Mediterranean Academy of Diplomatic Studies (MEDAC)

Civil Society and Democratisation in Societies in Transition

Monika Wohlfeld (editor)

Malta, January 2014

Med Agenda New Series — Special Issue

MEDAC Publications in Mediterranean IR and Diplomacy

Civil Society and Democratisation in Societies in Transition

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For eight years, Colm was a member of the Executive Committee of the Euro-Mediterranean Human Rights Network and Chairperson of its Human Rights Education Working Group. He has worked on a wide variety of agendas including peace and human rights in Northern Ireland; Palestinian Rights in Lebanon; Aboriginal rights in Australia and Women's Rights in Zambia.

Colm has published widely and is editor of the international development and human rights resource **80:20 Development in An Unequal World**, now published in its 6th edition (2012) in partnership with UNISA Press in South Africa.

Colm Regan is now living and working in Gozo, Malta – teaching and writing and developing a series of new projects.

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Ms. Shawarib served as President of the Women Organization to Combat Illiteracy, Board Member of the Jordan Society for

Development, and founding member of Microfund for Women. She is currently a member of the Network of Arab NGOs' Training Team and Board Member of Sisterhood is Global Institute.

Her publications include **Jordan Report – Social Watch 2002** Report **"The Poor and the Market"**; **'Factors Affecting Women's Success in Jordan's 2007 Parliamentary and Municipal Elections: Study'**, 2009 (co-author); **Human Rights Education: A Background Paper**, Euro-Mediterranean Human Rights Network, 2003, (co-author); **Education Chapter, Jordan National Agenda 2005** (co-author); **'Civil Society in the Euro-Med'**, EMS Network: Euro-Med Seminars Newsletter, Malta Autumn 2010.

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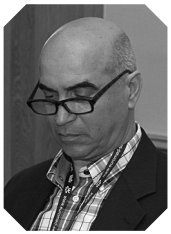

Fouad M. Ammor (PhD) is a Professor of International Relations and has worked extensively on the Euro-Mediterranean Partnership as well as on defense and security issues.

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Preface and Acknowledgments

Stephen Calleya

Throughout history the Mediterranean has continuously been at the centre of international relations. The end of the Cold War led some pundits to believe that the Mediterranean would be marginalized in global relations. The enlargement of the European Union towards the east, the rise of China in Asia and the emergence of India and Brazil as leading economic developing countries further cemented this perception.

Yet the process of globalization has not shifted international attention away from the Mediterranean. Two decades since the end of the Cold War it is clear that the Mediterranean remains an essential strategic theatre of operation linking Europe, North Africa, the Balkans, the Middle East and the Black Sea together. The physical importance of the Mediterranean as a geo-strategic waterway remains a constant.

Since 2011 the Mediterranean has again been in the limelight as a result of the transformation taking place along the southern shore of this region. In the space of a few years there has been a complete shift in the geopolitics of the region. The sea-change taking place in the Mediterranean has called into question the extent to which the role of the state in the Maghreb and Mashreq needs to go through a fundamental re-think so that a system of governance that consists of an inclusive society emerges.

Four years since the revolutions in Tunisia, Egypt and Libya it is still too soon to be able to interpret whether these states will be dominated by a cooperative or conflict dominant pattern of domestic and foreign relations. What is certain is that the Arab Spring of 2011 has unleashed a period of upheaval that has further attracted international attention to the Mediterranean.

The turbulent forces at play in so many of these states dictates the necessity to dedicate all diplomatic resources available towards addressing and hopefully resolving regional conflicts in the Mediterranean and to

developing a security arrangement that would help to sustain an outlook of stability in the region. Failure to introduce such a process is certain to negatively influence Mediterranean states' chances to implement political and economic reform.

Like any unforeseen and dramatic shift, regional dynamics triggered by the Arab Spring are forcing the research and policy-making communities to rethink accepted wisdoms and established approaches. It is clear that we must think of the role of civil society in transition if we wish to see democratization take place. Indeed, one aspect of this forced re-thinking is new attention to the subject of, and challenges to our understanding of civil society and democratization in societies in transition, as the 'Arab Spring' events do not squarely fit into the academic understanding of the shape, role and impact of civil society that has been developed on the basis of democratization and transition processes in other regions.

This collection of essays addresses the issue of the role of civil society and democratization in societies in transition, in the light of the 'Arab Spring', and contributes to the debate on this subject. The contributors to this publication are representatives from academia, policy-making, and civil society organizations in North Africa and Europe. The publication is edited by Dr. Monika Wohlfeld, the holder of the German Chair for Peace Studies and Conflict Prevention at the Mediterranean Academic of Diplomatic Studies.

This edited publication has emerged from a Mediterranean Academy of Diplomatic Studies postgraduate seminar on the same subject matter held on Friday 15th March, 2013. It is thus worth highlighting that the authors of the papers presented in this special volume of Med Agenda engaged during the seminar in March 2013 in a vivid and lively interaction with MEDAC students many of whom are young diplomats from countries of the Mediterranean and beyond.

The Seminar has been made possible by **the German Academic Exchange Service (Deutscher Akademischer Austauschdienst – DAAD) in conjunction with support provided by the German Federal**

Ministry for Foreign Affairs and by the Human Dimension Program of MEDAC. This publication has been financed by the German Academic Exchange Service/German Federal Ministry for Foreign Affairs.

The Federal Republic of Germany has been a stakeholder in MEDAC since 2009. In recognition of the vital importance of a Mediterranean region with strong, co-operative Euro-Mediterranean relations, the German Ministry of Foreign Affairs, in cooperation with the German Academic Exchange Service, established a German Chair in Peace Studies and Conflict Prevention at the Mediterranean Academy of Diplomatic Studies (MEDAC). The German Chair has been able to enhance the research and publication dimension of the Academy, in addition to teaching and supervision dimension of her work.

The stake-holders of the Academy, the Governments of Malta, Switzerland and Germany, must be thanked for their continuous support to MEDAC, including its research and publication endeavours.

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January 2014

The Role of Tunisian Civil Society: Two Years after the Revolution

Souad Gueblaoui

Dictatorship and emergence of a Tunisian Civil Society

Two years ago, Tunisia used to be regarded as a police state, with serious human rights problems, with no freedom of expression, no freedom of association, no civil society, in the sense that means a civil society which can "serve as effective checks on Government power and sources of independent influence on it".

The few Civil Society organizations that did exist were tightly controlled by the Regime and couldn't play their role.

The political unrest which began in December 2010 ultimately toppled the President Ben Ali and his Government on 14 January 2011. The People of Tunisia gained the fabulous liberty of expression, the freedom of opinion, which offered spontaneously a space for the emergence of an effective civil society.

I'll focus on this short paper on the political civil society, namely on Human rights organizations and associations which have been muzzled during the two authoritarian regimes that have governed Tunisia since its independence in 1956.

The Tunisian civil society actors

First of all, let us determine who the actors of the Tunisian Civil Society are.

They are women and men, labor unions organizations, students, academics, artists, intellectuals, journalists, bloggers, they share diverse array of ideologies and beliefs: They are democrats, secularists, socialists, communists, some advocate for moderate Islam, others advocate for radical Islam.

It should be mentioned that despite the fact that many human rights defenders were political prisoners while others were forced to leave the country, Tunisian Civil Society remained very active and never stopped its fight against dictatorship, using media and international arena, especially European, to reveal the human rights violations in Tunisia, to report practices of torture, conditions of detainees, the lack of justice, the comedy of elections, the corrupt practices of the regime, and so on.

Revolution and empowerment of the Tunisian civil society

During the popular revolts started in December 2010 in the west and the south of Tunisia after the self-immolation of Mohamed Bouazizi, the Civil Society organized itself. Many observers considered that Civil Society played an instrumental role in bringing down the dictatorship: in fact, *it succeeded to move the popular rebellion for better conditions of life into a Revolution calling for the fall of the regime*. By taking full advantage of social networks the popular rebellion spontaneously diverted: thousands of demonstrations gathered in front of the Ministry of Interior, which was perceived as the trademark of dictatorship, shouting with political demands against the regime as "Dégage", "Game over" in front. Civil society succeeded and President Ben Ali fled the country on 14 January 2011, which was made the official date of the Tunisian revolution. A short time later, all the political prisoners have been liberated from jail and the Human Rights defenders who were exiled abroad went back to Tunisia and were given heroes' especially by the young people.

Nine months after, on 23 October 2011, and for the first time since the independence of Tunisia, democratic elections took place and passed off peacefully. A Constituent Assembly has been elected in order to draw the new Constitution of the country and a new government has been settled on 22 December 2011. The Islamic party Ennahda won the election with 42% of the votes. This Party has been praised, especially by some international media for its moderate party program. M. Rached Ghannouchi, Leader of that Party, who was one the main figure of the Tunisian civil society and a staunch opponent of Presidents Bourguiba and Ben Ali since the 1980's, came back from London where he had taken refuge. It is interesting to note that following the October 2011 elections many figures of the

civil Society came to power: The President of the Independent Board of Elections, the President of the Republic; the President of the Constituent Assembly, The Prime Minister as well as several members of the Tunisian Civil Society became Ministers, heads of Political Parties, organizations and associations.

Since the revolution, it is estimated that 2,000 civil society organizations and associations have been created, in order to meet people's aspirations towards democracy, freedom and social justice and development. So, during the first year of the Revolution the situation Tunisia was offering an optimistic image of a country moving forward on the way of democracy. The People were proud to have for the first time in their contemporary history democratic Government representing different political sensitivities and supposed to put the country on the rights path.

What is the situation today?

It seems that euphoria has given way to political and social tension in Tunisia. The civil society which was united against a common enemy - the dictatorship - is today divided and victim of the clash of ideologies. Today in Tunisia, you can find so different definitions of democracy, different definitions of women and men rights, different definitions of the notion of Culture and Identity, even different definitions of Islam. To put the whole story in a nutshell, we can say that the Tunisian Civil Society is currently split into two divergent groups: *Islamists versus seculars.*

Before going further, I would like to highlight the difference between the Islamic movements and the Islamist movements:

1. The Islamic movement, mainly represented by the Ennahdha Party, Party of the Majority at the Constitutional Assembly and by civil society organizations and associations, is considered as a moderate movement.

2. The Islamist movement is represented by at least three political parties and by many civil society organizations (nobody knows exactly their number), influenced by hardliner movements like Muslim Brotherhood, salafists, wahabists and so on... Some of them are just conservatives

and not violent (as, for example, the Mormons in the United States) but others are radicals and consider that Tunisia is a Muslim country and must be governed in conformity with the principles of Islam, being under the illusion that ruling Tunisia is a divine right and that it is a duty for them to Islamize Tunisia. Some analysts note that Ennahdha Party is also divided between those who are true believers of democracy and those who are radicals, which makes things more complex!

3. On the other hand, we have the seculars who consider that Tunisia should be governed in conformity with the universal principles of democracy and human rights, recorded in the United Nations Conventions that Tunisia has signed and introduced in its national judicial instruments.

Fields of confrontation between the representatives of Tunisian Civil Society

• Islamic associations are very active: their members collect and distribute water and food and basic needs to poor families in the poorest urban and rural areas, providing free medical services, opening religious schools... Their educational and humanitarian actions are systematically filmed and videos showing the population's support those associations are broadcasted on the web. Some political analysts are convinced that those religious movements are not only building up a network of sympathizers and future voters for their party, but they are also trying to prove that they have the capacity to replace the state in its functions should the Republic fall and be replaced by an Islamic State (caliphate).

On the other side, the secularist civil society is also very active especially in trying to fight against extremism – it is struggling for:

• *The adoption of Republican Constitution that guarantees civil liberties:*

– Last year, the Ennahdha Party tried to integrate the *Sharia* as source of law into the new Constitution of Tunisia. In reaction, the civil society joined their efforts to block this initiative: they mobilized people to go out into street, called for national and international media to denounce this initiative, organizing several meetings and after an arm-wrestling of several weeks, this project has been abandoned.

– The Ennahdha Party attempted also to introduce in the Constitution

the notion of complementarity between men and women, rather than the concept of equality between men and women. The civil society did not allow this constitutional "*innovation*" to be adopted and finally obtained that the Code of the personal status (adopted in 1957 and carries the main part of the guaranteed progressive rights for the Tunisian woman) cannot be modified by an ordinary law, but by a law requiring a qualified majority of two thirds at the Constituent Assembly.

– *Defending freedom of expression:*

The secularists brought up the contradiction between freedom of belief and the criminalization of attacks on the "*Sacred*". They defend freedom of artists who are challenging every day the Islamists in producing their works. The wave of attacks by radical Islamists during the last two years and the failure of the Government to face them led to more violence targeting artists, intellectuals and political activists. The public opinion was shocked by the attack against the private TV channel NESMA, after the broadcasting of the movie *PERSEPOLIS* which denounces the misdeeds of the Islamist ideology. Violence culminated on the attack of the American Embassy on September 14, 2012, when four people were killed and 39 were injured in a protest against a film mocking Islam. These are some examples to show you how deep the scission inside Tunisian civil society is.

Widening gap between civil society and escalation of violence in the country

The Islamic and Islamist movements accuse the democrats and secularists parties and associations of trying to eliminate them from the political scene as did the former regimes before.The secularists are accusing the radical Islamist of trying to impose through violence, an Islamist agenda on the Tunisian population who is almost Muslim. They also emphasis that for centuries moderate Muslims, Jews and Christians integrated in Tunisia which has always been tolerant and opened to other cultures.

The divergence reached also the Constituent Assembly and rose among the elected deputies representing their political parties. Today, the new Constitution of Tunisia, supposed to be written in one year is still under discussion, the economic and social indicators of the country are negative

and tourists and foreign investors are waiting for the improvement of the security conditions to come to Tunisia.

The people of Tunisia who made the revolution for employment, justice, development and democracy don't understand why their life condition are today worst than before; they are frustrated and terrified. The increase of conflicts of opinion and interests led to more and more violence inside the country and the murder last month of the leader of opposition party, Chokri Belaid, has been *the straw that broke the camel's back.*

Subsequently, the transitional Government went through the most serious political crises since the revolution. To reassure the People who lost its composure, a cabinet reshuffle took place recently in order to apply a social and economic program to save Tunisia from this dangerous situation and to respond to the objectives of the Revolution.

Raising of the awareness of the Civil Society's role in building democracy and development

The new Prime Minister called the civil society as well as all the political parties to participate to the government actions to find solutions to main problems of Tunisia, such as unemployment, industrial and agricultural strategy, good governance, water and energy supply, reform of education, social justice and raising economy competitiveness.

Challenges ahead facing civil society

At present Tunisian civil society is nascent and transitional with low capacities and limited resources (except the Islamic organizations). There also appears to be low capacity to create effective and policy-relevant networks. There is also a coordination challenge, as large numbers of new donors and INGOs arrive in Tunisia to support local civil society.

• To fully comply with its role, Tunisian civil society needs to be rebuilt because if the emergence of a multitude of associations might be seen as a healthy symptom of a modern society which has long suffered from suffocation. Those associations have to organize themselves to be considered as an effective group of pressure in the country. (For the moment they don't know each other and nobody really knows them).

• They have also to avoid the risk of confusion between their role and action and those relevant the political parties;

Role of Tunisian Civil Society today

• First of all, **completion between extremists and secular civil society have to stop** in order to save the country from violence that could conduct it to a civil war (the example of what happened in Algeria in the 80's is still alive). **The Tunisian Civil Society should find and provide to the country an alternative ideology, not in conflict with Islamic values, but consistent with Tunisia's liberal and tolerant cultural heritage.** It becomes necessary for the security of our country, that the Tunisian Civil Society should include men and women from all walks of life, from all regions of the country and all generations, especially the youth.

• Islamic, Islamists and Secular CS have today a unique opportunity **to develop a new type of democracy adapted to the characteristics of Tunisia** and its history as an Arab, African and Mediterranean country.

Conclusion

Should we remain optimistic about the positive development of Tunisia's civil society?

I can say yes because the consciousness has risen among the Tunisian civil society as well as among political parties and the current transitional Government that they are making history. Transition to a true democratic culture is going to take time, but they have to accept to working together in order to start the realization of the objectives of the Revolution which are democracy, freedom, equality and social justice values and principles of the Revolution. The People are waiting and have no more patience.

In conclusion I would like to underline this thought from Alexis de Tocqueville who said:

"There is no country in which associations are needed more to prevent the despotism of parties or the arbitrary power of a Prince, than those in which the social order is democratic, adding that in countries where such associations do not exist, there will be no protection against any kind of tyranny".

Civil Society and Transformation Processes: Germany´s Transformation Partnerships with Tunisia and Egypt

Heinrich Kreft

A good two years ago now we looked on fascinated and moved as revolutions unfolded in a number of countries in the Arab world. I remember well the crowds of courageous demonstrators in Cairo and Tunis who challenged the old order and risked their lives for a brighter future that would bring greater freedom, justice, participation and new economic opportunities.

It was the young people especially who felt cheated of their future by corruption, nepotism, misguided social and education policies, sluggish economic growth and associated high youth unemployment. That's why they took to the streets. In countries like Tunisia, where almost half the population are under 25, these problems stoked up huge discontent. So when street vendor Mohamed Bouazizi set fire to himself on 17 December 2010, this set the whole country aflame. Happily the ousting of the old regime in Tunisia was by and large peaceful. But as the assassination of opposition leader Chokri Belaid demonstrates, the risk of escalating violence is by no means over.

The Arab Spring, the process of democracy-building in North Africa and the Middle East that seemed in its early stages so hopeful and auspicious, has now lost momentum. The initial enthusiasm has given way to a more sober assessment and a degree of disappointment. We, too, are concerned by some of the developments we're seeing today. In Syria there's no end in sight to the conflict, which daily claims many innocent lives, alas.

The Arab Spring swept away the dictatorial regimes of Ben Ali, Mubarak, Gaddafi and Saleh, thwarting their dynastic ambitions. Other Middle Eastern regimes may follow. While it's still too soon to fully assess

the global consequences of these watershed events in the Arab world, they certainly compare in historical significance with the momentous year of 1989, when the Berlin Wall collapsed and Germany headed for reunification.

