

Civil Society is Important - But Not a Magic Bullet

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Introduction

Towards the end of the 1990s, the Administrator of UNDP decided to establish a “civil society advisory committee” with members representing the global civil society community. This was a wise and timely decision, considering how important civil society organisations (CSOs) had become in the field of development cooperation.

What had started back in the early 1960s, with CSOs contributing mainly as providers of services and expertise, at a time when development cooperation was just taking off, had 30 years later transformed into a highly professional operation. Civil society managed huge amounts of funding from donors, including the UN, and fundraised a lot of money among ordinary citizens. On numerous issues, CSOs were clearly in the lead, defining the discourse, setting the agenda, challenging the positions of vacillating governments and a reluctant private sector.

The committee was not a representative forum. This was impossible due to the major strength of civil society - its diversity. In any society, civil society is not just one cobweb, but several cobwebs that link, interact and overlap in ways we are not always entirely clear about, because the linking, interacting and overlapping is as much of an informal nature as something formally agreed.

I have often argued that if you ask civil society for a clear position on how to deal with the challenges facing humanity and society, you will rarely get one position. I consider this an important and positive characteristic of civil society. Allowing citizens to form a diversity of associations, organisations, think tanks, unions, churches, movements and networks to help contribute to state and nation building in a democratic manner is an important objective in itself. The role is to help build a strong and vibrant social fabric and, at the same time, ensure that the two other sectors of society - the state and the market - can contribute with their respective capacities and responsibilities.

Some decades ago, civil society was seen as a magic bullet by many observers. Today, we have moved beyond this superficial impression towards a more balanced idea of what it takes to develop a society. Some of these dimensions will be presented further in the sections below, with a particular perspective on those that are most relevant for Bhutan at this stage.

Different Definitions

After decades of practice and scholarly thinking, there is still no single definition of civil society that all can agree on. Any definition wishing to accommodate all of the peculiarities and idiosyncrasies of present-day civil society will fall short when pretending that one specific definition can do justice to it all. However, the global network called CIVICUS¹ has for years worked with a broad definition that may be too broad for many, but at least allows the diversities mentioned to be covered:

“Civil society is the arena outside of the family, the state, and the market, where people associate to advance common interests.”

I believe this definition is useful and practical. It covers the informal as well as the formal association of people. It includes the disciplined labour union as well as the unruly peasant movement. It is about the group of people focusing on local municipal issues only, as well as the organisation reaching into the global arena. It covers groupings that can be termed a CSO, a CBO, a NGO, or an INGO².

Personally, I do not include political parties in the definition of civil society. I see parties closely associated to the state, or as a precondition for the democratic functioning of the state. In a democracy, parties compete for the power to manage, control, or influence the state and, therefore, parties belong to the state sector. In this regard, I agree with the definition used in Bhutan. However, I disagree with Bhutan's definition with regard to trade unions or religious organisations (also known as faith-based organisations). Most observers would argue that they belong to civil society.

In Bhutan, the CSO Act also excludes co-operatives from the definition. This is interesting, because in Denmark, we have historically considered co-operatives as part of civil society. Co-operatives were set up to allow small-scale farmers and workers to pull their resources together to make a decent living, without being exploited by big farmers and companies. Today, it is difficult to argue that co-operatives are not-for-profit organisations, which is another important criterion.

Another contentious example is the media. Most will agree that media institutions play a critical role in our democracy, offering citizens the necessary (and truthful) information to allow them to participate in elections on an informed basis, and holding government and state institutions accountable. Apart from a few public service institutions, most media institutions today are profit-based private companies, in some countries with a few individuals owning numerous media outlets. I therefore agree that media does not fit naturally into civil society.

1 CIVICUS is an international alliance of civil society organisations dedicated to strengthening citizen action and civil society throughout the world, particularly in cases where participatory democracy and freedom of association are threatened. More information on www.civicus.org. CIVICUS hosts an annual conference and publishes reports and manuals about and for civil society.

2 CSO = Civil Society Organisation; CBO = Community Based Organisation; NGO = Non-Governmental Organisation; INGO = International Non-Governmental Organisation.

