders would have done, the more they can provide at least some of the benefits that standard accountability provides. The greater the role of accountability holders in the accountability process, the more that it matters that surrogates do what accountability holders would have done.

Yet, surrogates are not accountability holders, and they should not be normatively evaluated only on the basis of whether they do what accountability holders would have done. Additional normative criteria also pertain. In the first part of this section I discuss the potential for SA_{stds}, SA_{info} and SA_{sanct} to deliver the various benefits of standard accountability if surrogates try to do what accountability holders would have done. I also note when surrogate accountability delivers benefits beyond those provided by standard accountability. I then discuss the normative criteria that apply to surrogates other than doing what accountability holders would have done.

Surrogate accountability$_{standards}$

Recall that when a surrogate engages in SA_{stds}, it acts on behalf of accountability holders to negotiate and agree on the standards to which a power wielder will be held. Which benefits of standard accountability, if any, can SA_{stds} provide, and to what degree? If a surrogate demands less stringent or different standards than accountability holders would have demanded, then it does worse than standard accountability at *promoting accountability holders' preferences*. If a surrogate holds the power wielder to more demanding standards than accountability holders would have done, then it might *also* do worse at promoting accountability holders' preferences. This is because there might be a tradeoff between compliance with these more demanding standards and other ends or outcomes that accountability holders also value. For example, even if the citizens of a poor country want economic growth in the long term, holding their government to demanding standards of fiscal austerity might require them to sacrifice other benefits that they find equally valuable, such as social services.

In some—rare—cases, because of manipulation, lack of information, or low expectations, the standards that accountability holders are willing to agree to do not reflect their interests. For example, governments that impose aid conditionality on other governments

in order to pressure those other governments to respect their citizens' human rights might demand more human rights compliance than the citizens themselves would have asked for, due to their low expectations of what they can achieve (not to mention their limited bargaining power). In these circumstances, by holding a power wielder to a higher standard than accountability holders would have done, surrogates might do as well as or better than accountability holders at *promoting valuable substantive or procedural norms.*

While this kind of paternalism is arguably warranted if accountability holders' expectations are too low or their preferences are severely deformed, the greater danger is that surrogates will engage in unwarranted paternalism (Thompson 1987, chap. 6). As I mentioned above, the best way to avoid this is through authorization of the surrogate by accountability holders, along with ongoing discussion between the surrogate and accountability holders regarding what standards the latter thinks are legitimate and in their interests. In some circumstances, however, such as in emergencies or if accountability holders live in a closed society (e.g., North Korea), such discussion can be difficult or impossible.

Surrogate accountability$_{information}$

When a surrogate engages in SA_{info}, it finds *information* about whether a power wielder has complied with the relevant standards. In general, surrogates are better at discerning whether power wielders have complied with relevant standards when those standards take the form of rules than when they involve promoting accountability holders' preferences. Even determining whether a power wielder has complied with the relevant rules can be difficult for a surrogate, however, especially if the surrogate is physically or culturally distant from what it is trying to gather information about. For example, it can be nearly impossible for individual donors to an international NGO to know whether that NGO is complying with the rules—or even what the relevant rules are. But while surrogates are often worse than accountability holders at finding and interpreting relevant information, they can be better than accountability holders at doing this if the information is far away from where accountability holders live, written in a language that they do not understand, or outside of their areas of expertise.

If the give-and-take discussion that is usually associated with the information-gathering phase of accountability involves the power wielder and a surrogate rather than the power wielder and accountability

holders, surrogate accountability does less well than standard accountability at *promoting civic virtues and self-development* on the part of accountability holders. However, discussion between a surrogate and accountability holders can serve as an (inferior or superior) substitute in this regard. For example, discussions between Joe Kane (a journalist) and Moi (a Huaorani leader) might have been as useful or even more useful to Moi, in terms of building his confidence and skills, than direct engagement with Conoco or the Ecuadorian government would have been, at least at the outset (Kane 1996).

If accountability holders deliberate with a surrogate and the surrogate then negotiates with the power wielder on accountability holders' behalf, accountability holders' views can be misrepresented. Returning to the example of sexual abuse of aid recipients in West Africa, donor governments acted as surrogates for (those who perceive themselves as) victims, both gathering information and imposing sanction on their behalf. According to one commentator, however, "[f]ew governments or organizations spoke as stridently as the victims themselves would have done had they been given a platform to do so" (Naik 2003, 15). Thus, surrogates might do worse than accountability holders at providing information to power wielders and others about the intensity or texture of accountability holders' experiences. However, surrogates might do better than accountability holders at recognizing and *providing useful information* about power wielders' failures to comply with standards that are only fully visible at a large scale, such as patterns of abuse, bias or negligence.