From the outset, Europe has backed this movement for freedom and self-determination in the Arab world, which took many by surprise.

Ensuring long-term freedom and prosperity on the southern shores of the Mediterranean is of course something that the countries of the European Union believe is of vital importance. Long-term stability in the countries of North Africa requires democratic and socio-economic reforms. So over the years ahead, Europe's aim – and especially Germany's aim – is to support and bolster the Arab Spring. We're doing this through the new European Neighbourhood Policy as well as through our own national contributions.

In everything we do we're aware of course that this transformation under way in the Arab world is a highly complex affair and takes a very different course from country to country. This is just the beginning of a process that's likely to take decades. At this point it's impossible to say whether or not it will be successful. The risks are many and various.

The first is without doubt the determination of the old structures and networks to thwart attempts by new political moderates to implement their agendas. The only way to counter this is to persevere with democracy-building undeterred. By that I mean holding elections, establishing the rule of law and, very importantly, promoting an active and critical civil society - a civil society whose various constituent groups, including women, can stand up for their rights on equal terms.

Another real and pressing danger is lack of economic progress. Egypt, for example, has a very high budget deficit and its currency reserves have shrunk dramatically. Future governments will therefore be forced to take very unpopular decisions. They'll have to cut subsidies, for one thing, and slash many unproductive jobs in the public sector.

Tunisia's economic prospects are somewhat brighter. But there, too, sectors such as tourism have been badly hit and are recovering only slowly. The prevailing political insecurity makes investors wary of further commitments. If the democracy dividend – a general improvement in living standards – fails to materialize, this may lead to new tensions, instability and radicalization.

It can't be in Europe's interest for its neighbouring regions to be in permanent crisis. So Europe must provide substantial help to make the Mediterranean a common area of peace, freedom and prosperity. There aren't any quick-fire solutions here. This is clearly a task for generations – as it was and still is of course following the fall of the Wall and the integration of Eastern Europe. Since there's no realistic prospect of EU membership, however, for the countries bordering the southern Mediterranean, we need to come up with new ideas that go beyond traditional development aid – a tool used, after all, also in the Ben Ali and Mubarak era. We need to offer something new that will give these countries an incentive to undertake further political and economic reforms.

Germany was quick to recognize the revolutions in the Arab world for what they were. We've backed these processes politically as well as with concrete offers of assistance.

We have two guiding principles here. Firstly, we see our support as something that's agreed between equals. It's up to no one but the country and society concerned to determine how the transition process should proceed and what its ultimate outcome will be. We want our support to be understood as something agreed between equals. That's why we attach such importance to the word "partnership".

Secondly, we're offering "more for more". Both at bilateral and at European level, we plan to increase our support when we see tangible progress towards democracy. Correspondingly, when we see no encouraging developments or ones indeed of a retrograde nature, we'll be less generous in the offers we make. In countries where people's legitimate demands

are met with repression and violence – like in Syria – we'll respond with political pressure and sanctions.

We lost no time in offering Egypt and Tunisia transformation partnerships to support the process of transition there. Over the past year we've been working hard to expand this cooperation. Last September we held the first consultations with Tunisia in this connection at state secretary level. In future these will take place regularly in order to develop our partnership and further intensify our bilateral cooperation.

With the Egyptian Government, too, we agreed on the general principles of our cooperation in the "Berlin Declaration" of August 2011. A steering committee meets regularly to further develop this cooperation and ensure continuity.

For our transformation partnerships with Arab countries the Bundestag has approved an additional 100 million Euros over the period 2012 and 2013. We'll be concentrating our efforts on countries where reform has already made some progress, meaning in particular Tunisia – as I pointed out – and also Egypt. We may of course support worthwhile one-off measures in other countries, too, such as Morocco, Libya, Jordan or Yemen.

The transformation partnerships focus on three key areas:

- Fostering democracy and the rule of law.
- Intensifying cooperation in the area of culture, education and research. In this area the German Academic Exchange Service (DAAD) is taking the lead. The opening of a new DAAD office in Tunis shows just how strong our commitment here is.
- Lastly, improving economic and social conditions, primarily by promoting vocational training and employment.

In this context civil society should and must be a very important partner. NGOs, including many that were active – albeit with significant restrictions – even before the revolutions, are working hard to advance

human rights, spread the democratic message and tackle social problems. New organizations giving a voice to the needs and interests especially of the younger generation have also entered the scene. Hopefully all this will foster the political will to preserve and strengthen by democratic means the freedom that has been gained.

It's important, however, to be aware of the new realities in these countries. As well as the established urban elites and the mostly young activists, there are other groups, too, now making their voices heard – people with conservative religious views, often from disadvantaged or rural areas. Our aim is to reach out to all sections of society keen to help build democracy in their country. We can't cooperate, however, with people willing to use violence to achieve their ends or who want to exclude or restrict the participation of others in the political process. That would be contrary to the values we cherish, the values of freedom, democracy and the rule of law.

As well as funding the activities of organizations such as the Goethe-Institut and the DAAD, with which everyone here is familiar, we also support a host of NGO projects designed to advance democracy-building in Tunisia, Egypt and Libya.

Tunisia, for example, is likely to hold elections this year. It's extremely important that elections in the region are transparent and media coverage is competent and impartial. That's why the Federal Foreign Office is supporting local NGOs – often in cooperation with German organizations such as Deutsche Welle Akademie – in organizing workshops for journalists on how to cover elections and create websites providing detailed information on the electoral process as well as the parties' and candidates' platforms etc.

Culture and education in the broad sense have, we believe, a key role to play in building democracy. This sector should therefore be a special focus of our joint efforts. Correcting the shortcomings in the transition countries' education systems is absolutely essential – although of course that alone will not suffice – if they are to make sustainable economic and

social progress and eventually become pluralistic, democratic societies committed to delivering social justice.

To be successful, this fresh start must extend also to the area of cultural exchange. Failure to understand a partner's culture may well cause misunderstandings. This can happen very easily. When the same terms are used to mean different things, for example. The words "elections" and "freedom" in today's Tunisia mean something different from what they did in Ben Ali's era. And the biggest misunderstandings arise when we fail to appreciate the cultural context and so don't understand why other people do things differently from how we would do them.

The culture and education projects we support are deliberately aimed at communicating values – the values of freedom and democracy, the rule of law and human rights. Because it's only when these values are respected that people's creativity and energy can develop fully and contribute to the common good. These values know no geographical or cultural borders. They are universal.

With this aim in mind, we've launched a German-Arab education, culture and media initiative called "Place of the Future". The name pays tribute to the public spaces in Tunisia and Egypt where the freedom movements staged their first rallies.

Let me now give you a brief overview of the projects we're supporting as part of this education, culture and media initiative. I will concentrate on Tunisia.

The DAAD has put special programmes in place to fund research residencies, university cooperation projects, alumni schemes and lectureships.

The DAAD is also developing joint master's degree courses in German studies. Through its Empower Tunisia project the DAAD is for example also supporting the ecological chemistry departments two Universities.

Another DAAD programme offers Egyptian and Tunisian academics returning home from Germany start-up grants to help them launch their careers there.

Especially gifted students can benefit from the scholarships and summer schools offered this group by political foundations and church organizations.

The German Archaeological Institute (DAI) has designed special courses to train young scholars as well as programmes to intensify academic and cultural dialogue and help national experts expand their international contacts. Various archaeology projects are in the pipeline Maghreb countries and Egypt.

The Goethe-Institutes both in Egypt and Tunisia continue to expand its cultural and education activities as a very specific contribution to democracy-building. With our support, it has set up a number of special programmes, offering training for education and cultural providers, across-the-board support for writers, artists and performers as well as funding for exchanges, internships and cultural and theatre projects.

Another thing we feel is important is to promote networking within civil society. One way we're doing this is by supporting a major youth networking project and youth parliament organized by the Goethe-Institut, which gives young people from the Arab world a platform for discussing social issues and exploring how they could be addressed. Another way we're doing this is by funding a host of scholarships for writers, artists and performers.

In the media sector the Goethe-Institut and others are expanding the very successful Arabic-German youth blog Transit. In Tunisia it's also developing a women's radio programme designed to encourage particularly women in rural areas to play an active part in community life.

In our efforts to foster a diverse media landscape, we attach great importance to practice-oriented training courses and really professional

media training. The idea is to train a new generation of Tunisian journalists. And last autumn experts from TU Dortmund University ran media training sessions for representatives of political parties and government institutions in Tunisia and Egypt.

Besides all this, we want to offer young North Africans eager for education modern TV formats that meet their needs. TV programmes on science and research as well as business, politics and society in or related to Germany will help enrich the dialogue, we hope, between Germany and major transition countries.

This year we're promoting on Deutsche Welle's Arabic TV channel a political chat show on the Arab awakening called "On the Pulse", as well as the "Business Arabia" programme, whose regional reports and examples of best practice are designed to fill an identified gap. With "Hot Spot" and "SciTech", we're also financing two German and Arabic TV co-productions at the interface between science and business, which will undoubtedly stimulate greater cooperation.

Our support for the younger generation, who have such a vital role to play in building their countries' future, extends to the vocational training sector, too. One of the things we're doing here in the region is funding major employment pacts with Tunisia and Egypt aimed at putting vocational training there onto a more professional footing and opening up new job opportunities for the country's many young people. At our initiative, the CrossCulture internship programme has developed a new module targeted specifically at countries in transition and offering both scholarships and alumni projects. Young professionals from Tunisia and Egypt can now spend up to three months working in cultural institutions or companies in Germany, gaining valuable experience for their careers back home.

Challenges Facing Societies In Transitionn – A Literature Review

Monika Wohlfeld

1. Introduction

The popular uprisings, which the press collectively came to call the 'Arab Spring', an expression that is as appealing as it is plainly misleading[1], changed the political landscape in the southern Mediterranean, and in particular in Egypt and Tunisia. They brought together a variety of actors that pushed for significant socioeconomic and political change in their countries. Amongst these actors, civil society organizations and loose networks (including women's and youth networks), often made possible through new media technologies, have been particularly present and active. Indeed, while there are differences of their form and impact, it has been argued that they have been in the driving seat of these changes.[2]

The role of the civil society in these changes in itself would be worthy of attention. However, it is the consequent coming to power of Islamist political parties and the emergence of Salafist movements, rather than the more secular and urban civil society actors (human rights activists, secular organizations, youth and women networks) that raises further significant questions about the role of civil society during democratization processes in societies in transition.

1 There is a certain lack of clarity really what kind of transition is taking place in the southern Mediterranean region: first of all because of differences from country to country, but also because so many different labels are applied to the events that took place in Egypt and Tunisia ('Arab Spring', 'Arabellion' (Arab rebellion), Arab awakening, revolutions, upheavals, mass protests, uprisings). See for example Stephen Calleya and Monika Wohlfeld (eds), **Change and Opportunities in the Emerging Mediterranean**. Malta: MEDAC, 2012.

2 'Conference Report. Arab Uprisings: Challenges during Political Transitions and Comparative Lessons for Civil Societies in the Middle East and North Africa. Regional Workshop Consultation, Amman 18-20 April 2012', The Centre on Conflict, Development and Peacebuilding (CCDP), 2012, p. 3.

This paper is intended as a literature review and an introduction to the subject of Civil Society and Democratization in Societies in Transition. The subject matter is obviously quite vast, thus the paper focuses on a number of relevant approaches only. Although the paper is not intended as a description of the situation in the Arab Spring countries, it will nevertheless refer to some of its aspects.

2. The Processes of Transition

Transition is understood as 'passage from one state, stage, subject, or place to another: change', 'a movement, development, or evolution from one form, stage, or style to another.'[3] Transition can pertain to *inter alia* politics, or socio-economic issues, but in the context of this paper, the focus will be to a large extent on political aspects. Thus transition refers here to an evolution from one political regime to another.

An important question must be asked at the outset: Is political transition equal to democratization? Some authors do assume that there is something like a predictable (although complex) road of democratization which will conclude with reaching the state of democracy.[4] Indeed, as Priban notes, this is the case because the fall of communism and the end of the Cold War associated with the rise of liberally democracy made democratization processes looked irreversible. Globalization also contributed to an understanding of democratic transition as a 'political point of reference.'[5] Priban sums up that in this view, 'the very concept of democratization and democratic transition indicates a finality-driven

3 www.merriam-webster.com/dictionary/transition

4 Writers such as Adam Przeworski, in an essay entitled "The Games of Transition" (1992) focus on political transition from dictatorship to democracy. Transition is implicitly understood to be equivalent to democratization. Adam Przeworski, *'The Games of Transition'*, in: Mainwaring, Scott and Guillermo O'Donnell and J. Samuel Valenzuela (eds.). **Issues in Democratic Consolidation. The New South American Democracies in Comparative Perspective.** Notre Dame: Notre Dame University Press, 1992, pp. 105-172.

5 Jiri Priban, 'Varieties of Transition from Authoritarianism to Democracy' (December 2012). **Annual Review of Law and Social Science**, Vol. 8, pp. 105-121, 2012, p. 105. http://ssrn.com/abstract=2169194

political process. While starting positions may be significantly different, from various systems of military authoritarianism, autocratic populism and post-colonial nepotism to racist apartheid or fascist and communist totalitarianism, the final destination is clear from the beginning: the system of democratic government.'[6]

Most recent analyses however tend to suggest that there are indeed different starting points, different paths but also different outcomes to processes of transition. Thus, it is argued that 'though democracy is often the stated objective, the outcome is unpredictable because it is context specific. … Therefore the trajectory of democracy is not linear and can entail setbacks. Importantly, the concept of 'transition' has to be used with caution since many assume a teleological perspective, with democracy as the expected end point.'[7] Indeed, as Priban observes, the process of democratic transition is reversible. The outcomes of democratization can be semi-democratic and/or semi-authoritarian regimes, and anything between fully authoritarian and fully democratic rule.[8]

It is also worth noting that the process of democratic transition can be fuelled from below (by popular pressure) or from above (initiated by the rulers), or by both simultaneously or subsequently. This is important in the context of transition in North Africa, where the meaning of 'transition' has undergone a change with the advent of the 'Arab Spring'. The top-down political and economic reforms which began in the 1980s have not served the process of democratization but what some call 'up-grading authoritarianism'.[9] With the events of 2011, transition became driven by bottom-up pressure, and popular demands for socio-economic and political change. It is noted, however, that this did not imply that top-down efforts have been swept aside. Rather, they also continue to shape the response to popular demands.

6 Ibid., p.105.
7 'Conference Report', CCDP, p. 4.
8 Priban, p.2.
9 'Conference Report', CCDP, p. 4.

3. Societies in transition

What is meant by the term 'societies in transition'? Society is defined as 'an enduring and cooperating social group whose members have developed organized patterns of relationships through interaction with one another', 'a community, nation, or broad grouping of people having common traditions, institutions, and collective activities and interests.'[10] It is thus not synonymous with the state, but could possibly be understood as nation.

It is worth noting that the term 'states in transition' (or 'countries in transition') is one that is used more often that 'societies in transition'. It allows for focus on change pertaining to state institutions, political parties, civil service and so on. In fact, some use the expressions 'state in transition' and 'society in transition' interchangeably.[11] This must be challenged however, as it is not correct.

The term 'societies in transition' is at the same time simpler and more complicated than 'states in transition'. On the one hand, a society is something tangible, as it denotes a group of people, while a state is a more abstract entity. On the other hand, a quick web search on 'societies in transition' will bring up items of a great variety, ranging from anthropological research focused on transition from traditional societies to modern societies such as maybe the case in the Amazonas, to demographic transition, to changing gender relations, or impact of new technologies but also to democratization processes of all kinds. 'States in transition' refers thus to issues that are clearer, at least from the point of view of a political scientist: reforms of constitutions, elections, civil service issues, civil control of the military and so on.

Interestingly, the European Commissions and the EU High Representative in its Joint Communication 'EU Support for Sustainable Change in Transition Societies' suggests a careful definition of transition: "Transition" is understood in a broad sense to include stabilisation, societal

10 www.merriam-webster.com/dictionary/society

11 See for example Ted Liu, 'Transition Challenges in the Arab World', **FRIDE Policy Brief** No. 144, January 2013.

transformation, institution building and consolidation of reforms".[12] This definition nevertheless aims at democratization as outcome of transition. Furthermore, while speaking of transition societies, it appears to be mixing elements of transition relevant for states with those relevant for societies, exposing the difficulty of conceptualizing challenges facing societies in transition.

This paper will speak largely about the social shifts and processes accompanying political transition from authoritarianism to democracy, while noting that in fact transition is change along a very complex path which can have different starting points and final destinations.

4. The Role of Civil Society

The concept of civil society has a long tradition in political philosophy. In the Western liberal tradition, civil society has a democratizing function, as it provides civic education, democratic habits and is an antidote to an all-powerful and tyrannical state.[13] The term 'civil society' has become rather fashionable at the end of the Cold War, as social forces challenged the establishment leading to revolutions against communism in Central Europe.[14] Thomas Carothers argues that

> '(t)he global trend towards democracy opened up space for civil society in formerly dictatorial countries around the world. In the United States and Western Europe, public fatigue with tired

12 European Commission and High Representative of the European Union for Foreign Affairs and Security Policy, 'Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU Support for Sustainable Change in Transition Societies', Brussels, 3.10.2012. http://ec.europa.eu/europeaid/what/development-policies/documents/communication_transition_en.pdf.

13 Timo Behr and Aaretti Siitonen, 'Building Bridges or Digging Trenches? Civil Society Engagement after the Arab Spring', **FIIA Working Paper** 77, January 2013, p. 6.

14 Carl Gershman, 'The Role of Civil Society Organizations in the Global Movement for Democracy'. National Endowment for Democracy, 27 Nov. 2000. www.ned.org/about/board/meet-our-president/archived-remarks-and-presentations/112700

> party systems sparked interest in civil society as a means of social renewal. Especially in the developing world, privatization and other market reforms offered civil society the chance to step in as governments retracted their reach. And the information revolution provided new tools for forging connections and empowering citizens. Civil society became a key element of the post-Cold war zeitgeist.'[15]

Not surprisingly, definitions of civil society vary considerably based on differing conceptual paradigms, historic origins, and country context. Definitions of civil society also differ according to which degree they focus on its organizations. Thus, one set of definitions of the civil society focuses exclusively on the narrow understanding of civil society as made up of non-governmental and not family-based organizations and institutions that help and look after people, their health and their rights. These organizations and institutions of the civil society have also been named civil society organizations or CSOs.

