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CIVIL SOCIETY
AND DEVELOPMENT
IN WEST AFRICA

Practitioners' Perspective

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Civil Society and Development in West Africa:

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The West Africa Civil Society Institute (WACSI) was created by the Open Society Initiative for West Africa (OSIWA) to reinforce the institutional and operational capacities of civil society in the region. WACSI also serves as a resource centre for training, research and documentation, experience sharing and political dialogue for CSOs in West Africa.

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WACSI envisions a West Africa of efficient, effective, and influential civil society functioning as strategic partners for democracy, good governance and sustainable national development.

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WACSI is a not-for-profit organisation that seeks to strengthen the institutional and operational capacities of civil society organisations through capacity strengthening programmes for increased and effective policy engagement, and the promotion of development, good governance and democratic values in West Africa.

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OSIWA plays a dual role in the region as both an advocate and grant-maker by enabling itself to be agenda-setters both within and alongside other organizations working on the ground. The Foundation works through a unique combination of grant making, advocacy, partnership building and technical assistance.

For example, we help support the production of publications and research studies; run advocacy campaigns using creative means; and provide institutional support to partners on the ground. While most funders either tend to focus exclusively on civil society or governmental institutions, OSIWA has carved its niche through a two-pronged strategic focus: strengthening both democratic institutions and structures and civic participation in decision-making. There are several areas where, over the years, OSIWA has produced strong results.

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1   *Jasper Cummeh: article published posthumously*

Civil Society and Development in West Africa: Issues, Problems and Doubts that Just Won't Go Away

Ebenezer Obadare

Preamble

In the wake of the "Jasmine Revolution" which convulsed large parts of the Arab world in the spring of 2011, questions have been asked about the feasibility of transplanting the germ of discontent into the political soil of Sub-Saharan Africa. Not unexpectedly, a focal point of such excited discussions has been the assumed agency of civil society. For instance, early analyses of the role of social media in popular mobilizations in the affected countries appear to have settled on the consensus that they are important denominators of an ebullient civil society. While not expressly articulated, it is nonetheless implied that a strong civil society has been the driving social force behind the 'Arab spring'.

With the passage of time, others have disputed this line of thinking, pointing out the incongruity of speaking about civil society, never mind a healthy one, in a region of the world where, until recently, civil society was actually judged incapable of setting down roots. How, it is validly asked, can you have a strong civil society in societies where, if a section of the relevant literature is to be believed, it should not have existed in the first instance? Thus, at the very moment of its apparent triumph, nagging questions about civil society - its pedigree, its usefulness in illuminating social processes outside the West, its character and forms- have powerfully resurfaced.

There are key lessons to be drawn from the foregoing as one ponders the ramifications of civil society in West Africa, particularly in relation to the subject of development- a moving target in its own right. The first is that for all its undoubted currency, civil society remains notoriously difficult to pin down. Second, even if its properties and institutional forms could be established, assumptions about what civil society can or cannot accomplish are always fraught. Finally, pronouncements about civil society have to be located in historical time and place, for the social composition of civil society is invariably a function of local history, culture and socio-economic dynamics. To that extent, all civil society is, for want of a better word, local.

Civil Society in West Africa: From the Colonial to the Contemporary Era

To properly anchor our analysis of the role of civil society in development in West Africa, a brief historical survey of the idea of civil society in the sub-region would seem imperative. Two distinct and not necessarily incongruent trajectories immediately come into view. On the one hand, it is possible to locate the antecedents of modern civil society in West Africa in the tumult of the colonial era, specifically the immediate pre-independence period, when a network of associations arose to challenge the colonial regime and make a case for African political self-determination. Among other things, part of what was unique to this emergent civil society was its pan-regional focus. Names like the West African Students' Union, West African Youth League, and the newspaper, the *West*

African Pilot, are testimonies to the early stirrings of a sub-regional identity, and it is far from outlandish to suggest that the Economic Community of West African States (ECOWAS), formed in 1975, must have drawn in part on this trans-national sensibility.

That said, colonial civil society had an expressly political aim, to wit: expose the falsity of colonialists' claims and assumptions about Africans and African history; organize Africans against the brutal assault on their culture by the colonial order; and prepare Africans for self-rule. Leading that charge was an emergent intelligentsia that mobilised indigenous histories and cultural repertoires to fashion a narrative in which Africans emerged as authentic and autonomous historical agents. With political independence in the bag, this elite, with few exceptions, moved to take over the reins of the newly independent states, thus completing the first ever process of mass defection from civil society to the state in the sub-region's history.

If the colonial era remains strangely elided in most writings on civil society in West Africa- and indeed the rest of the continent- it is because most writers on the subject tend to see civil society only in relation to the combination of individuals, events and institutions that sparked the era of 'second liberation' in the region. This is the second distinct narrative strand, the crucial milestone in which was the 'civilian coup' of February 1990 which saw the ouster of Mathieu Kerekou of Benin Republic. In a landscape then pockmarked with autocracies of various stripes, this was a remarkable achievement that owed in equal part to the inspiration of the Eastern European underground and the doughtiness of local organizers. The 'Miracle of Benin' was made possible by the synergising of a network of civic associations from across the socio-political and cultural spectra, including student bodies, community organisations, church and associated religious groups, trade unions, women's associations, and sundry political groups.

The events in Benin provided a marker for other civil society groups across the sub-region. The political and economic situation in their respective countries was similar to what had obtained in under President Kerekou. Decades of political independence had failed to produce any concrete dividends. Material privation was pandemic, while civic autonomy remained a mirage due to persistent executive overreach. Furthermore, in many of them, years of martial rule had constricted the public sphere drastically. For the rest, any distinctions between military and civilian rule remained academic because of the underlying personalisation of power and public office. This was the scenario in which a resurgent civil society emerged in early 1990s West Africa, and understandably, many had high hopes, not just for political liberation, but also for economic prosperity.

The Socio-Cultural Milieu

In order to understand the contributions of civil society to political liberalisation and economic development in West Africa, one must begin with an appreciation of the broader ecology of the period under review. This is necessary in order to appreciate the global and domestic constraints that underpinned and shaped the agency of civil society, and the rationalities that informed or dictated the operations of different civil society organisations.

To this end, it is worth bearing in mind, first, that the early 1990s coincided with the end of the East-West Cold War following the collapse of the Berlin Wall in October 1989. Although the collapse was followed by mass exultation across Europe and North America, in Africa, it was also a period of intense angst and anxiety. The anxiety was due to the uncertainty surrounding the end of East-West contention, specifically fears about possible Western abandonment of its erstwhile strategic allies. In West Africa, these anxieties were compounded by the situation in Liberia (to be followed in short order by Sierra Leone) where a bloody civil war was exacting a massive human toll. This was the overall strategic environment in which civil society found itself at the beginning of the 1990s.

At the same time, the economic climate was overcast. The late 1980s found many African countries in the throes of a severe Structural Adjustment Program (SAP). Initiated under pressure from the International Monetary Fund (IMF) and the World Bank, SAP's advocacy of trade liberalization and state disinvestment in social services aimed at a leaner public bureaucracy. But the reality of SAP radically contradicted its theory. The new economic regime left in its austere wake a hobbled state and disaffected society. By the close of the 1990s, only a few scattered holdouts in universities, think tanks and corridors of state power remained wedded to the initial vision of SAP as an effective panacea for Africa's economic problems.

Civil Society and Popular Expectation

One upshot of this scenario was a massive erosion of popular confidence in the state. At the best of times, (West) Africans had been profoundly dubious about the capacity of the postcolonial state to midwife development. Among other things, many have doubted the capacity of the postcolonial elite for self-examination and political altruism. They have also questioned whether a state apparatus fashioned, presumably, to advance the interests of the colonial order could be reconfigured as a motor for economic transformation. SAP did little to dispel these doubts. On the contrary, its deleterious effect on state capacity meant that people doubted the state even more.

In contrast, many, perhaps too hurriedly, saw an emergent civil society as the long sought for African economic Holy Grail. In part, this faith arose from a misreading of the social utility of civil society, or more specifically the variant of the idea that became ascendant in 1990s West Africa. Back then, many understood civil society as a counterweight to state power, roughly modeled on the dimension of society that had successfully outwitted authoritarian power in Soviet Eastern Europe. In time, civil society came to be seen as more than a counterweight to state arbitrariness; it became

the purveyor of a radical revolutionary gene, the platform upon which a new vision of economic prosperity and social justice could be built.

For those familiar with the less than linear ancestry of the idea, the obvious inflation in popular expectation was something to be lamented. For such people however, while it was bad enough that a section of the African intelligentsia and development community uncritically assumed civil society's salvific destiny; a greater source of worry lay in the manner in which the international development complex, often in 'partnership' or 'consultation' with (West) African civil society organisations, succumbed to, and fostered the same misapprehension. In the end, though, the problem was not just the apparently simple question of whether or not civil society could facilitate development.

Under certain conditions, it might, as examples from across the sub-region have shown. The real issues, it seems, were the failure to specify what was actually meant by development; the reduction of development to something that can be 'done' without reference to the state, or, for that matter, politics; and finally, the implication that development is a 'local' problem which can be resolved once the 'right' kind of civil society- in practice, NGOs and civil society organisations (CSOs) which pass international development agencies' smell test- is installed.

Rethinking Civil Society and Development

That West Africa needs a development agenda is something that is taken for granted. What is not always clear, as indicated in the foregoing, is what is meant by development, whose duty it is to set the agenda (is it really about agenda setting?), what the agenda should contain, whom development is meant to benefit, and whether civil society, at least as understood by majority in the region, is the proper agent to enact it. Clearly, then, things are not as settled as they might seem on the surface.

First, it is futile to discuss development without engaging with what has been called the "development paradigm", in particular the emergence of the idea of development within the framework of unequal relations between the global North and South. Second, in unpacking the idea of development, sufficient care must be taken not to give many of its underlying assumptions a free pass. For instance, part of what is regarded axiomatically by development 'practitioners' is the desirability of economic 'growth' achieved through the instrumentality of a 'free' market. The point, to be sure, is not about whether the free market is or isn't a good idea, but the need for a more incisive problematising of the fundamental principles of an idea- development- whose historical, discursive and ideological baggage is not always apparent.

The failure to grapple with this baggage is partly responsible, for instance, for the way the discourse of civil society and development in West Africa is typically framed. In this framing, development is prioritised as a set of goals which can be achieved once certain procedures are followed. Civil society, so goes the discourse, is best placed to actualise

these procedures because it is shorn of the ills which have plagued the postcolonial state. This is the backdrop to today's sanitised civil society which is arbitrarily crowned with only positive properties, and excludes actors and institutions ruled out either as not 'civil' enough, or plain 'uncivil'.

Yet, for development to have any meaning at all, and for the discourse of civil society and development to gain any traction, these predetermined notions about both ideas must be unsettled. Bending the narrative arc will mean rethinking the idea of civil society, especially against the background of West Africa's specific histories and challenges. It will mean reviewing the travails of the postcolonial state and society in the region in light of the maelstrom of powerful global, economic, political and cultural forces. Last but not least, it will mean coming to terms with the notion of development itself as an integral part of these transnational forces, and not something that stands outside of it.

West Africa: A Sub-Region under Pressure

As a prolegomena to this, it is crucial to bear in mind the recent history of the sub-region, and the nature of challenges which it faces as a socio-economic and political unit. The tone for current developments in the sub-region was set by two landmark events which took place within three months of each other in December 1989 and February 1990 respectively. The first was the attack on the regime of late President Samuel Doe by the Charles Taylor-led National Patriotic Front of Liberia (NPFL). The attack soon morphed into a full scale civil war which set the sub-region on a path of instability from which, two decades on, it is only just recovering. If the Liberian civil war- soon followed by the civil war in Sierra Leone in 1991- set the sub-region's teeth on edge, the victory of popular democratic forces over the Mathieu Kerekou dictatorship in February 1990 was a source of some consolation.

The victory galvanised pro-democracy forces across the sub-region, partly inspiring the civic resurgence which resulted in reasonable democratic gains in Mali, Ghana, Senegal, Nigeria, and Mauritania, among others. Along the way, severe conflict and the victory of democratic forces had yielded two interesting insights about state and society in the sub-region: (1) the state is not invincible after all and will, if sufficiently pushed, make significant concessions; and (2) society, despite acute material immiseration, remains capable of mounting a robust challenge.

In the aftermath, West Africa has remained poised between despair and hope. Although political liberalisation raised hopes of a region-wide economic transformation, poverty remains endemic, with at least ten of the most stricken countries experiencing poverty levels (defined as the percentage of a given population subsisting on less than two dollars a day) of between 65 and 90 percent.

Although local dynamics remain essential, the global context to this is no less important. In different ways, conflict and democratisation smoothed the pathway for transnational

agency. While the severity of the conflict in Liberia, Sierra Leone and Cote d'Ivoire made international mediation of some sort almost inevitable, democratisation opened the door for various forms of western financial and political assistance. Together, these interventions constituted a backdrop to the increased influence of global forces in the affairs of the sub-region. These forces have impacted state and society in unexpected ways. On the one hand, the irruption of neoliberal ideology has led to a fundamental reassessment of the state and its obligations, a reassessment that, in praxis, has translated into greater retrenchment from the public realm. On the other hand, at the level of society, rapid change has translated into disaffection among the majority who feel disoriented by both its pace and direction.

Fortunately, these existential clouds come with a silver lining. With global constraints has come a raft of opportunities that younger elements within the population are rapidly taking advantage of. For instance, in a totally unanticipated way, new communications technologies have facilitated the expansion of the public space and opened up new outlets for entrepreneurial energy to flourish. And while this provides no assurance that the business of governance will not continue to plough its accustomed furrow (a fear seemingly buttressed by West Africa's frightfully large number of competitive autocracies), the change in the modality of interpersonal relationships inspires confidence that societal response will be more sophisticated.

The foregoing, I suggest, is the proper historical, economic and social milieu within which an examination of the role of civil society in development in West Africa should be anchored. To pass mustard, such analysis must transcend the current tendency to see civil society as an intra-associational competition to establish who can be most polite or civil, to a serious quest to locate the roots of what Celestin Monga once described as "the anthropology of anger" in West African communities. Further, such inquiry must eschew the dominant development paradigm in order to trace the footprints of authentic popular mobilisations for socio-economic change across the region.

Civil Society and Development: Beyond the Usual Suspects

In line with this contrarian spirit, I would like to revisit one of the most inspiring examples of civic mobilisation in the sub-region- if not the continent- in recent years. This is the by and large successful campaign for reconciliation in war-torn Liberia, conducted under the aegis of the Liberian Mass Action for Peace. The details of what that movement accomplished, and the strategies it used under the inspired leadership of Leymah Gbowee, are now in the public domain, especially following the release of the documentary movie "Pray the Devil Back to Hell" and the recent award of the 2011 Nobel Peace Prize to Ms. Gbowee. So, I will not recapitulate them here. Instead, I wish to underscore two lessons from that historical moment to deepen my critique of the way we imagine civil society, development, and the relationship between the two.

First, it goes without saying that the general understanding of civil society in West Africa today (and here, the sub-region toes the African party line) is of an associational realm that is autonomous of the family, the market, and the state. Even after setting aside the problem of how to properly demarcate boundaries among these spheres, other quandaries still arise. For example, what kinds of associations are in and which are out? How do we account for issues of class, resources, and ideological orientation among associations, given that not all associations are equal, and different associations have different kinds of access to the public space? How do we guard against equating associational visibility with associational success, given that visibility is often a function of resources and particular associations' access to invisible social capital?

Finally, how do we ensure not to reduce the idea of civil society to the associational realm? These questions become especially pertinent when we consider that under 'normal circumstances', the Liberian Mass Action for Peace- with its mass of socially excluded poor women, would not have fitted into the popular understanding of civil society. One lesson that the success of women's anti-war mobilisation teaches, therefore, is that when it comes to how we think about civil society, it is important to look beyond the formal associational realm- beyond NGOs and similar agents- to those within society who may lack NGOs or similar formal organizations' clout, but are nonetheless resourceful in marking and achieving a social objective.

The implication of this for the way we think about development is obvious. If our conception of what constitutes civil society needs to be broadened, it also means that we need to look beyond 'the usual suspects' for the kind of agency and strategy that may bring about authentic development. In West Africa, and indeed in Africa as a whole, the need to look beyond NGOs, to take one instance, is underscored by increasing popular disgruntlement with what is perceived as many NGOs' self-righteousness and exaggerated sense of self-worth. A similar disaffection applies to aid agencies who many, not least local NGOs themselves, increasingly see as midwives of Western political design. While these grievances are not exactly new, the fact is that they have been more vehemently articulated in recent times.

At first sight, a second insight from the successful anti-war mobilization in Liberia may seem counter-intuitive. The trigger for the formation of the Liberian Mass Action for Peace was the reluctance of combatants on both sides of the Liberian conflict to come to the negotiation table. Frustrated, the women mobilised themselves and thrust themselves into the vortex of the country's national politics. Eventually, their persistence paid off when the combatants agreed to cease fire.

One strains to find a more stirring example of popular collective action in West Africa over the past decade, especially one involving an aspect of the general population that is often systematically discriminated against. Yet- and this is the rub- the success of the Liberian Mass Action for Peace tends to disguise the fact that, over time, in the sub-

region, and perhaps in Africa as a whole, a certain loss of confidence in the power of collective action can be discerned. The reasons for this are multiple, including, ironically, a feeling among citizens in the region's electoral democracies that such action may be superfluous. Generally, however, I think it ultimately has to do with the feeling of personal and political impotence created by powerful global economic and cultural forces.

The implications for civil society and development are intriguing, and profoundly so. For instance, what are the possibilities of civic agency in a context of generalized disillusionment? How do we conceive of resistance in a society whose members cynically assume the futility of mass action? Last but not least, how do you mobilise people for development amid so much diffidence about politics and political office?

Conclusion

Notwithstanding the confusion associated with its usage, some of which have been pointed out in the foregoing, the idea of civil society remains hugely popular in West Africa. While the number of civil society organisations across the region has grown exponentially over the past decade, state governments have shown greater enthusiasm in 'collaborating' with civil society and making it part of the governance process. I take that as an indication of some success, though it has not been without its own problems. In a number of cases, apparent state attempt to court civil society has caused considerable tension, particularly where such courtship has borne a suspiciously close resemblance to incorporation. At the same time, civil society itself has become a honey pot for a section of the elite who see starting a CSO as a means to financial self-empowerment. For this and related reasons, civil society may seem dodgy.

But this must not be a pretext to abandon it. Rather, it ought to be seen as an invitation to retool. Such retooling must embrace the diverse lineage of the idea as a way of coming to terms with its possibilities and frailties.

For its part, it is important to see development not as a set of slogans to be chanted, but a process that must be set within the framework of the historically complex intercourse between (West) Africa and the 'developed' 'North', an intercourse that has left the former with all sorts of vulnerabilities. Civil society can help with this. But it has to be a reimagined civil society, just as it will have to be a different sort of development.

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BENIN

Civil society in Benin: Issues, Challenges and Prospects

Gustave ASSAH

Introduction.

Within the last few years, Benin's civil society has positioned itself as a key player in the public arena. Voice of the voiceless, institution of checks and balances, it continues to be a relevant safeguard in a context where arbitrariness and all kinds of abuse take place. It is however, undermined by key questions relating to its existence, notably issues on the proliferation of its players, its ability to remain above reproach and achieve sustainable results.

During the years of the Marxist revolution (1972 – 1989) marked by single party politics, civil society in Benin was controlled by a mix of scattered players: trade unions, parent-teacher associations, village or farmer groups and development or indigenous associations. In their respective domains, they represented a public opinion and constituted, so to speak, an alternative voice to that of governments. However, as with the labour movement of the time, these players lacked autonomy and could only serve primarily, as an appendage to the political power: «before 1990, the judicial framework for civil society was practically nonexistent: a civil society which was practically withdrawn, intimidated by the repressive control of revolutionary government»1

Thanks to democratic revival in the 90s, marked by the opening of the public space, the people of Benin fully experienced a multiparty system, liberalisation of the airwaves, economic liberalisation etc. Thus, political parties, private media, civil society organizations (CSOs) also experienced a boom.

Apart from its large membership, Benin's civil society has matured over the past few years but still has significant traces of weaknesses.

A.   Difficult conceptual clarification.

In Benin, as in other places, defining civil society has been a real challenge. For a long time, the term was used to refer to « talking without knowing what one is saying; which prevents too many arguments»2. Precisely to limit « the significant disagreement on the issue of what the concept includes and excludes»3, civil society is generally defined as a composite whole. This is Benin's approach through the decree of 12th May 2004, 2004-273 which approves the national Charter on environmental governance: « civil society brings together forms of structuring; interdependence and solidarity with are relatively autonomous in relation to the State, through which individuals satisfy their needs. Civil society comprises of households, development associations, diverse groupings, non-governmental organisations, religious organisations and other components of the social body ».

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1   *Arsène Joël ADELOUI, Legal aspect of the concept of civil society in Benin, In Proceeding of the national seminar on repositioning the concept of civil society in Benin, Palais des congrès of Cotonou on 18, 19 and 20 September 2007, p. 23.*

2   *Dominique COLAS, 1992, Le Glaive et le Fléau. Généalogie du fanatisme et de la société civile, Paris, Grasset.*

3   *Michael WALTER, Towards Global civil society, Berghahn Press, Oxford, 1998.*

This attempt at a definition, which reflects civil society's initial faltering steps at the time, is significantly inadequate; it considers civil society to be « all embracing »4, including players who, contrary to the norm, are not generally considered as members. In fact the decree of 2004 cites « households »5 and « private companies »6 as players in civil society.

