Civil Society and Democratisation:
A Non-governmental Perspective

Colm Regan

Civil Society – three illustrative case studies

Three brief case-studies, one from Morocco, a second from Israel and a third from Brazil serve to highlight many of the key characteristics, agendas and values of what can be broadly ascribed to civil society organisations. They also provide some background and context for the more generalised discussion on the role of civil society that follows in the remainder of this brief essay.

In the period between 1992 and 2004, several Moroccan feminist non-Governmental organisations assumed the leadership of a campaign for the reform of the *Moudawana* or Personal Status (or Family), which, since its codification in 1957/8 had severely restricted the rights of women in many spheres of life. For example, it governed the age at which women could be married; issues surrounding divorce and child custody and women's right to work and travel outside the home (Naciri, R 1998, Pittman with Naciri 2007). Utilising a broad range of strategies and approaches (the mobilisation of women, mass petitions, information provision, teach-ins, symbols and images, TV, radio and records, alternative social institutions, research and advocacy etc.), the campaign achieved by two major successes in 1993 and 2004 when a new, more progressive *Moudawana* was enacted. The campaign spearheaded by civil society redefined how women are viewed in the public sphere (by both the law and by society) as well as how women's groups can not only access the political arena but also have some core demands realised.

The Israeli Public Committee Against Torture in Israel was founded in 1990 in reaction to the ongoing policy of the Israeli government, which tolerated the systematic use of torture and ill treatment in interrogation methods. PCATI seeks to advocate for all - Israelis, Palestinians, immigrants and others in Israel and the Occupied Palestinian Territories in order to protect

them from torture and ill treatment by the Israel Police, the General Security Service, the Israel Prison Service and the Israel Defence Forces (IDF). Along with other human rights organisations PCATI routinely petitions the Israeli Courts and, in September 1999 the High Court of Justice ruled to prohibit some of the methods of torture and ill treatment that had been used; petitions in 2009 included argument concerning military prisons, language use in interrogations, harsher prosecution of Israeli soldiers and the 'shackling' of prisoners (see http://www2.ohchr.org/english/bodies/cat/docs/ngos/PCATI_OMCT_Israel42.pdf). As part of its core work, PCATI also supports educational interventions such as its human rights education project 'Bad Things Happen When Good People Keep Silent'.

Building firmly on earlier histories of land reform agitation in the face of the expropriation of land for agribusiness, the Brazilian *Movimento dos Trabalhadores Sem Terra* (Landless Workers Movement - established in 1984) has become one of Latin America largest and most effective rural social movements. Inspired by a core tenet of Catholic Social Teaching and liberation theology that private property should have a social function, MST now has some 1.5 million members and is active in 23 of Brazil's 26 states. MST employs a wide range of actions from militant resistance to large national and international corporations; occupations of land and buildings; the destruction of GM crops in the ground to research and advocacy on issues such as intellectual property rights to the training and education of rural leaders (Rocha and Branford 2002, Mattei 2005). MST is perhaps best known for its occupations of *latifundios* (large landed estates) and has led more than 2,500 land occupations, with about 370,000 families - families now settled on some 7.5 million hectares of land that they won as a result of such occupations but has also organised around a range of social issues including education, discrimination, agricultural credit and access to health care.

For the past two decades, civil society has come to be seen by many as a necessary and vital part of the worldwide struggle for human development, human rights and democracy. In its 2000 Human Development Report, the UNDP estimated that 1 in 5 people were involved in some form of civil

society organisation (2000:5) thus keeping the 'demos' in democracy as one writer and activist asserts (Green 2008:64). As the brief case studies above illustrate, key ideas associated with civil society values, agendas and organisations include those of voice, agency, power, independence, accountability and alternative possibility; they also illustrate a number of further issues – there are many definitions; considerable differences of emphasis and yet a series of commonalities in the key dimensions; civil society is not singular, monolithic or indeed 'separate' in any way from society.