Then again, what about the new and increasingly important social media communities that have also played critical roles in recent political transformations like in the Arab Spring of 2011 and the election of Donald Trump as president in 2016? Some have argued that this points to the need for taking a fresh look at the CIVICUS definition presented above. Such a proposal was recently presented by the Center for Strategic and International Studies³:

“An ecosystem of organised and organic social and cultural relations existing in the space between the state, business, and family, which builds on indigenous and external knowledge, values, traditions, and principles to foster collaboration and the achievement of specific goals by and among citizens and other stakeholders.”

Obviously such a definition offers “meat and blood” on the rather thin skeleton of the CIVICUS definition, while at the same time risking never ending debates on how to define each element. The author⁴ of the article suggests a number of typologies, which can be helpful in defining what is inside or outside the definition. This includes the traditional CSOs as well as movements and unions, and also “social entrepreneurs employing innovative and market-oriented approaches for social and environmental outcomes”. I would argue that social entrepreneurs belong to the market, because they would normally form private companies and be clearly profit-oriented, in addition to being innovative.

Are CSOs Good or Bad?

Yet another dimension of the conceptualisation of civil society is about the political ideology of civil society. One illustration of this is the World Social Forum (WSF), started in Porto Alegre in Brazil in 2001 as a grassroots based reaction to the annual Economic World Forum in Davos in Switzerland. The WSF is the largest global gathering of civil society. A quick glance at the list of groupings and issues covered will testify to a lot of diversity, but you would also be able to see that politically, the Forum brings together a certain section of global civil society. As stated in the Charter of Principles⁵:

“The World Social Forum is an open meeting space for reflective thinking, democratic debate of ideas, formulation of proposals, free exchange of experiences and interlinking for effective action, by groups and movements of civil society that are opposed to neo-liberalism and to domination of the world by capital and any form of imperialism, and are committed to building a planetary society directed towards fruitful relationships among Humankind and between it and the Earth.”

3 “Concept and Definition of Civil Society Sustainability”, published June 30, 2017 by the Center for Strategic and International Studies (CSIS), in Washington, D.C.

4 The author, Charles Kojo VanDyck, is a member of the International Consortium on Closing Civic Space (iCon) at CSIS, and the head of the Capacity Development Unit at the West Africa Civil Society Institute in Accra, Ghana.

5 The Charter of Principles was adopted at the first forum in Porto Alegre in Brazil in 2001. It describes what is and is not the World Social Forum process, the values and goals of its participants, as well as important operational rules. There are 13 principles in total, and the one mentioned is the first principle. All the principles are available on www.civicus.org.

While neither the CIVICUS definition nor the updated CSIS definition indicate the political direction of civil society activities, the Social Forum is clearly a gathering of critical voices in opposition to the general thrust of both the majority of political parties, most governments in power, and the private sector. This is probably why many political parties and governments around the world, not least in the global south, associate civil society with opposition positions – if not outright as the opposition.

In principle, this does not change the basic conceptualisation of a civil society. This is about coming together to advance certain interests. However, we should be realistic and remind ourselves that there is nothing inherently good – or bad for that matter – about the actions and activities of civil society. They can be good or bad depending on different perspectives and positions.

Service Delivery Versus Advocacy

There is a saying in Denmark that whenever two or more Danes meet, they will form an association, with an objective and a vision, with articles guiding the work, election of a chair, and a financial controller, and of course a website. This explains why a small country like Denmark is the home of more than 100,000 registered CSOs. Comparing the populations of Bhutan and Denmark, this would mean that Bhutan should have close to 15,000 CSOs rather than the 50 plus existing today.

It would be great to have a lot of statistical material when assessing the nature, quality and influence of civil society globally, but the reality is that, at the global level, we still do not have enough accurate information. What we do know is that the sector is enormous. If we put all the numbers we have together, there is no doubt that the global number will be in the millions.

More than a decade ago, the Comparative Non-profit Sector Project at John Hopkins tried to get a sense of the dimensions. Based on information from 36 countries, the study concluded that the total expenditure was equivalent to 5.4 percent of the combined GDP of these countries, and the organisations employed more than 25 million paid workers and around 20 million volunteers, which was equivalent to 4.4 percent of the economically active population. These are significant numbers, and it is very likely that the actual numbers are much higher, particularly the number of volunteers involved⁶.

