

# **ENHANCING CIVIL SOCIETY PARTICIPATION IN PUBLIC POLICY PROCESSES**



**ESCWA**

United Nations Economic and Social Commission for Western Asia



# Introduction<sup>1</sup>

The social relations that bind people vary along a continuum between “communal” and “associational” patterns. The communal pattern represents traditional primary relations that are ends in themselves. People in that pattern are familiar with each others’ circumstances and needs, and sharing is based on a tradition of reciprocity involving money, produce, labour and other resources. By contrast, the associational pattern is built around common interests of categories of people who form “interest groups” such as labour unions and trade and business alliances. Members of those groups do not necessarily know each other, and the relationships that bind them are not ends in themselves but means to other purposes. Both communal and associational networks constitute intermediate structures that serve important functions such as linkage and mediation between individuals and governments. They are connecting tissues in the fabric of society and are avenues for political participation. Centralization, urbanization and other forces of change have been moving societies towards associational patterns.

Non-governmental organizations (NGOs) have been assuming more responsibilities and gaining greater visibility and power at both national and global levels. Some are composed of people who form “interest groups”, such as labour unions, business alliances, professional and scientific associations, philanthropic foundations and communal groups. Others are involved in the delivery of human services such as education, health care, credit and economic support, and conflict resolution. Still others are focused on such issues as civil rights for women and minorities, other human rights, environmental protection, democratic governance, corruption and abuse of power. Many of those organizations assume advocacy roles to promote the interests of their constituents or broader public interests pertaining to particular problems or issues. One important function of civil society organizations (CSOs) is the mobilization of “volunteerism”, which can be for all kinds of social activities and human services. Through the mobilization of constituents and resources, those organizations can influence national policies and their implementation.

With regard to policies, the “problem” concerning the place of CSOs was described in a survey by researchers at Johns Hopkins University as follows: “Despite their growing presence and importance, however, civil society organizations have long been the lost continent on the social landscape of our world. ... [S]ocial and political discourse [remains] heavily dominated by a ‘two-sector model’ that acknowledges the existence of only two social

<sup>1</sup>See: ESCWA, Towards Integrated Social Policies in Arab Countries: Framework and Comparative Analysis, 2005 (E/ESCWA/SDD/2005/4) chap. II and III.

spheres outside of the family unit – the market and the state, or business and government. ... As a consequence, the civil society sector's ability to participate in the significant policy debates now under way has been seriously hampered and its potential for contributing to the solution of pressing problems too often challenged or ignored”.

Relations between government and CSOs vary greatly depending on levels of democratization. Command regimes are generally suspicious of and show little tolerance for independent non-governmental organizations (NGOs). They introduce laws and rules aimed at control rather than regulation.

Many of those NGOs are concerned with the interests of their members, others with advocacy for certain public causes and still others with providing various services to individuals, families and communities. The proliferation of the last type of NGO in developing societies has been given a strong impetus by bilateral and multilateral international donors seeking alternatives to inefficient government agencies for channeling developmental resources and efforts. NGOs are also viewed as avenues for encouraging volunteerism and enhancing opportunities for participation at the grassroots level. Many NGOs have been hard at work to fulfill their stated objectives; however, many others have not. Leaders and workers in NGOs may be motivated by altruism, employment opportunities or self-interest. NGOs have frequently attracted exploitative leadership, especially in national-level organizations. The benefits they seek include finances and privileges, the prestige and influence associated with visibility, and access to those in positions of power and authority. Beneficiaries are usually members and kin of the elite who have knowledge about the process, sufficient influence to sail through the bureaucratic hurdles, and the networking to facilitate funding. It is unfortunate that those instances cast doubt on the many leaders and workers who work hard to safeguard the interests of people and the organizations they manage.

NGOs serve important functions in society. Related policies should encourage their formation and facilitate their activities. However, they should also be regulated in order to maintain transparency, accountability and adherence to their stated objectives, rather than being controlled by governments.