Donor organizations for example often use definitions of civil society that focus on CSOs, or more specifically non-governmental organizations (NGOs). This focus has been criticized as resulting in a proliferation of Western-style NGOs across a variety of regions. It is argued by some scholars that some of these organizations are donor driven and have little in terms of roots and legitimacy locally.

To give an example: The World Bank has adopted a definition of civil society which focuses on organizations, although rather broadly defined: "the term civil society to refer to 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

15 Thomas Carothers, **Critical Mission. Essays on Democracy Promotion**. Washington D.C.: Carnegie Endowment for International Peace, 2004, p. 100.

(NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations".'[16]

The EU considers CSOs 'to include all non-State, not-for-profit structures, non-partisan and non –violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations.'[17] This definition hints at the fact that a focus on formal CSOs only may be flawed.

But another set of definitions takes a broader approach: 'A civil society is a public space between the state, the market and the ordinary household, in which people can debate and take action.'[18] This definition thus includes any voluntary collective activity in which people combine to achieve change on a particular issue.

One controversial issue is whether such a broad definitions covers political parties. While some, such as Thomas Carothers, suggest yes[19], arguably most analysts would say otherwise. A useful explanation concerning the issue of political parties is provided by Bratton when he says that 'Civil society is distinguishable not only from the family and the state but also from the realm of social action known as "political society" … (P)olitical society refers to political parties, elections and legislatures. Specifically,

16 World Bank, 'Defining Civil Society'. http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,contentMDK:20101499~menuPK:244752~pagePK:220503~piPK:220476~theSitePK:228717,00.html

17 European Commission COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations. Brussels, 12.9.2012 COM(2012) 492 final .

18 BBC World Service, 'What is Civil Society?'. 05 July 2001. www.bbc.co.uk/worldservice/people/highlights/010705_civil.shtml

19 Carothers, 2004, p.100.

the political society refers to the institutions through which social actors seek to win and exercise state power.'[20] Thus civil society does not include political parties, or contestation of elections.

Another controversial issue is whether civil society is a term that covers individuals, who are not part of the civil society organizations, but work towards change. Some definitions of civil society move away from the notion that organizations are the key.

Under the impression of the Arab Spring events, the European Commission, in its communication on co-operation with CSOs from 2012 says the following: 'new and more fluid forms of citizens and youth actions are on the rise: the "Arab Spring" and the Occupy" movements highlight the potential of social and cultural movement as agents for change. The space and opportunities opened up by the Internet and the social media are also playing a substantial role in driving this change.' [21] Bratton also argues indeed that 'civic discourse can take place in various fora, the most important of which are the public communications media, both print and electronic.'[22]

But this definition also leave open whether it includes bloggers, activists, human rights defenders, or plainly those that do go out in the street protesting for change. Some do open up the definition: Linz and Stepan include individuals who work towards change in their definition of civil society[23]. And Benoit Challand coins the expression 'spontaneous civil

20 Michael Bratton, 'Civil Society and Political Transition in Africa', **IDR Reports**, Vol. 11, No. 6, 1994, p.4.

21 European Commission COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations. Brussels, 12.9.2012 COM(2012) 492 final .

22 Bratton, p.2.

23 Juan J. Linz and Alfred Stepan, **Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe**. JHU Press, 2011, p. 7.

societies' to describe the spontaneous self-organization of the people on the street during the Arab Spring events.[24]

This leads to a third controversial issue of whether CSO or networks, or even individuals such as bloggers who advocate or even not condone violence can be considered part of the civil society. The answer of civil society experts who focus on democratic states is mostly a resounding 'no' (although for example Carothers in a **Foreign Policy** article does list the Russian mafia and militia groups of Montana as part of civil society[25]).

However, there are indeed substantial differences between role and shape of civil society in Western democracies and authoritarian states. In authoritarian states, civil society tends to be more disjointed and also more violent (or revolutionary) because of strict limits on other form of expression and accumulated demands and frustration. They also tend to be more dependent on social media and new technology as other forms of association are severely limited and more dangerous.

Thus, different understanding is needed, particularly when it comes to claims that use of violence excludes movements from what is understood as civil society. It is not a coincidence that authoritarian rulers often use claims of real or intended violence to outlaw and/or repress CSOs, NGOs, opposition movements or individuals involved in them. This realization, in turn, may have an impact on how we think about the role of civil society after the revolutionary (and into the transition) phases.

What is the impact of civil society on the process of transition, in particular of democratization? Generally speaking, in such situations, civil society represents the interests of citizens/society against the state; it allows segments of society to familiarize themselves with values, processes and

24 Benoit Challand, 'The Counter-Power of Civil Society in the Middle East'. **Deliberately Considered**, March 2, 2011. www.deliberatelyconsidered.com/2011/03/the-counter-power-of-civil-society-in-the-middle-east-2/

25 Thomas Carothers, 'Think Again: Civil Society', **Foreign Policy** 117, Winter 1999-2000, p.20. http://carnegieendowment.org/pdf/CivilSociety.pdf Accessed 3 October 2013

expectations that underpin democratic orders, but it does so in a chaotic and often violent way. The organizational style is often confrontational. Often, the mode of operation is focus on human rights issues.

The difficulty is that once the process of transition is initiated by civil society, and once it culminates in the fall of the established order, the logic of the process of democratization demands that the role of the civil society be transformed. Instead of working in opposition of the state, civil society is now expected to help fashion a political order and a state that is responsive and responsible for needs and attitudes of the society at large. Civil society can continue to subject the state to scrutiny and critique, but not to act in stark opposition to the state. The role of civil society is thus neither to undermine and subvert the state nor to accept it uncritically. It has the role of monitoring the performance and insists on accountability and transparency, on inclusiveness, and correct process, foster tolerance.

However, the other danger is that the civil society actors that have brought about change fade away due to internal divisions or external pressures, or a combination of both, and their agendas are not reflected in the new political landscape.

> 'Former elites may challenge or impede the set up of new institutional frameworks and their functioning, power struggles within and among groups can persist and lead to fragmentation, and civil groups may lose their leaders as these become politicians. Additionally, loose and consensual civil society movements can end up being transformed into non-governmental organizations with limited goals and increasing dependence on external donor funding. Overall, civil society often becomes a service provider for vulnerable groups in need instead of exerting a real influence and playing a role of counter power through different political roles inside and outside the official governance structures.'[26]

26 Tania Paffenholtz, 'Arab Spring: Challenges during Political Transitions and Comparative Lessons for Civil Societies in the Middle East and North Africa', a project description. http://graduateinstitute.ch/ccdp/ccdp-research/projects/current-projects/arabspring.html Accessed 5.3.2013.

However, as Timo Behr and Aaretti Siitonen argue, during transition processes political authorities and institutions are weak, and a strong civil society is thus needed. They note that this is the case in the Arab world, where 'the future political order remains contested and previous institutional and legal structures, as far as they existed, have collapsed.'[27] Thus, a weakening of the civil society during processes of transition is an alarming signal.

Let us look at the relationship with civil society following immediate transition from the perspective of the state. The state has a role in accommodating the civil society and what has been described as demobilization of civil society. Many warn of the risks of mobilizations not followed by a proper demobilization. Others, however, see the term demobilization as incorrect. It is worth noting in this context that the demobilization process of civil society requires a political process (or politicization) to take place. That is the political system has to respond to the civil society by transforming political parties, leadership concepts, participatory opportunities, representation of interests and so on. Elections are an important part of the process, but only a part of it. Often elections are seen as panacea, but increasingly we see international pressure to hold democratic elections in post-authoritarian states instead of giving sufficient time for civil society to demobilize and for political parties to form, develop or reform. The outcome is that more organized and coherent forces in the society take charge leaving little room for political expression by looser networks or organizations, and by groups such as women, youth or minorities (as has been the case in Egypt but also Tunisia).

5. Democratization processes and civil society

Democratization literature is plentiful and presents many different conditions directly or indirectly necessary for the democratization processes. It is often argued that one such condition is the existence of civil society. Letki notes that much of the scholarly literature that focuses on the relationship between civil society and democracy argues that civil

27 Behr and Siitonen, p. 9.

society has 'benevolent' impact on the latter. Thus, it has been argued that civil society contributes to 'the emergence of participatory civic culture, dissemination of liberal values, articulation of citizen's interests, and to creating mechanisms for influencing institutional responsiveness.'[28] She notes however that at the same time, there is research to indicate a more pessimistic view: 'Decisions on what type of organizations are included in civil society and contribute to social capital are context-insensitive, measures of the quality of democracy based on the strength of civil society are inadequate, and attempts to impose Western-born ideas on non-Western societies are myopic. ... Moreover, arguments about the importance of civil society and social capital for democratic transitions are empirically unsustainable.'[29]

As a way to temper the expectations placed by some in civil society in democratic transitions, many authors point out that while civil society has a role to play, building a democratic state is certainly not a process that civil society can carry alone. Civil society, if anything, creates the democratic opening, but after that it must define its role as a third force, a mediating level (see above). This takes quite some interaction and responsiveness by state representatives in the political and economic spheres, including the justice sector, educational sector, and so on.

Thus, what is required is willingness of the state to engage with civil society in the process of consolidation. Even where this willingness exists, this is not an easy relationship and not an easy process. As Gershman says,

> 'the new state is inevitably an outgrowth of the previous autocratic state and must develop upon many of the same people for its administration. The emerging democratic state is also extremely fragile, prone to corruption and abuse, and incapable of reversing all of the failures associated with the previous government.'[30]

28 Natalia Letki, 'Social Capital and Civil Society', in Christian W. Haerpfer et al (eds), **Democratization**. Oxford: Oxford University Press, 2009, p. 158.

29 Ibid., p. 159.

30 Gershman, 2000.

For civil society, there is the task of finding constructive ways of interacting with political parties, which is not an easy task in new democracies which lack a stable party system. That also implies the need for retaining autonomy while parties and their leaders may have an interest in using civil society for their purpose. Thus civil society has a profound interest in the development of parties and a party system that can serve as efficient channels of participation and offer policy choices. Without this, there cannot be an orderly transition of power. Civil society groups can represent specific interest and needs, but they cannot translate these into political decisions, nor can they assemble broad coalitions that can produce a governing majority. It is the political parties that perform this task. Gershmann argues that '[c]ivil society can initiate democratic transitions, but only parties – with the support of civil society – can consolidate and institutionalize a democratic system.'[31]

In some cases, civil society leaders are either co-opted by existing parties or take the decision that this is the more viable way of placing certain issues on the political agenda and join existing political parties. In other cases, civil society organizations or civil society leaders take the step of founding new political parties. It is however argued that such new political parties are rarely successful.

In North Africa, many states suffer from weaknesses of the civil society due to former or ongoing restrictions imposed. Libya is clearly the most complex case, having inherited weak state institutions and an absence of civil society organizations and political parties. As the UN Secretary-General's Special Representative and head of the UN Support Mission in Libya, Ian Martin, stated 'The former regime may have been toppled, but the harsh reality is that the Libyan people continue to have to live with its deep-rooted legacy; weak, at times absent, state institutions, coupled with long absence of political parties and civil society organizations, which render the country's transition more difficult.'[32] However, some authors

31 Ibid.

32 UN, 'Libya facing challenging transition, but authorities striving to succeed – UN'. United Nations News Centre, 25 January 2012. www.un.org/apps/news/story.asp?NewsID=41040#.UTXM0Tdps18

indicate that the revolution combined with this absence of structures may have indeed empowered civil society, despite overwhelming problems facing it.[33] In fact, Benoit Challand suggests for example that saying that Libya has no civil society is an error and misunderstanding. 'It's one thing to say that Libya does not have a chapter of Human Rights Watch, or a cohort of service-providing NGOs. It is quite another matter to say that Libyan or Tunisian people cannot organize themselves on their own to cover their needs and express their autonomy (...).'[34] This important observation has to be linked to the discussion of what exactly constitutes civil society – its organizations or people wishing for and working towards change (see above), and it is for this reason that the newly initiated discussion on that aspect in Arab countries is of significance.

However, even in other Arab countries, as there were no opposition parties to speak of, CSOs/NGOs often took on political roles. Their role was not to provide welfare or look after socio-economically weak parts of society. They were often linked to foreign donors with their own agendas; they did not have broad constituencies, and were largely linked to urban environments. Largely, CSO and NGO work was politicized and focused on issues such as independence of judiciary, freedom of association, freedom of expression, women's rights. Islamist movements on the other hand has broad constituencies, were largely present in rural areas, provided charity and welfare services, were well visible and had a broad legitimacy. Thus, the transition in a number of them was largely also shaped by the lack of legitimacy of Western-style NGOs, and the mass appeal of Islamist movements. And significantly, 'once the fall of the regime occurred, ..., deep social cleavages gradually emerged, particularly a divergence in values and visions.'[35]

33 Khadija Ali, 'A close look at civil society in Libya: Civil society has empowered a nation; it has led them to see that it's not up to the government to do everything'. **Your Middle East** 26 May 2013. www.yourmiddleeast.com/opinion/khadija-ali-a-close-look-at-civil-society-in-libya_15346

34 Challand, 2011.

35 'Conference report', CCDP, p. 9.

6. Challenges Facing Societies in Transition

To recall, challenges facing societies in transition are not the same as challenges facing states in transitions. The political challenges states in transition face pertain to state-institutions, in particular constitutional reform, elections reforms, institution-building, creating professional civil service, security sector reform, creating a new foreign policy.[36] But what are thus challenges facing societies in transition and how can they be conceptualized? Arguably, challenges facing societies in transition rather constitute the impact of popular participation and civil society on the aspects listed above (and vice-versa), and thus are even more complex.

The categories of challenges facing societies in transition could be conceptualized in several possible ways, although arguably academic literature does not provide clear cut and defined classifications of such challenges. However, most recent literature on transition in Arab countries following the events of 2011 helps to identify such challenges. A Centre for Conflict, Development and Peacebuilding report identifies the following challenges faced by Tunisian and Egyptian civil society in the ongoing political transitions: 'The reduction in the influence of civil society on political transition; an insufficient focus on people's economic and social needs; and the limited effectiveness of foreign support.'[37] This is a useful, but not sufficiently developed categorization.

A more extensive classification is presented by Behr and Siitonen, who identify and describe the following challenges facing societies in transition in Arab states: the growing fragmentation of civil society along a number of deep social cleavages (especially the religious-secular divide); the emerging character of state-civil society relations (reflecting an inclusion-exclusion dilemma); the role of the international donors;

36 For example, the Congressional Research Service report on political transition in Tunisia indeed identifies as key challenges in the post-Arab Spring period: security concerns, terrorism, recovery of state assets and foreign relations, which are largely challenges facing a state in transition. See Alexis Arieff, 'Political Transition in Tunisia', **CRS Report for Congress**. Washington D.C.: Congressional Research Service, 18 June 2012, p. 2.

37 'Civil Society in Transition: Facing Current Challenges in Tunisia and Egypt'. **Cairo Issue Brief** April 2013, p.1.

and the challenges revolving around the internal organization of Arab civil society actors.[38]

Following the above efforts to classify the challenges, and adding on to them, it is suggested here that focusing on the process of politicization of civil society (transformation from civil society demands into political programmes), the strengthening of civil society, building of trust between civil society and state, and re-thinking the relationship between civil society and foreign donors may be useful.

The process of politicization of civil society (transformation from civil society demands into political programmes)

Both parties and civil society, through its organizations, mediate between the individual and the state. However, as indicated above, it would be a mistake to include political parties as part of the civil society. Indeed, they have different functions and act in different ways. It is worth considering that relation in the context of societies in transition.

It has been argued that in transition, the process of mobilization of civil society must be followed by a process that some describe as demobilization and others, more correctly, as politicization. There are three aspects of this process. One aspect is the adjustment of the political system (existing political parties, electoral systems, etc.) to be able to absorb the demands of the civil society and represent them appropriately. This process brings with it several challenges related to process management and dealing with change, for example decisions on timing of elections, on consultative processes in constitutional decisions, the need for realignment of party politics, or the temptation to relegate civil society to the role of provider of services to disadvantaged groups rather than as an actor in political life.

It is clear that one of the difficulties is that while civil society may have little or no input into these process-relevant decisions, such as timing of elections, they are impacted upon strongly by them. To stay with the example of elections, quick elections may not give civil society sufficient

38 Behr and Siitonen, pp. 17-18.

time to re-organize and create structures needed to realign to party politics, giving an advantage to established political forces, and thus marginalizing for a considerable period of time demands formulated by civil society. Thus, while international donors and/or populations demand quick democratic responses in the form elections, counter-intuitively, these may have the effect of legitimizing older power relations.

The second aspect is the development of clear political programmes, which is a process in which civil society needs to have an input. The difficulty here is obviously that where civil society is a loose network of CSOs, social movements and engaged individuals, with similar generic goals but very different specific demands and ideas, that input may not be heard or reflected in political programmes.

The third aspect is the process of creation of new political parties, emerging from the civil society agendas and priorities, and often also involving key personalities from the civil society. Civil society can be weakened during this process, while the political parties gain by co-opting personalities. Carl Gershman argues that 'civil society groups are a talent pool that fledgling governments need to draw on'[39]. However, it is worth noting that as civil society often views political parties as suspect, it is not a straight-forward matter. Gershman speaks of 'civil society narcissism'[40], basically describing an anti-political parties attitude of civil society, which is reciprocated by political parties emphasizing the lack of accountability and unclear sources of funding of NGOs, as well as idealist attitudes of civil society leaders. Significantly, it has also been observed that often, political parties emerging from civil society organizations or demands and leadership in transition processes, are not successful in the medium to longer-term, as they do not have long-term political base and viability.