Benin corrected this imperfection during a national seminar organised in Cotonou from 18th to 20th September 2007, to reposition the concept of civil society. During this meeting, a consensus was reached on the seven components of civil society in Benin: religious bodies, non-governmental organisations, trade unions, the media, socio-professional organisations, traditional chiefs, associations. Beyond this list, the definition which was retained emphasizes specific criteria: « civil society comprises non profit making and apolitical associations whose objectives are for the general interest. Its aim is to defend and promote the interests of the people…»

B. Legal and institutional framework

Civil society organisations are operating in a context characterised by the absence of any specific regulation. For the most part, the existing provisions are of a general nature, scattered among the different components of civil society.

The highest of the existing norms is the Constitution of 11th December 1990 which, does not once mention the word "civil society" but features in articles 23, 25 and 31 the principles of freedom of thought, of conscience, of religion, of cult, of opinion, of expression, of association and freedom to protest within the confines of respect for public order as established by the laws and regulations. The only law which governs non-state players in Benin is not a Beninese law but a French law.

Inherited from the period of colonisation, this law of 1st July 1901 relating to the contract of association, recognises the right of association among citizens, specifies the modalities for making a declaration and requires that the State undertakes to acknowledge it.

Besides these two overarching laws, there are other regulations relating to some components of civil society: Ordinance N°59/PR/MDRC of 28th December 1966 regulates the establishment of cooperatives in Benin; Decree N° 99-436 of 13th September 1999 defines the various forms of trade unions and criteria for determining their representativeness; Decree N° 2001-234 of 12th July 2001 lays down the conditions for the establishment of Non-Governmental Organisations (NGOs) and their umbrella organisations as well as modalities for their operations.

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4   MDGLAAT, Support to organise consultative forums between district authorities and civil society, Research report, Cotonou, April 2011, p. 22.

5   Civil society is generally considered as « a structure which is above the family ».

6   According to UNESCO, civil society comprises « all organisations or groups constituted in a more or less formal way and which belong neither in politics nor in business ».

The need for specific regulation was expressed in 2007 during a national seminar to reposition the concept of civil society. Two years later, the civil society Charter of Benin (11th February 2009) was created as «a point of reference for issues on ethics and conduct for associations in Benin». Without any binding provisions, the Charter undoubtedly plays a role in the transition towards a specific law on civil society. No initiative has however, been announced on this issue and the piecemeal regulation of civil society component by component will probably continue in view of the announcement of a law specifically for traditional rulers.

At the institutional level, Benin's civil society has, since the end of the 90s, sought to become well rooted. The State took the initiative in November 1999, with the creation of the Ministry in charge of Institutional Relations, Civil Society and citizens of Benin residing abroad (M.C.R.I.-S.C.B.E.). Is this a supervisory ministry? This combination of areas of oversight is often made however, the Constitution of Benin is clear: institutions of a religious, philosophical or associative nature «are not under the supervision of the State» (article 23). One of the actions of the Ministry to regulate associations is the establishment of a Centre for the Promotion of Civil Society (C.P.S.C.) which, since 2006, has had the opportunity to organize a Civil Society Organisations Day « a time to showcase the products, services and know-how of CSOs ».

Realising the need for unified action, the players increased initiatives to unify the organisations. In the past, FENONG, the Governing Council of NGOs or SCONGA wanted to regroup all NGOs at the national level but the sector or theme based umbrella bodies are the ones who have endured the times: The National Anti Corruption Organisations Front has for the past 17 years brought together about twenty organisations committed to public transparency; since 2005, Social Watch Benin has joined together the efforts of about a hundred CSOs to ensure citizen control of public action; the Platform of Civil Society Players in Benin (P.A.S.CI.B.) was created on 27th February 2003 by the Research Action Group for the Promotion of Agriculture and Development(G.R.A.P.A.D.), etc

One of the most inclusive organisations in the non profit sector today is the Benin Centre for Civil Society established in 2009. It does not have the mandate to represent CSOs in Benin but to «strengthen them in terms of their ability to advocate, take decisions, implement and evaluate Benin's development programmes and policies» : according to a study undertaken in 2013, the centre tops the list (77.6%) of local partners who support CSOs.

The structures which are required to act on behalf of civil society are mainly the consultative forums. These forums emanated from the 2007 seminar and are part of the key tools to execute the CSO Charter. Having a pyramid structure, the national consultative forum is a unique body with members at different levels within the country (department, commune and rural district). These forums have various objectives: (self) regulation of CSO activities, representation of CSOs, examination of the synergy of their activities and opportunities…

This structuring of civil society aims at preventing the players from being dispersed as well as avoiding the risk of duplication observed in their interventions. The consultative forums have however not met all expectations. The over involvement of government in their set up has, very quickly, cast doubts on their credibility. Undermined by internal conflicts, they have, over the years, become a shadow of themselves in an environment where they are increasingly being overshadowed by other inclusive grassroots initiatives (eg. The case of Civic Participation Units – C.P.C)

C.   Classification of Players/Stakeholders

During the period when the concept of CSO was gradually gaining ground, there was a proliferation of players. About 140 associations were identified during the year 1990. In 1998, USAID listed 1,500 NGOs[7]. These increased to 2,700 in the year 2000, according to the register of the Ministry responsible for civil society. A decade later (2012 -2013) the same ministry identified 12,002 CSOs. These figures constitute the visible portion of the iceberg and conceal a multitude of players operating informally or waiting to be accredited.

In fact the context lends itself to this explosion of organisations: «the desire of donor agencies to deal directly with local organisations and less with the State»; «the establishment of NGOs as a strategy for self employment and as a means of entering into the informal economy»; «finally, government officials "who are at post but feel insecure" and have capital owing to their contacts (abroad, within the administration, in former state agencies, or in local associations)»8... Majority of the studies conducted on these entities show not only that very few of them are active but also that they are inequitably distributed within the country: «although they operate throughout the country, they are located mainly in the south of the country, more generally, in Cotonou (over 2/3rd of NGOs identified). Their location in Cotonou enables them to interact closely with a large number of international development agencies which have offices in Cotonou as well as many government Ministries»9.

D.   Some achievements of players

According to public opinion, civil society, in spite of everything, has a good reputation as a result of some achievements of the recent past. In 2006, it's «Touch not my constitution » campaign contributed in discouraging some attempts at revisions by the then regime. This campaign spearheaded by a consortium of NGOs and key figures in civil society created a precedence, which enabled the Citizen's Counter Movement to

take over in 2013 with its « Red Wednesday » campaign against the « opportunistic » revision of the constitution and the desire for an undue third term of office for the president of the republic.

Through these protests, Benin's civil society demonstrates a great ability to marshal public opinion as well as to be outraged and denounce human rights violations, acts of corruption and abuses of all kinds, sometimes at the peril of the lives of its leaders who demonstrate great courage in expressing their opinions. A case in point is the failed assassination attempt on Martin Assogba, a human rights activist, on the night of 10th December 2013, after making remarks that challenged the ruling government.

The media, one of the important players in Benin's civil society, is known for its ability to be outspoken. Organisations such as F.O.N.A.C. have acquired a solid reputation in the fight against corruption: in 2005 this organisation led investigations into the theft of 50 bags of glucose intended for the production of glucose serum in the laboratory of the Ministry of Health. This discovery ensured that the brain behind the theft was identified and convicted in court. It also led to the reimbursement of the value of 50 bags of stolen glucose (9.6 million CFA francs) to the Ministry of Health. Since then, F.O.N.A.C. has become noted for disclosing acts of corruption. Since 27th October of the previous year, F.O.N.A.C., like some other organisations (ALCRER, Social Watch Bénin, National Coalition on Water), has had its head office within the Consultative forum together with the National Authority on the Fight against Corruption and the State monitoring apparatus to «fight against the impunity of acts of corruption and infractions connected with Benin».

By demonstrating commitment to the defence of the general interest, civil society has, over the past few years, become recognised as a credible partner of the State. Through a consortium of three organisations (ALCRER, F.O.N.A.C. and Social Watch Bénin), civil society is currently leading Benin's process for membership to the «Open Government Partnership » (O.G.P.) and to the Washington DC Pact on transparency and accountability. Civil society receives budget documents and is invited to parliament, as is the case this Monday, 9th November 2015, to make input on budgetary policy guidelines of government as well as its public resource planning.

With the advent of decentralisation in 2002, there has been the need to work towards good governance in the local districts. To this end, organisations which are noted for carrying out this campaign at the national level, (ALCRER and Social Watch Bénin), have created Citizen Participation Units (C.P.C.) in the communities. The C.P.C.s are a dynamic mechanism to group together grassroots civil society organisations in order to control public action and demand accountability from local public officials. Established in 76 out of 77 communities[10] in Benin, this mechanism holds a lot of promise so long as they are consolidated over time.

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7   *USAID (Research firm UFSJF), Survey and Study on the legal and regulatory framework of NGOs and professional associations in Benin. Étude d'actualisation, vol. 1 : Rapport Général, Cotonou, 1998.*

8   *Gautier PIROTTE et Marc PONCELET, « Civil society and new governance in Benin. Some reflections based on an analysis of the new NGO sector in Cotonou », APAD Bulletin, 16 June 2008. Source : http://apad.revues.org/3573.*

9   *PIROTTE and PONCELET, op. cit.*

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10   *With the exception of Cotonou for now.*

E. Some areas of weakness

In spite of its relative maturity, Benin's civil society experienced a growth crisis mainly as a result of its practices and the effectiveness of its activities. There are many criticisms against civil society players: poor organisation, lack of professionalism, lack of cohesion and coherence in its interventions etc.

The internal governance of CSOs is often called into question: according to a study by the Benin Centre for Civil Society in 2013, 84% of players themselves indicated that « corruption exists among CSOs in Benin »11 The public is increasingly asking questions which are controversial: are CSOs merely profit making tools in the hands of their founders? Are they instruments for political advancement?

On the issue of connivance with the world of politics, there have been some rather unfortunate precedents. The key promoter of the «Touch not my constitution» campaign, Reckya Madougou, due to her obvious success within civil society, accepted to be appointed as Minister in 2006. The Citizen's Counter Movement, whose leaders are renowned players in civil society, eventually became a political party in January 2014 and succeeded in ensuring that its honorary president, lawyer Joseph Djogbénou, was among the list of MPs for the April 2015 parliamentary elections. In fact the act of co-opting members of civil society into government is an old practice in Benin. Everybody remembers the surprising entry into government of two leaders of civil society, Dorothée Sossa and Claire Houngan Ayémonna, in 2001 given that they had just led an election observation mission on behalf of civil society. Such precedents have destroyed the reputation of civil society which is sometimes seen as a Trojan horse in the political arena.

Conclusion

Dynamic and increasingly influential, Benin's civil society has shown its ability to fight against poverty and corruption, to defend widows and orphans and to promote civic participation in the development process. To the best of its ability, it reacts to the inconsistencies of the state apparatus and finds solutions to public policies which have a negative impact on the disadvantaged.

To move forward, it needs to strengthen its cohesion, credibility and optimize its interventions in a more appropriate legal framework.

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11   *With the exception of Cotonou for now.*

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BURKINA FASO

From availability to accessibility of resources: the role of civil society in the promotion of sustainable development in Burkina Faso

By Siaka Coulibaly

Introduction

In Burkina Faso, as in other West African countries, civil society has evolved throughout political history and today it plays a crucial role in governance and in the national development process. Though the contributions and roles of CSOs to the development process are important, they are however undervalued, especially by a lack of capitalization and dissemination of experiences. It is therefore important to conduct a periodic assessment of the status of the civil society as well as its position and its contributions to development, while highlighting the pitfalls that the civil society actor encounters in his work.

This article adopts a historical, descriptive and analytical approach which aims at retracing the development of civil society in Burkina Faso and analyzing its current state through the legal and conceptual framework in which it operates, as well as through its contribution to governance and the country's development.

Development of Civil Society

From 1960, the year Burkina Faso gained its independence, to 2015, the development of civil society can be divided into four broad periods.

From 1960 to the early 70s, civil society was dominated by the trade union movements and other similar political groups, which by reason of their recent independence struggle, had a strong link with political forces. The concerns of this civil society focused mainly on issues of building a national platform consistent with the ideals of independence. It was an active and committed civil society whose main achievement was the fall of the government of the First Republic of President Maurice Yameogo on 3 January 1966 after popular protests led by labour unions and military intervention.

In 1973, a severe drought hit the entire West African Sahel which includes the northern half of the territory of Burkina-Faso. This event constitutes a major natural disaster which brought in its wake significant human and environmental consequences. The mobilization of the international community to try to stem the multiple shocks due to the drought resulted in a massive influx of humanitarian and development-oriented organizations. The establishment and operation of these NGOs, from 1974 to 1990 marked the second half of the period of the civil society in Burkina-Faso which was thus dominated by humanitarian and development interventions that were less political.

The third period of Burkinabe civil society falls within the African neo-constitutionalism period which t began with the general political reforms from 1990 (Baule Summit). The democratization movement had in its forefront social forces headed by civil society organizations engaged in political advocacy at key stages of these processes of political reforms (National Sovereign Conference). In 1992, during the political and institutional reforms, new laws and regulations provided the civil society organizations with a new

framework for expression and operation, generally considered favourable (Report Civicus Index of civil society, 2008).

It is within this context that civil society made its intervention in two fundamental areas, and at the same time, separating it into two main categories. On the one hand, there are development organizations working in the provision of goods and services to the poor, and policy advocacy organizations working in the area of political governance and human rights, on the other. For two decades, these two intervention thrusts have been the focus of all Civil Society Organisations in the country.

The political transition begun from 30 October, 2014. During this period, a popular uprising led to the overthrow of the regime led by Blaise Compaoré and the implementation of special organs charged with the responsibility of guiding the country towards democratic elections. During this time, civil society was extremely polarised on one hand between the spontaneous movements created during the fight against the revision of article 37, aimed at removing limitations on the president's mandate and on the other hand the traditional organisations which have been in existence for much longer. Without being openly antagonistic, these two components of Burkina's civil society had various different approaches to action. The spontaneous movements adopted a more reactive, direct and political approach, indeed a partisan approach while the traditional organisations maintained their approach of political advocacy for change while trying to keep their distance from political actors.

Legal and conceptual framework

The work of Associations in Burkina Faso was initially governed by Act n°18/59/al of 31 August 1959 which established the declaration regime, namely a relative freedom of association. The ZATU[12]n°AN VIII-24-FP/ PRES of 12 March 1991, just before the establishment of democratic institutions, called into question the declarative system by restoring the system of prior authorization.

However, Act 10/92 ADP of 15 December 1992 restored the declaration system of associations and established the framework that has seen the emergence of a host of associations in Burkina Faso. Article 2 of this Act stipulates that « associations are freely formed without prior administrative authorization. They are governed by general principles of law applicable to contracts and obligations in terms of their validity ». Thus, the total number of associations was around 80.000 but it is almost impossible to determine the number because of weak administrative structures in documenting registered associations. The review of Act 10/ADP/92 which started in 2010 has brought about issues between the government and CSOsA census of the number of associations

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12   In the legal order of the RDP (1983-1987) and the Popular Front (1987-1991) Zatu conforms to the decree

supported by the European Union (Project to Strengthen CSOs) obtained an unexpected number of eleven thousand re-registered associations.

The recent developments in civil society have taken place against the backdrop of a reform of the law 10/92 of 15th December, 1992 which ensures freedom of association in Burkina Faso. As a matter of fact, since 2009, government embarked on a reform of the law on freedom of association which was considered by civil society experts to be limiting. The key modifications of government's reform which civil society has disputed are the political neutrality of associations and the cumbersome nature of procedures for recognition and sanctions. CSOs interested in the issue were able to prevent the reforms for the first time in 2013.

Definition

A definition is provided in Act 10/92 which stipulates that: « for the purpose of this Act, an association is any group of legal or natural persons, national or foreign permanent non-profit organisation with the objective of achieving common objectives, notably in cultural, sports, social, spiritual, religious, scientific, professional or socio-economic domains». This law provides for a broader freedom of association that allows citizens to give concrete expression to their different types of collective activities.

This definition, as liberal as it is, is not sufficient to define the civil society itself. Since 2000, there have been several attempts to define the concept of civil society. One of the proposed definitions is one that defines civil society as « a self-organization independent from the State whose components willingly engage in public action to pursue individual, group or national interests, in a legally defined relation between the State and the Society »13. This definition is derived from a process supported by the United Nations Development Programme consisting of the following stages:

- A study to identify the strengths and weaknesses of civil society organizations in 2001.

- A national workshop to report back on the study and strengthening of civil society in November 2002 in Bobo Dioulasso

- The establishment of thematic groups within civil society and regional co-ordination units in the thirteen regions of the country in 2005 and 2007.

The main aspect of this process that contributes to the definition of civil society is the identification of the eleven (11) components that are included in all documents, including officials on the civil society:

- Women's organizations

- Research institutes

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13   Framework Document for Capacity Building of Civil Society Organisations in Burkina Faso.

- Trade union organizations
- Religious organizations
- Associations and Human rights movements which target specific demands
- Professional Media Organizations (Private press)
- NGOs and development associations
- Movements and Youth associations
- Organizations of persons who are marginalized
- Peasant organizations
- Sports and cultural associations.

In the absence of an exhaustive reflection and research on the status of civil society, this plan allows for benchmarks to capture the development of this actor in the field of governance and development. The main consensus of civil society in Burkina Faso focuses on the exclusion of two categories of players from its ranks. Political parties and traditional chieftaincy were, on several occasions, deemed not to be part of civil society by actors in this sector. The trade unions, though covered by the same law as the associations (Law 10/92), have always maintained a distinction in their activities as against that of CSOs.

Social and Political commitment

According to the definition, civil society aims at developing social and economic development in a conducive institutional context. This identifies the various areas of activity assessment of the civil society in the country.

• Civil society and development

All the CSOs, at least by the objectives stated in their constitutional texts, and in line with the law, tend towards goals aimed at improving the living conditions of the majority of the population. These goals eventually reveal a non-hermetic categorization between a civil society that seeks to increase the availability of goods and services and one which also seeks equity in access to these resources. Both major categories, which include organizations with overlapping objectives and activities, are on many occasions successful in their interventions.

The development associations, most of which are made up of organizations commonly known as NGOs, on the basis of a specific agreement signed with the Ministry of Finance and Economy, provide multifaceted support to the people, sometimes in areas where there is no public intervention.

According to the General Directorate of Cooperation at the Ministry of Economy and Finance, the contribution of NGOs increased from 25.9 million US dollars in 2006 to 31

million US dollars in 2009, an increase of 13.57%. This contribution represented 0.02% of Official Development Assistance by the country during that period[14].

A capitalization requested by the member organizations of the Permanent Secretariat of NGOs (SPNGO), in April 201, estimated the partial contribution of 14 of these member organizations to be 11 billion FCFA.

The new Oxfam global campaign was launched on 1 June 2011 in Ouagadougou. In his opening speech, the Chief Executive Officer of Oxfam Burkina, Omer Kabore stated that « ... agricultural deficits in West Africa in 2008 and 2010 affected 10 million Sahelians and put thousands of them in danger. In Burkina Faso, despite good harvests in recent years, some parts of the country suffer from chronic or structural food insecurity. Therefore, 32.8% of Burkinabes are undernourished, and acute malnutrition affects 10.5% of children under 5 years». Every day, about one billion persons are said to suffer from hunger, while according to him, « our world produces enough food for everyone ».

Officials and representatives of partner organizations were present at the launch of the campaign. These were Mr. Euloge Ouédraogo, representative of the Directorate for Monitoring Non-Governmental Organizations (DSONG) and the General Directorate of Cooperation; Pierre Nacoulma the Consumers League of Burkina (LCB); Bassiaka Dao, President of the Confederation Paysanne du Burkina-Faso/ (Farmers' Confederation) (CPF) ; Alfred Sawadogo, Chairman of the Board of Directors of SOS Sahel ; Dr Moïse Napon of the Permanent Secretariat of Non-governmental Organizations (SPONG).

On behalf of these personalities, Alfred Sawadogo expressed the commitment of partner organizations to play their part to implement the initiative scheduled to last four years. « this campaign will grant us the opportunity to develop a popular movement for food justice, to sustain and support the needs of modernization and adaptation of family farms through the national rural sector programme (PNSR), to respond quickly and fairly to global crises related to food costs and curb the phenomenon of land acquisition or speculation by new players to the detriment of family farms » .

• Civil society and the State

The relationships between the State and Civil society have evolved in the historical stages that it went through. Until the advent of participatory policy development, and especially of the Strategic Framework to fight against poverty (2000), the State had generally a distrustful attitude of civil society. Under the fourth republic (1991), the consolidation of democracy and the principles of good governance (participation, transparency, subsidary) have created a more favourable environment, in formal terms, the relationships between the State and the civil society. From 2003 to 2011, on

14   Ministry of Economy and Finance, Coordination and Effectiveness of Official Development Assistance in Burkina Faso : Issues, realities and prospects. Report 2009, Ouagadougou June, 2010, www.dgcoop.gov.bf

several occasions, the groups of civil society participated in frameworks with the State with regard to public policies. In this way, the civil society is able to make significant contributions in various fields.

Freedom of association in Burkina, the Civil Society speaks out

Ouagadougou hosted a national civil society workshop on the review of Act n° 10/92/ADP of 15 December 1992 on freedom of association in Burkina. Organized on Friday July 8, 2011 by the Permanent Secretariat of Non-Governmental Organizations (SPONG), the workshop focused on three specific objectives. (1) Analyze the proposals of the inter-ministerial review Committee of Act 10, (2) make new proposals to improve freedom of association in Burkina and finally (3) exploit the 19 years of experience of civil society practitioners on freedom of association.