## Civil Society organizations and Institutions in Arab Countries and their Percentage of Total Population

Country	Number of organizations	Population	Population per organization
Algeria	1 000*	33 769 669	33 769
Bahrain	450	1 046 814	2 326
Egypt	27 068	81 713 517	3 018
Iraq	5 669	29 267 000	5 162
Jordan	1 189	6 198 677	1 901
Kuwait	66	3 399 637	51 509
Lebanon	3 360	4 099 000	1 219
Libyan Arab Jamahiriya	130	6 173 579	47 489
Mauritania	600	3 069 000	5 115
Morocco	38 500	31 352 000	815
Oman	101	2 577 000	25 514
Palestine	1 459	5 170 000	3 543
Qatar	17	1 541 130	90 654
Saudi Arabia	440	27 601 038	62 729
Sudan	1 785	39 379 358	22 061
Syrian Arab Republic	1 225	19 405 000	15 840
Tunisia	9 065	10 327 800	11 393
United Arab Emirates	126	4 621 399	3 6677

Source: Official data available for 2007 and 2008, which was analysed at the information centre of the Arab Network for NGOs. Available at: [www.shabakaegypt.org](http://www.shabakaegypt.org).

\* The number of CSOs at the county level in Algeria, which includes clubs, student unions and branches of central organizations, consisted of 70,000 organizations in 2007.

## CONCEPT OF CIVIL SOCIETY

The term “civil society” refers to a relatively ambiguous reality made of “a group of free voluntary organizations which occupy the public space between family and State in order to achieve the interests of individuals, committed in that endeavor to the values and standards of respect, mutual consent, tolerance and peaceful management of diversity and difference”.<sup>2</sup>

### Civil society terms

- Civil society organizations (CSOs): these are groupings of individuals and associations, formal and informal, which belong neither to the public sector nor to the profit-making private sector;
- Non-governmental organizations (NGOs): they are often and mistakenly equated with civil society. They work in a broad spectrum of fields, from humanitarian aid, to human rights promotion, to environmental protection;
- Community-based organizations (CBOs): their constituency – of both activists and beneficiaries – resides within a recognizable geographical entity, such as a neighbourhood, a village or a district. CBOs rely mainly on the voluntary contributions of labour and material resources of their members, though they may also receive funds from NGOs;
- Non-governmental development organizations (NGDOs): they are specialized in channeling funds for development and work at the international level channeling aid from North to South. Most developing countries have their own NGDOs. Unlike northern organizations, southern NGDOs engage with other civil society entities in carrying out development projects or in mobilizing the local population;
- Advocacy NGOs: they provide such services as research and training, information gathering and dissemination. The most common forms of advocacy NGOs are chambers of commerce and federations of CBOs. At the international level, they include the International Council for Social Welfare, Amnesty International, and the World Business Council for Sustainable Development;
- Interest group associations: they include associations of professionals, such as lawyers or doctors or architects. They also include producer and consumer co-operatives, and associations for business executives or retired persons, in addition to unions whose primary function is to protect the interests of their members at the workplace.

Source: United Nations Research Institute for Sustainable Development (UNRISD), 2002, *Visible Hands: Taking Responsibility for Social Development*, p. 93.

<sup>2</sup> Saadeddine Ibrahim, *Civil society and transition to democracy in the Arab world*, Introduction to a series of studies on the Project of civil society and transition to democracy in the Arab world, published jointly by Ibn Khaldoun Centre for Development Studies and Al-Ameen publishing, 1997, Cairo.