Not surprisingly, the large majority of people connect to organisations that focus on traditional service delivery in areas of education, health and housing; other important areas have to do with culture, sports and recreation, and local community affairs. Less than one percent were involved with CSOs that had an international outlook⁷.

⁶ The information presented in this section is drawing on information in a paper by Dr. Aisha Ghaus-Pasha: “Role of Civil Society Organisations in Governance”, presented at the 6th Global Forum on Reinventing Government Towards Participatory and Transparent Governance in Seoul in 2005.

⁷ L.M. Salamon, S.W. Sokolowski and Associates: “Global Civil Society: Dimensions of the Nonprofit Sector”, Volume Two, published by Kumarian Press, Inc. in 2004.

The John Hopkins study also concluded that only four percent of the people were involved with organisations focusing on advocacy. I believe this number has grown over the last decade, but it is still a fact that only a small minority of global civil society has a focus on advocacy around politically sensitive issues, including the issue of how to contribute to the development of a strong democracy.

For the purpose of this paper, focusing on the role of civil society in the democratisation process of Bhutan is important. A note from the former Secretary-General, Ban Ki-moon, states⁸:

“A freely functioning, well-organised, vibrant and responsible civil society is essential for a democracy. This presumes an active role for non-governmental organisations and democratic reform groups, human rights groups, women’s groups, youth groups, social movements, trade unions, minority representatives, professional societies and community groups, watchdog associations and others. Such groups have historically made important contributions to the formulation, advocacy and defense of democratic rights.”

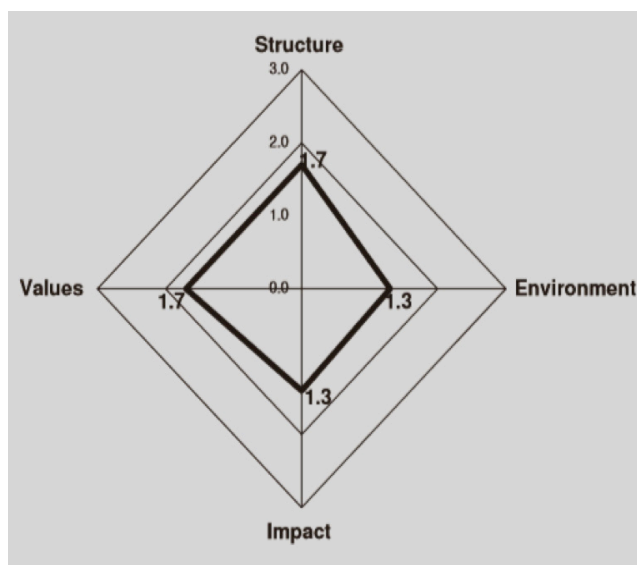
Measuring the State of CSOs

Civil society organisations have existed for centuries, but the rise of CSOs and NGOs playing a key role in development, locally as well as globally, grew dramatically from the 1960s and onwards. This is when serious efforts to bring new nations in the global south out of poverty started. On many issues, civil society set the agenda. In the field, millions of people worked to improve areas such as health, education, and roads.

Some asked, if civil society was the magic bullet that could ensure that our aspirations would be honoured? Others wondered if CSOs actually delivered? In the context of this issue of *The Druk Journal*, it is relevant to get a sense of the strengths and weaknesses of civil society in a country as a whole, rather than the pros and cons of individual organisations. For this purpose, CIVICUS has developed a methodology⁹ to measure the state of civil society.

8 “Guidance Note of the Secretary-General on Democracy”, the United Nations, 2009. The Note, which followed the Secretary-General’s call in 2007 for an organisation-wide strategy for democracy support, was the product of many months’ collaboration by several entities of the UN.

9 The following presentation of the Diamond methodology is based on the book “CIVICUS Global Survey of the State of Civil Society. Volume 1. Country Profiles”, edited by V. Finn Heinrich. CIVICUS and Kumarian Press, 2007, 456 pages.



