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**Input**

**VI. Good Governance and civil society: Perspectives for a new relationship**

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**CIVIL SOCIETY AND GOOD GOVERNANCE IN THE MIDDLE EAST: THE ROLE OF EXTERNAL ACTORS**

**PART I: PRESENTATION**

***Two Central Definitions:***

1) *“Good governance”*: Political institutions and processes that reflect the democratically expressed will of the governed, are accountable, efficient, transparent, equitable, subject to the rule of law, and respectful of fundamental human rights and freedoms (making some allowance for culturally shaped differences in the interpretation of these terms).

2) *Civil society*: the sum of all fields of social interaction that (i) are partially autonomous from the state and its affiliated agencies and (ii) are not aimed at economic profit. This includes social, religious, cultural and educational associations of all kinds, such as interest groups, neighbourhood associations, consumer initiatives, amateur sports clubs, the voluntary sector, women’s’ groups, and so forth. Not all such associations have “content” that is “good.” The Ku Klux Klan is part of civil society in the American South, as are many extremist groups in Western democracies and beyond.

***How are Civil Society and Good Governance Linked?***

Empirically, good governance and civil society strongly correlate. States with high civil society ratings also achieve better-than-average quality of governance scores. This includes most Western democracies and many democratic societies elsewhere (such as India, Japan, Taiwan and Brazil). Theoretically, however, the *direction of causality* between good governance and civil society is ambiguous. Theorists such as Robert Putnam argue that citizens’ participation in civil society fosters social commitments and trust, possibly alongside other traits such as a propensity for compromise and accommodation, social empathy, solidarity and the ability to tolerate difference and ambiguity. These traits then become “projected” onto and infused into the broader political culture, improving political processes and institutions and ultimately the quality of democratic governance. Often inspired by the work of de Tocqueville, moreover, many theorists also contend that strong civil society structures designate spheres of communal life beyond state control and thereby help limit the unbridled expansion of state power.

However, the relationship between civil society and good governance also works in the other direction: well-functioning democratic institutions embedded in the rule of law form the political and legal backdrop against which civil society can flourish in the first place. Central to this are liberal core rights such as freedom of expression, assembly and association and obligations imposed upon the state to tolerate “competitors” in the provision of some social, cultural and educational services. Russia’s failed democratic transition bears out the danger of insufficient legal and political safeguards: civil society started burgeoning in the 1990s, but much of it subsequently became co-opted, repressed or dismantled by an increasingly authoritarian Putin regime parallel to the gradual undermining of democratic institutions, political pluralism and judicial independence.

Therefore, good governance, democratic development and civil society relate in a manner that is dialectical and mutually reinforcing. Civil society contributes to democratic institutions and the rule of law, but the latter constitute an indispensable political and legal scaffold on which civil society and free associational life can grow. Successful transitions to democratic governance require this mutually reinforcing relationship progressing to the point of becoming partially self-sustaining and ever more difficult to reverse.

### ***The Role of External Actors***

Democracy, good governance and civil society evolve endogenously in every society and cannot be “imported” from abroad. Even so, especially during their early phases outside actors can support these processes several ways. To illustrate this, it is helpful to draw some parallels between democratisation in Europe and in the Middle East.

Within the last two generations several EU member states have undergone democratic transitions, most recently in Central and Eastern Europe in the 1980s and 1990s. These transformations, too, were often propelled “from below,” by civil society actors that had started to form during the Communist era and gained in societal support and political leverage as Soviet domination weakened and Communism started to crumble (e.g. Solidarnosc in Poland and Charta 77 in Czechoslovakia). Shaped by their experience of oppression during the dictatorship, these groups were attuned to the need of enshrining strong legal and institutional safeguards to protect civil society structures early and quickly during the transition process. In this they received strong support from outside actors such as the EU, the Council of Europe and the OSCE. The result was a reciprocal process of democratisation, constitutionalisation and entrenchment of civil society that in many countries had become irreversible by the mid-1990s.

Despite obvious differences, the situation in several Middle Eastern transition countries is comparable in that there, too, recent political change has been driven or at least critically supported by grassroots popular movements, leaving in place a (depending on the country in question more or less extensive and diversified) legacy of civil society-based actors and activism. If one accepts the earlier argument that democratic development, good governance and civil society can reinforce one another, strengthening the conditions for these actors to survive and flourish promises to feed into a transformative cycle that ultimately reinforces the quality democratic governance itself.

At the *bi- and multilateral* level external actors can support this through various kinds of encouragement and incentives and the “socialisation” of transition states in international institutions committed to democracy, good governance and the rule of law. An example is the – still little-known – Community of Democracies and its various associated forums and working groups, some of which are explicitly concerned with civil society issues. At the *transnational* level it involves fostering relationships between local NGOs and civil society actors and their counterparts in more mature democracies. During these relatively early stages of democratic reform the focus should be on those civil society actors that are directly concerned with improving the conditions for civil society itself. Examples include legal advocacy movements, citizens’ initiatives promoting governmental transparency and accountability, as well as groups supporting freedom of the press and of political and artistic

expression and uncensored access to the Internet and other forms of electronic communication.