## AREAS OF INTERVENTION AND IMPACT OF CIVIL SOCIETY ORGANIZATIONS <sup>3</sup>

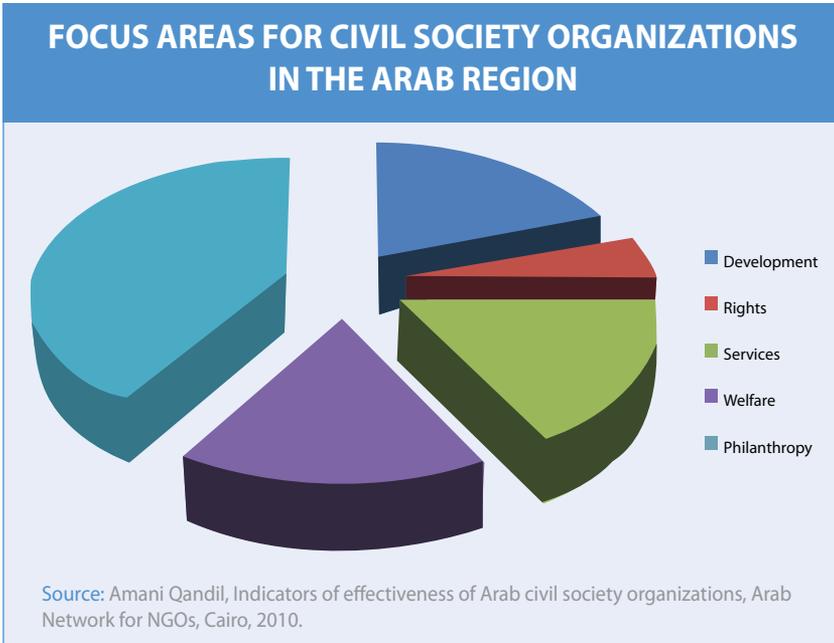
CSOs undertake the most part of social work based on volunteerism and organization aimed at protecting the rights of individuals and groups. Some of those organizations, including humanitarian and co-operative associations, constituted frameworks for public participation in addressing economic and social problems, and providing services and care. Some of those organizations contributed to the issues of good governance and democratization, through supporting the efforts of political and social reform. Others contributed in activities related to public advocacy, oversight, and mobilization of public opinion on urgent development issues and policies. Still others engaged in defending political and civil human rights, and the rights of women, children, persons with disability and other vulnerable groups. The following are some of the areas of intervention by CSOs:

- Participating in the provision of services and the organization of awareness, advocacy and defense campaigns;
- Building institutional capacity, managing development programmes and disseminating information;
- Combating poverty and providing means for living support and micro credits;
- Promoting the advancement, status and participation of women and supporting marginalized and vulnerable groups
- Protecting the environment and rationalizing the use of resources.

Studies conducted on the impact of interventions by CSOs, compared to interventions by governments in the areas of fighting poverty and the quality and effective provision of services, did not show positive results for CSOs.

**Source:** United Nations Research Institute for Sustainable Development (UNRISD), 2002, *Visible Hands: Taking Responsibility for Social Development*, chap. 6.

<sup>3</sup> In addition to the sources used in this media kit, preparation was based on the Guide for promoting participation among governments and social society organizations in public policy processes, published by ESCWA, 2009.



## INFLUENTIAL FACTORS IN THE EVOLUTION OF THE ROLE OF CIVIL SOCIETY ORGANIZATIONS

External and internal factors contributed to the evolution of CSOs and in activating their role in the Arab countries over the last three decades. The following are the most significant of them:

### 1. External factors:

- Increased role of global civil society;
- Impact of such global issues as globalization and climate change;
- Promotion of cultural values and humanitarian and legal principles at the global level;
- Adoption of international decisions on human rights, democracy, transparency and accountability;
- Provision of development aid through CSOs.

## 2. Internal factors:

- Strengthening institutional capacity and activating multi-level working networks;
- Encouraging the participation of CSOs by some governments;
- Enhancing sources of funding and involving targeted groups and the private sector;
- Adopting economic reform policies and decline of state support for public services;
- Increased rates of poverty, unemployment and social exclusion;
- Growing trends of local development which adopt capacity and resource mobilization;
- Advancement of communications technology and wide availability of information;
- Poor representation of parties and unions in expressing the interests of groups and individuals.

A growing number of CSOs enjoys increased capacity to take initiative and respond to social needs and problems, in addition to their ability to get involved in the modernization and change process by virtue of their flexible institutional structure and their connection with constituents and local communities.