Civil Society – definitions and role

The concept of civil society has in recent decades become extremely diverse (and consequently contested); is ambiguous and means significantly different things to different people. As Lehmbruch has noted:

'Quite often, when 'civil society' is used in the political literature or the media, it is no longer clear what exactly the respective author has in mind. The denotations of 'civil society' have undergone significant changes over time and in different national contexts. As a consequence, the meaning of the concept in the contemporary discourse is fraught with considerable ambiguity' (2001:230)

Despite this the concept of civil society is now widely referenced in international development, human rights, philosophy and political science literature as a 'third sector' located variously between the state and the market. Thus, civil society is distinguished from the state and economic society as well as from the family; for political scientist Larry Diamond civil society is:

'…the realm of organised social life that is voluntary, self-generating, self-supporting, autonomous from the state, and bound by the legal order or set of shared rules… it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable. It is an intermediary entity, standing between the private sphere and the state'. (Diamond 1999:218)

Given the broad range of potential areas of focus or activities and agendas possible, it is inevitable that civil society will encompass a wide range of organisations concerned with matters in the 'public sphere'. Fundamentally, civil society involves groups of private citizens acting collectively to express their views, agendas and interests and to make demands of the state, market or society and also to check or challenge their 'authority' and make them more transparent and accountable. The World Bank includes community-based organisations, non-governmental organisations, social movements, faith-based groups and foundations in its definition of civil society:

'…the wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. Civil Society Organizations (CSOs) therefore refer to a wide of array of organizations: community groups, non-governmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations". (http://go.worldbank.org/PWRRFJ2QH0 accessed March 30th, 2013)

Green (2008:59) usefully divides civil society organisations into three distinct but overlapping categories: those groups focused purely on self-help at a local level, *'…charities simply trying to help excluded groups in society'.* A second group includes those with a *'more transformatory agenda'* working for social and political change and a third group of organisations that focus on lobbying and campaigning (often with a strong educational dimension). While much of the work and agendas of civil society organisations has been ongoing, especially since post 1945 (and beyond) it has remained significantly invisible, under-reported and most frequently under-researched. The major focus of attention on civil society organisations in the past two decades has been on their role in stimulating and accelerating the demise of authoritarian regimes and in the ongoing transition to elected government and broader democracy, most recently in Eastern Europe and North Africa but also more broadly

as charted by the annual Freedom in the World Reports (see Freedom House 2013).

Diamond (1999:218ff) outlines some of the characteristics and added value of organised civil society organisations in the following terms:

- They serve to check the excesses of government, human rights violations, the abuse of the rule of law and the monitoring of the application of constitutional provisions
- The presence of civil society can help build an enabling environment through increasing and strengthening levels of public participation, the maximisation of the skills and experience of various segments in society and through strengthening various values such as tolerance, trust, diversity, pluralism, compromise, etc.
- As civil society does not include formally political parties, it serves as an alternative to political parties and thus can offer a refuge or alternative for those who are ignored or excluded due to non-membership of given political parties
- The presence of civil society organisations in society routinely promotes inclusivity and can help moderate the excesses of, for example fundamentalists of different hues and xenophobia
- Civil society can serve as a recruiting and training of future members of the political or economic classes potentially enhancing the quality of participants in government.

Bratton (1994:2-3) directly links voluntary organisations to values and characteristics that describe a functioning and healthy civil society:

- The norms of civic community – key values in the construction of civil society are trust, reciprocity, tolerance, and inclusion. Trust is a prerequisite for individuals to associate voluntarily; reciprocity is a resource for reducing the transaction costs of collective action; political tolerance enables the emergence of diverse and plural forms of association. These values are promoted by citizens who actively seek to participate in public affairs
- The structures of associational life - for civil life to become

institutionalised, it needs to be realised in organisational form and the most common structure in civil society is voluntary association – a grouping of citizens who come together by reason of identity or interest to express a common view and/or to pursue a common aims

- The networks of public communication - in order to be politically active, citizens require means to communicate with one another and to debate issues and challenges. Civic discourse can take place in various forums, the most important of which are the public communications media, both print and electronic. State or private monopolies of media ownership and public opinion are not conducive to civil society; civil society is always stronger where there is a diversity of media outlets and political views.

Additionally, Putnam (2000) has argued that even *'non-political'* civil society organisations are vital for democracy in that they help build social capital, trust and shared values, which are frequently transferred into the political sphere and which assist in holding society together and facilitating an understanding of the interconnectedness of society and interests within it. Despite the pressing need for greater clarity around the concept and practice of civil society, Edwards (2004) argues that it has three core functions: it represents 'associational life' as voluntary associations act as 'gene carriers' for the development of values such as tolerance and cooperation; it offers a vision of the 'good society' fostering positive norms and values and emphasising social and political goals and provides a 'public sphere' where citizens can debate the great questions and big ideas of the day and negotiate the common good.