39 Carl Gershman, 'The Relationship of Political Parties and Civil Society. Remarks given at the Conference on "Achieving Sustainable Political Change in Emerging Democracies: The Political Party Challenge"', March 17, 2005. http://www.ned.org/about/board/meet-our-president/archived-remarks-and-presentations/031704

40 Ibid.

Either way, as difficult as the three processes of finding a way for popular demands to be taken up by political parties, and the creation of new political parties may be, the outcome of transition hinges to some degree on their successful completion.

Strengthening of civil society

Civil society may be in driver's seat during upheavals, but often looses that role quickly. This is the case due to internal divisions and external pressures. As argued above, internal divisions include power struggles, fragmentation of movements, and loss of leaders. Civil society movements can end up being transformed into non-governmental organizations with limited agendas reflecting external donor funding priorities. They may choose or be forced to become service providers for vulnerable groups. External factors can include impediments created by former elites or existing institutions and parties. It is thus difficult for civil society to exert influence and play 'a role of counter power through different political roles inside and outside the official governance structures' in transition.[41] In some cases, this loss of effective input by the civil society may even lead to further unrest, as had been seen in Arab Spring countries.

In some other cases, civil society does not respond to the transition processes by demobilization and participation in the political processes, and continues to play a disruptive role thus losing legitimacy with big parts of the population. Civil society is often deeply divided and unable therefore to put forward a constructive agenda.

Clearly, 'the unstable character of civil society composed of social movements acting without operative civil, political, and social rights limits

41 'Arab Spring: Challenges during Political Transitions and Comparative Lessons for Civil Societies in the Middle East and North Africa', http://graduateinstitute.ch/ccdp/ccdp-research/projects/current-projects/arab-spring.html Accessed 5.3.2013.

its transformative potential.'[42] The impact of the civil society depends on its ability to create networks, associations, CSOs combined with a culture of participation. As it is argued, 'collaboration among CS actors is an important asset for successful transition processes.'[43]

Building of trust between civil society and state

Some authors observe that building *trust* between the civil society and the state is a key challenge.[44] But that is a complex undertaking. In some cases, it is the state that, following initial transition events, fails to engage with civil society in an inclusive way. In some other cases, it is the civil society that refuses to engage constructively with the state, either because it fear co-optation or plainly because it lacks a structure and clearly articulated priorities.

It is necessary to note that civil society in Arab Spring countries is deeply divided, making such constructive engagement difficult. There, 'cultural and religious diversity of the societies and their cumulative cleavages have given rise to deep, complex and variegated fragmentation lines that continue to define civil societies: religious/secular, urban/rural, democratic/undemocratic, paternalistic/egalitarian, universal/fundamentalist, grassroots/elitist, and pro-regime/opposition.'[45]

As Behr and Siitonen argue, 'by setting the legal-political framework in which civil society evolves, the state controls the enabling environment for civil society. In addition, both state and civil society face a difficult choice over whether they should pursue greater cooperation or autonomy between each other. ... A strategy of inclusion or co-optation might strengthen the perceived legitimacy of the government, but can create new social divisions and limit the countervailing powers of civil society, especially if selective. Exclusion, on the other hand, might create new

42 Alberto J. Olvera, 'Civil Society and Political Transition in Mexico', **Constellations** Vol. 4, Issue 1, April 1997, p. 105. http://onlinelibrary.wiley.com/doi/10.1111/1467-8675.00041/pdf

43 'Conference report', CCDP, p. 10.

44 Ibid., p. 13.

45 Ibid., p. 9.

state-society divisions and limit the effectiveness of the new institutional structure.'[46]

Yet, as has been glimpsed in a number of countries, inclusive processes within civil society and between civil society and political spheres have better chances of shaping transition towards democratization.

The relationship between civil society and foreign donors in order to improve effectiveness of foreign support

Civil societies in transition often deal with challenges of representativeness, transparency, internal governance and capacity, dependency on international donors as well as competition over resources, exacerbated by economic situations. It would appear that foreign funding and civil society development projects would be able to provide assistance in addressing these challenges. However, this is often not the case.

Speaking of Arab countries after the Arab Spring, Behr and Siitonen argue that

> '(g)iven the weakness of civil society in many of the pre- and post-revolutionary Arab countries, foreign funding appears to be a double-edged sword. On the one hand, new Arab CSOs are in dire need of outside funding, given the dearth of domestic resources and the lack of a CSO framework and culture. On the other hand, any funding, no matter how impartial, comes with a certain political agendas and can have a profound impact on the weak organizational landscape. Saudi funding of Salafist organizations, for example, has often been criticized for fuelling conflict and fragmentation by promoting a radical and uncompromising religious vision of society. In the same vein, western funding has regularly been chided for promoting "artificial civil societies" and favouring professionalized NGOs over grassroots organizations, while paying scant attention to the impact this has on the domestic context.'[47]

46 Behr and Siitonen, p. 17.
47 Ibid., p. 18.

Some countries react therefore by limiting and controlling external funding. CSOs accepting foreign funding often find that this has an impact on their legitimacy.

Donors must thus pursue careful strategies, and come to terms with a possible need to also co-operate with parts of civil society that may not correspond to the accepted patters of a Western, liberal-style CSO. In the case of Arab Spring countries, policies of donors could further exacerbate the deep divisions within civil society. Vice-versa, it can be argued that 'until Arab civil societies bridge their differences, the role of foreign funding will remain contentious.'[48]Thus civil society organizations must carefully consider their aid requirements and the potential impact that accepting foreign assistance may have on their legitimacy, as well as reflect about the link between the divisions within civil society and their impact on the role of foreign funding.

7. Conclusions

This paper was intended as an introduction to the subject of Civil Society and Democratization in Societies in Transition. It reviewed literature pertaining to the processes of transition, the concept of societies in transition (as differing to the concept of states in transition), the role of civil society, and democratization processes and civil society before turning to the challenges facing societies in transition. It drew upon events of so-called 'Arab Spring' and its aftermath to analyze the concepts and pose questions of their relevance.

The paper argued that while the concept of transition cannot be reduced to democratization, as transition is reversible and may result in a variety of different outcomes. It also can be fuelled by civil society and by the rulers, resulting in different kinds of reforms. It also put forward the notion that while the notion of states in transition is more widely used, the concept of societies in transition is related to it but different in many respects. Still, some erroneously use the concepts interchangeably.

48 Ibid., p 18.

The paper discussed definitions of civil society, distinguishing between those that focus largely on its organizations, and those that apply a broader understanding of what constitutes civil society. It argued that the events of the Arab Spring call for an opening up of the concept of civil society to include what some call 'the spontaneous civil society', namely bloggers, activists, or plainly those who go out in the streets protesting for change. Furthermore, it analysed the role of civil society in processes of transition and democratization. Finally, it identified and described several challenges, including the process of politicization of civil society, namely the process of transformation from civil society demands into political programmes, strengthening of civil society, building of trust between civil society and state, and the relationship between civil society and foreign donors in order to improve the effectiveness of foreign support.

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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African Civil Society and Democratisation

Tom Lodge

Introduction

Explanations of successful democratic transitions and subsequent entrenchment of democratic institutions often emphasis the role played in these processes by extensive and densely woven civil society organisms. The associational life assembled in civil society as well as in well organised political parties are both viewed as very important in helping to establish and build democratic political systems. In this presentation we will consider African civil society's contribution to democratic development. We will do this by investigating the politically relevant activities of civil society in six of Africa's stronger democracies, in the six countries in which two alternations in office of parties and or presidents have occurred through elections. Double electoral turnovers are often cited as evidence of democratic accomplishment. We will survey each of the countries in turn. A preliminary consideration of the development of their party politics will provide useful background for an exploration of the extent to which civil society in each setting has enhanced democratic politics.

Diamond's hypothesis

Larry Diamond's views on the role of civil society in democratic consolidation are especially influential.[1] He notes than in many settings the ability of citizens to challenge autocrats and abuses by democratically elected governments reflects the extent of their engagement in organised social life. Not just any social life, he warns. Civil society can only be constituted by associations that are "voluntary, self-generating, largely self-supporting, and bound by shared rules" and that act in the public domain. Such associational life is distinct from political groups: in their

engagement with it actors are not seeking political office. Political parties are not part of civil society nor are private enterprises.

In Diamond's argument, though the associations for civil society may only have incidental political concerns they nevertheless perform key political functions. He refers to ten of these: (1) limiting of state power; (2) stimulating political participation; (3) fostering democratic predispositions — tolerance, for example; (4) supplying additional channels outside political parties for articulation and aggregation of interests; (5) networking across acute social divisions; (6) training leaders; (7) democratic education; (8) informing citizens more generally; (9) supporting economic reforms that undercut established interests;(10) inducing state capacity to govern. In this presentation, I am going to examine the degree to which groups that constitute African civil society perform these kinds of functions.

I am going to limit my testing of Diamond's argument to strong cases of African democracy. My concern will be to investigate whether the better-established African democracies are supported by strong civil societies – and, if so, in which kinds of ways this support is exercised and to what effect. In deciding whether civil societies are strong I will draw upon the definitions used by Karatnycky and Ackerman. They distinguish between strong, moderate and weak civil societies in the following way:

- Strong civil society activism = presence of a powerful cohesive civic umbrella coalition that adheres to nonviolent forms of civic resistance.

- Moderate civil society activism = civic forces that have considerable membership strength but which lack unity, include rival forces that reject nonviolent action or which have active groupings that lack significant mass membership.

- Weak or absent civil society activism = weak civic infrastructure, absence of a civic coalition and absence of even modest mass support.[2]

Turnover as an indication of democratic entrenchment

For many assessors of "Third Wave" democratization, the orderly turnover of executive office between political parties in the elections that follow the foundation poll is a key benchmark in the entrenchment of procedural democracy. In 1992 Samuel Huntington proposed that new democracies are consolidated once governments have lost office through any elections after the initial election in which multiparty competition was established. From this perspective, the losing party accepting defeat represents a key moment in which procedure becomes routine.[3] This is the point, as Adam Przeworski observes, when the rules of liberal democracy become 'the only game in town' with its implicit acknowledgement that parties must lose as well as win elections.[4] In Huntington's conception of the "two turnover test", the first turnover is the transition from authoritarian to democratic government (when it involves a change of rulers) and the second is when the democratically elected incumbents themselves concede electoral defeat and are replaced. The test can also be applied to presidential systems in which cases the extent to which democratic conventions have become generally accepted routines would be the degree to which presidential incumbents readily comply with or resist terms of presidential office

Objections to the indiscriminate application of the turnover test include arguments that it may be possible for democracy to become embedded institutionally well before electoral turnovers. It might well be the case that a political system which since its inception featured a very long period of one-party dominance may nevertheless have become a setting in democratic procedures were completely internalized by all significant actors.[5] Post-war Japanese democracy might be an example of such a setting and Botswana might serve as an African example of this. It might also be the case that successive turnovers are not enough to signal democratic entrenchment. For example, political systems might feature oscillations in office of small shallowly rooted groups of competing elites that govern so ineffectually that the system remains very fragile. Despite such objections it remains likely that good natured turnovers of office-holding through elections represents one of a set of key indicators of progress in democratization. Indeed, African public opinion polling

indicates "a very strong relationship between the proximity of an electoral alternation and shifts in the amount of democracy people perceive in their country".[6]

Which African countries "pass" the turnover test?

Of the 14 countries in which there have been two turnovers, in six - Guinea-Bissau, Madagascar, Mali, Mauritania, Niger and Sierra Leone - democratic progress was subsequently halted by military coups. Of the eight that are left, Malawi embodies a weak case in that party alternation is mainly a consequence of coalition reconfiguration and in any case last year the incumbent president at the time of his death was seeking to replace himself with his brother. Mauritius is rather a special case of success as it has been a multi-party democracy since independence and alternations began in 1982 – well before 'third wave' democratisation. We have left six strong cases: Benin, Cape Verde, Ghana, Sao Tome, Senegal and Zambia. The concentration of strong cases of alternation within West Africa is very striking. Of the larger group of fourteen countries in which two orderly turnovers have occurred ten of these are also West African.

Party systems

Exploring the party systems in each of these countries will supply useful background against which we can explore the respective contributions of civil society to democratisation in each case. It is also true that the degree to which a party system is institutionalized in these six countries may itself be helping to facilitate democratic alternation. For Scott and Mainwaring "in an institutionalized democratic party system, the major political actors accord legitimacy to the electoral process and to parties".[7] In their analysis, institutionalised party systems have four features: stable patterns of competition, the parties themselves are socially rooted, the parties project consistent ideologies, and they are well organised in such a way that leaders cannot impose purely personal concerns on the party.

In **Benin**, though a few parties maintain stable voter support, none are able to predominate electorally outside limited local and ethnic strongholds and hence to govern presidents and parties form coalitions in which the constituents change frequently, often as a consequence of floor crossing. This is an outcome of a process of democratization in which the incumbent ruling party fragmented and a constitutional conference decided to adopt the most minimal party registration requirements. Parties *are* socially rooted, though, through local notables – "grand electors" who maintain their own bases of clientelistic support. This generally accords with voter preference – a survey conducted in 2001 found villagers were more likely to welcome clientelist messages than appeals to broad notions of public interest.[8] In such a setting it is not surprising that parties are similar programmatically. Organization is limited and most parties do not maintain membership-based local branches.[9] With respect to the criteria spelled out above this is at best an unevenly institutionalized system but it works. Leaders and followers understand and accept the rules of the electoral game – "a complex coalition building game".[10] The requirement for coalitions is reinforced by the electoral system (closed list proportional representation with large multi-member constituencies) which prevents polarization and promotes acceptance of electoral outcomes.

In **Cape Verde** political representation is shared by two parties, the former sole party, the *Partido Africano da Independencia de Cabo Verde* and a Movement for Democracy formed at the time of democratization in 1991, both since then drawing between them more than eighty per cent of the vote. Here a stable two party system is strengthened by proportional representation organized through mostly two-member districts.[11] The parties are organized at district level but inactive between elections[12] and have consistently mobilized their following around ideologically distinctive platforms.[13] The PAICV tends to appeal to poorer communities and enjoys support from trade unions, the MPD is closer to business and the Roman Catholic church and backed by the middle class.

Ghanaian democracy also benefits from a durable party system in which two main organizations predominate, again an effect of the terms of democratic transition in which the conditions for party formation were in this case very demanding. These require parties to establish organizational

structures in 160 districts.[14] Their fulfillment of such conditions is evident at elections in which both parties' agents attend all polling stations.[15] Both parties, the New Patriotic Party and the National Democratic Congress recall in their operational style, iconography, nomenclature and rhetoric traditions that date back to the decolonization era of mass parties.[16] Parties exercise influence and activism through ancillary bodies: in 2001 these included the New Patriotic Party's "Keep Fit Clubs"[17] as well as the NDC's "Verandah Boys"[18], a grouping first mobilized by Nkrumah's Convention People's Party in 1951.[19] Both parties have strong kernels of ethnic support, Ashanti and Ewe respectively, but they function outside their home regions as ethnic coalitions and deploy ethnic appeals selectively – "It is better to have your own"[20] - alongside consistently right and left of center programmatic stances. In their local areas, Members of Parliament are expected to function as patrons and indeed spend a large portion of their time and their own resources in responding to individual constituents.[21] Primary-based candidate selection reinforces localized political dynamics. In election years MP's can expect to spend most of their salaries in retaining office, one reason why they so frequently award themselves salary increases early after returning to parliament.

In **Sao Tome** a dynastic political elite constituted by a tightly knit coterie of families divides itself between the three main parties. Each of these groups evolved out of factions of the former Marxist-Leninist single party, the Movement for Liberation of Sao Tome and Principle. In ostensibly competitive elections "strong social bonds between members of the ruling elite explain the willingness of losers to accept results".[22] Alternation in power is the product of shifting alliances between members of the ten parties that enjoy Assembly representation, almost always by members of the middle class elite, resident in the capital. In effect all the main parties share in a spoils system funded by oil revenues, foreign aid and externally derived donations. Resources are available to governing and opposition parties through competing groups of Nigerian businessmen jostling for tenders and rival Chinese governments bidding for diplomatic recognition, each of which sponsor a separate party. Since 1999, the year in which oil exploitation began, vote buying has increased sharply[23], and for this purpose the three main parties deploy grass-roots organizers

who will visit even the most remote villages to negotiate support with households. Organizers themselves are often loyal to particular notables and likely to defect with them in factional contests for office. Parties who cannot afford to buy votes advise voters that the ballot is secret and to "take their money and vote for us". As noted by the anonymous author of a leaked diplomatic cable to Washington, Sao Tome's party politics is "a system that works … sort of", not least because the Assembly holds real power (distinct from the executive) in making budgetary allocations.[24] Elections are after all free and fair even if the government's incompetence between them has provoked two brief military takeovers.

In **Senegal**, after reforms in 1978 that opened electoral politics to three-party competition, the incumbent ruling *Parti Socialiste* continued to depend upon its alliance with the Muslim brotherhoods to mobilise rural support. Local religious leaders, *marabouts*, would command villagers through religious edicts, *ndigels*, to vote for Leopold Senghor and his successor from 1980, Abdou Diouf.[25] Selective use of patronage, especially agricultural credit, helped maintain brotherhood loyalty, as well as inducing high turnouts and strong party identification among voters.[26] Reductions in state budgets during the 1990s caused a sharp contraction in the resources available and the *marabouts* with-holding of their backing was a key factor in Diouf's defeat in 2000. There were other factors as well that weakened the ruling group politically. A series of changes in the electoral system increased the share of PR-elected representatives in a parallel mixed member electoral system while an aging party leadership's refusal to leave office engendered increasing factionalism and defections. Abdoulaye Wade's *Parti Democratique Senegalaise*, triumphant in 2001 (in Senegal, presidents and parliaments are elected separately) was unable to replicate the dominance that the PS had maintained in its first decades in office. Neo-liberal policies reduced the scope of state controlled patronage and indeed in certain areas *Parti Socialiste* councilors sometimes succeeded in maintaining their political hold in specific areas through their manipulation of donor funded poverty alleviation schemes, directing food and loans to their favored households.[27] This was despite Wade's success in constructing his own alliance with the Muslim brotherhoods, especially the *Mouride*

brotherhood, traditionally powerful in the peanut growing region and critical to his success in the 2007 elections. By then in his eighties, Wade was presiding over an increasingly geriatric elite reproducing the same kinds of splits, tensions and disaffection that had weakened the *Parti Socialiste* in the 1990s. In 2012, in Senegal's second turnover, a new party head by Wade's former minister of the interior, Macky Sall, rode the tide of a two year-long nationwide protest movement animated by Wade's efforts to secure an unconstitutional third term. This movement was the product of civic agitation rather than political party activism and it survived sporadically violent police action. During Wade's presidency, the hitherto strong institutional structure of Senegalese party politics was severely weakened, partly through the president's deliberate efforts to fraction opposition through sponsoring the creation of new parties.[28] During the 1980s strict registration requirements to present nationally comprehensive electoral lists had ensured that the PDS would mimic the PS's mass party structure, in establishing an organizational presence in every district.[29]Progressive relaxation of registration rules as well as the dwindling of the resources available for patronage have eroded this organizational base and weakened the hold of the older broadly based catch-all parties. Meanwhile Sall's enactment of a fifty per cent gender quota for parliamentary representation before the national election may have disrupted the old ties of patrimonial and religious authority through which Senegalese parties used to exercise influence in the countryside.