## NEW TRENDS OF THE ROLE OF CIVIL SOCIETY ORGANIZATIONS

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The continuous development of the role of CSOs occurred in parallel with new trends of intervention and contribution of those organizations in the modernization and change process. Those trends can be summarized as follows:

- Influencing decisions and public policies;
- Monitoring the Government;
- Stimulating citizenship and promoting civil culture;
- Reversing negative trends and conducts;
- Raising public concern for development issues;
- Releasing and disseminating information and exchanging experiences;
- Developing coordination and networking relationships.

Despite attempts by some CSOs to elaborate a development vision for public policy follow-up or assessment, and despite changes affecting orientations and roles of some others, those CSOs are still lacking capacity and means to effectively participate in decision-making or to concretely influence public policies.

## PRESSING CONDITIONS ON THE PERFORMANCE OF CIVIL SOCIETY ORGANIZATIONS

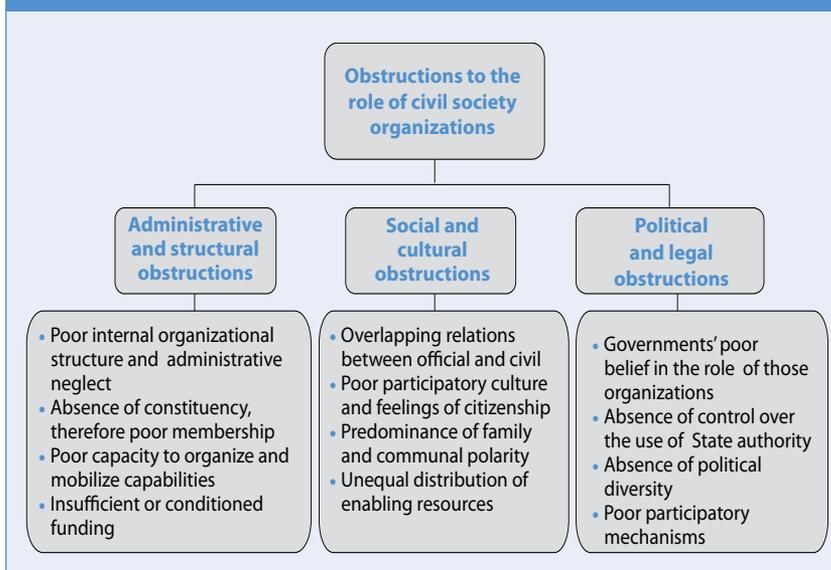
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The performance of CSOs in the Arab countries varies depending on the political, cultural, and legislative conditions in which they exercise their activities. It also varies depending on the size and sources of funds of those organizations, their regulatory and administrative structure, their goals, the variety of their activities, their geographical coverage (local, national, regional or international), and also their financial and administrative independence. Despite that variance, the performance of CSOs in the Arab countries is generally affected by the following conditions:

- Their ambiguous understanding of civil society concept and role in development;
- Overlap of their functions and those of the Government in providing public services;
- Their subjection to the tutelage of donor or funding parties;
- Their weak institutional structure and discontinuity of their work in most cases;
- Their representation of governing parties or their bias to communal groups or election interests;
- Predominance of philanthropic and welfare aspects on their activities;
- Prevalence of bureaucratic practice which is influenced by the personality of their individual founders;
- Scattered expertise of rights and advocacy organizations and their weak follow-up.

In most cases, the relationship between Governments of the Arab countries and CSOs remains unclear and dominated by tension, dispute, and implicit conflict over the legitimacy of working for and representing the interests of the people, and who possesses that legitimacy.

## OBSTRUCTIONS TO THE ROLE OF CIVIL SOCIETY ORGANIZATIONS



The process of participation is affected by the conditions and complexities of the concerned society, including: capability of institutions to perform their functions; level of development and cultural advancement; pattern of social values and ideological positions; sufficiency of resources and extent of opportunities available to benefit from globalization; flexibility of social organization and governing method; nature of social relationships in terms of ability for change and modernization; and the availability of reliable and sufficient information on development issues.