Freedom of association is enshrined in the fundamental laws of Burkina Faso stipulated in the Constitution and registered by Act n° 10/92/ADP of 15 December, 1992. Indeed, after almost two decades of implementation, it became necessary to review Law 10 for adaptation. It was against this backdrop that the Permanent Secretariat of Non-Governmental organizations (SPONG) held a workshop on July 8, to review the law in question, as a result of proposals made by the Inter-Governmental Committee. For Non-Governmental Organizations (NGOs)/ Development Associations, it was an opportunity to share their experiences of freedom of association and to examine the draft bill formulated by the Inter-Ministerial Committee. The different amendments, which are eight (8) in number, were read by Siaka Coulibaly- legal consultant.

Specifically, proposals from civil society players focused on the structure of the law, definitions and procedures, foreign association issues, public funding, volunteer members of the association of civil society, penalties and the resolution of conflicts as well as monitoring of the associations. It emerged from the discussions that the social aspect of the associations would need an exemption for their benefit and a submission to the rules of public accountability. This last point is explained by the fact that the rules of accountability are very restrictive, and at the same time, they promote sound management of the funds of the associations.

The apolitical nature of civil society structures was not been left behind. For the legal-consultant of the workshop, it is preferable to speak of "non partisan association rather than "apolitical association" because most of the activities conducted by these civil society actors are political in nature although they maintain their distance from institutions established to take over political power. However, volunteering was treated in a special manner because according to statistics, 84.9% out of 300 people surveyed in 2004-2006 reported having done voluntary work in civil society organisations, which in the eyes of civil society actors, is quite significant. Hence, the proposal for a volunteer status with the aim of improving working conditions and employability of those

concerned. Daniel Da Hien, the moderator of the workshop and pastor Moïse Napon (Head of SPONG) gave their view on the penalties which are incompatible with a liberal system of associations.

- Civil society and politics

So far, these two concomitant sectors have maintained very close relations. This collaboration was made possible because of the socio-political context on one hand, and by the relative lack of clarity of the law governing the two sectors, on the other hand.

In the context of a critical shortage of financial resources, the State machinery has been the main source of power and material resources of the country since independence. It is held by the political forces, social entrepreneurs even though their actions are non-profit making, , like those of the private sector, are often compelled to establish a non visible relationship of « agreement » with political actors. These very informal connections exist between some political forces and some associations.

Laws governing the freedom of association and political parties do not establish a clear prohibition of interference between the two groups of actors. Only the ethics of the CSOs in Burkina Faso, in accordance with the French model on which it is based, make a distinction between the associations and political parties. In fact, until 2014, there were very few cases where a leader of an association is an active head of a political party at the same time.

- The self-perception of civil society actors

In the context of this article, some association leaders were interrogated to make a current and lively input into this reflection. Self-assessment of the civil society seems a bit flattering. Its image, seen by some of its members, is rather negative. When asked « *what grade from 0 to 10 he would give to the civil society in Burkina Faso in the consolidation of democracy*? », the most common mark has been 3 over 10.

Conclusion

Though civil society is considered as a full stakeholder in governance and development, the fact still remains that its intervention is constrained by a lot of inadequacies of all kinds. The legal and political system of the country is the main parameter influencing the performance of civil society. In Burkina Faso, civil society has evolved through the early history of the country, playing a variety of roles at different times. In recent years, though its position in the fight for democracy and development has been recognized, many existing obstacles still undermine its work. But, ultimately the main obstacle is the ability of civil society actors to play the role assigned to them by democracy and good governance.

Recommendations

Two policy recommendations can be put forward with regard to the fact that there is no systematic and comprehensive study of civil society in Burkina Faso.

- It is vital that a unitary integrating and operational-oriented framework civil society be established. The deepening of a national dialogue on public policies requires such an organization

- The institutional and legal framework governing freedom of association in Burkina Faso needs to be improved. This requires the review of the law on freedom of association and the adoption of the decree to implement the law inspired from the experiences of civil society actors

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Civil Society and Democratic Development in Cape Verde

Iolanda Évora & Suzano Costa

Introduction

This article aims to analyse the concept of civil society, its institutional and operational capacity, and to investigate its actual contribution to economic and democratic development in Cape Verde.

In revisiting the political history of Cape Verde and the contribution of civil society to its economic and democratic development, it is necessary to adopt a theoretical framework that focuses on three (3) fundamental historic moments: (i) the structuring of the post-colonial state and the period of establishment of a single-party regime (Cardoso, 1993); (ii) the political opening and transition to a multi-party democracy (Meyns, 2002); (iii) the current national policy and the political structures (Tarrow, 1994, 1996) that may stimulate and/or constrain civil action and non-conventional forms of political participation.

Taking into account the beginnings of civil participation and the determinants of community life in Cape Verde, from national independence until the opening to democracy, we notice a structural dependence of civil organisations on the "top-down" mechanisms of activation as opposed to the logic of "bottom-up" mobilisation that is subsumed, in the case of Cape Verde, in the context of weak civil participation.

The poor capacity for mobilisation and civil participation in "bottom-up" initiatives is associated with the lack of opportunities to promote non-conventional forms of political participation on one hand and, on the other, a "low intensity of democratic experience" (Costa, 2010a), as well as a "substantial deficit of democracy" (Évora, 2011). Moreover, the poor capacity of civil society organisations to accumulate social capital is a trend (as almost everywhere) towards misappropriation in one hand, and political exploitation of civic initiatives by political parties and their leaders on the other hand.

This is usually a strategy to broaden their electoral opportunities. The factors that contribute to this trend of misappropriation and exploitation are: a) the strong subordination to political parties; the political bipolarisation of Cape Verdean society (Costa, 2010b); as well as the dependence on the logic of State funding that transforms organisations into implementers of official programmes, which are executed without decision-making power regarding the country's development and direction.

Context, Origins and Progress of Cape Verdean Civil Society

The social experience of the islanders has always been marked by a severe lack of productive structure and a structural dependency on resources from abroad, first from the metropolis, after the independence, relying on foreign development aid but, as always, relying on the remittances from emigrants. It was against this background of a lack of local resources that Cape Verdean society experienced oppression and attempts to formally suppress its independent initiatives.

Despite these challenges faced by Cape Verde, during the colonial era, its leading cultural and social movements were vigorously restored. Cardoso (1993) suggests that this period was notable for the production of literacy and music, publications, magazines and journals, and the proliferation of sports, commercial and agricultural organisations. He also identified other important social and civil activities that led, for example, to the creation and defence of the Cape Verde High School.

Similarly, Silva (1995) was against the idea that the dynamism of civil society is assigned to the Party-State activity and mentioned that the civil experience of Cape Verdean emigrants in the USA and Western European countries contributed to the construction of the Cape Verdean nation in a way, even before independence in 1975. He reflected that it influenced the notion of social justice, empowerment of citizens, the defence of civil rights and civil participation in Cape Verde (Silva, 1995).

In terms of organisations that bring together individuals, the post-independence period of the Single-Party system in Cape Verde was characterised by the existence of mass organisations "distributed by *age* group (Pioneer Organisation-OPAD, Amílcar Cabral's African Youth-JAAC), and by *sex* (Organisation of Cape Verde Women-OM) or by *professional interest* (Unions-UNTC-CS)." (Cardoso, 1993: 184). The attempt to institutionalize the government's territorial implementation plan and maximize strategies of political regimentation on a national level led to the promotion of territorial-based organisations like People's Courts, Neighbourhood Committees and Popular Militias.

Associative self-governing practices in the post-independence period

Created on 1974, cooperatives are still thought as the most illustrative experience of the official strategy of social mobilisation in the post-independence period. Their rise was intended to promote popular participation in the development process and to ensure access to consumption goods and services to the most vulnerable social groups. The aim was to outflow food supply and add the effects of agrarian reform through the introduction of fair distribution mechanisms and the participation of citizens in the management of community life (Évora, 1996).

Cooperatives were the first post-colonial practice of self-management,[15] in opposition to the traditional practices of mutual support and association, which were believed to[16] solve specific problems, while the cooperative movement was included in a broad

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15 The existence of only five (5) cooperatives in the archipelago, created by the colonial government and ruled by the Portuguese Commercial Code, demonstrated, at the time of independence, the lack of interest by the colonial power in promoting ways of self-management and popular participation. From official documents of the colonial era, the spirit of association should ensure the common use of capital goods, improvement of techniques and the conquest of favourable markets by the economically weak population. See, Código Comercial Português, chapter V, title II, book II.

16 For example, the djunta-mon and djuda systems practised on the island of Santiago (Évora, 1996).

process of promotion of participation, national development and transformation of mindsets (Évora, 1996). However, a few years after the independence, this self-management process proved to have little support from cooperative members (Évora, 1996; 2001).[17] The failure of the movement is, on one hand, associated with the lack of an earlier cooperative tradition, the objectivity of the meaning of cooperative in figures such as shops (consumers' cooperative), boats (fishing cooperative) or land (farmers' cooperative) (Évora, 1996) and, on the other hand, with the direct "identification made by rural workers between the cooperative movement and the 'need for political activism' in the party structures" (Furtado, 1993: 109).

Dynamics of Civil Society in Democratic Cape Verde

In analysing the profiles of the organisations and the activity areas, from a longitudinal perspective (1975-2011), significant variations are not found in the traditional areas of intervention, despite the emergence of new issues – good governance, environment and energy, economic growth and opportunities, human capital and social protection – largely attributed to the agenda of international institutions and specialised agencies of the United Nations. There is a tendency to maintain the intervention in the following areas (community development, training and communication, solidarity activities, water supply, cultural and sports activities etc.) rather than in those issues which are structural to the current developmental agenda for the nation (youth and education, protection of the environment, support for microenterprises/microcredit, human rights, empowerment of women, social housing etc.).

The decade of 1990 was marked by the emergence of the majority of Cape Verdean NGOs working at a national or local level. In 1996, the Cape Verde NGO Platform was formed; the 11 NGOs that existed at the beginning of the decade had quickly been overtaken by the 81 registered NGOs with activities at a national level or in more than one city council and about 600 associations with a national scope. Historically, the nation's capital city has had the greatest number of NGO headquarters, and currently not a single association is registered on the island of Brava[18].

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17 Critics argue that the cooperative experience in Cape Verde contrasted with the ideals of participatory democracy and the self-management practice of a cooperative organisation, with practices far from the principles originally proclaimed, stagnation, the exercise of functional hierarchy and power concentrated in the official institutions, like what happened in the period that preceded independence.

18 In fact, in the case of Cape Verde, the emigrants maintain close and regular contact with their places of origin, and this is indicative of the low degree to which, over time, the policies geared towards emigration permitted the emigrants intervention within their close family group to also reach the broader level of the locality and the country.

The intervention areas are divided into:

Areas of activity	% of NGOs
Training	41%
Information & communication	37%
Youth & education	36%
Solidarity actions	25%
Community development	18%
Protection of the environment	17%
Support for micro-enterprises/micro-credit	17%
Cultural & sports activities	16%
Water supply	15%
Human rights	10%
Advancement of women	10%
Social Residency	10%

The beneficiaries comprise:

Target beneficiary group	% of NGO
Young people	44%
Women	36%
Children	34%
Disabled people	15%
The elderly	6%

Some studies indicate that, with few exceptions, "the Cape Verdean associations do not specialise, either in terms of the target beneficiary group or the area of intervention" (Platong, 2011), have a culture of dependence on subsidies,[19] and a welfare-based attitude, typical of a poor country that depends on foreign aid.[20]

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19   The dependence of the State enunciated as the principal inhibitor of the vocation of civil society associations, to the extent that, "receiving State resources obliges them also to take orders from the State (…)" (Bonifácio, 2011: 23), which hampers a performance based on criteria, regulations, control and transparency.

20   This is the island with the oldest tradition of emigration to the United States and it remains particularly dependent on remittances from emigrants living there.

Perceptions and Representations of Civil Society in Cape Verde

In Cape Verde, the perception, image and representations about civil society lead, almost invariably, to vague formulations of an entity that brings together – with the exception of political parties – civil, community[21] and social solidarity associations, NGO[22], professional organisations, voluntary institutions, civil movements, sports clubs, charitable institutions, social activists, bloggers and opinion-makers, cooperatives, religious institutions, university groups, among others.

The current representations about civil society in Cape Verde lead us to the many formal organisations that benefit from the protection of an institutionalised legal order (Diamond, 1994) such as the social, civil movements and spontaneous lobbies formed by citizens claiming issues relating to urban violence, gender equality, basic health, infrastructure, human and workers' rights, regionalisation and a decentralisation policy. The public perception of the action of these civil society organisations in the archipelago is generally positive and their members enjoy a certain social acceptance and public popularity, because they are socially perceived as acting in the public interest.

In the eyes of ordinary citizens, civil associations have a social responsibility in the development process and, in turn, official discourse seeks to elect civil society and its associative structures as partners in dynamizing the country's potential for economic and social development, and in accelerating its agenda of transformation (PG, 2001-2006-2011).[23]

However, there are still indicators of political and intellectual promiscuity, and mutual exploitation amongst leaders of the organizations and political parties. There is interference in the process of electing the leaders of the associations, in decisions related to the functioning of associative structures and in the allocation and use of resources. In certain instances civil society leaders are frequently mentioned as being submitted to logics of clientelism and using their associative status as a support for emphasising particularistic agendas of upward social (professional) mobility.

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21   From the development analysis perspective, Bonifácio (2011) says that the emergence of community associations from 1990 was officially promoted, in order to start the conversion of the Labour Intensive Public Works Projects (FAIMO), increase productivity and carry out activities with an impact on the community. With encouragement from State institutions, the top-down perspective was carried over from the earlier period and the associations were transformed into temporary employment agencies.

22   With regard to the image and representations conveyed about civil society in Third World countries, authors in the wake of Jose Harris (2006) argue that in these contexts, the notion of "civil society" is frequently associated with the work done by non-governmental organisations (NGOs) founded by expatriate Europeans and North Americans for the purpose of building new structures and services that complement or bypass the activities of national governments that are corrupt or have limited resources (Harris, 2006).

23   In addition to the policy direction established by successive Government programmes, this structuring argument of public consultation on civil society is also strengthened, particularly acutely in the Major Planning Options. Council of Ministers (2001), As Grandes Opções do Plano. Uma Agenda Estratégica, Praia: Council of Ministers, Republic of Cape Verde.

In opposition, the claims of Cape Verdean civil society, despite the low intensity of social mobilisation registered, have been embodied around unconventional (heterodox) forms of civil and political participation, and new platforms of intermediation and aggregation of interests such as the use of public manifestations, on-line petitions, social networks and new information and communication technologies. The general perception is that there is a low attendance in public demonstrations as various initiatives show along the lines of those taken by people who feel abandoned by the Government and the Local Council (as in the case of the island of S. Vicente),[24] or the demonstration against the permanent electricity cuts and problems with the potable water in the city of Praia.

Likewise, regarding the demonstration against Violence, it was reported that about 12,000 people registered on facebook their intention to participate. However, due to the lack of clarity in the field boundaries between the political party and civil, any call for protest or demonstration immediately carries a suspicion of party political aims on its organisers. Thus, by way of example, the citizen who took the initiative to issue a call to all Cape Verdeans to join a movement against the "kasu body" phenomenon,[25] which he called the "Cape Verde Korda Movement," stressed its non-partisan nature and said that his motives simply had to do with his "love for the land". In the public event that civil society groups organised in protest against police action directed at the S. Vicente City Council, the party in local power distanced itself from this demonstration.

Currently, the social networks are experiencing growing participation and have become the preferred channel for information, opinion, debate, protest, contrary views, and calls for manifestation. They are also the principal means through which both the diaspora and the archipelago participate in events that involve Cape Verdeans in different spaces.

Civil society and Development in Cape Verde

United Nations agencies have developed programmes in areas in which the participation of the civil society is seen as essential, such as "*Consolidation of Democracy*" and "*Promotion of Growth and Economic Opportunities*" sub-programmes reveal. The UNDP identifies, as a result, reinforcement that involves: a) participation of the local populations and the administrative capacity of local authorities; b) response of the Public Administration to the people's needs; c) e-governance; d) implementation of the National Gender Equality Plan; e) implementation of a Gender-Sensitive Budget.

It is also believed that it was possible to support the growth of a corporate and business environment with training systems, professional training and competitiveness that promote job creation. In these programmes, civil society is not amongst the direct main

national partners of the UNDP (Government bodies, State-sponsored institutions), even in actions that directly propose capacity building for the State and civil society.[26] The role of the State is excessive in the appropriation of the social agenda and it occupies an area that should be attributed to civil societies, to such an extent that, as a result, their contribution to the social, economic and democratic development of the archipelago is decapitalised. This was the case for the "Special programmes for the integration of women, young people and vulnerable groups into the labour force" that have important issues about social intervention.

Failure to completely free Cape Verdean civic organisations from the State leads to the restraining, manipulating and exploiting of these organisations. Symptomatic to this, are the various monetary transfers made to community associations in pre-election times or the appearance of association leaders, trade unionists and other civil activists in the parliamentary and local government electoral lists.

In the current political context, the promotion of a relationship with the private sector would, therefore, represent a comparative advantage and an alternative to the logic of dependence on State funding, enabling civil society players to escape the top-down system that constrains their public intervention agenda. Also, association leaders in the diaspora claim that it is up to Cape Verde to promote a national project, from the inside, capable of bringing together its organisations abroad (Silva, 2004) and the civil society within Cape Verde. The author is critical of the way the emigrants are systematically ignored as an integral part of civil society and says that it is necessary to construct a national thinking that hinges on their involvement.[27]

Conclusion and Recommendations

It is recommended that Cape Verdean civil society organisations, in their quest for independence from political society, should achieve emancipation from the intricate web of relationships that surrounds the State, the political parties and elections: (i) become free from their dependence on State funding sources and the strategies by which the State constrains their agenda of intervention; (ii) prevent the appropriation of civil initiatives by political parties and their (iii) political exploitation aimed at expanding the electoral opportunity structure for the parties. In turn, the State must forge the institutional mechanisms, safeguarding, on one hand, its engagement in the process of design as well as evaluation and implementation of public policies and promoting the decentralisation of decision-making at a community level with the institutionalisation of participatory budget on the other hand.

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24 *http://www.noticiasdonorte.com/index.php?option=com_content&view=article&id=1056:no-facebook-prepara-se-manifestacao-em-sao-vicente-qabandonados-pelo-governo-e-traidos-pela-cmsvq&catid=95:cabo-verde-em-destaque#comments*

25 *Popular name for assaults carried out, generally, by young people in city centres.*

26 *As with the sub-theme "Capacity development of State and civil society for the prevention of drug abuse and antisocial behaviour".*

27 *While emigrants remain a lobby because of the importance of their remittances and their participation in elections (parliamentary and presidential), their modes of participation in the development of the country are indicative of the low capacity of national civil society to propose or participate in creating ways of bringing emigrants together around the development of Cape Verde and, thus, make them decisive agents of the process (Silva, 2004).*

The existence of a large number of civil associations contrasts with the quality and magnitude of their intervention in the resolution of specific problems, so we recommend that the associations develop (i) a greater specialisation in relation to the beneficiary target group and the areas of intervention, and (ii) a perspective of claim-focused action, not limited to the welfare dimension.

Given the power of the media and the media coverage in building social perceptions and shaping public opinion, we recommend that the civil associations develop a methodology for placing their claims in the public agenda in order to give them greater public visibility and social acceptance.

The contribution of civil society to the economic and democratic development in Cape Verde places on its organisations the challenge of increasing the quality, independence and scope of their activities, in order to meet social needs, and to promote and influence the development of communities. The current difficulties are due to their excessive dependence on the State and to their vulnerability to attempts at political exploitation by the parties. These facts undermine the field and the forms of intervention by civil society organisations, as well as their social legitimacy as a platform of mediation, articulation and aggregation of public interest.

Nowadays, the possibility for civil society to influence the determination of the legitimising discourse and the formulation of the public agenda are compromised due to its reduced involvement in the conception and evaluation of public policies.

The general perceptions and expectations of civil society and its organisations are positive and it is acknowledged that, when they are well-adapted to reality, they promote the mobilisation of active players and properly interpret their needs and aspirations.

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CÔTE D'IVOIRE

Reflection on civil society in the Ivory Coast: Issues, institutional challenges and post-crisis sensitivities

Mr Traore Wodjo Fini

Introduction

Civil society is of one of the areas that have experienced a relative boom due to the political instability Ivory Coast has experienced since 1999. Limited to a handful of active organizations before the crisis, today, civil society has grown. It demonstrates a conscious effort to ensure public participation in the management of power. Thus, its contribution, notably to the building of the Rule of law and the democratic process has an obvious advocacy dimension.

However, though one of the answers to the serious violations of human rights and social divide is action by civil society, there is no doubt that issues relating to the defintion of civil society, its legal framework and its effectiveness remain (GUEDE, 1990). The objective of this analysis is to possible options on these concerns. This perspective leads to the study of the history of civil society, describes its role in the development of the Ivory Coast and proposes topics for discussion on the effectiveness of civil society.

Definition and history of the Ivorian "civil society"

• Definitional aspect of the concept "civil society"

Civil society is a set of non profit, voluntary NGOs, created by individuals with a common objective to maintain a common focus. Often, acting in anticipation or in response to situations of distress, civil society organizations play a role in sensitizing, educating, training and raising the awareness of the people.

However, the scope of intervention of civil society remains unclear due to lack of precision of the law. So it is difficult to accurately define the operational contours of the non-governmental organizations as their borders change based on practice. When asked, for example, what is an NGO, the Ivorian positive law is vague on this subject matter. Act n° 60-315 of 21 September 1960 on associations does not contain a specific section for NGOs to the extent that this term does not refer to any specific legal category. Worse still, the same text governed the creation of political parties and groups as well as religious organisations. So in Ivory Coast, an NGO is not born, but it is made.