Such external support may be material and it may involve the sharing of expertise. To this end, civil society actors from Central and Eastern Europe with roots in the transition years would be especially useful given their experience in engaging with semi-reformed state institutions, bureaucracies and legal systems, and of operating in social and cultural environments marked by decades of repression. Similarly, NGOs and philanthropic bodies such as George Soros's Open Society Institute have accumulated vast experience in supporting civil society actors in countries representing different stages of democratic development. Bodies such as the EU and the Council of Europe as well as national and transnational NGOs can encourage this process by promoting transnational partnerships and networks, not least through events such as the present meeting in Cordoba.

Finally, many civil society actors in Middle Eastern transition states do not resemble their typical counterparts in the West. Many are religiously based and some are explicitly anti-liberal, anti-pluralist and anti-Western. Yet this should give little cause for concern and it should not be accepted as a pretext for governmental repression of these groups. First, even civil society actors that are substantively non-liberal are typically interested in promoting conditions that allow civil society – and thus themselves – to survive. The role of the Catholic Church during Poland's democratic transition is a good example, ultimately helping to strengthen liberal pluralist institutions despite the Church's intrinsically non-liberal "content". Second, provided the reciprocal process outlined earlier has acquired a certain momentum democratic political cultures tend to reproduce a balance of societal actors that favours the perpetuation of liberal democracy itself. As noted, even in established liberal democracies not all societal actors are liberal or "good" yet typically this poses no threat to the quality and stability of democratic governance. The concern, in short, should be with engendering a political culture in which civil society in *all* its dimensions can flourish, not with the "content" of particular civil society actors that at any rate will become more multi-layered and diverse as the democratic systems that guarantee their existence solidify.

## PART II: GENERAL DISCUSSION IN THE TWO PANELS

The discussion in both panels revolved around three broad topics: conceptions of "good governance", the composition and role of civil society and, to a lesser extent, the importance of external actors and the usefulness of the analogy between the current transitions in Arab Spring states and the transformations in Central and Eastern Europe some decades ago.

### ***"Good governance"***

There was broad agreement that "good governance" is a composite concept with multifaceted and sometimes contested meanings. While most contributors accepted the definition given at the beginning of the presentation, they placed different degrees of emphasis on its different component parts. Participants from Egypt and Tunisia in particular stressed the need for governmental transparency as the indispensable basis on which many other elements of "good governance" (such as fairness and efficiency) can be ascertained. Participants agreed that some aspects of "good governance" are easily quantifiable (e.g. economic performance) while others are more subjective and ambiguous (e.g. whether political decisions reflect the will of the governed). Some elements might even clash. For instance, policies favoured by a majority of citizens may contravene legitimate demands by minorities or basic human rights norms.

### ***Civil society***

Civil society, too, attracts various overlapping definitions. For example, some contributors contemplated whether parts of the corporate sector should be included in the definition and

the qualifier “autonomous from the state” is often subject to interpretation. Participants agreed that while a strong civil society sector is an essential ingredient of democratic governance, not all civil society actors represent the majority of those on whose behalf they claim to act; citizens may be marginalized not only from the state but also from civil society. Some contributors pointed to civil society’s shifting role in transition states: during authoritarian rule many civil society actors sought to complement or even replace the state in areas where it was dysfunctional, such as providing health and educational services to the socially excluded. After the end of the dictatorships many increasingly came to see their task as one of helping to improve the functioning of the state itself. This move from “replacing” to “improving” the state involves significant challenges.

Participants in both panels agreed that not all civil society actors are liberal, “good” and committed to democracy and “good governance”. However, not all participants were equally relaxed about this. Some argued that while established democracies may easily cope with “bad” civil society actors, their effect in transitional environments might be more pernicious. Examples mentioned include some media outlets in Tunisia whose propensity for corruption had a corrosive effect not only during the dictatorship but also after the advent of democratic reform. Some participants also highlighted the rootedness of some civil society actors in fundamentalist religious ideologies as a potential barrier to democratic reform.

**External dimension**

Participants from several transition states representing different parts of civil society agreed that external support – financial, ideational, technical and moral – is enormously helpful and appreciated. Nonetheless, such support can become problematic. There is a danger of gravitating towards donor-driven agendas, and actors in receipt of outside support make themselves vulnerable to accusations of representing foreign agendas, as is evident notably in Egypt. Moreover, those civil society actors with the best access to foreign funding are not always the most effective or representative.

Several participants pointed to the necessity of intensifying contacts not only between civil society actors in transition states and their counterparts in established Western democracies but also between representatives of civil society across the different transition states. These often face similar challenges and opportunities and can learn from another’s strategies and experiences.

Finally, participants were divided on how far the analogy with Central and Eastern Europe should be drawn, though there was broad agreement that in the Arab transition countries, too, the emphasis should be on the rapid enshrining of legal and institutional safeguards to protect civil society along the lines of what happened in Central and Eastern Europe. The current situation in Egypt was described as an ominous sign of failure in that respect. One important difference between the two cases, however, is that the outside world’s ability to encourage reform was probably much greater in Central and Eastern Europe than it is in the Arab Spring countries. While Central and East European governments were lured into early and substantial reform in part by the prospect of early EU membership, that prospect does not exist in North Africa and the Middle East. Also, many Western governments have a long-lasting record of supporting dictatorships in the region, raising legitimate doubts as to the actual strength of their commitment to democracy in the Arab world.