In contrast to Senegal, one-party rule in **Zambia** was ineffectual outside the main cities and during the 1980s the ending of food subsidies undercut urban support for Kenneth Kaunda and his United National Independence Party. A powerful trade union movement lent support to the emerging opposition and the Movement for Multi-Party Democracy (MMD) won the first competitive election in 1991. The MMD mobilized support primarily through the commanding personalities it induced to defect from UNIP and through its exploitation of the organizational base supplied by the Zambian Congress of Trade Unions (ZCTU). However after its victory it refrained from building any systematic party structure. During the first decade of its rule, though, it reduced the likelihood of any concerted electoral challenge through dismantling the regulation that

had ensured trade unions their power during the UNIP era, abolishing compulsory union dues and ending the closed shop for a single union in each industry. Instead of mobilizing followers through a structured mass organization, the MMD chose to "work around key notables in regional bases to obtain deep, not broad followings".[30] Researchers in 2005 found party membership in decline with only UNIP, the old sole party, maintaining an active membership between elections.[31] Personality driven politics made the MMD vulnerable to secession and factionalism especially when President Chiluba began maneuvering for an unconstitutional third term. Two major breakaways from the MMD have helped to regionalize Zambian politics, though the loyalties of the urban poor on the Copperbelt and Lusaka remain decisive in determining electoral outcomes, swinging in favor of Michael Sata and the populist Patriotic Front in 2011. This swing was despite lavish distribution of gifts at MMD rallies. As in Sao Tome, public trust in an increasingly well managed electoral system enabled Sata to reassure his followers that they could take money, food and clothes from the MMD, without incurring any obligation. "*Kubeka*", he advised them – "don't tell them about which way you are voting" – after all, their choices would remain secret.[32] Significantly the ZCTU had continued to support the MMD: its loss of its old role as kingmaker a good indicator of the growing organizational incoherence of Zambia's politics.

Only in two of these six national settings, in Cape Verde and Ghana, do we encounter really well institutionalized party systems, in which firmly established and ideologically distinctive national organizations supply leaders with durable support bases that might induce them to believe that electoral wins and losses might be cyclical rather than long-lasting political reconfigurations, a key consideration in their embrace of the "rules of the game". In the two cases in which electoral victories depend upon temporally expedient alliances within the governing group, in Benin and Sao Tome, commanding personalities can depend upon enduring but limited support. Here the fluidity of alliances and the absence of well-structured party organization keeps open the future prospects of office-holding for those members of the elite who end up as electoral losers. In both the essential dynamics of party politics are predictable and hence

in their own way stable. In Senegal and Zambia, though, the break-up of a sole party system articulated around a mass organization model has created a much more volatile politics in which electoral outcomes can be highly uneven and in which incumbents' efforts to resist succession and replacement fragmented their own followings. Even so, in the case of Zambia in 2001, the MMD for all its organizational shortcomings had sufficient internal vigor that it could resist Frederick Chiluba's efforts to secure a third term. Certainly, strongly organized parties that function in stable relationships with each other can facilitate transition but the evidence here suggests that the existence of a well institutionalized party system is not an indispensable condition for relatively orderly alternation. As the Senegalese case suggests, pressure for leadership succession may be powerfully reinforced from outside the narrow domain of party politics.

Independent social activism by civil society groups

Politically assertive working class action, led by its own leadership, independently of politicians, might be one source of such reinforcing pressure. Was alternation in any of these six countries the direct consequence of pressure or mobilization by organized labor? Were any other kinds of mobilized social interest engaged and effective in defending democratic procedure? Can double turnovers and the restraint of domineering leaders be partly an effect of civil society strength?

Of all six cases, during their respective transitions to democracy, workers in Zambia were best organized. In 1990, of the 543,000 people in formal employment more than 90 per cent, 477,000 belonged to a trade union. Moreover the Zambian Congress of Trade Unions had a history of militant action in support of political goals and a series of confrontations with government through the 1980s attested to its independence. Much of its strength, of course, was attributable to its concentration in a key export industry, mining – and this brought to it a structural advantage compared to unions in most African countries including our West African cases in which organized labor is rarely concentrated in really vital economic arenas. As noted above, trade unions supplied the organizational underpinnings as well as key leaders in the electoral challenge to the

ruling party and for a while ensured that democratic opposition remained coherent and unified, at least during the transition. So, in the Zambian case, the mobilization of organized labor made a powerful contribution to a successful transition from one party rule. It is less easy, though, to make the same kinds of claims about the role of Zambian organized labor in helping to consolidate democracy. The removal of legal privileges enjoyed by the ZCTU has helped to weaken labor as has privatization of mining and other industries: with contraction in overall affiliation and falls in trade union density, labor has lost much its leverage, particularly with key industries depending more on casual labor. On the Copperbelt, the numbers of mineworkers have fallen by two thirds and many of them are unorganized. Trade union membership is now concentrated in public administration and state services. The quality of organization has decline, an effect of a 60 per cent fall in union income.[33]

Conscious of their vulnerability Zambian trade unions have backed away from partisan political affiliations. They did play a role in the civic agitation that helped persuade Frederick Chiluba to abandon his third term, in 2001 supplying much of the organizational platform for the OASIS alliance. In the 2012 election the ZCTU was not actively engaged in any electioneering. It is possible that the political assertiveness on the Copperbelt that was so important in bringing about Michael Sata's victory was a legacy of the consciousness created over time by organized labour. Sata himself clearly believes that trade unions retain political influence, appointing two ZCTU personalities as Minister and Deputy Minister of Labour. In his victory, though, press support was a critical factor: the Post newspaper which supported the Patriotic Front in the 2008 elections was then reported to be selling five times as many copies as any of the pro government newspapers.[34]In terms of the distinctions used by Karatnycky and Ackerman, Zambian civil society is strong: associations are socially rooted and they are networked among each other by coalitions and the underpinning webwork of historically strong labour organization.

In Benin, unions never possessed leverage comparable to the Zambian labour: historically they were largely concentrated among public servants. However the efforts of an avowedly Marxist Leninist regime after 1972 to reduce a relatively richly developed organized social activity

to party-dominated functional agencies afforded protection and privileges for certain types of associational life. The continuing predisposition of Beninois trade unions to supply a range of services including child care, shopping cooperatives and even laundry is evidence of their comparatively strong resource base during this regime, and again are suggestive of civil society strength with respect to the analytical categories cited at the beginning of this paper. With the onset of harsh austerities 1986 after an agreement with the IMF, officials and rank and file in a range of entities, including student bodies, professional associations, trade unions and market women's organizations united in rebellion against one party rule. The liberal terms of Benin's initial democratization through the 1990 national conference were very much a reflection of its civil society's comparative strength and the "autonomous power" of key social groups, particularly unions.[35] The subsequent refusal of unions to align with political parties – as well as the proliferation of labor confederations helps to explain the inability of any party to predominate electorally, one of the key factors in determining Benin's record of alternations.

Ghanaian trade unionists have a long history of political assertiveness, particularly with respect to railway workers who enjoyed bargaining power in an export oriented economy in which railway freight played a strategic role. In a classic study Richard Jeffries argued that the railway workers' democratic political idealism "derive[d] partly from socialization in the process and ethics of internal Railway Union politics"[36]. Their ability to close down a key transport artery helps explain their continued independence despite efforts by both the Nkrumah and early Rawlings administration to impose docile leaders. Trade unions were a major constituency in the 1990 Movement for Freedom and Justice that mobilized support for multiparty democracy.[37] In 2000 unions helped supply the 15,000 electoral monitors required by the Coalition of Domestic Observers. Commentaries suggests that civil society agencies including unions share much of the credit for dissuading violent predisposed political activists on election day. However by 2000, unions themselves had been seriously weakened: during the preceding Ghana's public sector lost 300,000 jobs.[38] In 2000 the most powerful source of civil society support for opposition parties was supplied by a recently deregulated private press as well as

local FM radio stations.[39] The ruling NDC itself had succeeded in co-opting women's associations through making membership of the quasi-official 31st December Women's Movement a precondition for qualifying for micro-finance loans. In the end probably the strongest politically independent source of institutional exhortation to induce acceptance of the electoral outcome was the Catholic Church. Keeping in mind Karatnyckey's and Ackerman's categories, the strength of Ghanaian civil society is only moderate. Though the democratic enhancing role it plays is important, its partial political incorporation by parties may be source of weakness.

Abdoulaye Wade's displacement in the 2011 poll in Senegal came after a year of almost insurrectional protest by urban youth. Some of the credit for this mobilization belongs to the range of organized interests including trade unions that assembled as an *Assises Nationales* in 2008 and which supported an electoral alliance, *Benno Siggil Senegal* (Give Senegal back her pride) that won the Dakar mayoralty in the 2009 local government elections. But the street action by unemployed youth in the twelve months preceding the election owed little to conventional kinds of social activism. Senegalese unions, student groups and even women's organisations were ineffectual in 2007, partly because of Wade's own manipulation of their leadership in preceding years through his channeling of patronage, diplomatic passports (that enabled job-seekers to leave the country) and government jobs.[40] In 2011-2012 youth mobilization was unprecedented, and it was animated by new kinds of communication, in particular hip-hop music and social media. Rap music especially supplied the key messages that induced a massive wave of youthful voter registration.[41] The peculiar power of the *Y'en A Marre* (enough is enough) hip hop movement in Senegal partly fed on the existing public respect for traditional *Griot* musicians as sources of social commentary but underlying this collective animation were important new shifts in Senegal's political economy. The increasing difficulty of migrating to Europe had closed off what used to be a key safety valve for the dissipation of the tensions that result from local joblessness. Landlessness and the removals of subsidies to peanut farmers have helped to prompt rapid urbanization: Dakar's population has more than doubled in the last decade. These developments have

helped to reduce the political influence of the brotherhoods: in the past their power partly rested on their capacity as local brokers to direct state credit to farmers and to organize the flow of migrant remittances from Europe. These two resources have contracted sharply. As in 2000, in 2012 the brotherhoods refused to align politically and this opened up political space for the new kinds of urban based social activism. Drawing upon our typology, it is difficult to make a case for Senegalese civil society as "strong": the neutrality of the brotherhoods and the volatility of youth networks suggest we should place it in the moderate category.

Both Sao Tome and Cape Verde have quite well organized trade unions and in Sao Tome civil service unions have a recent history of militant action. In Sao Tome other interests are quite well organized in farmers' associations and producer cooperatives. In Cape Verde survey evidence indicated 14 per cent of respondents belonging to trade unions and another 16 per cent to professional associations - relatively high proportions in this region. More importantly more than half the respondents claim to 'discuss politics with friends and neighbors' and 78 per cent professed 'interest in public affairs'.[42] In Cape Verde, as we have noted, organized social interests align with and help to bring programmatic distinctiveness to the two main political parties. In Sao Tome, though, this does not happen. In 2010 a report on civil society activism in Sao Tome suggested that it was 'in its infancy' noting that most of the affiliates of the *Federation de Organizaroesnao Governmentais* were externally funded and without significant membership, "briefcase NGO's", so to speak.[43]In these islands civil society, though politically active is at best supplies activist agency of moderate strength – and in Sao Tome may well still be weak.

Conclusion

Really there is no simple correlation between depth or extensiveness of civil society and progress in democratic consolidation as indicated by double electoral turnovers. In at least two of the African countries in which incumbent groups successfully resisted turnover and defied the electorate by staying in office, Zimbabwe and Kenya, civil society was more widespread and better organized than in any of our six cases here.

One comparative analysis of the relative density of civil society across "third wave" democratizers found that pre-transitional civil society in our case studies varied from strong to weak; it also noted that quite commonly "strong pre-transitional civil society does not remain so years after transition"[44], as is evident from the Zambian experience. But it is the case that politically autonomous organized or mobilized social life did play a key role at certain junctures in these countries' democratic progress. For instance, trade unions were very important in supplying organizational underpinning to successful opposition to one-party rule Zambia, Benin and Ghana and in effectively helping to displace the incumbent ruling party in Zambia and Benin. In each of these countries unions had enjoyed a quasi-official status during the one party period retaining resources without becoming completely subjected politically; since the democratic transition they have lost membership and status and their decline has represented a substantial weakening of civil society. At later stages after transition it was also the case that civil society actors, including trade unionists helped to induce democratic behavior, notably in the case of Ghana, in restraining violently predisposed political party supporters. Only in Cape Verde, though, do trade unions continue to play a significant role in helping to configure the aggregation of interests embodied in political parties. Elsewhere freshly independent newspapers and radio stations as well as senior echelon church leaders have helped to compensate for the declining capacity of labor organization to defend democratic procedure. In Senegal the weakening capacity of the older forms of social association embodied in the Muslim brotherhoods, a consequence of the contraction of the groundnut economy and of urbanization, opened space for new kinds of political mobilization. Whether website networks and hip-hop followings will cohere into more durable kinds of associational activity is yet to be proved.

Generally, then, in five of our six case studies, democratic achievement and in certain cases the reduction of political polarization is very substantially the consequence of politically assertive civil society. Politically autonomous social life – civil society - has played a key role in helping to structure political life and check constitutional abuse in most of these countries though it is unlikely that there is any correlation between

metrical assessments of civil society "strength" and relative achievement in democratic consolidation.

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The Role of Civil Society in Democratic Transition: The Case of Jordan

Natasha Shawarib

"There are today, in the Middle East, two men: one of the past and one of the future. Which one are you? Come close, let me look at you and let me be assured by your appearance and your conduct if you are one of those coming into the light or going into the darkness. Come and tell me who and what are you."

Gibran Khalil Gibran
The New Frontier 1925

Introduction

Transitions in Arab States have triggered a debate among scholars as to whether the outcome of the 2011 uprisings is yielding the hopes and aspirations of people who took off to the streets demanding freedom and justice. In post-uprising states, like Egypt, Tunisia and Libya, transition essentially means state building – a complete overhaul of all state institutions and decision-making processes. In Jordan and Morocco, both quasi-democratic monarchies, the response to popular demands has been led by the Monarchs through gradual top-down reforms. In both scenarios alike, I argue that the role of an independent and robust civil society is integral in the process of consolidating a democracy.

While it is evident that civil society is fundamental in state building, I emphasize that even in top-down democratic transition civil society is the backbone of a successful consolidated democracy. In specific, I take the case of Jordan to demonstrate that King Abdullah's reform vision, expressed in his recently published discussion papers, can only materialize if a broad ownership of the proposed political and economic reforms is established with an active civil society. Throughout this article, I tackle the case of Jordan in the context of regional transitions. By outlining the

crosscutting role civil society can play in democratic reform, I highlight the challenges faced by existing and emerging civil society organizations in the Kingdom. Finally, by establishing that civil society *is* an integral and an indispensible component of democratic transition, I draw on the important role the international community ought to play in supporting civil society as a key partner in the development and implementation of the reform process.

I. Defining the Democratic Transition Process

In evaluating a state's transition into democracy, one ought to measure how far off a community is from establishing a fully consolidated democratic system. Linz and Stepan explain that a consolidation occurs when democracy has become "the only game in town". (Linz and Stepan 1996, p.5) They argue that there are three levels of consolidation: behaviorally, attitudinally, and constitutionally. Behaviorally is when there is no significant political group that tries to overthrow the regime or secede from the state. Attitudinally is when the majority of the people believe that further political changes must happen through democratic means. And finally, constitutionally is when all actors agree that political conflict will be resolved according to the established norms. (Linz and Stepan 1996, p.6) In this context, the evaluation of democratic transition in Arab states ought to shift from a mere assessment of the outcome that is yet to be attained, towards observing critically the process of building a consolidated democracy.

While the process may take years if not decades, the main questions to be addressed as countries undergo transition should be: is the transition process responsive to demands set out by the population? Are all necessary actors involved in the transition process? Finally, is "democracy" a mutually agreed upon goal for all these actors? Today each country in the region is experiencing significant turmoil, largely due to the failure in reaching a common and shared vision among actors as to where the transition is heading. In the case of Jordan, top-down reform is based on a championed vision for democracy that does not necessarily incorporate the aspirations of the different stakeholders in the Jordanian society. The lack of an inclusive process resulted in increasing cynicism

in political discourse amid circles of activists, columnists and political figures. Prospects for democracy seem harder to attain in 2013 than at the surge of protest and reformist movements in 2011.

Linz and Stepan explain that consolidation of a democracy requires five interacting and reinforcing arenas within a state: (1) free and lively civil society, (2) autonomous and valued political society, (3) guaranteed freedoms through rule of law, (4) usable state bureaucracy, and finally (5) institutionalized economic society. (Linz and Stepan 1996, p.7) In this article, I focus on two specific arenas that are indispensable for democratic transition: a free and lively civil society, and an autonomous and valued political society. These two arenas fall under the umbrella of 'civil society at large.' In specific, I opt for the following definition of civil society in developing my argument: "The arena, outside of the family, the state, and the market, where people associate to advance shared interests." (CIVICUS Civil Society Index)

The advancement of shared interests in this scenario is the process of consolidating and deepening a democratic system. In this process, a robust civil society is invaluable for its capacity to push transition forward and support citizen-driven movements. Linz and Stepan further explain that civil society can "help resist reversals and help push transitions to their completion." (Linz and Stepan 1996, p.9) Its role is particularly fundamental where civil society may act as a government watchdog. By monitoring the government and the state, civil society is able to generate political alternatives and advocate for change in policy. Most importantly, a free and independent civil society entails active accountability for the state both politically and administratively. By actively representing the shared interests of citizens, civil society can consistently hold government and state accountable.

