

Why civil society matters for improving governance

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The events of the Arab Spring are merely the latest reminder that active citizens play a defining role in the development of their societies. Civil society organisations (CSOs) are becoming more influential across the developing world, their political activity taking place outside the channels of formal politics. CSOs include highly institutionalised groups, such as religious organisations, trade unions or business associations; local organisations such as community associations, farmers' organisations or cultural groups; and looser groups such as social movements and networks¹. A history of social change would show that much of what we think of now as the role of the state was first incubated in such experiments in Utopia, away from bureaucracies and politicians².

The role of civil society organisations

The rise of civil society has been driven by both long-term and short-term factors. In the long term, the spread of literacy, democracy and notions of rights have prompted an increase in active citizenship. CSOs, which function beyond the individual or household level but below the state, can play a role in complementing more traditional links of clan, caste or religion that have been eroded by the onset of modernity. In the long run, coming together in CSOs helps citizens build the stock of trust and co-operation on which all societies depend³. It should be remembered, however, that some citizens' groups seek to reinforce discrimination, fear and mistrust; called 'uncivil society' by some, their activities can sometimes spill over into violence, as in the case of religious or racist pogroms or paramilitary organisations.

Many CSOs see themselves as 'change agents'. Often their work is painstaking and largely invisible, supporting poor people as they organise to demand their rights, pushing the authorities for grassroots improvements such as street lighting, paved roads, schools, or clinics, or providing such services themselves, along with public education programmes on everything from hand washing to labour rights. However, in recent years, civil society's most prominent role, at least as reflected in the global media, has been in helping to install elected governments in place of authoritarian regimes. Since the 1980s, successive waves of

civil society protest have contributed to the overthrow of military governments across Latin America, the downfall of communist and authoritarian regimes in Eastern Europe and Central Asia, the removal of dictators in the Philippines and Indonesia, and the end of apartheid in South Africa. And in 2011, a new wave of civil society unrest was able to unseat authoritarian regimes in Egypt and Tunisia.

According to Freedom House, a US government-funded foundation, civic resistance was a key factor driving 50 out of 67 transitions from repressive or dictatorial to relatively 'free' regimes in the 33 years to 2005; the majority of these countries managed to effect a lasting transition from dictatorial regimes to elected governments⁴. Tactics included boycotts, mass protests, blockades, strikes and civil disobedience. While many other pressures contribute to political transitions (involvement of the opposition or the military, foreign intervention, and so on) the presence of strong and cohesive non-violent civic coalitions has proven vital.

Civil society also plays an important, if less visible, role in more closed political systems, such as one-party states. A study in Vietnam revealed a virtuous circle of state and non-governmental organisation (NGO) investment in training and education, improved communications (for example, an upgraded road, funded by the World Bank, which allowed easier contact between villages and the district authorities), and pressure from the central government for local authorities to encourage popular participation in poverty reduction efforts. As a result, both villagers and local authorities gained confidence and began to exchange opinions and ideas more openly. Women in particular became much more vocal after receiving training in agricultural methods and making more regular trips away from the village⁵.

Large international NGOs such as Oxfam increasingly see the support and promotion of active citizenship on the ground in developing countries as one of their key roles. This in turn has led to a move away from direct service delivery (of health, education) by many international NGOs in favour of partnership with local organisations, including building their ability to lobby for improved state services, accountability and transparency.

Cracking down on civil society

It is therefore all the more worrying that this development has coincided with an increased pressure on what is known in development circles as ‘civil society space’ – the ability of CSOs to operate, campaign and otherwise express the voices of their members without fear of repression, whether legal or physical. The global trend towards such a closing down of space is painstakingly documented in the 2012 ‘Defending Civil Society’ report and the CIVICUS 2011 ‘State of Civil Society’ report.

Today, civil society is facing serious threats across the globe. In many states – principally, but not exclusively authoritarian or hybrid regimes – traditional repression is often complemented or pre-empted by more sophisticated measures, including legal or quasi-legal obstacles, such as barriers to the formation of organisations, to operational activities, to advocacy and public policy engagement, to communication and co-operation with others, to assembly and to acquiring resources from overseas. Citing draconian new rules in Switzerland and Canada, CIVICUS argues that this is not exclusively a developing country phenomenon.