The methodology is known as the Civil Society Diamond because of the way the four dimensions of the assessment are pulled together, as illustrated above. This is a useful way of getting a realistic picture of strengths and weaknesses of civil society at any given time. The advantage of this approach is also that you get a sense of the internal strengths and weaknesses, as well as the broader social and political context in which civil society has to operate.

The structure looks at the makeup, size, and composition, using sub-dimensions including the breadth and depth of citizen participation, diversity, levels of organisation and resources available. Therefore, this is very much an inside view of civil society.

The values are about how civil society actors perform regarding democracy, transparency, tolerance, non-violence, gender equity, fighting poverty and working for environmental sustainability.

The environment is about the rules and regulations of a society. Indicators will look at the political system, free and fair elections, levels of corruption, gender equality, and the relationship between civil society, state and the private sector.

The impact is about how the work of civil society as a whole impacts people's lives, contributes to meeting social needs and empowers citizens, holds the powers of the state and private corporations accountable, and influences public policy.

The diamond offers some answers to the tricky question about sustainability, which has haunted the CS community for decades. However, each CSO needs to deal with this in detail, looking at internal dimensions such as financial resources, operational

capacity, identity, and quality of interventions. In addition, you need to look at external factors encompassing the nature of civic space, legal and regulatory policies, and foreign policy. The graphic presentation below illustrates that it is not simple.¹⁰



Civil Society at a Crossroads?

In one of its recent reports, the highly respected International Center for Not-for-Profit Law presents disturbing updates on how development and humanitarian CSOs are threatened in countries as diverse as Egypt, Eritrea, Ethiopia, India, Kenya, Nicaragua, Panama, United States, and United Kingdom.¹¹ In fact, the number of books and articles with titles like civil society under assault, civic activism in flux, and protecting civil society space have increased dramatically. The same is true for the number of countries failing to respect the three basic and interdependent rights required to carry out the work of the CSOs: the rights to peacefully assemble, freely associate, and openly express themselves. The worrying sign is that we now also experience this in countries considered fully democratic.

Contrary to the optimism of the 60s and 70s, it seems like we have now reached a crossroads of some sort. I have always argued that a strong, vibrant and effective civil society depends on a strong and legitimate state. Both groups need to understand that cooperation is a win-win situation rather than a zero-sum game for society as a whole.

¹⁰ Developed by Anna Benton and Alvaro Monroy in the Working Paper on “Business Approaches for the Reproductive Health NGO, February 2004. It is here quoted from the article mentioned in footnote 2.

¹¹ Information from the article “Closing Civic Space: Impact on Development and Humanitarian CSOs”, in *Global Trends in NGO Law*. A quarterly review of NGO legal trends around the world. Volume 7, Issue 3, 2016, published by the International Center for Not-for-Profit Law.

If state institutions are weak, political parties lack legitimacy, politicians pursue populist sentiments, elections are a farce, inequality grows, ethnic conflicts result in violence and war, and nationalism is seen as the way to go, then it becomes difficult to create the necessary level of trust required for civil society to play its role. Then you easily get to a situation where civil society is perceived as a threat to the institutions of the state.

Of course, there are millions of small, informal, and volunteer based associations that survive despite the challenges outlined. In a sense, they exist under the radar screen, precisely because they are small, and because they keep a distance from anything that is seen as being 'political'. They are humanitarian in nature, not political.

Because of the diversity of types of CSOs as well as political systems, it is close to impossible to come up with generic conclusions. However, I will refer to the summary from one of the most recent studies called *Civil Society @ Crossroads*¹². The study points to the following set of challenges:

- **The Delivery Gap:** Citizens protest to point to the disconnect between expectations and the performance of public authorities.
- **Old and New:** New CS actors organise differently, expressing alternative values of inclusion, participation and innovation.
- **New Media:** Partnership of civil society with the old and new media both expands and regulates outreach and impact.
- **Funding:** Contracting resource bases are reshaping civil society roles and relationships with government and business sectors.
- **Political Influence:** Political space and relations with political society are simultaneously contracting and expanding.
- **National and Global:** Blurring north-south boundaries call for reassessing roles and relationships.
- **Impact of Interventions:** Measuring impact entails expanded definitions of success over the longer term.