Surrogate accountability_sanction

Finally, when surrogates engage in SA_sanct, they sanction power wielders on accountability holders' behalf because accountability holders lack the capacity to do so. The danger is that surrogates will sanction in the wrong cases, with the wrong intensity, or in the wrong way (where "wrong" means doing something other than what accountability holders would have done). Like SA_info, SA_sanct is useful for *promoting rule following*, if this does not require subtle interpretation of local conditions. There can even be benefits in efficiency, equity, or evenhandedness if surrogates, rather than accountability holders, impose sanctions (although some standard accountability mechanisms involve actors other than accountability holders in sanctioning for precisely this reason). Surrogates can also do as well as or better than accountability holders at *promoting valuable substantive or procedural norms*. This can

happen if surrogates choose to hold power wielders accountable for compliance with morally important obligations to large groups of marginalized people, rather than for more specific obligations to small groups.[14]

One extremely significant benefit of standard accountability that SA_sanct can provide, albeit to a limited degree, is *nondomination*. If accountability holders lack the capacity to sanction a power wielder, and are for that reason dominated by the power wielder, they do not become undominated just because another actor (whom they also cannot sanction) chooses to sanction the power wielder on their behalf; they are still at the mercy of that other actor. However, SA_sanct can substantially mitigate the negative effects of domination by diluting and constraining the power wielder's power. For example, it might be much better for factory workers to be dominated by both the factory owner and an NGO that monitors labor standards, rather than just the former, because the NGO is unlikely to exploit them and likely to constrain the factory owner from doing so.

Other Normative Criteria

Several additional normative criteria are applicable to surrogates but do not involve doing what accountability holders would have done. Unless otherwise noted, these criteria apply to all three types of surrogate accountability.

A first criterion is that surrogates should *avoid paternalistic treatment* of accountability holders. As I noted above, perhaps the greatest danger of surrogate accountability is that surrogates will think that they understand accountability holders' interests better than accountability holders themselves. To reduce this risk, surrogates should not only seek authorization from accountability holders and listen to them in the everyday sense, they should also be "receptive to" accountability holders (Coles 2004; see also Bickford 1996). In addition, surrogates should be open to working together with accountability holders and/or stepping back and doing nothing, if that is the most appropriate course (Alcoff 1991–92). That said, as noted above, avoiding paternalism is not always warranted. In those rare cases when actors truly appear to

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[14]By negotiating standards on behalf of a particular set of accountability holders, a surrogate might help to constitute a group with different boundaries than would have emerged had accountability holders acted on their own. The normative implications of this are unclear, however, and probably vary by case.

be mistaken about their interests, the value of avoiding paternalism can be outweighed by other values, such as saving lives. In all but these (rare) cases, however, surrogates should avoid paternalism. (It is also worth remembering that being a good surrogate is not, in the first instance, a matter of getting accountability holders whatever they want, but rather of helping to ensure that power wielders comply with normatively acceptable obligations to accountability holders.)

A second normative criterion that applies to surrogates but does not involve imitating accountability holders is *fairness* between accountability holders and other actors. More specifically, when a powerful actor decides to act as a surrogate for a group of accountability holders, it should consider the effects of its actions not only on accountability holders, but also on other relatively weak actors. For example, if a donor to a humanitarian NGO decides to act as a surrogate for aid recipients by sanctioning the NGO on aid recipients' behalf, it should attend to the effects of its actions not only on aid recipients, but also on potential aid recipients, who, like current aid recipients, are likely to be affected by a reduction in donations to the NGO. If aid recipients could sanction the NGO effectively on their own, it would be quite demanding to ask them to bear potential aid recipients' interests in mind in this way. However, this does not seem to be too much to ask of powerful, well-resourced surrogates such as governments. (While it is not my main focus here, relatively powerful accountability holders might also have responsibilities of fairness to less powerful accountability holders.)

A third normative criterion for evaluating surrogates is that surrogates should *promote standard accountability*. Even if getting a power wielder to comply with its obligations is the most pressing short-term objective, surrogates should still try to empower accountability holders and support accountability-promoting institutions, so that, in the future, surrogacy will no longer be necessary. That said, a failed attempt to move from second-best (i.e., surrogate) to first-best (i.e., standard) accountability can be worse than simply staying with the second best (Lipsey and Lancaster 1956–57). In particular, when surrogates take on the role of surrogate, they often take on additional responsibilities (for example, by making promises to accountability holders or encouraging accountability holders to rely on them). Rhetorical or half-hearted efforts to move from surrogate to standard accountability can be a smokescreen for surrogates to shirk these responsibilities and can result in the absence of both surrogate *and* standard accountability. Given this possibility, it seems that all else

equal, surrogate accountability that promotes or is consistent with standard accountability is preferable to surrogate accountability that does not help to pave the way for standard accountability.