The ambiguity of the legal status of civil society loosens it. Indeed, the limit of the law causes the NGOs to be identified with credit unions, football clubs, trade unions, youth and women associations, political parties and groups. Given the limited scope of work, only human rights, social cohesion, peace building, democracy and good governance NGOs will be considered.

• Background of the civil society in Ivory Coast

The phenomenon of associations is enshrined in act n° 60-315 of 21 September 1960 on associations. However, three periods seem to mark the emergence of the phenomenon

in the Ivory Coast. The first period is identified with Ivorian socio-political life and begins from 1944 with the creation by the late President Houphouët Boigny of the African Agricultural Union (SAA). In collaboration with the various political factions created in the colonies of French West Africa (AOF), SAA led the fight not only for independence but also to improve the trade unionism.

The fight resulted in the provision of some free products such as palm oil and rubber to the population. (DERIVE, 1986).

The second period started from the late 1980s during which civil society rhetoric emerged in political and economic debates. The serious economic difficulties that led the Ivorian government to the structural adjustment programmes of the BrettonWoods institutions eventually caused an upsurge in unemployment and the emergence of land disputes. Thus, human rights and democracy related-issues emerged with force. In response, the first non-governmental organizations (NGOs) emerged with the creation of the Association of Women Lawyers of Ivory Coast (AFJCI) in 1986 and the Ivorian Human Rights League (LIDHO), in 1987.

The process of democratic transition in the 1990s marked the third period. In the first place, it generated a proliferation of NGOs and secondly, the latter were restructured with the creation of two spontaneous groups: the first, created in 1995, was the National Elections Observatory (ONE) consisting of several NGOs including the Ivorian Human Rights League (LIDHO), an affiliate of the Study and Research Group for Democracy and Development in Africa (GERDES-Côte d'Ivoire), and the International Movement for Women Democrats (MIFED-CI), with a mission to raise awareness about the transparency of the presidential, legislative, and municipal elections. The mandate of ONE was renewed for the 2000 elections.

Following the 2002 crisis, the second group of NGOs, the Civil Society Association was created to bring a message of peace to all parts of the country to avoid an imminent civil war.

The NGOs « networking » was formalized with the official creation in 2003, of groupings such as WANEP (West African Network for *Peace building)*, the Civil Society Coalition for Peace and Democratic Development (COSOPCI) and the Ivorian Civil Society Convention (CSCI).

However, one of the most vibrant manifestations of the collaboration between civil society and the State was the appointment of Professor BLEOU Martin, former chairman of LIDHO, in 2003, in the Seydou Diarra government as Minister of the Interior as a result of the Linas Marcoussis Political Agreements.

Today, the national human rights NGOs working in the area of democracy and social cohesion, are grouped into several networks including COSOPCI, Forum for West African Civil Society (FOSCAO), the Ivorian Actors Network for Human Rights (RAIDH), the

Women Network for Ivory Coast (COFEMCI), WANEP, CSCI, ECOWAS Women Network for Peace and Security (RESPECO), the Ivorian Coalition for the International Criminal Court (CICPI), the Ivorian Human Rights Defenders' Coalition for (CIDDH) and the West African Action Network on Small Arms of Cote d'Ivoire (WAANSA-CI).

As a result of the coordination in their action after the 2010 elections, government authorities were convinced that their presence in some institutions could change things. Thus many of their leaders became members of independent State institutions in charge of issues on Human Rights, democracy, information and communication. These are: the National Commission on Human Rights of Ivory Coast (CNDHCI), of which 6 persons from civil society are members, the National Media Council (CNP), 1 person, the High Authority for Audiovisual Communication (HACA), 1 person, the Commission for Access to Public Information and Documents (CAIDP), 1 person. This is recognition of the extensive work undertaken by these people through their respective organisations.

Contribution of civil society to Development

The 2002 military and political crisis crystallized the NGOs spheres of action on several thematic areas: mobilize the people for presidential election to come out of the crisis, sensitize the political actors to respect the code of conduct of the Ouagadougou Political Agreement and the Electoral Law in force, sensitize the citizens on peace and social cohesion

In some cases, the civil society action was supported by the administrative authorities. In others, the complementarity between STATE and NGO failed and the NGOs were perceived as political opponents.

- **STATE/ NGO complementary roles: a guarantee for NGOs effectiveness**

Both electoral and post electoral issues mentioned above have brought about the implementation of projects which received and still receives the financial support of several partners including the American and Canadian Embassy, organizations such as OSIWA, NED and the UNDP. The implementation of these projects was endorsed by the government. The following examples demonstrate the richness of the collaboration between the NGOs and the State.

- **In terms of social cohesion and return to peace**

Recurrence of violent conflicts in the West and Central-West region of Côte d'Ivoire which undermines harmonious co-existence can be explained in part by the differences in interpretation of Act n° 98-750 of 23 December, 1998 in the area of rural land tenure system. This law stipulates in Article 26 that: « rural land ownership acquired prior to this Act by persons or entities not meeting the conditions of ownership set out in Article 1 are maintained as personal. »

The controversy and conflict of this Article lies in the fact that heirs of these owners who do not fulfil the conditions of ownership set out in Article 1 shall have a period of three years to sell the lands in accordance with conditions laid down in Article 16 or inform the administrative authorities about the return of these lands to the State, subject to obtaining the lease as long lease transferrable. Failure to do so is tantamount to the heirs being deprived of their title.

Thus, the Ivorian Human Rights Movement (MIDH), for example, referred the matter to the African Commission on Human Rights and Peoples' Rights (ACHPR/COMM/ 262/ 2002). Following several sensitization programmes, lobbying and advocacy, the text was amended by Act n° 2004-412 of 14 August 2004.

It should be noted that the reconciliation of customary ownership practices with an administrative license does not totally guarantee the implementation of the 1998 Act. The ineffectiveness of this Act is the Achilles' heel of the Ivorian government in the area of land policy.

Thus, in 2009, the African Union Club initiated several projects for sensitization and capacity building for village-rural management committee members in the Departments of San-Pedro, Daloa, Soubré and Bouaflé. Through these projects, more than 10.000 people in villages and settlements were sensitized to accept the law; this enabled the Ministry of Agriculture to begin the demarcation of village and rural lands in the Department of Soubré, in 2006 and Daloa, in 2008.

As part of the process of conflict prevention, peace promotion and social cohesion programmes, the COSOPCI set up alert and peace committees as well as operational offices in the West, North and Centre-West, East, Centre and South of the country. The sensitization and educational programmes of these structures have promoted reconciliation between traditional and religious communities in all these cities.

• Democracy and citizenship:

Following the sudden interruption of the electoral process caused by both the dissolution of the government and the Independent Electoral commission (IEC) by the President in February 2010, civil society including the networks and coalitions, COSOPCI, WANEP, COFEMCI, WACSOF and the RAIDH, embarked on a series of consultations with political actors and some partners in March 2010: they included the Houphouétistes for Democracy and Peace (RHDP), the representative of the Facilitator of the Ouagadougou Political Agreement on Ivory Coast, African Union and the European Union's representatives. These meetings were an opportunity for civil society to question the actors of the electoral process and make recommendations to bring the peace process back on track.

Also, the five (5) networks and coalitions, involved in the people's sensitization for the organization of transparent elections, proceeded with their activities across the entire country. The methodology approved by the IEC led to a sensitization campaign with a standardized approach. This campaign was to sensitize the people on the three (3) periods of the electoral process (before, during and after the elections). Also, these networks were created in collaboration with the National Democratic Institute (NDI), the Observatory for the National Code of Conduct for Political Parties, Groupings and Political forces and candidates. This observatory denounced violations of the electoral code observed during the campaign for the presidential elections.

Women's NGOs also conducted several outreach programmes to increase the participation of their members in the electoral process. The project- European Initiative for Democracy and Human Rights (IEDDH) financed by the European Commission Delegation and implemented by the Organization of Active Women in Côte d'Ivoire (OFACI), was part of the process. This information programme to raise awareness and support women and young voters was implemented in twelve (12) localities[28]. The record breaking participation rate of more than 80 % in both rounds of the elections attests to the effectiveness of all the sensitization campaigns.

An investigation carried out by the African Union Club revealed that about 30 % of children from the rural areas had not been declared at birth. As a result, programmes were initiated in collaboration with the local government authorities to recognize the legal existence of these children. The impact of the NGO's programme can be appreciated in the sense that birth certificates were issued to 600 children in the sub-prefecture of Aboisso, in 2009 and also to 600 children in the sub-prefecture of Daoukro, in 2011. Committees to sensitize parents to the culture of birth registration were established and henceforth the "Civil Status Day" will be celebrated.

Some years later (2015), the Ivorian government, under the influence of Human Rights NGOs (fight against statelessness, discrimination and promotion of identity) succeeded in convincing the incoming government to make primary education compulsory for all children from age 6 to 16, violation of which is punishable. This commitment was accompanied by the release of more than 700 million to recruit 4,500 additional teachers and construct 4,500 classrooms.

• Promotion of the « Gender » concept

On the average, women occupy 19.3% of parliamentary seats in countries which have implemented electoral quotas in one way or another, against 14.7 % in countries without quotas. To address this imbalance, women NGOs have engaged in a battle to implement the United Nations Resolution n° 13-25 of 31 October 2000 on the 30 % quota.

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28 *Abidjan, Bondoukou, Issia, Gagnoa, Guiglo, Danané, Séguéla, Tingrela, Duékoué, Béoumi, Sakassou, et Tabou*

The CFeLCI (Coalition for Women Leaders- Côte d'Ivoire), created in April 2003 by 100 Ivorian women leaders from different backgrounds and skills, organized women sensitization campaign on the theme « why not a woman? » from 2005 to 2006, with the aim of giving women their pride of place in the reconstruction of the nation as well as in the economic, political, cultural and social development of Ivory Coast. This campaign was aimed at promoting women leadership at all levels, in particular to elective positions.

Meanwhile, at the beginning of 2010, the Women's Centre for Democracy and Human Rights of Cote d'Ivoire (CEFCI),, in collaboration with the Network of Women in Political Parties in Côte d'Ivoire (REFEPCI), embarked on a campaign to advocate and adopt a law of the 30 % quota in parliamentary, municipal, and general elections scheduled for 2011 and 2012. To get the institutions to side with their cause, the women have, since 2010, embarked on lobbying and advocacy campaign in consultation with the Ivorian authorities.

But apart from these examples of successful collaboration with the administration, tense and/or conflicting relationships have often marred the collaboration between the NGOs and the State on the issue of institutional reform for the protection of human rights in Cote d'Ivoire.

- ● **Institutional and Legislative Reform for the promotion and protection of Human Rights Defenders**

During the 2010-2011 period, Côte d'Ivoire experienced a post-election crisis during which leaders of human rights organisations were threatened, abducted, intimidated and the lives of others were saved only after they were taken out of the country.[29]

Mr. Nahouala Soro, then deputy Secretary General of the Ivorian Movement for Human Rights (MIDH) and Head of the investigation unit within the same organisation, Judge Traore Drissa, President of MIDH, Mr Traoré Wodjo Fini, President of the African Union Club of Cote d'Ivoire (Club UACI) and General Coordinator of the Civil Society Coalition for Peace and Democratic Development in Cote d'Ivoire (COSOPCI), were those who received death threats via telephone from 14th February 2011. The threats were made after a speech by Mr Traoré Wodjo Fini at the World Social Forum which took place from 6th to 11th February in Dakar, where he spoke about the situation in Cote d'Ivoire.

Some elements in the media also contributed to the creation of an atmosphere of intimidation against human rights defenders. The Notre Voie newspaper published an article stigmatising human rights defenders, portraying them as opposition members and accusing them of instigating military intervention in Cote d'Ivoire. The article,

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29   Front Line 2011/02/ 25 www.frontlinedefenders.org no 17

published on 27th January, mentioned Madam Geneviève Diallo, National Coordinator of the Network for Peace and Security of Women in the ECOWAS region (REPSFECO), Madam Salimata Porquet, Regional Coordinator of the same network, as well as Madam Edwige Sanogo, also member of the network.

Many journalists were also threatened, intimidated and arrested. During the final months, at least three journalists were arrested and placed in detention and at least four received death threats.

After this difficult post election crisis, the need for the adoption of a legal framework to provide better protection to human rights defenders was identified not only by the Ministry of Human Rights and Public Freedom of Cote d'Ivoire but also by Human Rights organisations.

To this end, the Ministry of Human Rights of Cote d'Ivoire, in collaboration with some human rights organisations initiated a draft legislation on human rights defenders, which was adopted at the National Assembly in May 2015 and promulgated in June 2014 by the President of the Republic. It is **Act N° 2014 -388 of 20th June 2014 ensuring the promotion and protection of human rights Defenders.**

Organisations for the promotion and defence of human rights played an important role in the process of adoption of this law. The process involved the finalisation of the draft legislation, advocacy among parliamentarians before the adoption and dissemination of the law.

FINALISATION OF THE DRAFT LEGISLATION

- ● **In collaboration with the Ministry of Human Rights and Public Freedom**

In 2012, the Ministry of Human Rights and Public Freedom, under the leadership of Mr Gnénéma Coulibaly Mamadoua shared the first version of the draft bill by mail, with Human Rights promotion and defence NGOs, who made their observations known.

A working session was organised in 2013 by the same Ministry in collaboration with Human Rights promotion and defence NGOs with a view to validating the draft bill.

- ● **Among the NGOs themselves**

Under the initiative of the Civil Society Coalition for Peace and Democratic Development in Cote d'Ivoire (COSOPCI), Human Rights promotion and defence organisations were invited to an internal workshop, a few days after the validation session by the Ministry of Human Rights, to review their proposals

ADVOCACY PRIOR TO THE ADOPTION OF THE LAW

- **Measures undertaken prior to advocacy**

In May 2014, the Ivorian Coalition for Human Rights Defenders (CIDDH) contacted the legislative office of the National Assembly to obtain a copy of the draft bill transmitted to the Assembly for adoption. A member of parliament, who had participated in a CIDDH activity, facilitated the contact with the head of the legislative office of the National Assembly.

A working session was organised with members of the coordination unit of the CIDDH to compare the copy received from the legislation office of the National Assembly with the draft bill. The objective of this working session was to:

- Verify the similarity in the contents of the draft bill which the NGOs worked on, and the one adopted by the Ministerial Council
- Make proposals with the aim that they will be considered before the adoption of the law by the National Assembly.

- **Advocacy among members of parliament**

After the internal working session, the CIDDH undertook an advocacy initiative among parliamentarians who are members of the Commission on General and Institutional Affairs (CAGI), other parliamentarians and the Director of Human Rights promotion, Ministry of Human Rights. The message essentially focused on the proposals by CIDDH and the need to take them into consideration in the adoption of the final legislation.

In addition, as part of the advocacy, emphasis was placed on the status of female human rights defenders by the inclusion of the word « threat » in the article.

SESSION TO ADOPT THE LAW

In May 2014, members of the coordination unit of the CIDDH participated as observers in the session to adopt the law. During this session, the Minister of Justice, Minister of Justice, Human Rights and Public Freedom presented the draft bill which was adopted by the parliamentarians article by article.

The CIDDH noted at the time of the meeting the proposals which were considered and those which were not. The CIDDH was elated that a good number of its proposals were considered by the parliamentarians who took ownership of these proposals.

DISSEMINATION OF THE LAW AT THE NATIONAL AND REGIONAL LEVEL

In December 2014, the Ivorian Coalition for Human Rights Defenders (CIDDH) organised a presentation session on the ivorian Act N°2014-388 of 20th June 2014 ensuring the promotion and protection of human rights defenders. This presentation session was organised in partnership with the Human Rights Division of ONUCI. The National Commission on Human Rights in Cote d'Ivoire (CNDHCI) was involved and moderated the session.

About eighty (80) people (representatives of human rights organisations, journalists and representatives of national and international institutions) participated in the session.

A dissemination campaign was scheduled for the month of September 2015, in partnership with the CNDHCI and International Center For Not- Profit Law (ICNL).

It is the ultimate opportunity to congratulate the Ivorian authorities who initiated this law, the first of its kind in the African continent.

It must be replicated to protect human rights activities who are often vulnerable because of their ideas and the work they do during the election period. In addition, lobbying and advocacy at the government level must continue to ensure that the implementing regulations are signed.

Institutional Reform on Forest Governance in Cote d'Ivoire

- **NGOs in the Voluntary Partnership Agreement process/ FLEGT and REDD+**

Within the framework of the APV-FLEGT process, Ivorian civil society started an informal platform called Ivorian Observatory for Natural Resources, abbreviated (OI-REN). This platform brings together more than fifty (50) NGOs working in the area of human rights, land security, sustainable development, environment and forestry.

This platform was established for ongoing processes particularly the APV-FLEGT and the REDD, as well as future processes. With the establishment of this platform, civil society, with one voice and through its actions, is contributing to the improvement of forest governance in Cote d'Ivoire. Thus, within the framework of FLEGT, civil society has identified its three priorities in the interest of forest dependent people with a view to achieving good forest governance. As a matter of fact, through the APV-FLEGT process, perceived as a process for resolving specific problems related to forest governance, civil society identified, in order of priority, the issue of security of rural land, sharing of forest revenue and sharing of information and documents for the benefit of the public.

For civil society, it is an issue of ensuring that within the context of this process, the ownership of trees goes back to forest dependent people and that the State creates lighter and less cumbersome conditions for the acquisition of land certificates in order that the one who has customary rights over the land he farms can benefit from incomes from the use of fruit bearing trees on his land. This has been taken into account in the new code. Nevertheless, the implementing regulations of the said code are yet to be

written. Civil society has already drafted its position paper to ensure that its concerns are taken into consideration and incorporated in the said regulations in the interest of rural forest dependent people.

With respect to the sharing of benefits, civil society's position is that forest dependent people must, in exchange for the use of their forests, benefit from the financial proceeds as compensation for the said use, in line with existing regulatory provisions. The first prerequisite to ensuring that this is made possible, is that information relating to the sharing of benefits particularly the Public Interest Tax (TIG), must be placed at the disposal of the people. To this end, civil society expects that information will be readily available and it proposes that people have easy access to these documents and information relating to the use of the forest and the sharing of subsequent benefits.

Civil society benefits from two currently ongoing projects. The first project, financed by the European Union (managed by FERN, CLUB UA, and UFEMCI) aims at making effective the platform for the APV-FLEGT process. In the context of this project, civil society has put in place three thematic groups which undertake preparatory work for its representatives to the Technical Negotiation Committee (CNT) such that they defend civil society' s position in terms of legality. These thematic groups are: The Legality Assurance System Group (SVL); Domestic Market Group; Information and Public Documents Group. This project has strengthened the capacities of 12 focal points in the 6 forest areas of Cote d'Ivoire.

The second project financed by the FAO aims at highlighting actions taken within the framework of APV-FLEGT (managed by the NGO, AMISTAD)

With respect to the REDD process, the platform participated in the drafting as well as the validation of the national strategic plan for the preparation of REDD, abbreviated, RPP and its contributions were almost all taken into consideration and incorporated.

The platform participated in preparatory works towards the implementation of REDD and its validation. The platform contributed to the elaboration and validation of the decree which created the Permanent Executive Secretariat – REDD.

Civil society participated in the activities relating to Deliberately Determined Contributions at the National level (INDC). In the framework of climate change it relates to the development of an action plan by each country to show how it contributes to the fight against climate change for the 2020 Global Post Agreement on climate change which will be negotiated in December 2015 in Paris, France during the twenty first Conference of Parties (COP21). To this end, the Ministry of Environment, Urban Sanitation and Sustainable Development (MINESUDD), in collaboration with the Global Environment Fund (FEM) and the United Nations Programme for Development (UNDP)

organised an information and sensitization workshop for NGOs and Civil Society on the drafting of Cote d'Ivoire's deliberate contributions on climate.

Conflicting relationships between STATE and NGOs or the marginalisation of NGOs

The NGOs exist but have no real institutional support. Distrust of the administration towards the NGOs still persists. Their differential treatment brings about discrimination. The post electoral crisis in Ivory Coast was a clear illustration.

After the first round of elections, State media, namely, RTI (Ivorian Radio and Television) and Fraternité Matin were accessible to all NGOs and Networks that observed the elections. Statements that flooded the State media were likely to convince everyone about the effectiveness of freedom of speech and equal access to public service. But after the second round, almost all the NGOs were censored and free rein given to those who supported the decision of the Ivorian Constitutional Council declaring Laurent GBAGBO, winner. To cope with these challenges, some obstacles must be overcome.

Limitations of the NGOs

- The issue of the sustainability of the CSOs. Many civil society organizations are based on the « one-man NGO », organization operating only on the charisma and enthusiasm of the founder; this situation raises the question about the future of the organization;

- Issues of legitimacy of the organization and governance. Many NGOs are almost run by families or with an almost « invisible » steering committee;

- Lack of transparency. The NGOs have often criticized the lack of transparency of activities and processes of decision-making of governmental cooperation agencies; yet, these aspects are also still not clear within some NGOs.

- The closeness of some CSOs to government. The 2010 presidential elections was a test of democracy for all political actors. Some, having received accreditation from the IEC to observe the elections did not hesitate to side with the positions of political parties. After the second round, these CSOs refused to declare the results gathered on the field, thus perpetuating doubt in the mind of the people about the outcomes of the elections.

- An annual financial endowment for the most deserving NGOs.

Discussions and Recommendations

The weakness of the legal framework creates a drift which leads to the manipulation of the CSOs. Often in line with the political situation, NGOs are formed claiming to be pro-government. In Ivory Coast as elsewhere in Africa, the line between the political and non-political is often not properly clarified (BA, 2001).