## INDICATORS FOR ACTIVATING THE PARTICIPATION OF CIVIL SOCIETY ORGANIZATIONS WITH GOVERNMENTS

- Impact on public policies and participation in the provision of services;
- Transparency, dissemination of a culture of dialogue and recognition of the

standards of competence, oversight and accountability;

- Democracy in the exercise of functions, meetings and connections with members and beneficiaries;
- Networking and facilitating the exchange of expertise and rationalizing the use of resources;
- Building institutional capacity and enhancing interaction mechanisms.

## MEASURING THE PERFORMANCE OF CIVIL SOCIETY ORGANIZATIONS

Based on the rules of conduct for civil working ethics, the following are some performance assessment indicators for CSOs:

1. **Measuring institutional strength:** indicators include the existence of a statute that defines their goals, rules of procedure that determine the working method, and a financial system that identifies funding and expenditure mechanisms.
2. **Measuring the internal practice of democracy:** indicators include defining terms of reference and duration of the mandate, organizing free internal elections, ensuring secrecy of the ballots, and allowing relative rotation in assuming responsibilities.
3. **Measuring internal accountability mechanisms and their effective implementation:** indicators include employment accountability and the ability to request and present reports and information and to enforce sanctions.
4. **Measuring the level of resorting to the public opinion in all activities and programmes:** indicators include monitoring the media strategy of the organization, holding press conferences and preparing publications.
5. **Measuring the transparency of financial activities and performance:** indicators include verifying that all funding sources are listed in the budget project, including prior approval for spending and proof documents with signatures of recipients of expenditure.

**Source:** ESCWA, Series of studies on the Role of NGOs in Implementing World Summit Recommendations and Follow-up in the 1990s: Towards a Code of Conduct – Part II: Ethics of Civil Work and Conduct, 2003 (E/ESCWA/ SDD/2003/13) (Arabic only).

## MECHANISMS OF PARTICIPATION OF CIVIL SOCIETY ORGANIZATIONS WITH GOVERNMENTS

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Participatory mechanisms require acceptance by each party of the position and role of the other and agreement to cooperate, i.e. that Governments respect the independence of organizations, and organizations abide by the laws and regulations. It is no more feasible to make decisions or design and implement public policies through the top-to-bottom method of intervention. Therefore, participation in those decisions and policies requires appropriate mechanisms of communication and exchange of information and expertise, including the following:

- Interactive frameworks, such as decentralized institutions, joint councils and the media which constitutes a forum to promote dialogue and participation among social actors;
- Accountability, which leads to enhancing confidence and participation and mobilizing resources;
- Monitoring the implementation of programmes and projects stemming from public policies.

All societies experience various divisions and disagreements over resources, power, privileges and other, which require participation of social actors and stakeholders to reach agreeable compromises.

## NON-GOVERNMENTAL DEVELOPMENT ORGANIZATIONS AND THE INTERNATIONAL AID SYSTEM

International donors are increasingly turning to NGOs. They believe that those organizations are more able to succeed where governmental organizations have failed. Unfortunately, NGOs are becoming dependent on foreign donors and tempted to mirror donor policies, thus losing much of their value and character. This tends to fragment local civil society into groups that will simply accept contracts and do as they are told, and others that want to make changes in response to locally expressed needs and priorities. If NGOs are to survive and make a useful contribution to development, they will need more encouragement from donors. Donors should allocate funding less on the basis of their particular project priorities and more on the characteristics of the organizations they support.

There are three questions donors could ask:

- Does the NGO represent an authentic response to community needs or is it simply adapting to funding fashions?
- Is the NGO concerned above all with meeting the needs of disadvantaged groups, or is it just working in its own organizational or pecuniary interest?
- Does the NGO give a voice to those who would otherwise not be heard?