A final normative criterion for evaluating surrogates applies to SA_{sanct}, in particular. Surrogates must *ensure that the sanctions that they impose on power wielders do not harm accountability holders (or other powerless or badly-off groups) more than they help them.* Economic sanctions meant to pressure a government to improve its human rights record can hurt citizens; boycotts meant to urge corporations to improve worker safety can cost workers their jobs; cutbacks in donations to NGOs to protest malpractice can deprive people of needed aid (especially if donations are not redirected to a different NGO). While some short-term negative effects might be an acceptable price to pay for long-term institutional reform, surrogates do not bear the main costs or reap the main benefits of the sanctions that they impose. They must therefore ask themselves and, if possible, those on whose behalf they act, whether the benefits of their activities outweigh the costs, especially for those who bear most of the costs.

One potential negative effect of surrogacy, to which surrogates should be attentive, is that it can enable other actors to shirk their responsibilities to accountability holders. For example, if donors sanction an NGO for allowing its workers to abuse aid recipients, the donors might end up substituting not only for aid recipients, but also for local government agencies that were supposed to oversee the NGO, but did not do so (see related discussion in O'Neill 2004). Especially if they plan to act as surrogates only temporarily, surrogates should seek to build up, not erode, the background institutions and actors that they hope will eventually replace them.

In addition to asking how surrogates should be normatively evaluated, it is also worth asking what external factors are likely to affect their performance as surrogates. Three such factors seem especially important: knowledge, power, and incentives. To effectively engage in (let us say) SA_{sanct} over an extended period, surrogates must have (a) an understanding of the standards to which the power wielder is being held and information about how well it has complied with those standards, (b) the capacity to sanction the power wielder, and most importantly, (c) independent reasons to act as a good surrogate (or at least, no reasons to act as a bad one). Policies or institutional arrangements that bring these three features together in single actors or cooperating groups of actors are likely to encourage good surrogacy.

In sum, surrogates' efforts to negotiate standards, gather information, and/or sanction power wielders on accountability holders' behalf can sometimes secure at least some of the benefits of standard accountability. Of the six benefits of standard accountability described above, surrogate accountability tends to be most helpful for enforcing rules and promoting valuable substantive and procedural norms; it tends to be least helpful for promoting accountability holders' preferences; while it cannot eliminate domination, surrogate accountability can significantly reduce domination's most pernicious effects. I also argued that surrogates seeking to provide these benefits ought to be normatively evaluated on the basis of at least some criteria that do not involve acting as accountability holders would have acted.

There are a few ways in which surrogate accountability can be normatively preferable to standard accountability. Surrogates can hold power wielders to standards that are in accountability holders' best interests when accountability holders' preferences are severely and persistently deformed. Surrogates are sometimes better than accountability holders at gathering information about power wielders that is only visible at large scales. It can be more efficient and equitable for surrogates—rather than accountability holders—to bear the cost of imposing sanctions. Finally, surrogates can sometimes do better than accountability holders at promoting fairness among accountability holders and between accountability holders and other vulnerable groups.

Most of the time and in most respects, however, surrogate accountability is worse than standard accountability. Accountability holders know their own preferences, and almost always their own interests, better than anyone else. They understand the local contexts in which they live better than outsiders; they are usually best at conveying to others the reality of their experiences. Finally, insofar as it is better for people to not have to rely on third parties in order to ensure that powerful actors fulfill their responsibilities to them, standard accountability is superior to surrogate accountability.

Conclusion

Accountability is often viewed as a crucial tool for limiting unconstrained power, and therefore as vital for democratic politics. Yet, standard accountability mechanisms rely on actors being able to sanction one another. When the actor that is supposed to be sanctioned is more powerful than the actors that are sup-

posed to impose the sanction, accountability as it is standardly described breaks down.

In this article, I outlined an already existing but barely noticed way around this problem. I argued that "surrogates" substitute for accountability holders in order to (a) negotiate and agree on the *standards* to which a power wielder will be held, (b) gather *information* about whether the power wielder has complied with those standards, and, most importantly, (c) *sanction* the power wielder if it fails to adhere to the standards without justification or excuse. I also suggested that surrogate accountability is generally inferior to standard accountability and that surrogates should be normatively evaluated on the basis of different criteria than standard accountability holders.

I hope that one day, abused factory workers will be able to get redress, Zimbabweans will be able to vote their president out of office, and the Huaorani will be able to punish international NGOs that mistreat them. Until that day arrives—and as a way to make it arrive sooner—surrogate accountability is a promising second-best alternative to standard accountability.

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