From a review of the extant literature and from experience in many diverse contexts and settings, it is possible to identify at least seven core roles undertaken typically by civil society organisations.

- *Providing a voice for the marginalised* – typically, organisations seek to articulate and represent the views and interests of groups routinely excluded from mainstream economics and politics; most frequently groups that are vulnerable, poor, disadvantaged or discriminated against. Representative examples include the Self Employed

Women's Association of India which organises and supports many of the poorest and least valued self-employed women; Parents' Circle in Israel which brings together the parents of those who have been killed as a result of the conflict and which works to promote reconciliation and CIVICUS, an international alliance of now over 400 civil society organisations representing a wide range of interests and agendas with the overall objective of impacting on official policy nationally and internationally.

- *Stimulating and fuelling debate and policy/practice change on key issues* – the history of the civil society movement has been significantly characterised by *'single issue'* groups and agendas particularly the human rights of women, the rural and urban poor and children; the environment and sustainable development issues; civil and political rights and peace/conflict issues. Examples illustrating this role include the Sisterhood is Global Institute in Jordan and its particular focus on women's rights and specifically on the issue of violence against women; the World Wildlife Fund with its very broad agenda on nature and sustainable development and the International Campaign to Ban Landmines which has led the campaign to eliminate landmines with considerable success.

- *Research and advocacy* – recent decades have witnessed a significant increase in civil society organisations engaging directly in researching issues as a means of advocating for change; many organisations established for traditional charitable purposes have taken on advocacy (with its research base) as a necessary extension of that agenda. Examples include the US-based Tax Justice Network, a coalition of researchers and activists which researches issues such as tax avoidance, tax loopholes and tax evasion and its impact on poverty etc.; Socialwatch, a Uruguay-based coalition of international citizens groups from 60 countries (known as 'Watchers') which has undertaken extensive research on issues such poverty eradication, social and gender justice and basic needs and the Girl Child Network, Kenya which has researched and advocated on the rights of young women especially as regards education.

- *Seeking to increase transparency* – in recent decades considerable resources has been expended by civil society groups to challenge the secrecy and corruption around the actions and agendas of governments, corporations and elite groups, a process that has unjustly impoverished so many. Equally, civil society groups have offered the main (and all too often the only) challenge to the human rights abuses of government, armies, militias and police worldwide. Groups such as Human Rights Watch and Amnesty International have been pre-eminent as regards the latter with organisations such as Transparency International and Global Financial Integrity active on the former agenda.

- *Promote public accountability* – a traditional role performed by civil society has been to seek to make governments and the market more accountable in society – this role has increased significantly as the focus between civil and political rights and social and economic rights has become more 'balanced'. A well-established example of this approach is that of the International Baby Food Action Network which has campaigned to promote breast feeding and to force infant formula manufacturing companies to comply with internationally agreed codes on marketing and promotion for over 30 years. As regards the agendas and actions of the European Union, the Euro-Mediterranean Human Rights Network, a coalition of over 90 groups has sought to protect and promote human rights in the Mediterranean region and to challenge human rights abuses and unjust economic and political regional frameworks.

- *Challenge and build 'legitimacy'* – civil society groups have played a key role in challenging traditional orthodoxies and establishing the legitimacy of 'new' or excluded agendas. Nowhere has this been more obvious than as regards environmental issues where groups such as the 'tree-hugging' Chipko Movement in India and the Green Belt Movement in Kenya in the 1970s and more recently Greenpeace and the Rainforest Action Network. Other issues have included gay and lesbian rights, disability rights and gender justice. Historically,

one of the most celebrated examples of civil society action was that of the international Anti-Apartheid Movement which challenged the legitimacy of the Apartheid state and campaigned for decades for black majority rule in South Africa.

- *Public education* – although frequently overlooked in discussions, one of the most 'prophetic roles' of civil society has been that of education for democracy, human rights and human development. Access to relevant information; the capacity to assess such information and the opportunity to act upon it is a crucial ingredient of democracy and the rule of law. This approach is discussed in detail in the section that follows.