Indeed, there is the tendency for many leaders of civil society organizations to use their organizations as a platform to launch political campaigns. We can therefore admit that the emergence of the civil society in Ivory Coast as elsewhere is accompanied by the appearance of "GONGO", which is *Governmental non-Governmental Organizations*, created covertly to manipulate public opinion (FELLOUS, 2010).This situation can be perceived as an expression of the reluctance of the Ivorian government to promote development and autonomy with a view to making them credible collaborators (FELLOUS, 2010). This could explain why in Ivory Coast less than ten (10) NGOs have the status of public benefit organizations.

On the other hand, the lack of open collaboration and transparency between the various components that constitute civil society and the improvisation that characterizes much of their interventions reduce the impact of their programmes on the field (LEIMDORFER, 2003). In the same vein, the following have been noted about NGOs; lack of clarity, fraud and amateurism in the management of civil society organizations to the detriment of scheduled programmes (LE NAELOU, 2004). For instance, in March 2008, the president of an NGO in Ivory Coast was referred to the public prosecutor in Abidjan for fraud and blackmail in respect of one of the award winners for best enterprises organized in Benin.

What is more anecdotic again is the inability of the NGO to engage in research activities. Almost all Ivorian NGOs engage only in activities related to events (raising awareness). Research activities that could help to refine the needs of the people and at the same time provide a database for civil society are very rare. Quick and expeditious surveys carried out just before the implementation of projects are insufficient to test the realities on the ground.

The financial dependence of the NGOs is another line of thought to strengthen the programmes of NGOs. The financial partners of NGOs in charge of promoting human rights, democracy and citizenship are a well-restricted group. As a result, competition in organizations to access resources limits in part the « networking ».

In the face of all these challenges, the following recommendations can be made:

- Professionalization of NGOs through capacity building of members in management and organization;
- Strengthening the « thematic networking » at the national and international level;
- Consolidation of the legal framework in order to establish a code of ethics of the profession and improve the institutional framework for the NGOs;
- Effective inclusion of the NGOs in any reconciliation and sensitization programme;
- Increase in the number of NGOs with the status of non-profit organizations to reduce the excessive financial dependence of the civil society on foreign assistance..

Conclusion

At the end of this study, it can be asserted that despite its relative immaturity, the Ivorian civil society tries to fulfil its function of vigilance and denunciation. It heckles the government and makes progress towards professionalism and credibility. This is reflected in the operation of some national NGOs that have a permanent staff benefitting from regular salaries and from health insurance and a fully equipped head office (Club UA CI, WANEP CI). Today, NGOs are emerging as one of the development partners and appear as a vital link in the national reconciliation and democratic reinforcement process.

However, many challenges are yet to be overcome. In legal terms, the Ivorian legislative efforts are still below expectation from observations made on the ground. The 1960 law on associations suffers from a serious malaise of adaptability. At the organisational and structural level, a management reform of NGOs is essential. Dedication and selfless activism are far from sufficient to address the marginalization of civil society actors. The cloudiness observed in the strategic and policy agendas of civil society actors should help anticipate an approach geared at consolidating achievements and capacity building of NGOs to enable them to play a significant part in the development process. The State should ensure that CSOs effectively play their role as watchdogs in ensuring democracy and also as agents of development especially, in the specific context of Ivory Coast in the post crisis era.

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THE GAMBIA

Strengthening the citizens' voices: strategic engagement towards national development in The Gambia.

Madi Jobarteh

Introduction

The late Dr. Samuel J. Palmer is the founding father of The Gambia Family Planning Association (GFPA). The idea of setting up an association struck him in the early 1960s while working as a young doctor at Bansang Hospital,the only health facility in the whole of the Protectorate (all regions outside the greater Banjul area) during the Colonial days. The appalling conditions of mothers and children were so disturbing that he was challenged to establish the GFPA to cater for their needs in 1968.

Today, the GFPA is not only a major service provider in The Gambia with clinics in every region of the country; but the organisation has also become one of the major social movements that are advocating for the sexual and reproductive health and rights of citizens, such as the fight against HIV/AIDS, provision of safe and legalised abortion[30], and family planning services and goods, as well as tackling teenage pregnancy and sexually transmissible infections among others. Furthermore, the association has been playing a major role in policy processes at the national level.

The emergence of civil society organisations in The Gambia and around the world is similar to the story of Dr. Palmer and the GFPA as individuals and groups with shared beliefs, concerns and interests come together to create a platform upon which to promote their objectives. The emergence of Civil Society Organisations (CSOs) today just as in the past has to do with the failure or inability of governments to provide basic social services to protect the fundamental rights and fulfill the basic needs of people.

This situation has been further exacerbated in many cases by the collaboration between the State and the private sector, where the latter has been notorious for its unbridled thirst for profits; even when that means disregarding socio-economic and environmental hazards caused to people in the interest of profit-making[31]. Situations like these have ignited the emergence and proliferation of non-governmental organisations (NGOs) to protect and cater for the diverse needs and interests of citizens and communities in various conditions, most of which are quite dire. Thus CSOs have almost become an organised third force, in addition to the public and private sectors in the wider society that seek to change lives and livelihoods as well influence policy and the general environment.

This article is an attempt to present and analyse the emergence, role and operations of CSOs in The Gambia given its socio-economic and political history and environment.

Emergence of Civil Society in the Gambia

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30   Abortion is illegal in The Gambia but legal only under certain strict conditions.

31   The case of oil explorations in the Niger Delta of Nigeria is a classic example. But even in small and less endowed countries like The Gambia, recent cases between estate developers and communities in the Kombo regions indicate the conflict between profit-making and the rights of communities to their land and development.

Among the first CSOs to set up in The Gambia were the GFPA (1968), Freedom from Hunger Campaign (FFHC - 1969), Action Aid International the Gambia (AAITG - 1979) and Young Men Christian Association (YMCA - 1979). Since then, CSOs have proliferated in the country.

For the past 40 years, CSOs have been championing development work and initiatives in The Gambia and have tremendously complemented the government's efforts in bringing education, clean drinking water, health care and awareness of development issues to communities. While the government bears the ultimate responsibility of bringing development to the people and changing their lives positively, national and international CSOs, and community based groups have contributed tremendously in expanding services and providing relief and support to communities in every part of The Gambia.

There are hundreds of charitable organisations with over 100 registered NGOs[32] in the country and about 80 of them belong to the premier CSO consortium, The Association of NGOs in the Gambia (TANGO) which was established in 1983. Apart from its 10 international members, the rest are local CSOs at varying levels of capacity, resources and coverage. Most of these CSOs are community-based organisations, while the rest are considered national CSOs because they have programmes that cut across regions.

A review of the mandates and objectives of most CSOs in the country indicates that the prevalent issues of concern are socio-economic[33] as reflected in the kind of interventions that have been undertaken in the past four decades. As a least developing country, ranking 172 in the UNDP Human Development Report 2014, with 58 percent of the population falling below the poverty line[34] it is not hard to understand why development support appears to be directed towards social and economic issues. In fact a review of the early CSOs to emerge in the country would show the overwhelming inclination towards education, health and agriculture. This is in direct response to the low level of social services and poverty in the country as it emerged from colonialism.

However, over the years this has been changing as more and more organisations began to realise that to effectively deal with socio-economic issues, it is necessary to urgently address human rights hence the adoption of rights-based approaches. One of the major organisations that made this paradigm shift early on was the AAITG which, about eleven years ago from service delivery to rights based approaches to development focusing on:

Six thematic areas in the Rights To End Poverty (RTEP) strategy, namely: Women's Rights, the Right to Food, the Right to Democratic and Just Governance, the Right to a life of dignity in the face of HIV/AIDS, the Right to Education, and the Right to Human Security in Conflict and Emergencies.

While most CSOs still continue to focus on service provision, human rights issues, particularly women and child rights continue to gain currency as witnessed by the emergence of rights organisations especially in the child and gender sectors where the Child Protection Alliance is the leading child rights coalition along with Child Fund. Among the many women's rights organisations, the most notable organisation has been the Gambia Committee on Harmful Traditional Practices (GAMCOTRAP) which has been waging an unrelenting war for women's rights especially in the fight against harmful traditional practices and equality between men and women.

CSOs and National Independence

CSOs arose early on in modern Gambia as tools for the liberation of the country from colonialism. Trade unions and peasant organisations have played a major role in the struggle for independence and the protection of the rights and welfare of workers. In the 1920s, Edward Francis Small, considered the Father of Gambian independence, organised farmers, city workers and citizens in general into co-operatives, trade unions and political organisations to demand better wages, improved working and living conditions and proper management by the State. In fact the co-operatives he spearheaded led to the creation of the Gambia Co-operatives Union, the country's first and largest farmer organisation, which collapsed due to rampant corruption and mismanagement in the late 1990s.

The 1929 strike for better working conditions, better pay and high cost of living was largely spearheaded by the Bathurst Trade Union. Other organisations such as the Gambia Native Defense Union and the Rate Payers Association rallied around the battle cry of, *'No Taxation without Representation'* led by EF Small. These agitations by civil groups in that period led to the creation of the first constitution after which in 1947 the Bathurst Legislative Council allowed for one elected African in the city assembly. Edward Francis Small was elected to take that seat *ex officio*. Since then the floodgates of independence opened in The Gambia leading to series of constitutional conferences from 1959 to the attainment of independence in 1970[35].

Evidently, the forerunners for national liberation in The Gambia were civil society groups, which put heavy pressure on the colonial government to concede independence to the people.

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32 *There is a distinction between a CSO and an NGO in Gambian law. CSOs or charitable organisations are an array of organisations that register first with the Ministry of Justice to operate legally. This registration is required and sufficient to operate for as long as one wishes. But by 1996, an NGO Decree was passed which established the NGO Affairs Agency under the Office of the President as a regulatory mechanism for NGOs. A CSO that seeks to acquire the status of 'NGO' has the option to register with the Agency in order to be legally recognised as an 'NGO' in the Gambia. In this article, CSO generally covers both the charitable organisations and 'NGOs'. In specific cases, NGO would be used to refer to only that specific organisation registered with the Agency.*

33 *TANGO Strategic Plan 2006 – 2010.*

34 *Gambia Bureau of Statistics. Other Sources indicate 61 percent.*

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35 *Officially Gambia gained independence on 18 February 1965. However records show that up until 24 April 1970 the country was a British colony albeit a constitutional monarchy. A referendum held on 22 April 21970 finally laid the question of independence to rest as the required majority voted 'Yes' making the country an independent sovereign republic.*

Evolution of civil society in The Gambia

The emergence of community based organisations as a means for self-help to combat increasing poverty and the high cost of living, fits quite well with traditional Gambian life.[36] Gambian communities did not lack associations that sought to promote the needs of the people either on their own or who sought support to cater for their welfare. These associations were usually very loosely established. Thus, from a socio-cultural and historical perspective, one will realise that the idea of a CSO is deep-rooted in The Gambia as an integral feature of the communities and way of life. It is common within villages to have what is called '*kafo*', which is a Mandinka[37] word for 'association'.

The emergence of formalised and technically more organised and competent civil society organisations did not eradicate the '*kafolu*[38]', yet these modern CSOs have not managed to transform perceptions based on what has become apparent. Thus, by the nature of their *modus operandi* and the materials they utilise such as vehicles and the professionalism of their staff, these so-called modern '*kafolu*' immediately became status markers, which generated a lot of misconceptions.

However, it is apparent that with the emergence of independence and the creation of necessary legislature and institutions, and the proliferation of these modern CSOs have served to support the formalisation of traditional civil groups in the villages and towns of the country. Many of these groups have now refined their structure and operations in terms of governance and management. Many now have their own bank accounts, receipt books, letterheads, post office boxes and email addresses and identified officers with clear terms of responsibility. By virtue of these changes, many of these groups have been able to access funding and strengthen their presence and relevance, and therefore making the transition from traditional to modern CSOs.

Public Perception of CSOs

In spite of the long presence and far reaching impact of CSOs in the country, there however exist misconceptions about these organizations. For example, there is a perception that CSOs have lots of money and well-paid staff. This perception has been further strengthened by the proliferation of CSOs thus fanning the idea that CSO work is lucrative business. It is however true that more established CSOs remunerate their staff better than civil servants, who continue to leave the public sector. Consequently, many people perceive CSOs to be corrupt, or rather are set-up for the selfish interest of one or few individuals. Such perceptions have given rise to terms like 'one-man CSOs'

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36 *In my community of Boraba, about 300km from Banjul, village associations have always existed since the days of my forefathers, and currently I am coordinating one called Boraba Taa-Nyatoo, i.e. Advancement of Boraba in our language.*

37 *Mandinka is the largest ethnic group and most widely spoken language in the Gambia accounting for 42% of the population.*

38 *'Kafo' is Mandinka word singular form for group. The plural form is 'kafolu'.*

or 'briefcase CSOs'.

Despite the foregoing, most people also recognise that CSOs are helpful and have served communities and regions where the government is unable or unwilling to reach. A study commissioned by TANGO in 2012 on the 'Impact and Perception of NGOs' in National Development' indicates that "NGOs are relevant and invaluable in the fight against poverty, food insecurity, gender inequalities, lack of quality and parity in education of the girl-child and visually impaired, youth unemployment and low income generation activities." Most people perceive CSOs as complementing government efforts in meeting national development objectives. The role and contributions of civil society to The Gambia's development have been recognised in the country, the evidence of which can be felt by the quality and frequency of engagement of CSOs by the government. In fact, in The Gambia Government's 'Combined 1st, 2nd and 3rd Periodic Report on the Convention on the Rights of the Child', published in 2008, indicates in its Introduction that:

> *while this is the official government report, many other organisations collaborated on it, including representatives from the Supreme Islamic Council, Gambia Christian Council, ActionAid, ACDHRS, Aid the Child Network, APGWA, Bafrow, CPA, CCF, FLAG, GAMCOTRAP, and others. Because of their extensive contributions there was felt to be no need for the creation of an alternative report by the NGO community at the time this report was being completed.*

Civil society organisations and media

The media is an integral part of the civil society and the Gambia Press Union (GPU) is one of the oldest CSOs in The Gambia being formed in 1978. True to their nature, the media in the Gambia have always provided continuous positive coverage to CSOs' activities. Thus, the relationship has been cordial. Probably what has not been taking place fully is the support that CSOs provide to the media. Over the years Gambian media has faced one of the worst experiences in the whole of the continent especially since 2004, when a veteran journalist[39] was gunned down by unidentified assailants who still remain at large. This was followed by numerous arson attacks, assaults, arbitrary arrests and detentions, closure of media houses, enforced exiles and legal clampdown, against a backdrop of several draconian media laws. In all these cases members of the media generally felt that CSOs did not come to their aid in much the same way as they have supported CSOs.

Recently though, there has been growing strategic collaboration between GPU and the civil society. TANGO and AAITG have supported and partnered with the Journalists Union to commemorate a number of events such as the World Press Freedom Day, William

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39 *Deyda Hydara was a foremost critique of violations of free press and co-founder of one of the leading dailies 'The Point' newspapers, as well as the correspondent for RFI.*

Dixon Colley Day and the anniversary of the assassination of Deyda Hydara, as well as conducted joint advocacy activities. Yet overall CSOs have not provided robust capacity building support in terms of either training or resources[40] to journalists. Rather what is common is for CSOs to train journalists on development issues they are working on in order to build the reporting skills of the media in such areas as child rights, HIV/AIDS, gender, and climate change among others. This support is more in the interest of these development organisations and not primarily for the media and journalists. Given the legal and political challenges that the media faces, journalists are expecting that CSOs will pick up these as legitimate advocacy campaigns. But this hardly takes place. CSOs have taken a conspicuous absence in pushing for the respect of rights and protection of journalists and media houses and freedom of expression in the country. Media offences remain criminalised while there is a continuous arrest and trial of journalists and closure of radio stations and newspapers, while many more journalists have fled the country in fear for their lives. The silence of CSOs on these issues remains deafening.

Rapport with the state and private sector: challenges and controversies

The existence and operations of CSOs in The Gambia has not been without hitches. Several CSOs have undergone turbulent times resulting from the nature of their management and governance systems.[41] Given their loose formations and limited human capacity in terms of how to run organisations, many CSOs had overlapping and conflicting structures and systems that created internal conflicts. For example, in its Excel Project 2007 - 2010 which aims to build the management and governance systems of CSOs, TANGO teams noticed that there are organisations in which members of the governing board execute management functions or vice versa. This clearly showed retrogressive internal governance practices.

Other risks associated with CSOs have to do with management of resources, programme implementation and reporting. Many CSOs lack the requisite technical and professional capacity in management and administration because of their independent nature and the manner of their creation. This reflected in their inadequacy in proper financial management, programme implementation, reporting and evaluation. A training needs assessment conducted by TANGO in 2012, with support from the African Capacity Building Foundation (ACBF) identified capacity gaps in a number of areas including research and development, communications and advocacy skills, monitoring and evaluation, proposal writing, project management, and financial management.

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40   GPU however do receive significant support from UNDP, US Embassy and Danish media organisations for programmes that benefit journalists.

41   Under the EXCEL project run by TACSO, which seeks to support CSOs to properly structure their management and governance systems, it has been found out that many CSOs had staff, which serve both in the administration and governance bodies.

Apart from the professional and technical challenges that CSOs have in The Gambia, there also exist challenges in terms of resource mobilisation and relationships with the state, the private sector and development organisations. Some of the issues prevalent between CSOs and these partners have direct correlation to the management and governance systems of CSOs. Also, there are challenges that emerge from a political perspective.

For example, in 1996[42] the the military junta created an NGO Decree and established the NGO Affairs Agency, which aims to regulate the operations of NGOs. Since 2010, there have been attempts to review the decree in order to transform it into an Act in line with democratic practices. While some development partners and experts have welcomed the need for such a law and institution, concerns have also been raised by CSOs about some of the provisions in the proposed Bill.

While The Gambia constitution guarantees the right to freedom of assembly and association, the Bill provides that unless an organisation is registered with the agency, such organisation will not operate as an 'NGO' in the country. According to Article 18(1) of the Bill: *"No organisation shall commence or carry on any activity as a Non-Governmental Organisation in The Gambia unless it is registered under this Act to do so".* Further, the Protocol of Accord that sets out the modalities of the Bill stipulates that:

> *If the NGO's activities are found not to be in conformity with Government's development agenda or detrimental to the integrity of the Government and the peace and stability of the country, the Government shall revoke this Protocol of Accord.*

This provision is a cause for concern as it negates the very nature of CSOs as agents of change. By their nature, i.e. in holding the state to account, CSOs either support or oppose government policy, decision or action. But this provision as it is does not allow for any opposition to government policy, decision or action because that would be seen as contravening the government. Thus effectively, this provision serves as a control mechanism through which the government can close down a CSO for merely holding a divergent or dissenting opinion.

Access to information from government functionaries or departments, at both local and national levels, and even from the private sector is challenging. In such a situation it would be difficult to build a system and culture of accountability and transparency in the absence of information. To improve the situation, TANGO collaborated with GPU to advocate for the promulgation of a Right to Information Act which would make information held by government agencies accessible to the general public. This campaign has not been successful as the government has not even considered drawing a freedom of information bill.

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42   This was the height of the military dictatorship following the 1994 coup d'état.

In spite of this, CSOs enjoy a cordial working relationship with The Gambian Government, especially as long as one does not touch the sensitive issues of good governance, democracy and human rights. CSOs continue to be consulted and involved in policy processes by the government and many CSOs had obtained support from government related interventions such as the World Bank funded Community-Demand Driven Project which is run by the government to promote grassroots development.

Regarding the private sector, there are limited partnerships mainly because of the small size of this sector. Accordingly, there has not been a strong bond between the two. However, an emerging partnership seems to be growing particularly between the telecommunication companies and some CSOs[43].

There is also inadequate coordination within the civil society sector itself and a strong competition for funding. Duplicity of efforts and resources leads to wastage and the impact of intervention is sometimes difficult to measure. Furthermore, since the work of CSOs is determined by the availability of funding, which sometimes compromises the need to address the real needs of society or the target beneficiaries, long term projects and programmes are sacrificed for short-term activities that are less strategic.

Despite the widespread CSO rhetoric of allowing locally targeted communities to participate in development projects and programmes, the reality on the ground shows limited real grass-roots involvement in decision-making and participation of targeted groups and communities. Major decisions are usually made by CSO staffs before starting the consultation with villagers or communities themselves. This practice reflects the needs-based approach that has been the mode over the decades but is now being replaced by a rights-based approach. The rights-based approach recognises individuals and communities as rights holders who have a right to development from duty bearers.

Successes registered by CSOs

The contribution of CSOs to the development of The Gambia is immense. While no studies have yet been conducted to quantify or to determine the impact of CSOs interventions, observable indications will show that the extent of CSOs' contribution has been far-reaching. This contribution can be attested to by the overwhelming presence of CSOs in the provision of development goods and services in almost all sectors and regions of The Gambia. In recognition of this contribution, TANGO launched in 2012 the first ever NGO Week designed to showcase the role and contribution of CSOs to national development since independence. Tens of CSOs exhibited their works and series of policy dialogues and an awards ceremony were the highlights of the event that saw a huge reception from the various sectors of Gambian society.

In the area of education and vocational training, CSOs have not only built schools for communities but have also sponsored the education of school children and provided school materials for them. In addition, CSOs have established and operated their own primary and secondary schools in various parts of the country. The same could be said of the health sector where one will find numerous health facilities in various parts of the country run by CSOs. For example the GFPA has for the past 40 years of its existence maintained family planning clinics in every administrative region of the country,[44] which also offer broad sexual and reproductive health services. This is complemented by a large movement of volunteers reaching out to poor and remote communities or individuals with health resources and information. Several other CSOs are equally engaged in capacity building for health workers in the private and public sectors, as well as providing drugs and other medical related resources.