Increasingly, NGOs and community-based organizations are providing services in collaboration with government through “partnerships”. But key aspects of genuine partnership, like mutual respect, equitable sharing of benefits and balanced power relations, are often absent. If NGOs are to fill gaps left by the state, they must have clearly defined responsibilities and their work must be overseen.

**Source:** United Nations Research Institute for Sustainable Development (UNRISD), 2002, *Visible Hands: Taking Responsibility for Social Development*, pp. 96-98.

## LEGAL FRAMEWORK FOR THE PARTICIPATION OF CIVIL SOCIETY ORGANIZATIONS IN DECISION-MAKING <sup>4</sup>

The participation of civil society organizations is increasingly being organized within the legal framework, thus proving the status and role of those organizations in political development in terms of democratic systems, instilling the principles of justice and the rule of law and enhancing the functions of public administration. Following are the main factors and aspects of organizing the participation of civil society organizations in decision-making:

- The Arab constitutions contain many participation-related rights which are also stipulated in the Universal Declaration of Human Rights and other international charters;
- Legal regulations and administrative practice in most Arab countries variably place obstructions to founding, managing and dissolving civil society organizations;
- The scope of public freedoms is widening and the right to information is being increasingly enhanced in most Arab countries, in harmony with the proliferation of means of communications and the increasing role of information as a fundamental condition for accountability, therefore for participation;
- In most Arab countries, there exist local organizations, the boards of which are fully or partially elected, depending on the country;
- In some Arab countries, a limited participation of civil society organizations in the legislative process has started through a debate on oversight laws and regulations, and an increasing participation by defending rights and public freedom, enhancing the status of women, protecting the environment and other;
- Civil society organizations in some Arab countries are represented in the formation of official bodies such as economic and social councils, national media councils or others.

Not all Arab countries have constitutional political regimes, and not all constitutions equally guarantee democracy and human rights, and not all constitutional texts are established by positive laws stressing the rights stipulated in the Universal Declaration of Human Rights and other international charters.

<sup>4</sup> See: ESCWA, Legal frameworks regulating civil society participation in decision-making. Paper presented in the expert group meeting to discuss the orientations of the "Guide to enhance participation between governments and civil society organizations in public policy processes", Beirut, 29-30 April 2009 (E/ESCWA/SDD/WG.1/2/Rev.1).

## PROPOSED AREAS FOR THE ACTIVATION OF THE ROLE OF CIVIL SOCIETY ORGANIZATIONS

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- Strengthening their capacity to design a development vision and promote it to the public;
- Insisting on ensuring their freedom of work and enhancing their benefit from globalization;
- Support frameworks of participation in public policy processes, mainly decentralization;
- Modernizing the legislative framework in harmony with participation-related rights.

International advocacy is an area in which civil society organizations have achieved great prominence in the 1990s. Through their engagement with international organizations, primarily the United Nations and the international financial institutions, civil society organizations have exerted most pressure.

**Source:** United Nations Research Institute for Sustainable Development (UNRISD), 2002, *Visible Hands: Taking Responsibility for Social Development*, p. 101.

## QUESTIONS ON THE ROLE OF CIVIL SOCIETY ORGANIZATIONS

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- Is there available sufficient information on development issues? If yes, is the circulation of information subject to constraints that limit the freedom of expression and assembly?
- What role do those organizations aspire to play? What is their understanding of the mechanisms for playing that role? Does that role leave an impact on decisions made by the authorities?
- Does the role of those organizations evolve on the basis of the society's culture and components or on a presumptive basis?
- How do those organizations view the decline of the role of unions and secular and liberal parties, which is accompanied by growing Islamic movements some of which accept the principle of democratic participation?

- Do they have the institutional capacity that allows them to participate in the public policy processes?
- Is there agreement between those organizations to consider local levels as sound bases for the practice of social functions?
- What is the position of those organizations towards small local projects which reflect real needs and are more appropriate to grassroots change?

An organized civil society is an imperative condition for and an expression of democracy. It is an intermediary between state and society and a key element in good governance. It is not an alternative to the state but it complements its activities.