King, Felty, Susel and Simrell quote Stivers' rationing on active accountability: "The Administrative legitimacy requires active accountability to citizens, from whom the ends of government derive. Accountability, in turn, requires a shared framework for the interpretation of basic values, one that must be developed jointly by bureaucrats and citizens in real-world

situations, rather than assumed. The legitimate administrative state, in other words, is one inhabited by active citizens." (King, Felty, Susel and Simrell 1998, p.319) Where there is shared interest, shared responsibility and active accountability, there is public ownership over the transition process, and more importantly, the outcome as a whole. Therefore, the more inclusive a transition is, specifically in terms of incorporating the role of civil society as a partner, the more likely it will result in a system that works to ensure equality of opportunity and equity; economically, socially and politically. It is only then that a society has achieved all the dimensions of a consolidated democracy: attitudinally, behaviorally, and constitutionally. Based on this rationale, the next sections will provide an overview of Jordan's top-down reform process to date, and an evaluation of the role civil society plays in the design and implementation thereof.

II. Jordan's Top-Down Reform Effort

In early 2011, protests in the Jordanian Capital Amman and the governorates erupted denouncing a critically deteriorating economy and decades of political suppression. In a context very similar to its neighboring states, Jordan's young population was no longer willing to give up its freedom under a false pretense of economic stability. Marwan Muasher, Vice President for Studies at Carnegie Endowment for International Peace and former Deputy Prime Minister of Jordan, explains the failure of the 'bread before freedom approach' adopted by Arab regimes for decades: "the approach did preserve macroeconomic stability—which helps the poor, who are the first to suffer in an inflationary, low-growth environment—but failed to yield inclusive growth or address corruption, which multiplied in the absence of parallel political reform." (Muasher 2013, p. 15)

JORDAN

Population: 6,500,000
GDP Per Capita: $5,900
Economy: Mixed Capitalist
Debt/GDP: 75%
GDP growth: 2.7%
Women Economic Participation: 14.3%
Unemployment rate: 12.5%
Population growth rate: 2.5%
Polity: Constitutional Monarchy
Literacy: Male 95.8%
Female 89.2%

The adjacent figures indicate how acute the economic and political challenges facing the Jordanian Kingdom are. With the rise of public discontent, the regime has been pressured to allow for some fundamental political reforms in order to address popular demands. These demands called for the conduct of free and fair election under a representative electoral system, where a parliamentary majority may form an elected government. More so, activists were firm in demanding a genuine fight against corruption and pledge by the regime to hold those responsible for corruption accountable. Civil society organizations and coalitions launched a number of campaigns advocating for reform and developed considerable recommendations to help out decision makers in adopting the right inclusive and meaningful measures. Nevertheless, the reform process carried out by the government seldom responded to such recommendations, and if anything, can be labeled as exclusive and lacking public ownership.

Country Ratings

Ranking on UN HDI: 95/182 (2011)
World Bank Rule of Law: 62.0 (2011)
WB Voice & Accountability: 25.4 (2011)
Transparency International (2012)
Corruption Perception Index: 58/180
FH Freedom in the World: Not Free
Political Rights: 6
Civil Liberties: 5

Since early 2011, the Kingdom has had six consecutive governments appointed by the Monarch, and two parliaments elected via contested election laws. The 16th Parliament passed forty-two constitutional amendments introducing key political reforms in the summer of 2011. These amendments include: the establishment of an independent election commission and a constitutional court, the abolishment of the State Security Court, as well as the introduction of minor limitations on the Monarch's authority to dissolve Parliament among others. Following these advancements, the Parliament also amended the Political Parties and National Election legislation. While some significant changes may be applauded, the overall process has been met by much criticism and disappointment namely due to the regime's inability to secure local buy-in.

In parallel to this process, civil society was actively working to advocate for reforms that respond to public demands on the one hand, and pave the way for long-term and sustainable restructuring of Jordan's political system on the other. Some of these prominent civil society organizations are the Jordan Society for Human Rights, Jordanian Women's Union, Sisterhood is Global Society, Arab Society for Human Rights, and the Arab Women Organization among others. In fact, coalitions of these organizations and other community-based societies were established, and together with national organizations such as the National Center for Human Rights and the Jordanian National Commission for Women produced extensive recommendations for political reform. The government(s) expressed interest in engaging in deliberations with civil society and staged 'comprehensive' dialogue initiatives bringing political parties, labor unions, civil society organizations, media figures and at times even tribal figures, to discuss reform priorities, some of which I have attended and participated in. However, it is unfortunate that neither civil society recommendations nor the staged deliberations emerged as tangible input in shaping key reform legislation.

In specific, I choose to highlight an orchestrated government-led initiative aimed at running an inclusive process in the early stages on designing the political reform agenda. The National Dialogue Committee (NDC) was formed in 2011 under the leadership of Senate President Taher Al Masri. The Committee was comprised of community leaders and activists, women organizations, political party members, journalists and lawmakers meant to represent all facets of Jordanian life. Upon its formation, the Committee was mandated with conducting national dialogue on key political reform legislation. It was tasked to present recommendations for amending both the Election Law and Political Parties Law to pave the way for a future parliamentary government. After more than three months of deliberation, the Committee's recommendations were undermined when the 16th Parliament passed both bills not bearing any resemblance whatsoever to those presented by the NDC.

With that said, parliamentary elections were held in Jordan in January 2013. In spite of a major boycott by key political parties such as the

Islamic Action Front, the Communist Party, the Popular Unity Party and others, national elections were praised for being a "milestone" in Jordan's history of election conduct due to the management of the independent election commission. Nonetheless, the 17th Parliament today remains unrepresentative and lacks local legitimacy with the Jordanian society – namely because of widespread discontent with the Election law itself, and most importantly with the process by which the law was passed. A top-down reform process could have been successful and inclusive if the National Dialogue Committee's work was reflected in discussions under the Dome, and better so if its recommendations were endorsed. The lack of public ownership in the outcome of the political reform process to date is largely due of the continuous and systematic marginalization of citizens and civil society groups from the design and implementation of reform policies.

> "Reform rhetoric without results is no longer convincing."
>
> Marwan Muasher

Finally, where political reform was seen as a priority, economic reform efforts were lagging behind. The national budget deficit continues to increase, unemployment is still on the rise and the nation's dependency on foreign aid is more acute today than ever before. With more than six cabinets in three years, economic reform policies have been inconsistent and carried different objectives and means for implementation. In fact, if one is to evaluate the overall public budgeting process and relevant economic policies, it is unfortunate that this integral area of governance remains the least transparent and inclusive in the Kingdom. The establishment of the Social Economic Council was a plausible step towards the incorporation of civil society and the private sector voices into policy-level debate. Nonetheless, the Council's role remained merely as a consultative body and seldom did its input make it into discussions under the Dome or was used to shape policies.

These shortcomings pose serious threats to the stability and sustainability of the democratic transition process. Marwan Muasher explains: "Economic reforms must go hand in hand with political transitions. They must benefit all segments of society and have buy-in from everyone." (Muasher 2013, p.15) With a lack of local buy-in, attempts by the Kingdom to navigate through the detrimental effects of regional turmoil spilling over its borders will be undermined. The current government will have to continue imposing austerity measures to deal with the economic challenges exacerbated with the increase in Syrian refugee influx into Jordan and the unstable gas supply from Egypt. Along with decades of poor economic and financial policies, and a history of dependence on gifts and aid, the only way the Kingdom will navigate through the growing economic challenges is by leading a transparent and inclusive policy-making process. Hence, economic reform requires a robust and simultaneous political reform to move the country from the present stagnant reality towards a vibrant democracy.

In light of the highlighted points herein, it is unlikely that a democratic system is consolidated unless the five main arenas, abovementioned, are able to interact and engage effectively in governance. In the following section, the paper will focus on the role civil society can play from this point onwards in seeing through a more inclusive and sustainable transition.

III. Civil Society: A Partner in Reform

The Kingdom's democratic transition journey is still far from reaching the finish line; in fact, for many it has not yet started. The King earlier this year has articulated clearly how the 'finish line' would look like. He stated: "The principles underpinning our journey are clear. We will nurture and protect political pluralism and develop the appropriate checks and balances for a properly functioning democracy. We will strengthen and enhance our civil society and ensure a level playing field for political competition. The rights of all citizens, especially those of minorities, will be safeguarded as per our Constitution. The key question we must answer together is how our institutions and systems will continue to enshrine and protect these principles as we make our transition." (HMK Abdullah

II, Second Discussion Paper) Therefore, the top-down reform process is envisioned to result in a representative Parliament, a parliamentary government, where both can be held accountable under the rule of law and an active citizenry.

The outcome illustrated by the King is considerably acknowledged and shared by the majority of the Jordanian public. It is the process of getting there that has been met with much controversy. The regime can no longer lead the top-down reform process as a unilateral initiative. Consolidating a democracy requires democratic means. Therefore, and re-iterating the King's words, the regime has to work collaboratively with citizens and civil society in order to design and implement an inclusive plan for reforming the state. This by all means is not a new trajectory. A diverse group of experts, government officials, representatives of civil society, private sector and individuals put a comprehensive roadmap forward in 2005 defining priorities for political, economic and social reform in the Kingdom. "The National Agenda effort in Jordan outlined final targets, milestones, performance indicators, and time frames, but was never implemented. " (Muasher 2013, p. 17) It was not implemented merely for the absence of a political will; power sharing at the time was not a tabled option. Today, an inclusive process is vital for securing public ownership and buy-in in the process itself.

Political reform on its own will not address the core challenges facing Jordan. Economic reforms must be designed and implemented in parallel to the democratization process. As the state works on establishing a wider base for power sharing, there has to be in tandem emphasis on increasing social and economic inclusion by developing opportunities to all citizens equally and improving the effectiveness of state support for the vulnerable. More so, partnership between the state and stakeholders is as crucial in economic reform. The state has to continue to cooperate and support private sector efforts, particularly small and medium enterprises (SMEs), aid job creation and work with civil society on joint ventures for developing human capital and skills. A successful example for this collaborative governance approach is INJAZ; although implemented on a smaller scale, yet similar cooperation and partnership has to be

materialized between the state, civil society and the private sector on a national-level in order to respond to public demands for immediate economic and social developments.

Much of the discourse insofar has been focused on power sharing on a national level. Both political and economic reform decisions are taken in the Center; the Capital Amman and are expected to equally benefit all segments of the society across the country. Power sharing as a concept is not translating into local-level governance. Municipal elections in the Kingdom have been put on hold for years now. While the scope of authority and autonomy of municipalities remains controversial, the municipal election law itself has also been highly scrutinized. If the regime is seeking public ownership over the reform process, citizens will have to play influential roles at all levels of governance. In fact, Cheema explains the vital role of decentralization in transition by stating: "Decentralization facilitates the growth of civil society organizations and networks, because it provides the greatest scope for the establishment of civil society around local issues that directly impact the lives of the people. Decentralization can be both a means – such as to improve efficiency and effectiveness of public services – or an end in itself – such as to promote the values of pluralistic, participatory democracy." (Cheema 2005, p.9)

The King also tackles the question: how must the state's institutions and systems practice and protect the principles stipulated in the Constitution. Diamond explains that in a transition, sustaining democratic practices "requires dense, vigorous civil societies, with independent organizations, mass media, and think tanks, as well as other networks that can foster civic norms, pursue the public interest, raise citizen consciousness, break the bonds of clientelism, scrutinize government conduct, and lobby for good-governance reforms." (Diamond 2008, p.4) Thus, civil society, if granted the space to operate freely and independently, is integral in bridging the gap between citizens and the state (its politicians and its institutions). Citizen participation is essential for two factors: (1) it sustains a democratic system that is dependent on active citizenry, and (2) participation has an intrinsic value as it further promotes citizenship. Therefore, the more grassroots civil society organizations are able to

represent their constituencies, the greater citizen participation can be fostered.

Women organizations, in particular, are essential as the country undergoes its democratic transition. Arab women continue to face barriers towards an equal and productive participation in political and economic lives. In fact, trends across the region indicate that the new conservative political and social forces entering into the political arena are increasingly calling for a rollback in women's rights. Such calls by conservative groups tend to link previous gains for women to former regimes; gains include progressive laws on divorce and regulations on the ban of female genital mutilation and child marriage among others. Therefore, with the emergence of new and diverse civil society groups – each representative of its own constituency – women organizations can work collectively to increase women's opportunities for economic and political empowerment, and most importantly for increased participation in the decision-making. Women organizations should capitalize on emerging opportunities to help build leadership skills among women and young girls in order to sustain and uphold women's rights and freedoms through transition and beyond.

Thus far, I have emphasized the role civil society can play in transition. It is only fair to examine the challenges faced by civil society impeding its ability to act effectively and efficiently as outlined above. These challenges can be categorized into four major areas: (1) the enabling environment for civil society to work freely and independently; (2) internal cohesion of civil society; and finally (3) the nature of international policies and donor relations. First, civil society organizations still operate within a

> *"Access to information by civil society and the media remains a hurdle."*

restrictive legislative framework. The Law on Societies of 2008 and its relevant amendments impose numerous restrictions on the work of civil

society organizations, particularly by allowing for a tightened government grip over associations' activities, finances and internal affairs. Another aspect of the enabling environment is transparency. To perform its role effectively, civil society has to operate in a transparent environment with full access to information. While there have been efforts by the state to increase transparency, access to information by civil society and media remains a hurdle.

Second, it is important to note that civil society is not one homogenous body. On the contrary, civil society organizations are diverse and represent an array of affiliations and interests. However, in a transition, civil society should overcome internal division and join efforts on shared objectives, build coalitions, and cooperate in developing inclusive platforms representative of all citizens especially those with weak representation such as women, youth, and minorities.

Finally, the third challenging area is the role of the international community and donor policies for supporting civil society. For years, international donor policies have been exclusive offering support to a select group of civil society organizations – most often, pro-regime organizations. Such policies were continuously criticized for being contradictory for meaningful change cannot be led by organizations upholding the status quo. The international community has to shift its policies when supporting civil society throughout democratic transition. In this context, the following section of this paper focuses on the role of the international community vis-à-vis supporting civil society to perform its anticipated role in transition.

IV. International Community's Response

The international community plays an essential role in supporting transition. While there are significant opportunities emerging today after recent regional changes, Behr and Siitonen explain that difficulties historically facing international donor's efforts in supporting civil society remain, and these include "the difficulty of identifying appropriate partners, the normative pre-dispositions of donors, the political nature of civil society, and the difficulty of transferring Western civil society concepts

to countries which have experienced a different historical development." (Behr and Siitonen, 2013 p. 20) Nonetheless, the international community ought to support internationally recognized human rights principles that are universal and inherent. Donors have to acknowledge the role civil society plays in protecting citizens' inalienable rights and in advocating for their freedoms. It is important to recognize this as less of a political activity and more of a rights-based approach to supporting citizens' struggle for freedom and justice.

The mechanisms for supporting civil society have to be revisited, too. International donors ought to evaluate current regional funding policies and introduce innovative funding models tailored to specific country needs. Depoliticizing support to civil society means that international donors have to support local homegrown efforts in the pursuit of their goals. The international community must invest in building local capacities in different areas particularly in democratic consolidation processes such as election observation, parliamentary monitoring, public accountability, and advocacy.

More so, the international community, through its targeted funding, should facilitate building cooperation and collaboration networks between civil society, private sector and government. By fostering cross-sectoral cooperation, the international community would also be showing commitment to newly emerging societies and would further support the integration of women, youth and minorities in the process. Key to sustainable democratic development is the local ownership of change; hence, donors should establish partnerships with local societies in order to set development priorities. Needs-based project development is at the heart of a long-term democratic consolidation process.

Finally, as highlighted above, economic and political reforms must be implemented in parallel with one another. The international donor community should recognize that economic and political development goals are indivisible. Thus, international development policies pertaining to human rights and security have to be coherent with those dictating economic relations, trade and investment. The international community

should consider supporting transition through a multi-sector development approach. Such approach can garner long-term sustainable growth by building productive capacities, generating job opportunities and ensuring that growth returns are benefiting society equally and fairly. (Mohamadieh, 2011)

V. Final Remarks

Three years into major regional shifts across the Arab region call on both the local and international communities to pause and assess the progress of democratic transition in each state. Instead of anticipating an outcome that is far from being attained in the near future, the assessment has to be geared towards the process of transition in itself. The main question to be asked is whether the democratic transition process is leading towards a consolidation of a democratic system. Today, young generations in the region have inherited weak economies, corrupt bureaucracies, and an enormous amount of dysfunctional state institutions that lack both legitimacy and credibility. Without a dramatic upheaval, Jordan is faced with the same challenges on both the political and economic fronts. Even if there is an eloquently enunciated vision for "a better Jordan," the state's over-burdened institutions are incapable of managing large-scale and complex reforms on their own. Decades of paying lip service to the role of civil society in the Kingdom's development have been met with little to ensure a free enabling environment for civil society organizations to operate effectively and efficiently within.

Therefore, **the state** needs to lead a more inclusive reform process where civil society and the private sector can be seen as partners. Public ownership over the process of reform is key in consolidating a democracy and in preventing any reversals or a democratic rollback. The state needs to lift restrictions placed on civil society and allow for an independent and robust civil society to perform its role effectively and efficiently. The challenges faced today by the Jordanian society are not going to be solved overnight, nor will a remedy be developed by one sector of the society; it must be tackled through collaborative and participatory governance mechanisms.