While the majority of the Gambian population engages in agriculture, one will again discover that the activities of CSOs in this sector are so far reaching that many communities now owe their livelihoods to the support provided by CSOs. Such organisations as the Association for the Advancement of Women and Children (ADWAC) continue to be major players in rice cultivation among other agricultural interventions in the northern regions of the country. Several organisations are providing various forms of agricultural support such as training of farmers, provision of seeds, implements, cash and expertise to farming communities.

In addition to the direct provision of goods and services to communities and individuals, the role played by CSOs in terms of awareness creation and advocacy for human rights, good governance, gender equality and women's empowerment, promotion of girls' education and quality service delivery and overall empowerment of the people has been remarkable. In the area of women's rights for example, GAMCOTRAP among others has been foremost in the fight against harmful traditional practices notably FGM, for which they have succeeded in sensitising many communities to abandon the deep-rooted cultural practice.

Evidently, without CSOs' interventions in the development of The Gambia, the country would have been faced with even more dire socio-economic challenges. The gains registered by the country in reducing poverty and achievements in the MDGs are heavily supported and contingent on CSOs' interventions.

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43 For example in 2009 Africell and West African Network for Peace building (WANEP) partnered in observance of World Peace Day on September 21. Similarly, TANGO held a major policy dialogue in 2015 on local development financing which brought together public and private sector to interface with CSOs on the question of redirecting corporate social responsibility towards development organisations.

44 Over the past few years though, FPA has been scaling down and many of these clinics have been closed due to limited financial capacity.

Conclusion and Recommendations

It is clear that the role and relevance of CSOs to the development of the Gambia is uncontestable. For CSOs to add value to their interventions and register impact by ensuring judicious use of financial, material and human resources, they need to review their approach and outlook from outputs to results. In other words, many CSOs are engaged in development work on the basis of outputs and activities such as how many schools have been built or how many activities have been implemented.

What results and impact have they created? Have we been able to change behaviour by our schools and hospitals and the awareness programmes we run on the television and radio? CSOs need to begin to undertake results-based monitoring and evaluation as the basis to track and register impact. It is important that civil society organisations know how their efforts, certainly critical for survival and wellbeing, are contributing to breaking the cycle of poverty, increasing the capacity of the state to deliver, influencing the decision-making process at the local and national level, and debates about the future of the State. It is argued that efforts that target solely service delivery without undertaking measures to eradicate social injustice and malaise in terms of advocacy and policy engagement can be ineffective or cosmetic.

Another area of focus is policy processes. Ultimately everything starts and ends with policy. It is policy that determines the priorities of government and development trends in any particular country. Thus, CSOs need to understand what policy is and how public policy impacts on decision-making, power and development. One of the ways to ensure development outcomes is to build capacity to engage in policy-making processes such as policy formulation, monitoring and evaluation.

In addition, it is imperative for the government to also review the NGO Bill and repeal draconian provisions contained in it. CSOs do not have to share the same development objectives and perception with the government. In fact, CSOs can advocate for the change of development objectives, policy decisions and actions of a government. Thus, CSOs as change agents can raise campaigns against any government decision, policy, law or action that it considers as an impediment to the fundamental rights and freedoms of the people or their ability to live their lives as they see fit, or merely to highlight government ineptitude especially where such gaps affect service delivery and access.

In a nutshell CSOs are people's organisations that aim not only to promote development service to the people, but also to hold government accountable and make it transparent on behalf of the people. Finally, CSOs have to be professional, accountable and transparent if they are to play any meaningful role in the development of the country as well as obtain the confidence of beneficiaries, the government and development partners including the private sector. CSOs will lack the moral authority to hold any sector or government accountable if they are also found to be undemocratic and

unaccountable. Furthermore, CSOs need to protect and exert their independence to ensure that they are not also seen as agents of foreign interests and organisations. One of the charges proffered against African CSOs by their governments is that they serve the interest of their 'foreign masters' simply because they receive funding from foreign sources and promote issues that interest the donors. Though most CSOs receive funding from abroad, it does not necessarily mean that they are agents or promote the destruction of their societies to pander to foreign interests.

The role and contributions of civil society to The Gambia's development has been recognised in the country, the evidence of which can be felt by the quality and frequency of engagement of CSOs by the government. The NGO Perception Study[45] noted that CSOs have exerted immense influence and impact on the development of policy documents and drafting law bills, especially on cross-cutting issues. The report highlighted such contributions in the enacting of the Women's Act 2010, formulation of the Gender and Women Empowerment Policy 2010-2020 and the preparation of the National Report on the Beijing Platform for Action. The recent enactment of the Domestic Violence Act 2013 and the Sexual Offences Act 2013 are all pieces of legislation in which women's rights organisations in particular played a major role.

In highlighting the contributions of CSOs, the NGO Perception study concluded that there was general positive consensus that the quantum of the work interventions of NGOs is having a considerable impact on the lives of the people of Gambia in all the different Regions of the country, even in the far-flung, remote corners, where the enabling arm of government cannot reach citizens. Nonetheless, the report noted that there was need to ensure sustainability by assisting the beneficiary communities to create second generation strategies and mechanisms to bolster and/or replicate the gains derived from such projects. It highlighted the 'Gambia is Good' company by Concern Universal to promote better storage and marketing of vegetables by rural women. The issue of capacity building was also highlighted as a means to empower beneficiary communities to claim ownership of the benefits derived from CSO inputs, by designing their own project sustainability strategies and activities before CSO projects close. In this regard the need to promote and practice mobilising methods or plans to generate self-reliant income to supersede CSO and donor resources, at the end of the projects' life span were recognised as necessary measures to further strengthen and optimise CSO contributions. Essentially, the idea was to create the enabling environment to empower communities to take ownership and leadership of projects as a means to also make them sustainable.

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45   The study was commissioned by TANGO in 2012 and carried out by a senior lecture from the University of the Gambia Dr. Ralphina d'Almeida.

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GHANA

Civil Society: The Key to Ghana's democratic transformation and consolidation

Dr. Raymond A. Atuguba

Introduction

This paper defines Civil Society as understood in Ghana; provides a brief history of Civil Society; examines the special relationship between Civil Society and the Media; and outlines the successes, challenges and prospects of Civil Society in that country, paying particular attention to their role in the formulation, implementation and monitoring of public policy. Ghana's constitutional democratic experience and trajectory are intrinsically linked to the evolution of its Civil Society. Civil Society fought the various dictatorial regimes that ruled Ghana for most of the period between 1966 and 1992; complemented government's efforts in providing social services and economic opportunities to the population during that period; insisted on a return to constitutional democratic rule; participated in fashioning a new Constitution; and has since protected and nurtured both the Constitution and the various institutions created, implicated or supported by it. The paper inevitably concludes that without Civil Society, Ghana's democracy will fail.

Definition of «Civil Society» In Ghana

In Ghana the term Civil Society is of common usage. It is generally used to describe that which is not public/government and the private sector; that is, not for profit. Thus, Civil Society in Ghana is mostly organised as a conglomeration of registered and unregistered Non-Governmental or Community-Based Organisations. In sum, Civil Society in Ghana consists of voluntary associations and groupings for collective action to influence public policy around shared interests, purposes and values, without seeking to take over the reins of government.

They include registered charities, service delivery NGOs, advocacy NGOs, community-based organisations, faith-based organizations, professional associations, business associations, trade unions, self-help groups, social movements, and many others. Ghana's Trust and Non-Governmental Organisations Bill of 2006, furiously resisted by Civil Society and yet to be passed into Law, defines an NGO as a civil society or non-profit group formed to pursue lawful purposes oriented towards the public interest. It proceeds to define "lawful purposes" as activities that advance education or religion; relieve poverty; protect the environment, health or human rights; promote community development or Ghanaian culture; or any other purpose beneficial to the community. According to the Bill, NGOs or CSOs can be religious or secular, but they cannot engage in partisan politics actively.

This definition is similar to the definition of NGOs in the Ghana National Policy for NGOs of 2004, developed by government and a coalition of CSOs. The policy defines NGOs as civil society organisations that are formed independently of the State but register voluntarily under specified laws in order to gain official recognition to pursue purposes that are not for profit but oriented towards public benefit.

CSOs have proliferated in Ghana during the past quarter century, as have the issues they address. The Commonwealth Network-Ghana puts the total number of formal CSOs in early 2012 at 30,000. These CSOs are engaged in advocacy efforts to build a stronger democracy in Ghana, to improve good governance or to bring socio-economic relief to many people in the country.

It is possible to broadly *categorize CSOs into* service delivery and advocacy CSOs. Due to the fact that public spending on services often does not reach poor people, especially in developing countries like Ghana, most donor agencies resort to channeling funds through CSO's, recognizing them as important conduits for aid and as providers of development services. Service delivery CSO's have thus provided leadership in education, healthcare, food security, housing, microcredit and social services in Ghana. Since 1993 Ghana has been a constitutional democracy. This has led to the growth of advocacy CSOs that utilize the democratic spaces created by the Constitution to advocate for public goods and for the advancement of the marginalised and vulnerable.

Evolution of CSOs in Ghana

In pre-colonial Ghana, CSOs took the form of youth and women's groups that kept Traditional Authority in check by ensuring that they governed within the bounds of the traditional Constitution and acted in the public interest at all times. During colonial rule Ghana, then called the Gold Coast, saw the formation of CSOs such as the Fante Confederation and the Aborigines Rights Protection Society (ARPS). This was a time when Traditional Authority no longer wielded ultimate political power. The membership of these organisations included chiefs, lawyers, other professionals, the youth and ordinary persons. The CSOs of the time were set up to advocate for the civil, political and property rights of the locals. Specific advocacy issues included the land question, taxation without representation and forced labour.

CSOs in Ghana became more vibrant from the nineteenth century with urbanization and the expansion of the economy. From 1937 to 1938, associations of cocoa producers successfully kicked against the monopoly of the commodity market by the Association of West African Merchants, an organisation controlled by expatriates. Prominent among these were the Ashanti Cocoa Planters' Union and the Ghana Farmers' Congress. The cocoa farmers associations also objected to cocoa price policies, the surplus extracted by the cocoa marketing board and the policy of compulsory removal of cocoa trees infected with swollen shoot disease. The cocoa hold-up of the period demonstrated the organising potential of the cocoa farmers and their ability to threaten colonial interests. The period leading up to independence in 1957 witnessed an explosion of CSO activity, most of it linked to the independence struggle.

The first independent government of Ghana quickly assumed highhanded attitudes, including stifling CSOs. For example, one of the foremost CSOs, the Trades Union

Congress (TUC), together with other co-operatives, which existed to protect and promote trade union activities, was drafted into the ruling party. Other CSOs resisted this move, leading, for example, to the demonstrations organised in 1961 by the Sekondi-Takoradi Railway and Harbour Workers' Union.

The first independence government was overthrown in 1966 by the military. From that time until 1993, Ghana was under military rule, except for two brief interregnums of civilian democratic rule, each lasting 27 months. During military rule CSO activities, especially advocacy activities, were severely restricted as a product of a general restraint on civil rights and political activities. During this period, service provision CSOs flourished, goaded on by a government that was undertaking a Structural Adjustment Programme with bitter consequences for its population and needed the economic and social reliefs offered by such CSOs.

During the tenure of the last military and longest lasting government from 1981 to 1993, an attempt was made to grow CSOs for upholding probity and accountability of public officers. The socialist and people-centered character of this regime aided the growth of these people's organisations. Aside these CSOs, that military regime faced stiff opposition and criticism from only a few advocacy CSOs such as the Ghana Bar Association (GBA) and the Catholic Bishops' Conference (CBC).

All other CSOs were constrained to remain as service delivery NGOs. In August 1990, a loose alliance of all the former political groupings of the first, second and third Republics formed the Movement for Freedom and Justice (MFJ). The MFJ, together with organisations such as the GBA, the CBC, the National Union of Ghana Students (NUGS), the TUC, and the Christian Council of Ghana, demanded democratic reforms from the military government, leading to the 1992 Constitution and the return to democratic rule in 1993.

The 1992 Constitution came with a bill of rights which provided a bastion for even more civil society activity. CSOs were quick to recognise the bill of rights as a tool and the courts as a workshop. When CSOs had qualms about any issue they did not hesitate to seek redress or direction in the courts of law. Involving the courts this way led to the production of different, authoritative guiding principles to help steer the nation on what is considered a good path of constitutional democratic rule. Through civil society activism in the Supreme Court, that court has held that: Chapter Six of the 1992 Constitution on Directive Principles of State Policy, and containing mainly economic and social rights, are justiciable; the public commemoration and financing of an event that signified the violent overthrow of a constitutionally elected government was against the letter and spirit of the Constitution; state-owned media have an obligation to be fair to all colours of opinion and also have to afford equal opportunity for the expression of a plurality of views and divergent opinions; and all citizens have the right to freedom of association and no person may be compelled to join an association.

Early on, with the return to democratic rule and in 1995, the then government came out with a draft "NGO Bill" with the ultimate aim of state control of NGO activity. The Bill encountered stiff resistance for directly attacking the autonomy of NGOs, leading to a withdrawal of the bill and reflecting the ability of NGOs to assert their autonomy from the government. Again in 2006, a different government of a different political persuasion attempted to pass the Trust and NGOs Bill to control NGOs. The Bill faced similar opposition and is now stalled. An attempt by the current government to revise the Bill again failed. Some of the main arguments against this Bill were that it did not flow from the National NGO policy developed by government and CSOs in 2004 and was potentially unconstitutional as abridging the autonomy of CSOs.

Significantly in 1997 there was a National Conference on Civil Society in which representatives from different organisations around the country participated. The Conference resulted in the establishment of the Civil Society Co-ordinating Council (CivisoC) set up to represent civil society in the Structural Adjustment Participatory Review Initiative (SAPRI) in partnership with the World Bank and the government. CivisoC brought four new qualities to CSO cooperation. It caused cooperation among organisations with almost no history of collaboration. Secondly, the CivisoC network was the first broad structure for institutionalised policy dialogue with the government. Thirdly, its geographical breadth of participation was novel, especially in its inclusion of the three northern regions that have tended to be marginalised in most national processes. Lastly, the Council provided a holistic challenge to Structural Adjustment Programmes (SAPs) as a development strategy, in contrast to past sectorial approaches such as criticism of wage freezes or effects on health services.

Today in Ghana, CSOs are as vibrant as they can be. So vibrant there are calls for the abridgment of the freedoms that allow them to operate so freely. CSOs are now so much a part of Ghana's democracy that it is safe to say that without them our democracy will fail. From national policymaking, through electioneering politics to local governance, CSOs are active players, working with and against government when need be. Donor funding to CSOs in Ghana is also increasing from year to year and Development Partners see them as indispensable to Ghana's democratic experiment.

CSOs and the Media

The proliferation of CSOs and media organisations in Ghana has developed in tandem, underlining the symbiotic relationship between the two institutions. CSOs campaigned in support of the repeal of the criminal libel laws of Ghana at the beginning of this century and have effectively used the media for their survival.

Through the media, CSOs are able to publish their research reports, share their grassroots-based evidence, and comment on or criticize government policy and interventions with relative ease. Media also facilitates mobilization activities of CSOs

and thus makes them more effective and popular. Increasingly it is difficult to draw a clear line between media and civil society. This difficulty becomes more prominent when media houses collaborate with CSOs for a common public cause.

Successes of CSOs in Ghana

CSOs have been very effective in effecting progressive change in Ghana. The following is a summary of their key successes:

1. CSOs have helped nurture constitutional democratic governance by insisting that it is currently the most acceptable form of governance ;
2. Flowing from the above, CSOs have used the courts to keep government and other actors in line with constitutional democratic principles and to uphold the rights of the citizenry ;
3. CSOs contribute to the analyses, debate and implementation of socio-economic policies of government, including the national budget ;
4. CSOs have initiated many policies in Ghana, some of which have been approved by Cabinet and others passed into law by the Parliament ;
5. CSOs have helped to hold public officers accountable for the use of public resources ;
6. CSOs are key actors in nurturing peace and security across the country ;
7. CSOs play a critical role in mobilizing social capital for development activities ;
8. CSOs have a particular concern for the public good and for the welfare of the marginalised and vulnerable, including arguing for equitable distribution of national resources ;
9. CSOs often play a mediating role between the State and citizen groups over major differences ;
10. Flowing from the above, CSOs articulate citizens' interests and demands and defend citizens' rights; and
11. CSOs provide goods and services to mostly unreached segments of the population.

Case Study-Success Story

Perhaps the most critical success of CSOs in Ghana is their contribution to and influence over major public policies in the last two decades. From the National Health Insurance Act and the Domestic Violence Act, through the Persons with Disability Act and the Whistleblowers Act, to the Mental Health Act and the Freedom of Information Bill, CSOs have initiated drafts, critiqued drafts, advocated hard for amendments to drafts, and insisted on the passage of Bills into Law.

CSOs also contribute to the deliberation by Parliament on the annual budget; the formulation of national policies on the youth, the aged, anti-corruption and many others;

monitor the implementation of laws in the extractive sector in order to safeguard the rights of those affected by those operations and ensure that the nation benefits from such economic enterprises; provide legal assistance to indigents and public spirited individuals who need to vindicate various rights and claim entitlements; and generally hold the public and private sectors accountable to the public interest. The recent history of policy making in Ghana cannot be written without the significant imprint of CSOs.

In more specific terms, the Parliamentary Center, the Center for Policy Analysis (CEPA) and the Centre for Budget Advocacy (CBA) of the Integrated Social Development Centre (ISODEC) have for a long time been involved in analysing the budget and making inputs into the national budget; the Coalition Against Privatization of Water (CAP-W) fought tirelessly to ensure that privatization did not deprive the poor of access to safe drinking water; and MindFreedom Ghana, the Ghana Federation of the Disabled and the LADA Institute are working around the clock to ensure that the Mental Health Act is both passed and contains provisions which serve the best interest of persons with psycho-social disability.

Challenges facing CSOs in Ghana

Whiles acknowledging the enviable successes of CSOs in Ghana, there are some worrisome developments that need to be noted:

1. There is no clear cut legal regime for the regulation of CSOs in Ghana and this has led to an increase in charlatans.

2. CSOs in Ghana still possess huge capacity shortfalls in the areas of policy analyses, strategic thinking and action, monitoring of policy implementation and advocacy.

3. Many CSOs also have huge problems with internal democracy and organizational effectiveness.

4. Networking amongst CSOs in Ghana could be far better than it currently is and many CSOs would be far more effective with well-structured protocols for collaborating with other CSOs.

5. There are many instances of unhealthy and unnecessary competition among CSOs, further exacerbating the problem of limited collaboration and networking.

6. There is a noticeable alignment of CSOs with the two major political parties in Ghana and some CSOs may well be funded or actively supported by them.

7. Many well-meaning CSOs still experience resource constraints and are thereby ineffective.

8. The almost complete dependence of CSOs in Ghana on external donor funding is frightening vis-à-vis their autonomy.

9. The increasing willingness of government to attempt to overly control CSOs even in a democratic dispensation bodes ill for CSOs.

10. There is an increasing void between CSOs and the constituencies that they represent and work for, leading to a professionalisation of the representative role of CSOs and the loss of authentic and genuine representation.

Conclusion

CSO are today a firm, resilient, sophisticated, articulate, influential and active part of Ghana's constitutional democratic experience. In the last decade, many policies of the Executive, laws passed by Parliament, and regulations, programmes, and projects of the administration and the private sector, have specifically named the CSO sector and assigned definitive roles to it. It is indeed safe to conclude that without CSOs, Ghana's democracy will fail.

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Contribution of civil society to national development in Guinea-
Socio-economic and democratic challenges, the need for repositioning

Oumar Baldet

Introduction

The emergence of the civil society in Guinea is the result of a political and social process that occurred after the advent of the second Republic in 1984.

A political environment conducive to the liberalization of private initiatives combined with the willingness of people to participate actively in their own development led to the birth of several formal and informal organizations that will constitute the basic elements of what is called in Guinea today "the civil society".

However, like many other countries in Africa and in the world, it was not until the fall of the Berlin Wall and the triumph of Western democracy that this mechanism for citizens was fully implemented.

This article aims at showing how the civil society in Guinea played an active and prominent role to convince its people to adopt the path of democracy and development. To achieve this objective, I will start this paper by giving the background information, explaining both the notional and legal contexts underpinning it, then its commitment to advocacy work and challenges, before concluding with some recommendations.

Background information

Though the concept of civil society is new, the origin of the phenomenon in Guinea can be traced to the post- Second World War which experienced the emergence of many ethno-regional associations fighting for the people's rights against the colonial authority. As a real countervailing power, these associations led to the creation of many unions and the first nationalist political parties that led the country to independence in 1958.

During the first Republic (1958-1984), the country was ruled along the lines of the socialist model of Party-State in which the ruling party, the Democratic Party of Guinea (PDG), was the sole determinant of the country's economic, political and socio-cultural programme.

It was not until the advent of the military rule in 1984 and especially, the democratic wind that swept through Africa in the 1990s that we saw the emergence of true civil society organizations. The first organizations which were formed were associations of citizens fighting for the deprived populations because of the lack of infrastructure in the country.

State mechanisms and non-governmental mechanisms devoted to women within the framework of the implementation of the United Nations' recommendations (Convention on the elimination of all forms of discrimination against women (CEDAW), the United Nations' Declaration on the elimination of violence against women, the Nairobi and Beijing Conferences) have allowed women to play a decisive role in the

creation of civil society in Guinea by the quality of their commitment and the variety of their areas of intervention.

To support civil society in the area of management, the government of Guinea established a National Department in 1986 for assistance to cooperatives and coordination of interventions by NGOs, commonly known as SACCO, which unfortunately, has never been trusted by Civil Society Organizations because of its discriminatory practices.