The importance of each lesson will vary from country to country. To start with, you could make a civil society diamond-like graphic presentation of how important each of the lessons are understood to be by civil society representatives, as well as outsiders in government and the private sector. They are key to the performance of civil society.

¹² The study "Civil Society @ Crossroads" was published in November 2012 by Society for Participatory Research in Asia (PRIA), under the able leadership of Rajesh Tandon, who has been a key figure in civil society affairs for decades. The study was implemented in cooperation with several others – CDRA, PSO, INTRAC, EASUN and ICD.

Way Forward for Bhutan

Every country is special. Bhutan is certainly unique in many ways. However, being special and unique does not mean that we should entertain the idea of Bhutan being exceptional. Now is actually a good time for Bhutan to do some serious soul-searching. Civil society is still a young phenomenon; the relationship between the various stakeholders is still being negotiated and tested and large parts of the population may still not be aware of the role of a civil society.

I will conclude by presenting some of the implications or conclusions from the study referred to above, offering a few reflections that could also be relevant to Bhutan. First, some implications for the civil society practitioners:

Citizen Mobilisation: In recent decades, too much focus has been on technical capacity development, driven by the “new public management like” demands set by donors. It is imperative to go back to the roots if civil society is to contribute to the reconfiguration of citizens’ political and social awareness.

Redefine Identity and Mission: Many CSOs have established themselves as non-profit service contractors vis-à-vis government, and in that process they often forget that they started out as value-based intermediaries, independent of the state and the market. This requires a reflection on the links to the political system and other local authorities.

Operating in Ambiguity, Uncertainty and Chaos: While chaos is not what characterises Bhutan, uncertainty probably is. It is therefore essential to be able and willing to mobilise both human and financial resources in new ways, and to interact in ways that reflect the huge challenges facing humanity regarding climate change, migration flows, and equitable forms of globalisation.

Experimentation and Innovation: Economic power is concentrated within a small and excessively rich elite; political power is vested in the hands of politicians not trusted by citizens; populism is once again luring people into solutions that will not work, and the same is true with a return to nationalism and isolationism. Civil society must help incubate innovations that respond to these challenges.

In conclusion, leaders of Bhutanese civil society need to raise the bar, lift their heads, and think outside the box. It is not enough to get the CSO “machinery” established according to rules and regulations to deliver on a day-to-day basis. The vision must be more ambitious.

Civil society needs direct and indirect support from policy-makers to meet the challenges mentioned above. It also needs support from stakeholders in the marketplace of private companies and foundations, plus national and international donors. Here are some of the challenges that need to be addressed:

Recognise the Distinctive Roles and Contributions: My point of departure is that CS can play a “limited” rather than a “dominating” role in general. It will be useful for CS and policy makers to debate the details with an open mind, allowing for constructive disagreement.

Flexible, Responsive and Accountable Support: The large majority of informal associations manage with very little that can be mobilised from citizens. For larger organisations, this is not possible, and it makes sense to allocate public resources to CSOs that foster public goods and contribute to a vibrant democracy. This needs clear agreements on what to deliver, but no political conditionality. The government should be happy to support positions with which it disagrees.

Support South-North-South Partnerships: “Globalisation” as it has been practised so far has reached a dead-end road. However, working together across borders is more necessary than ever and it should be understood that civil society can contribute significantly to the promotion of shared democratic, ecological, and humanitarian values.

Long-term Reflective Capacity: Increasingly, CSOs are paid to deliver on very specific and detailed agreements, and a lot of time and money is spent on monitoring in accordance with what I believe is a system of “the emperor without any clothes”. We need more “free” thinking to make sure we get the new and “innovative” solutions in time for humanity to benefit. The state should be happy to support this.

Finally, the enabling environment must be about cooperation on practical issues, sharing of a broader vision, and a division of labour between civil society, the state and the market. It should not be about “controls” only. Trust in each other is important, and it is essential to note that this call for mutual faith is a far cry from asking for agreement on all issues.