More so, **civil society** needs to be more aggressive in ascertaining its role in the political and economic spheres. Civil society should take up bolder roles as government watchdogs both at the national and local levels. Also, civil society organizations have to build cross-sectoral networks and to cooperate with government and the private sector to help lead a comprehensive economic and political reform process. And finally, the **international community** should invest in building local capacities for leading and consolidating democratic processes and practices. It should tackle political reform and economic reform as a one-package deal that works towards long-term sustainable development.

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La société civile dans un environnement méditerranéen changeant : Essai sur la contribution de la crise financière internationale sur le « Printemps arabe »

Fouad M. Ammor

Depuis, l'année 2010, la société civile sud méditerranéenne a fait montre d'un dynamisme inédit dans l'histoire de cette région. Ses prouesses sont le reflet de sa grande maturité. En un laps étonnamment court, quatre dictateurs (Tunisie, Egypte, Libye et Yémen) et non des moindres ont eu un sort tragique.

Ce « tsunami » révolutionnaire appelé « Printemps arabe », s'est en fait déroulé grâce à des mouvements de protestations composites et contrastés. Ils vont de l'extrême gauche à l'extrême droite, en passant par des islamistes modérés et d'autres beaucoup moins. Avec, toutefois, un seul dénominateur commun : le refus d'un environnement caractérisé par l'injustice et l'indignité tous azimuts de régimes autocratiques fussent-ils modernisateurs.

La jeunesse, ayant dans l'ensemble atteint un niveau d'éducation et aspirant à un monde meilleur, est le fer de lance de cette protestation de masse. Les associations de la société civile se sont montrées au rendez-vous de ce moment historique crucial.

En effet, ce « Printemps arabe » ; mouvement de masse spontané se trouve peu accompagné par la frange intellectuelle arabo-musulmane. C'est un activisme de grande envergure enclenchant ce séisme dans cet espace Méditerranéen.

Il y a lieu de reconnaître que les forces politiques d'opposition légales ont été peu impliquées, ne serait-ce qu'au début du processus. Par la suite, certaines ont été dépassées d'autres ont tenté de récupérer le bénéfice du processus. L'un des grands problèmes du « Printemps arabe », et de

ces mouvements de protestations que le Monde arabe a connu ces deux dernières années, est que ces expressions de refus de l'ordre établi sont l'émanation de groupes composites et divers ayant une seule conviction commune : la politique suivie dans ces pays est loin de répondre à leurs aspirations et à leurs attentes. Le discrédit est souvent passé de la politique aux politiciens.

Dans ces protestations, plus que le « social », il y a de l' « identitaire »[1]. Ce mouvement de protestation de masse tend de réduire le fossé entre un « Etat » acculturé, se voulant « nationaliste » et une « société » d'une culture forte[2], ou en d'autres termes un « Etat faible face à une culture forte ». Toute la compétition politique dans pays arabo-musulmans depuis leur indépendance est cette lutte incessante entre : un Etat qui se veut fort adoptant un effort incessant visant à atténuer la prégnance de la culture de contestation sociale ambiante.

Nous avons assisté à une véritable dialectique dans la configuration des Etats dans ces pays entre un nationalisme transcendant les dissensions domestiques et des mobiles religieux fortement mobilisateurs. Ces éléments constitutifs de l'épaisseur étatique dans ces pays ont connu une alchimie changeante s'adaptant à un certain rapport de forces et aux intérêts en jeux.

Sur le plan intellectuel, force de constater que les pouvoirs en place dans ces sociétés y ont en partie réussi. Mais, la profondeur de la culture forte incarnée dans les méandres de la société civile était dans l'expectative, et lorsque certaines conditions (crise économique et financière, révolution des média, masse critique des jeunes instruits, support externe) venaient à se réunir, le retour de manivelle fut entamé.

1 « La société musulmane est un Etat faible et une culture forte » in Gellner. E. 1996 « Condiciones de la libertad. La sociedad civil y sus rivales, Paidos, Barcelen.

2 « La relation que Gramsci établit entre ce qui est universel et ce qui est singulier assure la 'spécificité arabe' » in Maria-Angels Roque « La société civile au Maroc » Publisud-IEMed-Sochepress. 2004, p34.

Ce qui se passe aujourd'hui est l'inauguration sinon l'approfondissement d'un processus où l'Etat est entrain de se réconcilier – avec la souffrance de l'enfantement- avec sa société civile. C'est un processus long est douloureux. Les manifestations de ce trend sont la multiplication des consultations populaires, l'élaboration de nouvelles constitutions, la mise en place de comités et commissions chargés d'élaborer des règles législatives et politiques d'importance stratégique pour ces pays. Ici la société civile en tant que ensemble d'organisations et de mouvements spontanés à but non lucratif dont l'objectif est d'influence intellectuellement, idéologiquement et culturellement, la politique de l'Etat, prend toute son importance.

Certains pays de la rive sud de la méditerranée ont une certaine longueur (Maroc) d'avance sur les autres (Tunisie, Egypte, Yémen, Syrie..). Les supports traditionnels des Etats (notabilités locales, notables ruraux, Oulémas) sont en perte de vitesse par rapport à l'ascension d'autres forces politiques et sociales (ONG, activistes associatifs, personnalités indépendantes)

La pérennité et la persévérance de ce processus de contestation et de réforme/révolution nécessitent d'autres compétences que celles fort utiles de mobilisation et de protestation : une vision commune, une organisation disciplinée, un savoir-faire pour conduire les négociations et jeter les bases d'un nouvel ordre politique (nouvelle constitution, nouvelle civilité). En effet, ce mouvement est tiraillé entre une tendance moderniste (peu présente dans les mouvements de protestation) et une autre traditionnaliste[3] comblant une aspiration ontologique en sourdine des populations de ces pays.

La crise financière : composante nodale du « Printemps arabe ».
L'autre donne à laquelle, on a peu prêtée attention dans les analyses de ces changements n'est autre que l'impact de la crise financière et

3 Pour mesurer l'ampleur de la crise actuelle, il y a lieu de rappeler que l'effondrement des prix immobiliers se situe entre 16 et 35% aux Etats-Unis. Soit 6000 milliards de dollars de valeur nette d'hypothèques vite partis en fumée.

économique qui a touché de plein fouet l'espace euro-méditerranéen. La réflexion fut, principalement, focalisée sur les changements *politiques* et ses conséquences sur les reconfigurations des pouvoirs en place dans ces pays. Aujourd'hui, on se rend compte que la crise économique et financière a participé à la maturité des changements en cours.

En effet, l'espace euro-méditerranéen et plus précisément sud méditerranéen connaît des changements majeurs ces trois dernières années. Parallèlement au « Printemps arabe », et ses conséquences sur le plan politique et la chute de certains dictateurs qu'on croyait éternels, la crise internationale qui fut enclenchée par l'éclatement de la « bulle financière » continue d'impacter fondamentalement les équilibres fragiles des pays de la rive sud de la Méditerranée.

La crise des subprimes[4] s'est vite transformée en une véritable crise économique, avec fermeture d'entreprises, augmentation de chômage, baisse de la consommation. Les seule Etats Unis se sont portés garant de 6 000 milliards de crédits immobiliers ! La crise d'abord américaine s'est ensuite et rapidement débouchée sur une crise systémique de la finance internationale. Cette crise se monte à 31 554 milliards de dollars, soit 58% du PIB mondial.

L'impact de cette crise n'a pas tardé à se faire sentir avec force, à des degrés divers, au niveau des économies des pays sud méditerranéens. En effet, si ces pays ne constituent pas un bloc monolithique, il n'en demeure pas moins que la majorité d'entre eux, sinon tous, à divers degrés, en pâtissent.

Certes, les pays pétroliers ont pu y faire face avec moins de dégâts, (malgré le fait que le prix du pétrole brut a baissé de 50% entre 2008 et

4 Zo Randriamaro « L'impact de la crise sur les droits des femmes: les perspectives sous-régionales » Awid les droits des femmes. Article 10. http://www.awid.org/fre/content/download/101345/1182035/file/Article%2010%20Afrique%20de%20l%20Est.pdf

2009)[5] ce n'est pas le cas d'autres pays qui ne disposent pas de denrées stratégiques à même de préserver leurs acquis dans le cadre des échanges internationaux[6].

En fait, dans le cadre d'un monde asymétriquement interdépendant, la crise touchant initialement les pays développés, a vite impacté les pays du sud de la Méditerranée. Ceux-ci ont été d'autant plus touchés qu'ils entretiennent des liens forts avec le marché européen. Selon les rapports du FMI, seuls 11% des pays du sud sont relativement insensibles à la crise, alors que le reste de ces pays reçoivent de plein fouet les retombées de la crise.

La contraction du marché des pays développés et la baisse de leurs besoins en biens agricoles, minières et manufacturiers sont senties avec force dans les comptes courants de ces pays. Les répercussions de la crise sur les pays du Sud sont aussi nombreuses que diverses. Parmi lesquelles on peut citer les suivantes :

1. La baisse du volume et du niveau des prix des produits exportés par les pays du Sud Méditerranéens en direction des pays européens. En moins d'un an, le recul de ce commerce mondial des marchandises est d'au moins de 30%.

2. La forte baisse de prix des matières premières. En moins d'un an, elle se situe entre 30 et 50%.

5 L'impact de la crise devrait aboutir à une augmentation considérable du nombre de pauvres dans les PMA. En 2010, la crise devrait accroître le nombre de pauvres de plus de 8,8 millions dans les PMA africains, et de 0,7 million dans les PMA asiatiques, soit une hausse au total de 9,5 millions. Cf. Bureau du Haut-Représentant pour les pays les moins avancés, les pays en développement sans littoral et les petits États insulaires en développement (UN-OHRLLS) 2009. « IMPACT DE LA CRISE FINANCIÈRE ET ÉCONOMIQUE MONDIALE SUR LES PAYS LES MOINS AVANCÉS » p 27.

6 UNCTAD « World Investment Report » Toward a new generation of investment policies 2012, p2

3. La montée du chômage dans les pays développés s'est traduite par un recul sensible des transferts des migrants vers leurs pays d'origine. Selon les données statistiques du FMI, ce recul est 25% en Asie et 36% en Afrique.

4. La chute des Investissements directs étrangers dans les pays du Sud et même un retrait des capitaux occidentaux cherchant à financer leurs besoins financiers dans leur pays d'origine. Cette baisse des flux d'Investissements directs étrangers est estimée à 23% entre 2007 et 2011[7]

5. Le recul notable de l'Aide Publique au Développement au profit des pays du Sud. Ce recul est estimé à quelques 40% de l'Aide prodiguée avant l'éclatement de la crise en 2007.[8]

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7 Les pays donateurs devraient procéder à des ajustements budgétaires pour supporter le coût des mesures de relance économique. Ces ajustements pourraient entraîner une contraction de 20 à 40 % de l'APD, comme ce fut le cas lors de précédentes crises financières. Cf. Subha Nagarajan « Impact de la crise financière internationale sur les envois de fonds vers l'Afrique » Département de la recherche sur le développement Banque africaine de développement. Synthèse no 4, mai 2009

8 En 2000, l'Organisation des Nations unies a précisé le sens et les objectifs de l'aide publique au développement.
Au nombre de huit, les Objectifs du millénaire consistent surtout à parvenir à réduire de moitié la pauvreté dans le monde entre 2000 et 2015:

1. Réduire l'extrême pauvreté et la faim de moitié.
2. Assurer l'éducation primaire pour tous.
3. Promouvoir l'égalité des sexes et l'autonomisation des femmes.
4. Réduire la mortalité infantile.
5. Améliorer la santé maternelle.
6. Combattre le sida, le paludisme et les autres épidémies.
7. Assurer un environnement durable.
8. Partenariat pour le développement.

En fonction de leur degré d'ouverture à l'égard du marché mondial, les pays du Sud, avec des décalages plus ou moins importants, dans le temps, ne pouvaient pas en rester indemnes. Les objectifs du Millénaires pour le développement[9] en ont pâtis accusant, dans cette veine, quelques retards dans leurs réalisations[10] et ce, en dépit de l'engagement des 140 Chefs d'Etat et de gouvernement qui se sont réunis à l'ONU (New York) le 22 septembre 2010 de continuer leurs efforts malgré les « crises globales, des catastrophes naturelles et des conflits actuels»[11].

Cependant, force est de constater que l'Aide Publique au Développement nette reste encore en deçà des attentes (0,7 % du PIB des pays développés), elle a atteint en 2011, 134 milliards USD, représentant seulement 0.31 % du revenu national brut cumulé des pays donneurs.

9 « Les projections indiquent qu'en 2015 plus de 600 millions de personnes dans le monde n'auront toujours pas accès à une eau potable améliorée; près d'un milliard vivront avec moins de 1,25 dollar par jour;(…). La faim continue d'être un défi au plan mondial, et assurer que tous les enfants sont en mesure de terminer leur éducation primaire demeure une cible fondamentale, mais non atteinte, qui a un impact sur tous les autres objectifs. (…). La perte de la biodiversité se poursuit rapidement. Nous devons aussi reconnaître l'inégalité du progrès entre les pays et les régions, et les graves inégalités existant entre les populations, surtout entre les zones rurales et urbaines.

Réaliser les OMD d'ici à 2015 représente un défi qu'il est possible de relever. Beaucoup dépend de la réalisation de l'objectif 8 : Le partenariat mondial pour le développement. La crise économique actuelle, à laquelle une grande partie du monde développé est confrontée, ne doit pas ralentir ou inverser les progrès qui ont été réalisés »

Objectifs du Millénaire pour le développement Rapport de 2012. Nations Unies, New York, 2012, Avant Propos, Ban Ki-moon, Secrétaire général des Nations Unies.

10 Discours d'ouverture (20 septembre 2010) d'Helen Clark, Administratrice du Programme des Nations Unies pour le développement (PNUD).

11 OCDE, L'APD en 2011,

Parallèlement, l'endettement public des pays de la rive sud de la méditerranée a connu une envolée assez significative depuis l'enclenchement de la crise financière internationale.

Evolution de la Dette publique de quelques pays du pourtour de la Méditerranée en US $

	2008	2009	2010	2011
Maroc	16,537,669,000	19,217,591,000	21,045,362,000	22,323,675,000
Algérie	3,264,572,000	3,016,036,000	2,620,009,000	2,213,045,000
Tunisie	14,439,016,000	14,839,825,000	14,652,993,000	14,958,256,000
Mauritanie	1,668,918,000	1,839,678,000	2,174,058,000	2,379,708,000
Egypte	30,377,539,000	30,926,312,000	31,840,861,000	30,580,073,000
Jordanie	5,126,044,000	5,444,819,000	6,518,480,000	6,348,605,000
Liban	20,596,137,000	20,614,745,000	20,213,165,000	20,601,010,000

Source : Divers rapports Banque Mondiale

Cette tendance haussière de la dette publique de ces pays est concomitante à un recul significatif du volume des investissements étrangers dans ces pays comme en témoigne le tableau suivant :

Investissements étrangers dans quelques pays du MENA

	2008	2009	2010	2011
Algérie	2 675 000 000	3 053 000 000	2 331 000 000	2 720 539 623
Égypte	9 494 600 000	6 711 600 000	6 385 600 000	-482 700 000
Israël *	10 874 100 000	4 438 100 000	5 152 200 000	11 407 000 000
Jordanie	2 826 744 496	2 413 098 592	1 650 845 070	1 469 014 085
Liban	4 333 045 470	4 803 602 661	4 279 880 835	3 476 048 844
Libye	4 111 300 000	1 371 000 000	1 784 000 000	200 100 000
Maroc	2 466 288 357	1 970 323 920	1 240 626 688	2 521 364 645

Source : Divers rapports Banque Mondiale

* www.planet-expert.com/fr/pays/israel/investissement-direct-etranger-ide

6. L'essoufflement de la croissance du tourisme international. En effet, après avoir augmenté de 5 pour cent au premier semestre de 2008, la croissance des arrivées de touristes internationaux est devenue négative (-1 pour cent) au second semestre[12].

7. Le recul des subventions dont jouissent certaines denrées alimentaires de base dans ces pays. En fait, comme d'habitude, ce sont les secteurs sociaux qui connaissent la contraction budgétaire la plus importante. Cette crise touche principalement les couches vulnérables et notamment la gent féminine dont le taux de chômage a augmenté plus rapidement que celui de la frange masculine[13].

Pistes de réflexion

Cette crise a montré, au grand jour, la profonde dissension entre les régulations politiques qui demeurent fondamentalement nationales face à une mondialisation du capitalisme qui, elle, prend une dimension transnationale. Elle a montré aussi que ce dont l'équilibre et le développement mondial a besoin ce n'est la *réglementation* fut-elle sophistiquée mais une véritable *régulation* – fonctionnement éthiquement correct- des rapports internationaux.

Il y a besoin urgent d'une plus grande discipline et responsabilité à la hauteur d'un monde globalisé : A un marché global, il y a nécessité d'une régulation globale. Or, aujourd'hui, force est de constater que le monde des finances et de l'économie manque atrocement de ces mécanismes de

12 L'aide pour le commerce : Panorama 2009 –Entretenir l'élan- OCDE/OMC 2009, Chapitre 1 « L'impact de la crise économique sur l'Aide pour le commerce », p 25

13 Women's Working Group on Financing for Development, énoncé provenant de la deuxième consultation des femmes tenue par WWG on FfD à New York du 24 au 26 avril 2009 à http://www.awid.org/eng/About-AWID/AWID-News/A-call-for-structural-sustain- able-gender-equitable-and-rights-based-responses-to-the-global-financial-and-economic-crisis

régulation à l'échelle internationale. Certes les accords de Bâle[14] tentent d'imposer certaines règles prudentielles aux banques, mais celles-ci plus puissantes et plus ingénieuses arrivent à atténuer l'impact de ces règles. Aussi, les pays européens, assez souvent, continent dans les faits à agir selon des préoccupations teintées d'un nationalisme étriqué.

Au niveau des pays du Sud, il y a absence d'un minimum de solidarité face au poids pour ne pas dire diktat du capital financier international. Ces pays, exception faite de certains d'entre eux (surtout les pays émergeants) ne disposent pas pour le moment d'une masse critique financière pour atténuer l'impact de la crise.