Understanding the term "civil society" in Guinea and the legal framework

The emergence of civil society (CSO) in Guinea preceded the establishment of democratic institutions such as the National Assembly. Official founding texts are Orders of the President of the Republic promulgated in 1986 on the status of NGOs (072/PRG/SGG/86) and in 1988 on the status of cooperatives (005/PRG/SGG/88).

These legal texts, which were very liberal after the difficult years of the Sékou Touré regime, allowed the emergence of a multitude of formal and informal organizations that began to engage more actively in the training and the implementation of collective development programmes.

Thus, according to Decree 072/PRG/SGG/86, civil society is defined as « all modern, traditional, apolitical and non-governmental organizations, working for economic, socio-political and cultural development, to promote lasting peace and effective democracy, playing an intermediary role between the State, political parties and citizens, in accordance with laws and regulations in force ».

The definition implies that, in Guinea, the concept of civil society has always been very broad, even tending to include unions. Although these unions are members of the CNOSC Board, they have regularly distinguished themselves from it.

Moreover, the liberalization of the economy helped in the establishment of influential employers' organizations and the media; and much later after the liberalization, there emerged the reality of a strong civil society which is indispensable in the political, economic and social sphere.

To promote the associations, the National Assembly passed two laws in 2005:

- Law L2005/013/AN of 4 July 2005 on the system of associations.
- Law L 2005/014/AN of 4 July 2005 governing economic groupings in the form of cooperatives and umbrella cooperative organizations.

Unfortunately, these laws which constituted a significant progress in the legislation on CSOs are not yet operational due to lack of implementing instruments. Since 2005, successive governments have not developed the necessary regulation for their implementation.

Civil society's participation in economic and democratic development

Widespread corruption during the last years of the Second Republic led to a near collapse of the Guinean State. Against this backdrop, the CSOs were strongly supported by the development partners to overcome the deficiencies of the State and to reach the people directly. This undoubtedly contributed to strengthening civil society, even though poverty and high unemployment rates in the country also drove many people to create unscrupulous CSOs whose sole aim was to capture huge resources and available opportunities in the sector.

According to SACCO, in 2000, there were 2500 organizations in Guinea (groupings, cooperatives), 700 Non-governmental organizations (NGOs) including, 70 foreign NGOs.[46] The most recent and reliable statistics on record indicate 125 international NGOs, 555 national NGOs, 1257 coalitions.[47] But only 30 % of these NGOs are actually operational.

The majority of the CSOs have legal status, even though they remain informal. This formalization does not always mean compliance with organizational arrangements contained in the statutes and regulations. The Boards of these NGOs rarely meet and are often confused with operational staff. The range of services covered by the CSOs of Guinea is broad and varied, encompassing key areas of national life: Health, environment, education, promotion of democracy and good governance, etc.

The desire to contribute to poverty alleviation through the participation of people at the grassroots still remains the main motivation of the communities for investing in the CSOs. This translates into a lot of dynamism and commitment to the communities within the country.

The biggest challenge of the CSOs in Guinea is the lack of finance or low-level of financing. The areas of intervention of the CSOs are quite varied but the ambitions are rarely achieved as a result of lack of financing. Funding proposals for bilateral and multilateral donors (UNDP, USAID, EU, etc.) often require consistent projects and guarantees for their implementation, conditions which the associations and other groupings are not able to fulfil or provide for lack of the needed capacity to carry out the project.

Relationship with the State and the advocacy capacity of Guinean civil society

Both the CSOs and the State have initiated and implemented joint projects in several

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46   Cited by Keita et al (2010)

47   Sustainability index for NGOs in West Africa, Edition 2009.

areas because the State's willingness to strengthen civil society is stipulated in the Poverty Reduction Strategy Paper (PRSP). The Village Communities Support Project (PACV) is a good example of this. Within the framework of the decentralisation policy, CSOs working for the development of grassroots' communities could be supported through a financing mechanism to undertake micro projects on basic social and community infrastructure (education, health, water supply and clearing of access routes to villages) as outlined in the local development plan.

However, despite this strong commitment, we realized that poor governance and government interference in the CSOs activities hinder their progress. There is sometimes a genuine mistrust of administrative authorities vis-à-vis civil society which is suspected of taking a stance to oppose the government and/or compete with the decentralized technical services of the State.

There are also tendencies of manipulating members of the CSOs for political gain. There are many examples of youth associations and women groups which have suffered from internal conflicts and even collapsed due to differences pertaining to support a candidate contesting for the Mayor's position, or the CRD or even support a parliamentary candidate.

The problem of license is real and seems to be a real obstacle to the development of the activities of CSOs, which, in spite of their willingness to formalize their operations, are confronted with difficulties vis-a-vis officialdom when filing their applications. For example, for more than 3 years, no national license was issued by the Ministry of Decentralization and Territorial Administration (MATD).

In their individual operations, civil society organisations in Guinea have quickly realized that their programmes are very often determined by government policies. They therefore decided to collaborate to free themselves from this straitjacket which limits their effectiveness and to establish their visions to make an impact on policies.

That is the reason why after a national forum, since 2002, they have established a National Council for Civil Society Organizations (CNOSCG), with the aim of serving as an umbrella organization for its members and defending their visions to public agencies through advocacy.

The CNOSC comprises two types of members: networks working at the national level made up of 80 coalitions grouped thematically, and local councils CSOs operating at the grassroots level can join as members. There are currently **333 Sub-prefectural Councils, 38 Prefectural Councils and 8 Regional Councils.**

A National Office is based in Conakry. It is composed of **23 members** with **15 elected members from among the representatives of the national networks, and 8 Presidents of the Regional CSO Councils** (CROSC). This office defines the policies of the CNOSCG and their implementation is entrusted to a paid staff headed by a General Secretary.

The CNOSCG collaborated with the unions during the strikes that occurred in February and June 2006 to form what, today, is referred to as, **the social movement**. These strikes, paralyzed the entire country, were a reaction to the apathetic attitude in the area of governance, led to unbearable living conditions for the people and to the refusal of President Conte to dialogue with other political actors,.

The success of these mobilization efforts only revealed the strength of the CNOSG and allowed it to play an important role in the dialogue with trade unions and political parties for the creation of space for dialogue with the authorities in power. The idea was to constitute a tripartite dialogue: Political parties, social movements and State institutions. This platform gave some recommendations to find a way out of the crisis but they were ignored by the government, thus leading to the 2007 national uprising during which the army fired on protesters killing more than a hundred demonstrators. Under pressure from this same movement, President Conté had to appoint a Prime Minister who was nominated and supported by civil society.

The Prime Minister in charge of the programme to end the crisis, feeling that he was responsible to civil society, became accustomed to consulting the latter publicly and regularly, thus enhancing his image and legitimacy. The appointment of two civil society representatives among 25 members of the Independent Electoral Commission (IEC) and especially, the election of the President of CNOSCG to chair this institution was the first opportunity for the emergence of the civil society in the political arena in Guinea. This recognition of civil society thus gave it a unique opportunity to influence the political governance of the country.

After the junta led by President Dadis seized power, members of the CNOSCG, acting on behalf of the civil society played individual roles, with some supporting the junta and others condemning it. However, when the political alliance which shook President Conte was revived, the CNOSCG joined the trade unions and political parties to form « the Guinea Lifeblood Forum », a motley alliance calling for the return to civilian rule by organizing elections without the participation of the Head of the military junta.

The constituted civil society became a stakeholder in the rally organized at the stadium on 28 September, in Conakry which was violently put down by the army with a tragic record of more than 150 dead, several dozens of public rapes, hundreds missing and thousands injured; crimes described by the UN as crimes against humanity.

Following the assassination attempt that rendered him powerless, the Head of the Junta, Captain Dadis Camara handed over power to General Konate to implement the Ouagadougou Agreements, achieved through the mediation of President Compaoré. A transitional government of national unity was constituted with several leaders of the CNOSCG being brought on board.

Despite its leadership challenges, the CNOSCG actively took part in the 2010 electoral

process contributing to conflict prevention before, during and after the elections, by the voice of the civil society in national events and conducting specific actions, such as the deployment of monitors throughout the country on the day of the elections.

The emergence of a new political party after the 2010 presidential elections led to the reconstitution of Guinea's civil society. The CNOSCG which was suspected of being subservient to the party in power, remains torn apart by internal leadership disputes which still continue in spite of the election of a new President in 2014. Its supremacy is also threatened by the emergence of various initiatives which are trying to propose an alternative. Thus the Platform of Citizens United for Development 'PCUD' which, while recognising the role played by the CNOSCG in the fight for democracy, has identified the shortcomings and has proposed another route to come out of the current impasse. The PCUD has called for consultations with a view to reconstitute Guinean civil society, a call which has been vigorously resisted by the CNOSCG and the National Coalition of Guinea's Civil Society (CONASOC GUINEE)

The Ebola epidemic turned things upside down. Overwhelmed by the extent of the epidemic and the people's resistance, Guinea turned towards civil society (CSOs, imams, priests, elders and patriarchs of regional steering committees) to conduct local sensitization, A large number of international NGOs also arrived in the country and those already in place benefitted from significant financing from donors. These resources were a breath of fresh air to the CSOs, even if they were limited to implementing projects within the framework of a strategy they were not involved in elaborating. Partnerships were established with the National Committee for the Fight against the Ebola Virus, UNICEF, WHO etc. Within this context, watchdog committees were created under the auspices of CSOs to detect cases, help trace the contacts and resolve conflicts within the communities and between the communities and non-indigenes such as in [48]Womey or Forécariah, to mention only the most publicised cases. The post Ebola period will no doubt constitute an important turning point for CSOs whose sustainability is vital to the strengthening of the primary health care system.

Challenges faced by the Guinean civil society

The departure of the Chairman of the CNOSCG for the Independent National Commission in 2007, marked the beginning of endless leadership disputes and the over politicisation of Guinea's Civil Society.

For the record, between 2007 and 2014, the CNOSC was not able to hold the statutory annual general assembly. It has functioned on the basis of a consensus with devastating consequences consisting in the re-appointment of the President when he was already

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[48] *In September 2014, a delegation of the State and journalists on a sensitisation mission in the village of Womey (Nzérékoré) were massacred by the people in fit of total confusion: 8 people died followed by a strong repression by the Guinean army.*

appointed to head the CENI and co-opting Vice Chairpersons without assigning them mandates, when they should have been elected on the basis of a clearly defined position in accordance with the competence required. The result of this situation was that other leaders of the CNOSC were regularly poached to serve as ministers or as top administrative officers by successive governments since 2007.

This long period of institutional corruption also marks the hyper politicisation of CNOSC and the rest of Guinean civil society, especially making the latter a spring board for ambitious leaders with « hidden agendas ». Thus many among them did not hesitate to cash in on their influence and ability to mobilize against the ministers or high officials within the 2009 and 2010 transition government and/or within the current government in power.

Thus, the decay in governance by the CNOSC whose bureau only met in case of major events resulted in the weakening of its role. As a result of lack of strategic direction, today, the CNOSCG behaves as an NGO, implementing projects for NGO networks. Only about ten out of the 80 networks remain active till today and most often, the weakest are caught up in a financial dependency on the CNSOC. The fully operational networks are no longer in the CNOSC and the inclinations to create alternative platforms are more numerous. Former leaders, including former ministers are regarded as disloyal to the cause of civil society and are unable to win the confidence of members after the end of their government missions. They are all in the position of an impossible return to civil society or rather to the CNSOCG which constitutes the political arm.

This resulted in a strong disinterest of the network of member CSOs, of which only about 10 out of 80 remain active, most often the weak ones among them. The networks which were functioning well did not identify themselves with the CNOSC anymore and the need to create a replacement platform was increasingly evident.

In recent years, several CSO sectorial networks were formed within the Guinean civil society: Health education, promotion of women' affairs, civic participation, poverty alleviation, rural community support, conflict prevention, etc. Most of these networks did not keep long and eventually disappeared due to lack of financial and human resources.

The issue of training is often overlooked for opportunistic strategies based on improvisation and relying on persons without job prospects and officers using the idle citizen's actions as survival tactics. Worse still, many NGOs were covertly established by officials in charge of allocating public resources and by political parties in search of influence, resulting in the creation of a system where public funds were misappropriated by cronys and a hyper politicisation of CSOs which goes against all civic logic. It is undoubtedly impossible to base the activities of CSOs on volunteer initiatives due to widespread poverty in the country however, the flourishing cronyism is one of the greatest threats to Guinean civil society.

Conclusion and recommendations

The emergence of the civil society in Guinea is the result of a long process dating back to the colonial era, with a break during the First Republic, a breakthrough during the Second Republic and multiple challenges to face in order to ensure conquest of a new position in the Third Republic.

Through their actions, Guinean CSOs have shown that they meet the needs of the people and therefore legitimately claim an advisory role on the choice of development policies to be implemented.

Civil society has distinguished itself in its advocacy role since 1984. The 2009 – 2010 military Transition government enrolled its elite and career oriented people in political positions which resulted in serious governance problems for its principal advocacy organ, the CNOSCG. It appears that since the election of a new management body in 2014, things seem to be getting back to normal however, the challenge faced by Guinean civil society in finding itself a new place and a new scope of activity with the post transition government which appears to be poised for a second 5 year mandate, still remains. Undoubtedly, the CNOSCG will not be able to maintain its dominant and exclusive position and must reckon with the pluralism brought on by the democratisation of the country.

To ensure a strong Guinean civil society in the new democratic context of the country, we recommend the following:

- The State or the future National Assembly should endow civil society with a clearer legal framework, to ensure independence from political parties. This legal framework has been pending since the adoption of the laws of July 2005. Civil society must put pressure on government to publish regulations enforcing the law by adapting them to the new democratic context of the country.

- . That Guinea's civil society abandons its Jacobean culture of centralization to embrace a multiplicity of umbrella organisations. To this end, the CNOSC and the CONASOC must accept the principle of consultation with civil society proposed by the PCUD as an opportunity to reconstitute and not as an affront to their quasi-monopoly.

- The qualification of civil society's human resources should be its first priority. A strategy should be developed at the national level to mobilize motivated individuals within the CSOs through long term prospects. Sustaining and targeting training in areas such as strategic planning, setting up projects, fundraising, advocacy, monitoring and evaluation should solve the deficit of operational and technical capacities.

- The CNOSG bureau should take the helm of this umbrella institution and make

strategic choices based on interests of the coalitions that compose it, and devoid of political opportunism of few individuals who have the mandate to lead it. Should the realization of the CNOSCG fail, it will take the next few years to raise new coalitions for civil society to meet the needs of advocacy in order to influence public policy.

- The development partners should continue to allocate resources to civil society while strengthening its abilities to achieve the expected goals.

- Competition with international NGOs in the access to resources of international donors must be rebalanced to the benefit of national NGOs which are significantly less expensive and which have the advantage of having a better knowledge of the realities and local dynamics.

- Finally, civil society should continue to play its "watchdog" role over the nascent democracy by continuing to demand transparency and accountability from the new authorities.

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GUINEA BISSAU

Grassroots Support and the rule of law in Guinea Bissau: Highlights on Civil Society achievements

Miguel De Barros

Introduction

«Civil society is a much-used concept. For analytical purposes, however, it is diffuse. Most of those who do use the concept agree at least that it refers to people acting together in the social space existing between the state and the private sphere» (Rudebeck, 2001:32). According to Chabal (2008), civil society[49] generates more participation and democratic consolidation, promoting and institutionalising free expression.

In Guinea-Bissau, the right to development has not been possible without freedom, pluralism of expression and citizen participation in problem solving. Hence, the failure of previous national development policies has been attributed to external imposition, in the context of state authoritarianism and illegitimacy (Lopes, 1987; Galli, 1989; Cardoso, 1995; Koudawo and Mendy, 1996; Sangreman, 2003). After twenty years of deeply damaging political and military conflict, the introduction of multi-party system has supported political liberalization in the country.

This article aims primarily to identify and analyze the origins and progress of civil society in Guinea-Bissau[50] since the introduction of democratic norms. This study also intends to explain the current understanding of the concept and the "image" of civil society in Guinean context.

This paper therefore proposes a reflection about the concept of civil society within the context of Guinea-Bissau's institutional gaps and democratic challenges.

The Democratic Transition in Guinea-Bissau: participation in development as Civil Society led change

Some sectors of civil society (Church, Unions, Non-Governmental Organizations, Media and Community-Based Professional Associations) contributed to the promotion of democracy and economic development, the fight against social inequalities and improvement in the living conditions of the population.

One key civil society player is the Catholic Church. Despite, suspicions of its linkages to colonial interests, the Church survived the independence struggle and subsequent social crisis caused by the dismantling of the Welfare State in the 1980s. The Catholic Church reaffirmed its social influence on health and education, while incorporating in their field of action muslim communities (Koudawo, 2001).

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49 *The dimension of the concept used here is one that recognizes multiple characteristics of association and political integration, institutionalized or not, thus enabling the recognition of other local cultural values or traditional.*

50 *Guinea-Bissau is a country of the west coast of Africa with 36,126 square kilometers, is bordered in the north with Senegal, southeast to Guinea and in the southwest by the Atlantic Ocean. Apart from the mainland, also includes a set of eighty-eight islands that constitute the archipelago of Bijagos. Portuguese colony since the fifteenth century, carried out an armed struggle for freedom through PAIGC - African Party for the Independence of Guinea and Cape Verde, led by Amilcar Cabral for eleven years to proclaim independence unilaterally in 1973, recognized a year later by the former colonial power. Currently has a population of about one and half million inhabitants, is a member of the Community of Portuguese Speaking Countries, ECOWAS, UEMOA and AU.*

The political-military conflict in 1998/99 put an end to 18 years of absolute power under the regime of General João Bernardo «Nino» Vieira. This conflict strengthened strengthened the position of the Church which was reflected in its dynamism under the leadership of Bishop Arturo Ferrazzetta who defended and promoted peace and was always very close to the population.

In Guinea Bissau, NGOs initially focused their actions on promoting development by advocating for basic education, health, clean environment and human rights. However, until 1991, legislation on Development Support Associations did not exist in the country (Solidami, 1991) [51].

There was a proliferation of NGOs after the political-military conflict of 1998-99, where over hundred and fifty NGOs registered under the NGO Platform. However, a key weakness of the NGOs since their establishment relates to the fact that most of them are totally dependent on external support (Handem, 2008: 41-43).

With respect to media agencies, they have experienced a greater pluralism, especially at the end of the nineties. The first media house to break State monopoly was the Expresso Bissau (private weekly newspaper created in 1992), followed by the private radio stations Radio Pindjiguiti and Radio Bombolom, which were both established in 1995.

The strongest vitality manifested in local[52] and community-oriented radios, giving greater visibility to the problems affecting the daily lives of people.

With respect to the different types of associations, there was clearly a fast-paced multiplication with special emphasis on socio-professional associations (doctors, lawyers, architects, economists, and vendors) and community-based (urban and rural), women and youth. The most dynamic sectors that comprised youth organisations and women's groups were most prominent in the nineties (Handem, 2008:18). According to Barros (2010: 10-13), it was in the first half of the year 2000 that youth movements developed more strongly. They reinforced their organizational character, with the rise and appearance of independent networks (national and thematic) in order to promote and increase a greater civic participation of young people in the democratic process.

In the Guinean context, these associations have demonstrated high productivity and relevance both in urban and rural areas, being less dependent on the international cooperation or private sector logic of action. At that time the most significant contribution of Guinea Bissau civil society - actually spear-headed by urban civil society actors - focused on three areas: a) ensuring basic services (access to education, health); b) promotion of human rights and citizenship; c) information and awareness raising (environment, conservation, diversification of production).

Having however realized that, though vital, urban civil society cannot alone sustain democracy in predominantly rural countries such as Guinea-Bissau (Rudebeck, 2001), the development of community-oriented initiatives - construction of hospitals and schools managed by the beneficiary community - by NGOs, churches, peasants associations and young people evolved. This joint initiative favored the reduction of the impact of the absence of the state in rural areas. The attempt was to ensure a high level of ownership of these initiatives by local people. The implementation of this joint-venture yet exposed a lack of cohesion and collaboration among organizations involved in the same sector. On the other hand it brought up a lack of coordination between the local community and the state.

In the field of human rights and citizenship the performance of Civil Society Organizations contributed decisively to safeguard civil rights and obligations of the State, through the reports of violations, providing legal support to victims and counseling, even when these actions put into question the very safety of activists and their organizations. With time civil society was considered as the main defender and protector of the poor as well as propaganda agencies for the state.

Participation of Civil Society to development: commitment or dead end?

The current understanding of the concept and the «image» of civil society evolved from the perspective of alternative projects of democracy and citizenship, in which there was an obligation to take on social responsibilities avoided by the state (Avritzer, 1994). The 1998/99 political-military conflict was a test of accountability and commitment of civil society in general and the Civil Society Movement for Democracy and Peace Consolidation[53] in particular, as a national platform of CSOs.

However, during the periods of post-conflict transition and post-coup, President Kumba Yala (2003) confirmed the general lack of trust in politicians and

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51   To some authors (KOUDAWO, 1996; IGOE and KETSALL, 2005; Temudo, 2005; LIMA KALLAS, 2010), the new discourse around ideas of «civil society» and «participation» was focused on NGOs and in the case of Guinea, rapidly absorbed and reproduced by an elite in search of new revenue in the austerity policies. NGOs have become the new tools for fundraising. In the understanding of others (Handem, 1991; Handem, 2008; SANGREMAN et al, 2006), investment in the non-governmental sector was both an opportunity to continue to invest in national institutions able to meet the challenge of development (rural and social) in the context of the State dismantling due to the effects of structural adjustment policy.