This closing down has actually been going on for a while, according to the authoritative International Center for Not-for-Profit Law (ICNL), the recognised expert on the issue:

Between 2005 and 2010, over 50 countries considered or enacted restrictive measures constraining civil society. The drivers of this crackdown include the Bush Administration’s ‘democracy promotion’ agenda combined with the decline of US soft power after the Iraq war and the human rights abuses at Abu Ghraib; the patina of political legitimacy provided by Putin and others; the sharing of ‘worst practices’ by governments; both legitimate concerns over development effectiveness and even the unintentional support for constraints arising from the concept of ‘host country’ ownership; and the ‘war on terror’ paradigm, which was used to constrain civil society in the US and globally.¹⁶

To some extent, CSOs are also victims of their own success – the ‘colour revolutions’ in the countries of the former Soviet Union in the last decade, or the Arab Spring events of this one, alerted governments to the threats posed by an active civil society. In addition, there may be a perception of impunity – governments like Ethiopia, Uganda and (at least until recently) Rwanda remain donor darlings despite their draconian response to any kind of opposition, because they deliver on growth and poverty reduction and/or are seen as important allies in counter-terrorism strategy in places like Somalia. That must send some kind of message. On similar lines, there is an increasingly widespread perception among developing country elites that the ‘Western model’, both economic and political, is losing out to other development models – such as that of China – that entail a much more constricted role for civil society.

Finally, there is also the tricky question of whether some of the ‘crackdown’ is actually legitimate government oversight, both because of slow progress on transparency and accountability by CSOs and NGOs, but also because of the use of ‘soft force’ projection by the USA and others to achieve foreign policy goals by selectively supporting protest movements.

Not all CSOs are affected equally. Advocacy and human rights are particularly targeted, as are links to foreign funders. Organisations working on humanitarian relief are less likely to be seen as threatening. In China, anecdotal evidence suggests environmental CSOs are allowed much more latitude than those working on more ‘political’ issues such as human rights.

Nor is all the news bad. Civil society space expands as well as contracts, depending on national circumstances. Recent points of light include Myanmar and Malawi, where changes of leadership have produced new space for popular organisation.

The multilateral system

Over the last several years, significant steps have been made to confront the worrying trend of increasingly restrictive environments for civil society around the world, and to advocate for enabling environments. Much of this opposition occurs at the national level, and is all the more courageous for that, given the risks involved. International human rights organisations such as Amnesty International and Human Rights Watch (HRW) have worked tirelessly on the issue, for example in HRW’s recent report on Uganda.

But action has also taken place at multilateral level. Under the auspices of the Community of Democracies, a group of concerned governments established a Working Group on ‘Enabling and Protecting Civil Society’ to monitor and respond to developments concerning civil society legislation around the world.

Fourteen governments have jointly pledged financial support for the ‘Lifeline Embattled NGO Assistance Fund’ to help civil society activists confronting crackdowns. In September 2010, the United Nations Human Rights Council (UNHRC) passed an historic resolution on the ‘Rights to Freedom of Peaceful Assembly and of Association’, establishing an independent expert, or Special Rapporteur, on the issue for the first time. The Organization of American States (OAS) also adopted a resolution in June 2011 on ‘Promotion of the Rights to Freedom of Assembly and of Association in the Americas’¹⁷.

Should international development NGOs take up the cause more aggressively, joining the human rights organisations in actively lobbying national governments and supporting local CSOs when they face official clampdowns on their licence to operate? Some already have, such as Trócaire in Ireland, but much more could be done. It is often argued that there are significant risks of ejection from the countries in

question, but Fran Equiza (Oxfam GB's Regional Director in East and Central Africa) believes that these are often exaggerated, and provide a convenient pretext for inaction. There are more justified concerns about the safety of staff and partners (although risks to partners may also be the reason for engaging in the first place). These would need to be managed through a shift from risk aversion to conscious risk management.

There may be wider barriers in aid organisations' corporate culture: have in-country staff come to see their role as more project administration than 'speaking truth to power'? If – to take one Commonwealth example – Rwanda is portrayed as a new paradigm of development, but is hostile to civil society space, have we at some level bought into the 'economistic' understanding of development that sees growth as more important than human rights?

Whatever decision is made, there is undoubtedly a tension between the growing recognition of the central role of citizens in development, and the spreading attempts by a range of national governments to curb their room to operate. This issue is likely to become more prominent in the years to come.

Endnotes

- 1 UK Department for International Development (DfID), 'Civil Society and Good Governance'. A DfID Practice Briefing Paper, September 2007.
- 2 G. Mulgan, (2006). *Good and Bad Power: The ideals and betrayals of government*, p.237. London: Allen Lane (Penguin).
- 3 J. Howell and J. Pearce (2001). *Civil Society and Development: A Critical Exploration*, p.31. Boulder, CO: Lynne Rienner Publishers Inc.
- 4 Freedom House (2005). 'How Freedom Is Won: From civic resistance to durable democracy', A. Karatnycky and P. Ackerman. Washington, DC: Freedom House.
- 5 S. Hopkins Leisher (2003). 'A Case Study of Donor Impact on Political Change at the Grassroots in Vu Quang District, Ha Tinh Province, Viet Nam'.
- 6 D. Rutzen, personal communication, July 2012.
- 7 International Center for Not-for-Profit Law (ICNL) and the World Movement for Democracy (2012). 'Defending Civil Society' report, p.3.

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