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14 Depuis la fin du système de change fixe (Aout 1971) et la prise de conscience par les pays développés de l'imbrication et de la complexification du système bancaire international et la conviction du risque systémique, les décideurs politiques ont créé le Comité de Bâle en 1975 sous les auspices de la Banque des Règlements Internationaux. Ce Comité a institué les ratios prudentiels dits aussi ratio de solvabilité (ratio Cooke 1988, 1995).

Les dirigeants du G20 (composé des représentants des grandes banques centrales et des autorités prudentielles de 27 pays) ont appelé courant 2009 à la mise en place de nouvelles règles pour le secteur bancaire. Ces recommandations seraient la base des réglementations mises en place dans l'Union européenne et les Etats-Unis.

En 2006, dans le cadre de la réforme dite des accords de Bâle II, le ratio McDonough a succédé au ratio Cooke ; Censé permettre de mieux appréhender les risques bancaires et principalement le risque de crédit ou de contrepartie, son calcul repose sur une analyse du risque (« risk assessment ») des activités de crédit de la banque

Les textes définitifs détaillant la réglementation bancaire Bâle III ont été publiés par le Comité de Bâle le 16 décembre 2010.
Ces accords sont issus d'une réflexion amorcée en 2009 dans le but de :

1. Tirer les enseignements de la crise financière qui a débuté en 2007
2. Eviter qu'un tel phénomène ne se reproduise
3. Mettre en œuvre des mesures qui faciliteront la résilience du système bancaire en cas de difficulté.

Bâle III impose un renforcement de la liquidité bancaire afin d'éviter les tensions à l'échelle des établissements et du système et remédier aux asymétries de liquidité structurelle à plus long terme.

Les sociétés civiles de ces pays partenaires méditerranéens rencontrent des problèmes multiples dont les suivants :

- Une faible préparation à la « gestion des crises ». Elles ont été efficaces dans l'enclenchement des changements politiques d'envergure que connaissent leurs pays, mais par la suite, en tant qu'interlocuteurs, elles ont fait montre d'une grande carence à négocier le déroulement et le suivi des changements souhaités. Pis encore, d'autres forces politiques, ont pu récupérer les efforts déployés pour empêcher les véritables réformes qui s'imposent.

- Les populations dans ces pays, par manque de tradition démocratique et par un processus de dépolitisation ancestrale qui a sévit plusieurs décennies, ont eu du mal à conjuguer leurs efforts pour accélérer les processus du changement attendu.

Aussi ces pays ont entre eux, de faibles échanges[15]. La configuration des échanges des pays du Sud reste fortement dominée par leur rapport asymétrique avec les pays du Nord. Une partie du salut de ces pays réside dans la consolidation de leur marché intérieur. Celui-ci ne peut être attractif à l'égard des investisseurs européens qu'à partir du moment où il aura atteint un certain seuil en termes de pouvoir d'achat et d'environnement infrastructurel convenable.

Aussi, le climat des affaires est aussi une donne incontournable à un environnement sain et encourageant. Ici, la gouvernance démocratique dans ces pays seule à même de rendre le climat des affaires compétitif est une pièce maîtresse de tout développement durable et efficient.

15 A titre d'exemple, les 5 pays du Maghreb, ont un volume d'échange intra-maghrébin ne dépassant dans la meilleure des hypothèses 4% de leurs échanges avec le reste du monde.

In fine, la crise en dépit de son coût humain considérable pourrait être une opportunité historique de repenser notre paradigme de développement qui régit le monde. Ce paradigme ne cesse d'appeler une révision de ses fondements néolibéraux et la nécessité d'une régulation mondiale prenant en compte le sens d'un développement humain et solidaire.

(L to R) Prof. Fouad Ammor conversing with Prof. Dr. Stephen Calleya and Amb. Dr. Heinrich Kreft, during the Seminar in Malta: Civil Society and Democratisation in Societies in Transition

After The "Arab Spring" : Perspectives for Democracy?

Francis Piccand

The so called « Arab Spring » that started in Tunisia in January 2011 has been taking the form of a huge wave, with a spillover effect in the whole Arab world. True, the very different experiences of Arab countries have underlined how variegated the process has been and how uncertain the precise outcome will be in each case. It is too early to say whether the changes in all the Arab region will lead to the creation of democratic states, let alone what the regional and global impact of these events will be. At least, it will be a long and complex process.

This paper attempts to analyze the current situation, summarizing how far we have come, what is at stake and what are the challenges faced by the civil actors who initiated the uprisings: it is assumed that democracy in the Middle East is dependent on a strong civil society as a precondition. Finally, as a result of the important changes at work, the Swiss engagement in the region will be briefly discussed.

Welcome to reality!

As the Arab world began to experience its series of uprisings, experts, analysts and academics all failed to predict these extraordinary events. The fact is that any honest analyst of this region who would have taken time over the past four decades to listen to ordinary people and elite figures, or analyze statistical data, would have seen many signs of ordinary Arabs and political activists struggling to express their discontent and demanding real change in different arenas. For many years, this irrepressible movement of revolts was building – germinating in the face of political dictatorship regimes, police harassment, human rights abuse and corruption. Following the publication of its first *Report on Arab Human Development* in 2002, the United Nations Development Program (UNDP) had continued to sound the alarm: countries of North Africa and the Middle East were found to suffer from three serious deficits linked to knowledge, freedom and good governance. It insisted that these

countries "*are at a decisive stage, which supports neither compromise nor complacency*".[1]

Attempts to discount this observation were made by reducing it to the threat of abrupt, uncontrolled political changes and specifically that of the Islamist movements, considered in their entirety as enemies of the West. For fear of seeing them take power, democracies have thus preferred to ally themselves with authoritarian regimes in the region, seeking to promote greater stability and security rather than the respect of human rights and the establishment of democratic regimes. But against all expectations, and far from having been led by Islamist organizations, street demonstrations, which began in Cairo and Tunis, were the outcome of dynamic and courageous societies and, above all, were a-religious. An actor who seemed to have evaporated from the Arab political scene since the boom period of independence has resurfaced, namely the "people", all social classes and communities combined. Their claims, appearing on signs everywhere, were simple and clear, devoid of any ideological reference or demagogical slogan. Roughly speaking, the explanations for the protests can be summarized by discontent around three basic issues: a lack of accountability, a lack of democracy and a lack of jobs. Naturally other factors have to be considered, some being structural, others more directly causal: we have to keep in mind that Arab regimes differ markedly in structure and character and that every country of the so called « Arab system », considered as an under-system of the global one in the study of international relations, has developed its own specificity, history, culture and national vision.

Demography, economic pressures, social networks and western support to dictators as fuel for change

The protests were for the most part started by young people under the age of 25, representing in most of the countries of the region 45 to 55 percent of the population – this youth was increasingly qualified, frustrated in its search of employment, open to the outside world and able to mobilize

1 **Arab Human Development Report 2002: Creating Opportunities for Future Generations**. United Nations Development Programme (UNDP), 2002.

effectively, especially through use of the Internet and social networks. [2]

Then, we have to take into account the global economic crisis, which started in 2008. It had a deep impact on the Arab financial sector, with a loss of 2.5 trillion dollars as a result of the global financial meltdown. It aggravated a situation, which was already very difficult, especially for non-oil producing countries: one-third of the region's population lives today on less than two dollars a day and the combined GDP of the 22 Arab countries is less than that of Spain; this means that expectations for the future remain very low in the Arab world. The financial crisis also caused emigrants to return, causing significant cash losses for the countries concerned.

Finally, the international community was wrong in supporting dictators and their undemocratic governments, in not putting any pressure on them. It turns out that some of the most authoritarian regimes -- notably those in Egypt and Saudi Arabia – were, or are there because the West has propped them up, over the fierce opposition and suffering of their own people. If we want to pinpoint responsibility for the lack of democracy in the Middle East, maybe we might stop trying to find defects in the Arab soul and start looking in the mirror. The idea of "Arab exception" was wrong and offensive because of the historic Western view that Arab nations were socially unfit to democracy. Thus, the superpowers, and the U.S. in particular, played a direct role in triggering the "Arab Spring".

Transitions at risk, unpredictable perspectives

February 11, 2011 (when Mubarak stepped down) was the culmination of the Arab revolution. But the day after, on February 12, the counterrevolution began. Indeed, the mood has rapidly shifted from elation to pessimism.

In Egypt, once vote counting, and not the size of the crowds on Tahrir Square, has allowed us to assess the actual political orientations of the population, what has emerged is an ominous bipolar split between the military and the Islamists. In Libya, the tyrant has been killed, but in the

2 Research has shown a striking correlation between such youth bulges and political conflict. A youth bulge can be an asset when coupled with sufficient economic growth, but this has not been the case in the Arab world in general, since youth unemployment is endemic: MENA countries face the world's highest youth unemployment rates in the world.

absence both of state institutions and of a structured civil society, power is largely in the hands of armed and aggressive militias. In Tunisia, the most promising case, but also the easiest, given its size, cultural level and secular traditions, the jury is still out on the possibility to withstand, without infringing the rules of a still budding democracy, the onslaught of radical and intolerant Islamists. In Syria, popular discontent toward the Assad regime has turned into a bloody conflict, with a heavy human cost and unclear prospects for a democratic solution.

Developing a form of politics that can accommodate different ideologies and values within a larger framework is the central political challenge facing all the Arab transitions. Most of the countries in North Africa and the Middle East are emerging from decades of authoritarian rule in which political competition was either severely restricted or unknown. There is little political culture of negotiation, compromise, or responsible opposition on which these countries can draw. Naturally, there are liberal groups, that believe the state should allow broad scope for individuals to live according to their own values, but they do not have enough popular support at this point to prevail in political competition.[3]

Arab countries may follow paths similar to those taken by Turkey and Indonesia, where socially conservative Muslim parties play active roles in electoral politics within democratic systems. They could experience something like Iraq's fractious identity-based politics, where sectarian affiliation plays a strong role but where the prospect of an Islamist *system* is dim. The turn away from authoritarianism could, however, open up space for groups to promote Islamist forms of government. The parameters of political Islam in Arab countries undergoing political change have yet to be defined.

Transition should mean that we know not only where we are coming from, but also where we are headed. Can we really say we know? The soundest forecast may be that the future course of these unpredicted changes is, and remains unpredictable.

3 Anthony Dworkin, « The Struggle for Pluralism After the North African Revolutions ». The European Council on Foreign Relations, London, March 2013.

Civil society: from where and how far?

The Arab revolts have left societies with a broad groundswell of support for the idea of democratic government, but no consensus about how democracy should be instituted. The crucial question for these societies is whether a critical mass of political forces will come to mobilize behind the key elements of democratic pluralism including: the acceptance of the alternation of power, a separation between state institutions and political parties, the ability of all groups that accept democratic principles to participate in political life on fair terms, and a political system that respects the variety of different beliefs and affiliations in society. [4]

Like many terms in political science, civil society has many different definitions and interpretations spanning across time. Early thinkers began to develop a working definition of civil society. Hobbes and Locke see the state as originating in civil society. Montesquieu and Tocqueville conclude that civil society exists partially in opposition to the state, a sort of check to state power. Gramsci and other Marxists place civil society outside the power structures of the state. This historical context helps to provide some context to proceed with. While the list of literature debating the finer points of defining civil society can go on for volumes, it is best to define the term in a way that is consistent with the scope of this paper. Civil society can be defined as the realm of spontaneously created social structures separate from the state, which underlie democratic political institutions. Or reduced to its elemental meaning, 'civil society' refers to the zone of voluntary associative life beyond family and clan affiliations, but separate from the state and the market. The central debate in the civil society literature is essentially whether civil society develops before or after the actual process of a democratic transition. There are those who argue that civil society develops after a transition. For most democratic theorists, who tend to see democratization processes and outcomes as contingent on the confluence of international and domestic actors and developments, a democratic civil society develops after the actual process of transition from an authoritarian to a democratic state has taken place. There have been others, however, arguing mostly from sociological and cultural perspectives, who maintain that civil society frequently develops before, and is in fact a main cause of, the transition to a democratic system. In either case, both camps agree that civil society is one of

4 Anthony Dworkin, ibidem.

the crucial phenomena that take shape and become influential during processes of democratic transition.

One of the profound developments now taking place in the ongoing Arab uprisings and transformations is the breakdown of these neat categories we have long used to understand and analyze. We have today this new phenomenon of "street politics", that shapes developments in virtually all Arab countries – both the six Arab countries that experienced major change (Tunisia, Egypt, Libya, Syria, Yemen and Bahrain) and other countries where unprecedented political action in the street or on the Internet do not reach the level of calling for regime change (Jordan, Kuwait, Morocco, Oman, Saudi Arabia). Then, the continuous spectacle of large numbers of people in the streets demonstrating against some policy, or some person or political group, represents not only a new kind of politics, but perhaps also a new center of gravity of political action at the local and national levels.

So can we refer to this phenomenon of street politics as part of "civil society"? I have doubts, because the activism of millions of people has been challenging established autocratic orders without creating stable new orders. The masses of demonstrators were –and are- not organized into clear groups, with expressed aims and with clear programs and leaders. The crowds have been often spontaneous gatherings, merely a mass of many individuals rather than an organized association of members. They have certainly been giving form to that valuable space in the public sphere where real political contestation takes place in today's new world. Maybe and hopefully, they could become tomorrow's civil society. [5]

Some suggestions on what the West could (or should) do to promote democracy and support civil society

Focusing on societal engagement, economic reform, and military confidence building, the West should break with its questionable past and respond to the Arab uprisings by taking bold action to improve its reputation. The uprisings in the Arab world have attracted support and sympathy from citizens all over the world, and these revolutions are an opportunity to embrace our Western values by supporting the uprisings.

5 Rami G. Khouri, "Rethinking Civil Society", **The Daily Star**, August 23, 2012.

The West should:

1. support the formation of pro-democracy political parties; in other words, strength the democratic trends within societies and help political forces from different ideological backgrounds to develop « rules of engagement » in the democratic process;

2. channel the social demands: there is space for sustained collaborations with networks of labor and professional unions;

3. accompany the democratic transition process with constitutional safeguards that mitigate the risk that one force reaching a majority government seeks to change its democratic nature, also with laws that don't magnify anyone's electoral weight (as happened in Algeria);

4. recognize Islamist parties as legitimate partners the moment they abide by democratic rule;

5. get a new approach to development; this is a challenge that the transitioning countries cannot face alone; they will need the support of the North; outside actors should however focus more on empowering actors than policies, actors who can carry agendas and be partners in negotiations with governments.

Engagement with and support of civil society movements should be a priority for the Western world, because transformations in the former USSR and Eastern Europe have shown that the strength of such movements is critical to democratization processes.

Western-led democracy initiatives in the Arab world will face a credibility issue, so the West will need to take a careful and culturally sensitive approach to civil society engagement. This approach should include a wide range of pro-democracy groups and religious organizations as well. For example, ignoring groups who do not mirror Western values in favor of those we agree with will not be compatible with democracy promotion. Success can only be guaranteed if these initiatives are shaped by local realities. In this context, it is important that the West engages in dialogue

with all the actors, including the Islamist groups.[6]

About the Swiss engagement in the region

Even though Switzerland is not bordering the Mediterranean Sea, its fate is intimately intertwined with the Arab world. It is interconnected with this region in numerous ways, ranging from population, language and religion to economy and energy. With many countries of the region, Switzerland shares the French language as a widely used language.

Since the beginning of the uprisings, Switzerland has been actively involved in providing support to the peoples and countries of the region. In the context of the Libyan and Syrian crisis, for example, it provided humanitarian assistance to refugees and migrants stranded in the region. In Tunisia, it supported the holding of the 2011 elections. Another important priority for Switzerland has been to return illicitly acquired assets of the former leaders back to their countries. In Syria, due to the recent developments, Switzerland has decided to release additional funds for humanitarian aid.

The Swiss strategy in the region has laid down three priority courses of action:

- Support of the transition to democracy and the respect for human rights. These goals will be achieved, for instance, by promoting the rule of law, electoral processes, and structural reforms (particularly in the domains of security and the judicial system) as well as by strengthening civil society and the free media.

- The second priority is to foster programs for economic development and job creation.

- And finally, Switzerland will seek to protect those population groups that are most vulnerable, and to enhance its cooperation in the domain of migration.

Switzerland will be pursuing its activities and engagement in the whole region, because it believes that there exists great potential for mutually

6 "Arab Spring: The West's Chance for a Fresh Start ». **Atlantic Memo** 30, http://archive.atlantic-community.org/app/webroot/files/articlepdf/Memo30.pdf

beneficial relations and exchanges with the Arab world. This is the role the Mediterranean Sea has played since times immemorial, and the Arab Spring has only increased its importance in this regard. To unlock this potential, however, there is a constant need to build and strengthen bridges between the Western and the Arab world.

We have a shared history. The Arab revolutions are writing a new page today. And we have a duty to write it together, in friendship and partnership, and we have also the duty to turn this new page of history into a flourishing area of cooperation and mutual benefit. By working together, in particular with the civil societies in the whole region, Switzerland will succeed to create the best possible conditions for a peaceful transition.

Conclusion

Daunting challenges clearly lay ahead for all the Arab countries. Prognosticators cannot be certain: Will the "Arab Spring" lead to a flowering of democracy? Will loosening of the political systems in these countries unleash dangerous forces of extremism or ethno-sectarian conflict? Will new autocrats replace the old ones? Will surviving autocrats harden their positions or see the need for at least gradual change? The soundest forecast may be that the future course of these unpredicted changes will be unpredictable.

The dynamic relationship between state and society in the Arab world has not drastically improved. Rather, while the rulers who oversee civil society may have changed, the rules under which they operate remain by and large the same. Certainly, the democratization process will be long, difficult and painful. But it is worth to pay the price. Indeed, the "Arab awakening" is in the first stages of creating a citizen-based sovereignty that values social justice and equal opportunity. As mentioned by Rami Khouri, "it is an audacious quest, for Mohamed Bouazizi and the millions of Arabs inspired by him, just as it was for Rosa Parks and the civil rights movement in the American South".[7]

7 Rami G. Khouri, « The Arab Awakening », **The Nation**, August 24, 2011.

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