Civil Society and education for democracy

Building an informed and empowered public with a commitment to engage in civic life and with effective opportunities to do so is fundamental to building democracy and the promotion and protection of human rights as well as human development. Achieving such a result is not simply a matter of providing 'facts and information' even though this outdated model of 'education' remains dominant even among many civil society organisations. The process of building 'public judgement' on these complex and contested issues (human rights, gender rights, democracy etc.) is by no means straightforward or linear. Each and everyone one of us comes to these questions '… *with a lifetime of prejudice, convictions, personal experience, information and misinformation …'* (Yankelovich 1991). Our views on these fundamental questions are not simply based on 'ignorance of the facts' but also as a result of a lifetime of experiences, emotions, prejudices and resistances. For example, many commentators fear that while there is significantly increased talk of 'human rights' in the context of the Arab Spring, this commitment to a rights-based approach may not extend to full recognition of women's rights' (see, for example Kandiyoti 2011). Many civil society organisations have recognised this complex reality and have begun to emphasise the importance and centrality of education in the 'transition to democracy'. Designing centralised education programmes for democracy and human rights is a necessary but yet insufficient agenda and because of the history and

nature of many civil society organisations, they are in a position to add considerable 'added value' to the educational agenda through outreach and 'face-to-face' activities. Without such an agenda and the resources to support it over time (as 'public attitudes' and 'public judgement' can only be achieved over decades rather than over 'project or programme' timeframes), progress will remain limited and incomplete.

Many civil society organisations with a focus on the educational underpinnings of democracy and human rights have highlighted four key dimensions which need to be addressed. These, as outlined by the Development Education Commission (1998) include:

- Dispositions and Values - being 'disposed' towards certain key ideas and positions (e.g. equality, participation, respect, diversity etc.; appreciating the importance of key principles and values (e.g. human dignity, the value of learning, the nature of change, the realities of duties and responsibilities etc.)

- Capabilities and Skills - developing the skills of reasoning, of social interaction and communication, having the opportunities to engage alone and with others in critical thinking etc.

- Ideas and Understandings and not just 'facts' – about issues such as economic, political, cultural, social relationships, the nature of disparity, the importance of identity, gender, sustainability, human development (and underdevelopment), democracy, ill-fare, rights etc.)

- Experiences and Actions – the opportunity to learn through doing, individually and collectively, practising 'democracy', reflecting on outcomes etc.

Recognising many of these complexities and the need to engage fundamentally with the substance of democracy and not simply its visible forms has led to many civil society organisations formulating and supporting programmes of education that primarily seek to stimulate

and encourage discussion and debate and not simply the acceptance of new 'orthodoxies' in place of traditional orthodoxies. Examples of such approaches are to be found in the work of Association Démocratique des Femmes du Maroc (e.g. their work on sexual harassment); Amnesty International (e.g. their Education for Human Dignity Project); Sisterhood is Global Jordan (through their involvement in the Women's learning partnership project Yes I Can; Leadership for Teens 13-17) and the World Wildlife Fund (through its annual Living Planet Report).

Civil Society – a brief debate and critique

A cursory review of the literature on civil society highlights a number of salient issues; the debate on the nature and role of civil society and the public sphere is not new, it has well-established historical origins (Ehrenberg 1999, Edwards 2004); recent decades have witnessed a very significant increase in interest and engagement with the 'idea' of civil society as part of the 'fourth wave of democratisation' (Diamond 1999:261); the term 'civil society' has become so all-embracing that it has become, in effect, meaningless (Robinson and White 1997, Spurk 2010); civil society organisations and agendas have been seized upon as a result of the 'failings' of state models of development and democratisation and that the emphasis on civil society roles in development and democratisation is part of the wider agenda of 'de-politicising' society and supplanting radical political action. While it is not possible to address these issues in full in this brief paper, two key issues require particular comment – the question of the definition of civil society and its consequences and the limitations and weaknesses of civil society.

Incorporating the widest possible range of structures and organisations within the concept of civil society poses many difficulties as it obscures as much as it potentially reveals: if civil society embraces community-based organisations, popular and special interest social movements, the NGO sector (including quasi-governmental NGOs), labour unions, charities, foundations etc., then its specificity, characteristics and roles become obscured, particularly when placed in the politics and economics of both Developed and Developing countries. It emphasises the 'non-state' and 'non-market' dimensions of civil society but little else and it

reveals nothing of the inherent tensions, contradictions and weaknesses of civil society. Civil society is characterised by organisations and institutions whose role in developing participative citizenship is often weak, questionable and contradictory. As Robinson and White argue:

'Actual civil societies are complex associational universes... they contain repression as well as democracy, conflict as well as co-operation, vice as well as virtue; they can be motivated by sectional greed as much as social interest.' (1997:3)

As was stated at the outset, civil society is not monolithic – it contains ideologically, politically, culturally and socially opposed viewpoints and programmes; it accommodates mass popular movements and community based groups; elitist policy focused organisations (routinely male dominated); service providers (often at the behest of the state), a huge array of NGOs focused on a vast agenda of issues (some of them mutually at odds), churches (complete with proselytising, welfare and justice agendas), political interest groups (especially in repressive societies where normal 'political' opposition is stifled), human rights, ecological and feminist groups. And it remains, to a significant degree, politically and socially unaccountable. Inevitably, it also includes organisations and agendas that are self-serving, self-interested and too often corrupt, especially where donor funding is available and significant in quantity. Finally, the role of civil society remains limited and circumscribed; it is a significant political actor but often not the political actor it believes itself to be or that others believe it to be, particularly in the context of the transition to democracy.

Civil society and some key limitations

Concepts such as empowerment, capacity building and social capital are frequently associated with the idea and practice of civil society; donor agencies continue to expend considerable resources on funding civil society groups in this context, especially in societies 'in transition' or to promote awareness of human rights or to facilitate human development even where such agendas are negated by other economic, trade, financial or political agendas (UNDP 1999). The 'adoption' of civil society by institutions such as the World Bank, the European Union and the myriad

of development cooperation organisations of western donors has raised many questions as to the ongoing independence, representativeness and sustainability of many civil society groups but it has also raised questions about the 'political agendas' involved (see, for example Harriss 2002). The upsurge in funding to NGOs in particular and their growing dependence on local or foreign government financial support has promoted much debate.

Many commentators have argued that official support for civil society is part of a broader political agenda of bypassing 'failed or weak states' in many countries and strengthening the role of autonomous and often unaccountable structures and organisations which seldom seek or obtain a public mandate. This is all the more challenging and problematic if the leadership of such structures is appointed rather than elected and who simply pursue a 'policy change' agenda rather than a radical political mobilisation agenda. In short, some critics argue that supporting particular forms and practices of civil society is one way to bypass or undermine more 'radical' and 'populist' politics; rather than strengthening democracy, it can have the impact of actually weakening or undermining it. It may also have the consequence of weakening emergent states and their responsibilities to citizens.

Comparative analysis of civil society internationally has highlighted divergences culturally between Europe, the United States, Africa, Asia and Latin America. These revolve around the diverse histories of local and national politics, conceptions of leadership and community; the nature, evolution and contours of the state in such societies and conceptions of the role of the individual and community in society, as regards authority and responsibility (see for example Mamdani 1996, Salam 2002, Ferguson 2004, Edwards 2009).

Contemporary implications
In conclusion, it may prove useful to briefly identify some 'notes' on the contemporary implications of the above analysis in the context of recent trends in North Africa and Eastern Europe: these require greater

elaboration and assessment than is possible here. Five key implications suggest themselves:

- Despite the rise of civil society organisations and movements, all too often the gap between civil society leadership and society 'at large' remains too wide. This is particularly the case when external bodies choose to fund and support (and provide international access and recognition) to some politically 'acceptable' organisations and agendas over others as a means of promoting certain agendas over others. Civil society can only perform a fully democratic role if firmly rooted in, and arising from local and national 'domestic' trends and agendas.
- External support and funding remains problematic, especially in the context of international political and economic agendas – while it may support short-term interests and agendas, it is unlikely to ensure that democratic gains remain sustainable in the longer-term.
- In order to embed greater respect for democracy and human rights across society, considerably greater emphasis is needed on public awareness and public education as a pre-requisite for 'public judgement' on key issues such as equality, tolerance and respect for diversity.
- The critical and transformative role of women remains insufficiently recognised and respected. All too often, civil society organisations remain dominated by (older) men often at the expense of women and younger people. If the potential role of civil society is to be realised more fully, 'traditional' civil society organisations and movements will need to integrate such sectors effectively or run the risk of being bypassed and rendered increasingly irrelevant.
- Democracy requires an active 'demos' in order to have meaning and substance; simply pursuing an alternative 'policy' oriented agenda in opposition to that of current dominant elites will not build such a 'demos' and runs the risk of offering one alternate set of policy prescriptions over another.

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