52   Contrary to these developments, the television did not experience any significant change against its pluralism since the political liberalization until today, continuing to operate the only state television in a irregular regime and almost exciting, changing direction depending on the orientation and interests of the successive governments.

53   According to Sangreman et al (2006: 29), it had its objective, the mediation of the conflict between the warring parties and simultaneously sensitizing the international community on the need to continue to support the population and the efforts of peace consolidation. It should be noted that actions to promote the development were extended till the post-conflict phase.

parties[54] and thereby reaffirmed the moral, political and social authority of civil society. This period was also characterized by intense political activity, during which the parties gained new impetus. They grew to over 24 parties who cut across wide-ranging sectors of the Guinean society, including several leaders from other civil society organizations such as faith based organisations, NGO activists, trade unionists, businessmen and journalists.

This development made it a very participatory process, creating opportunities to enhance and influence the public debate on the national agenda to translate concerns of the poorest and most deprived populations and to encourage reflection and search for alternatives for governance. The strategic approach of Civil Society was to give hope in a real way through the provision of «alternative policies**» to enhance relationship with Northern donor organizations.**

Nowadays, there has been a more consistent, integrated and sustainable starting strategic point of action of Civil Society Organizations. It allows a greater political engagement and commitment in their relationship with the state in some areas.

An important sector where CSOs and the state have had a mature collaboration is at the level of transparency in the management of the Oil and the extractive industries. To this effect a Working Group was set up consisting of government departments, parliament, associations, and peasant confederations, national and foreign NGOs in the field of sustainable development. In 2006, some NGOs managed to put the issue of oil on the public agenda. Two years later, the state took action to monitor this sector by adopting a legal framework that protects the country's resources. In 2010, the Working Group signed a Memorandum of Understanding (MoU) with the government - through the Ministry of Natural Resources - aiming to support the government in finding relevant information for better decision-making processes.

However, this vision and approach of the relationship between CSOs and the state is not something that is still widespread at country level. Another important issue is Human Rights. Despite violations of human rights over the past decade, the support to organizations that defend and promote human rights in Guinea-Bissau is not a priority for most donors. The percentage of support for the Development of activities related to human rights was 0.89% in the period 2004-2009[55]. The conduct of these organizations are such that volunteers are hired and paid allowances instead of employing permanent and experienced staff to pay them for their work. Also, the dependence of the country and organizations on external funds is maximal and this dependency does not always coincide with domestic priorities.

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54 *The unbridled struggle for access and preservation of power, a view of the «vision of the state assets,» the combination of limited resources coupled with the dispute over its ownership has been, since ever, factors of instability and political struggle in Guinea, since the administrative positions, are not regarded with a sense of community service, but in anticipation of the privileges that the exercise of this function warrants (NÓBREGA, 2003).*

55   *For more and better information consult the data of OECD (2011), Guinea-Bissau: Aid at a Glance.*

In these two sectors - gender and human rights - a structure has not been established for the promotion and support for CSOs. Therefore, the question of the development and building of the capacity of civil society actors is today a major challenge that influences social cohesion.

Conclusion

The participation of civil society is seen as a means of preventing the decline of confidence in the political and social system, demonstrating a clear pressure against social disintegration and enabling a smooth development (SANGREMAN et al, 2006: 34 -35). The inability of the state in meeting the basic needs of the populations and the difficulty in extending the presence of its institutions throughout the country, leads to the inclusion of more so-called «non-state» actors, which cannot be avoided. Nevertheless, it will take an intense and permanent dialogue between sovereign bodies (i.e. parliament), public institutions and Civil Society to achieve a state which will allow them to articulate possibilities and strategies that foster consensus and commitment.

The Guinean historical case marked by authoritarianism showed that none of the political transitions led to a political consolidation. Civil Society has often been plagued by the alliance between the Political and the Military Society, leaving aside the claims and demands of the population.

Finally, if the successive democratic transitions are still, however, hampered by the economic weakness of the country, devastated by the 1998-99 political-military conflict and the political instability, this will necessarily imply a link between the different manifestations of civil society (formalized and non-formalized) in the rebuilding of a new model, culture and commitment. This model should involve the projection of an economical entrepreneurship and a social contract capable of creating ingredients for a vital market, that is, if the economy is implanted in a broader civil society, as postulated Keane (1998: 29) and that hosts social interactions based on norms such as trust, reliability, honesty, friendship, ability to compromise with the group and non-violent mutual recognition.

The fact that internal conflicts and political-military incidents over the last decade have not been mobilized by large sectors of the population (which continues to support unequivocally a long lasting peace), was due to the action of the civil society which, despite its limited resources, has increasingly added its critical voice to development in the country. This has contributed to the recognition that the role of civil society in strengthening and consolidating the Guinea-Bissau State has been phenomenal. The future of CSOs in Guinea-Bissau hinges on the existence of stable governance and sustainable actions promoted or supported by donors. This would be possible when the learning experiences are evaluated and integrated into the political and economic

spheres of development to prevent or control the detrimental effects of external interventions. It also requires self-financing capacity and strengthening institutional structures for internal coordination among national actors (state, local, non-Governmental and private).

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Strengthening effective stakeholder engagement to promote durable development in Liberia

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1   Jasper Cummeh: article published posthumously

Introduction

At the close of the 1980s the world witnessed a major revolution: the crumbling of the Berlin Wall; and by extension the end of the 'Cold War', and the commencement of a new era in international diplomacy. Coincidentally, while the Berlin Wall crumbled on November 9, 1989, Liberia stood on the brink of its own major epoch: the commencement of armed struggle to unseat an unpopular regime.

Subsequently for Liberia mayhem ensued[56] over a period, and during this period, there was a widespread introduction[57] of new and powerful, international social-economic actors: Civil Society Organisations (CSO). CSOs primarily concentrated on providing humanitarian aid, but they also needed to work with local groups to deliver this aid as efficiently as possible. Therefore, indigenous Civil Society Organisations proliferated in numbers.

However, when the humanitarian and emergency intervention phase ended, many of these groups became practically dormant for want of a vocation, thus a new set of skills was needed, as new issues emerged. People needed representation[58], education, counseling and life skills[59]. Some CSOs adapted very fast, whereas others struggled.

This does not imply that other groups involved in speaking and advocating for civil and political rights did not exist as well; even if the organisations[60] were operational their work, including and the environment in which they work, was dangerous.

Peacebuilding became paramount for groups that were not engaged in social welfare, because several cease-fire agreements had broken down. The need for consulting and politically influencing the warlords was urgent.

This article looks at the past and current state of legal, political, economic and international variables affecting the work of the Liberian Civil Society, and how civil society actors have tried to cope with several challenges. The article also explores the contributions and impact that the civil society sector has had on the Liberian society. First, the origin of CSO's in Liberia is briefly explored. This is then followed by a look at the meaning of the term civil society.

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56 On December 24, 1989 (a month and two weeks after the collapse of the Berlin Wall), the Liberian Armed Struggle commenced on the Border between Ivory Coast and Liberia. Armed insurgents entered the country overnight, gained and controlled territory that the Government of Liberia once had control over. They announced an armed struggle with the intent to topple the Administration of Samuel Doe.

57 Civil Society Organisation existed in the country before; however, they were not as prominent, prevalent and powerful as they came to be during and in the immediate aftermath of the war.

58 Representation as used in this case means a voice for the community. Note that community structures and leadership were overturned by the war. Community mobilization for development issues needed someone to spearhead them, such spearheading resulted into representation.

59 Skills important for survival and trade in the economic market place, such as tailoring, tye-dying, soap making, carpentry, masonry, mechanic, artisanship, etc.

60 Organisations like Center for Democratic empowerment (CEDE), Catholic Justice and Peace Commission (JPC), and Center for Human Rights and Law Education (CHRLE) existed and worked under harsh conditions: bursted offices, imprisonment, surveillance, etc.

In addition, the paper also looks at the hindrances and challenges faced by Liberian CSOs. There is a strong call for support to Civil Society since the sector stands for the channel through which the social contract between elected representatives and the people they represent is cemented.

Evolution and Current Understanding of "Civil Society" in Liberia

Liberian Civil Society can be traced largely to the Student Movements of the '50s and '60s (Jasper Cummeh, 2010). Unlike labour unions[61] which were barred from engaging in political activities[62], student movements and organisations could sparingly express political views. Schools campuses were hotbeds of fresh and new paradigms of socio-political thoughts. This confirmed the notion that, 'university and student groups are a microcosm of the Liberian Society"[63].

The student groups of '50s and '60s metamorphosed into political pressure groups in the '70s, which mostly called for equality, participation and political space[64]. Over time in the '80s, the principle of human rights, especially civil and political rights, became a prominent issue under the military regime of President Doe[65]. Subsequently, war erupted and the focus of civic groups shifted towards issues of emergency, relief and peace building. After the war in 2003[66], the Liberian civil society entered a 'golden era' with relatively more donor support for consolidating democracy.

Civil Society in the Liberian context is considered as a "network with shared interests outside of Government, organized to advance positive social change for society". (Jasper Cummeh, 2010)

Excluded from the Liberian Civil Society are political parties, and to some extent trade unions, since they are limited in expressing political views even though they may champion the welfare of their members (Baysah, 2009). Within civil society, there is a division between NGOs and civil society Organisations, amongst which are community based groups and private volunteer Organisations.

The division exists by virtue of the process that gives each of them legitimacy: Community Based Groups can acquire articles of incorporation or even a certificate from the land commissioner to acquire legal status; CSO's have to acquire both articles and certificate of registration from the Ministry of Planning (Ministry of Planning and Economic Affairs, 2011).

Civil Society has a very cordial working relationship with the Liberian Media. Both sectors reinforce one another. However, CSOs have complained about elements within the media that demand a small monetary amount in order to publicize their work through coverage in the news and on other media outlets (Porte, 2011).

The relationship between the private sector and civil society is quite narrow, almost non-existent; there is hardly any remarkable collaboration, but there are various opportunities that could be exploited.

The Liberian Government's engagement with CSOs has focused largely on pro-democracy groups, and so the Government's own definition of the term "Civil Society" hovers squarely in the neighbourhood of watchdog groups. The greater public has adopted a largely similar, narrow understanding of Civil Society, referring to pro-democracy as well as watchdog groups.

Over the last decade Liberian Civil Society Groups have strived to generate impetus in order to render their name and image more recognisable and acceptable.[67] Besides the efforts Civil Society has made, several other factors could be responsible for the cordial relationship between the Government and Civil Society. One of these factors is the presence and active tripartite engagement between the Government, the International Community represented through various agencies and Organisations; and Civil Society Actors. Another factor is the civil and political background of the current political actors. Some of them have their roots in civil and political activism. Probably it is safe to say that there are currently more civil actors working actively and influentially in the Government of Liberia than at any other time in the history of the country.

In August 2008, the Liberian Government hastily appointed the Liberian Anti-Corruption Commission (LACC). This action received wide spread criticism and condemnation because Civil Society Organisations that worked along to reach the process as far as the passage of the anti-corruption bill into law were not consulted or involved in the vetting process. Even members of the National Legislature criticised the administration's actions. In the public sphere, people are now more comfortable when the civil society is involved in an endeavour[68] that seeks to promote governance or service delivery; less confidence is accorded to processes where civil society participation is minimal or non-

61   Article 81 of the Liberian Constitution bars labor unions from taking part in political activities

62   Although the labor unions are barred from politics, in the '90s and 2000's they have been relatively active on issues involving their members' welfare. They have barely issued statements concerning the ills in the society. A prominent labor official from the Port Workers Union contested the 2005 Elections and won in Montserrado County(most populous) as Senior Senator.

63   The origin of this statement is unknown, but it is a widely quoted epithet amongst the University of Liberia politically active students.

64   Liberia has been built on the pillars of marginalization. A small group of elites formed the Liberian state following their return from slavery. This group held on to power for over one hundred years. Despite the formation of the state, there existed a majority consisting of indigenes, who were kept out of the loop of power. Both officially and legally, they were not considered as Liberians, but as heathens. To be a Liberian, one had to become 'civilized', i.e. accept Christianity, attend school and become educated, and become acculturated as a 'congo' person (interesting, what is the meaning of a "congo" person?).

65   Samuel Doe came to power through military coup in 1980. He overthrew the Americo-Liberian political hegemony that had ruled the country for more than one hundred years.

66   Officially, Liberian considered the departure of Taylor in 2003, the signing of the CPA in Accra Ghana, and the subsequent selection an Interim Government, as the end of the 14 year of Civil Crisis.

67   In 2008, the Liberian Senate officially recognized the nomenclature CSOs or Civil Society Organisations, and defined them as a group to be consulted (in what? The sentence seems incomplete)

68   Several Government of Liberia's fact finding missions and Boards of Inquiries has included Civil Society representation.

existent. This is an important niche that civil society has carved for itself. It has played and continues to play a key role in promoting the principles of accountability, even though advocacy does not often yield positive responses or results.

Civil Society and Development

There are strong indicators of civil society involvement in development, including their contribution to negotiating peace (Kellow, 2011), promoting democracy, consolidating peace[69] and contributing to provision of social services[70]. One of the most notable examples of the ways in which Liberian CSOs largely contribute to development is through its activities aimed at improving governance.

Civil Society contributes to representing the views of the grassroots level, and to promoting social and human rights based principles[71] in governmental policy-making processes.

An example of this is the willingness of the Ministry of Planning to include Human Rights Based principles in planning development projects largely as a result of the role of the Poverty Reduction Strategy (PRS) Tracking Network in using the HRBA principle, and using simple tools such as the Community Score Cards to track development. The Government acknowledges that the use of such tools puts pressure on it to perform (Sua, 2011).

The civil society has also been invited to play an important role in ensuring the mainstreaming of Human Rights based principles in Liberia's PRS-II and in the Vision 2030 program (Mayson, 2011). The civil society's presentation at the International Forum for Fragile States held in Monrovia and the International Meeting to review the Human Rights Based Approach, both held in July 2011 also recognized the need to work in partnership with stakeholders such as Civil Society in the development process[72].

At the same time, some other Organisations are contributing to the provision of health and education services, or monitoring Government deliverables in those areas. To name a few, with support from the World Bank, Actions for Genuine Democratic Alternatives (AGENDA) and Citizens United to Promote Participation and Democracy (CUPPADL) monitor health and education; Coalition for Transparency and Accountability in Education monitors procurement in education, and the WASH Coalition monitors the

provision of safe drinking water. In April 2008, the Media,[73] and CSO's[74] presented to the National Legislature a draft bill aimed at passing into law a Freedom of Information Law[75]. Women CSOs have contributed immensely to the passage of inheritance law, the setting up of the Criminal Court "E" (This court deals with sexual offences), and the amending of the New Rape Law.

Youth groups have been instrumental in the adoption of the National Youth Policy, and groups working on the security sector are pushing for security sector reform, especially a Police Service Commission, in order to de-politicize the National Police. Most notably, the level of consciousness and awareness of the population of its rights and obligations to improving governance is increasing. More people are engaging in political discourse and debating issues concerning their well-being, unlike the period up to the late '80s when people considered public or political issues as the 'people thing'[76]. In addition, many indications show that the number of female candidates canvassing for elected positions in the Elections of 2011 has increased[77].

The Ebola Outbreak and Liberia's Response: A Civil Society Perspective

The Ebola Virus Disease (EVD) was a health problem but it was equally a governance issue that exposed the inherent weakness of Liberia's health care delivery system. The death of a boy in the forest region of Gueekedou, a Guinean Town near the Liberia border turned into a major regional public health crisis in modern history.[78] The rapid spread of the virus pushed Liberia's health system to the limits and also exposed the limited capacity of the international community in addressing infectious diseases.

While it is true that Liberia's health system was weak, the EVD was both a health emergency and a new phenomenon that the nation as a whole did not know how to respond in mitigating the transmission. By June 2014, the virus began to take its toll on the country with the death of several health practitioners and the situation worsened. A month later, schools were forced to close and airlines suspended flights to and from Monrovia.[79]

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69 Various Organisations, such as Initiative for Positive Change (IPC), West African Network for Peace Building (WANEP), Committee for Peace and Development Advocacy (COPDA), Inter-religious Council of Liberia (IRCL), Peace Building Resource Center (PBRC), and a host of several other Organisations monitor conflict signals and report appropriately.

70 Groups like Concerned Christian Community, YMCA, National Adult Education Association of Liberia, and a host of other Organisations provide services to the education sector.

71 CSO's carry out budget analysis to ascertain whether Government is committed to its human rights obligations enshrined in the treaties it has signed

72 The meeting between CSO's, GOL and the UN family took place in Gbarnga, Bong County, Liberia; July 8-9, 2011. It brought together over 50 delegates

73 The Liberia Media Working Group, representing the Press Union of Liberia, the Publishers Association, Broadcast and Print Institutions, the Association of Liberian Community Radios,

74 The Civil Society Advisory Committee--Umbrella CSO body. Also present were individual Organisations.

75 In October 2010, the National Legislature passed into law the Freedom of Information Law. Civil Society has been invited to serve on the Committee to interview and hire the Commissioner for the FOI Commission. The process is led by the Civil Service Commission.

76 The 'people thing' —a term or phrase use to refer government issues as things belong to the Americo-Liberian Hegemony that ruled Liberia over 100 years.

77 Up to present, there are three (3) Presidential female candidates, nine (9) Senatorial female Candidates; and Seventeen (17) Representative Candidates.

78 C.Ni Chonghaile, How Ebola turned a Guinean family tragedy into a West African crisis, The Guardian, October 9, 2014

79 The only Airline that did not suspend its operations was Brussels even though it put into place some safety measures.

By August 2014, the pandemic appeared to be out of control and this compelled the government to declare a national State of Emergency and ordered all dead bodies to be cremated. The World Health Organization (WHO) followed suit and declared Ebola as an International Public Health Emergency. The American Government also described the virus as an international security threat and people traveling from Liberia to other countries were subjected to stringent medical protocols. The international medical charity, Medical San Frontiers described the International response efforts as "dangerously inadequate".

By mid-September 2014, the transmission rate reached almost 300 per week. With the severity of problem, the American Government ordered the deployment of over 2,000 American soldiers under "Operations United Assistance". The mandate of the troops according to the US Government was to build Ebola Treatment Units (ETUs) across the country but this pronouncement was marked by suspicion among the population. Despite the rumor and suspicion among the role of the troops in Liberia they did build ETUs in several hard hit counties.

There were other parallel regional and international support. The African Union created the African Union Support to Ebola Outbreak in West Africa (ASEOWA) and the United Nations established the United Nations Mission for Ebola Emergency Response (UNMEER). The Chinese also erected ETUs and provided medical supplies. The WHO opened a 120-bed clinic at Island Clinic while MSF managed two clinics at the ELWA Hospital, one of which was manned by a Liberian Medical Doctor.

These collective international efforts were supported by national interventions particularly the involvement of civil society organizations, media, community volunteers and leadership structures. This collectivity of response led to some positive results. By mid-October, cases began to drop for the first time in four months. By January 2015, cases dropped to nine per week and by March there were no reported cases. The country began its count down and on May 9, 2015, Liberia was declared "Ebola free by the WHO", the first of the three affected countries in the sub-region. Three months later, the virus re-appeared but this time, the government and community members were better equipped to handle the situation and it was immediately brought under control. There was a second round of declaration by WHO that Liberia was "Ebola Free".

Civil Society Response:

Civil society organizations made significant contributions to the national Ebola response. Recognizing the need to coordinate its intervention, build synergy and maximize results, civil society organizations grouped themselves into the National CSOs Ebola Response Taskforce comprising over 25 organizations.[80] The taskforce had an operational strategy

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80   The taskforce functioned under the auspices of the National Civil Society Council of Liberia, the body responsible to coordinate all interventions by CSOs.

divided into three distinct yet inter-related clusters: advocacy, media and public health outreach and community mobilization. Organizations were grouped in each of the clusters based on their expertise and experience.

Advocacy:

Following the declaration of the National State of Emergency by the government and the deployment of security personnel as part of the Ebola response, the CSO Taskforce convened an extra-ordinary session of a cross section of CSOs to respond to the proclamation. It was the view and consensus of CSOs that although the virus was spreading it remained a health issue and the conditions for which a state of emergency should be declared as contained in the Constitution did not exit.

According to the 1986 Liberian Constitution, Article 86(b), a "State of Emergency may be declared only where there is a threat or outbreak of war or where there is civil unrest affecting the existence, security or well-being of the Republic amounting to a clear and present danger."

Civil Society challenged the Constitutionality[81] of the State of Emergency and highlighted that Ebola did not pose a civil unrest and was not a security threat to the nation. Government officials, however, had a contrary view on the matter and supported it. Following the declaration of the State of Emergency, soldiers of the Armed Forces of Liberia (AFL) were deployed in a densely populated slum area of Monrovia called West Point to address a situation where residents looted materials and mattresses earmarked for an Ebola center. The soldiers came in clash with residents and that led to the death of a teenager who was shot by a soldier. The death of the boy was condemned by CSOs and they called on the government to de-militarize the Ebola response. In a strong worded statement, the American Ambassador reiterated the call for the soldiers to return to the barracks.

By June 2014 when things were chaotic and it appeared that the government had lost control, there were growing calls for international support to help with the response. The CSOs Taskforce was heavily involved in the campaign to rally international response. In partnership with Global Witness, the Taskforce issued a press statement, calling for a shift and massive financial and material contributions to the fight against the virus. Within two weeks, international response doubled and with improved coordination, the level of transmission began to reduce.

Accountability:

Accountability of public funds remains a major governance issue in Liberia and this was a challenge in the management of Ebola resources. To ensure transparency and accountability in the use of Ebola resources, the CSO Taskforce instituted a monitoring

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81   CSOs challenge to the declaration was done through the appearance on several radio programs and panel discussions.

system to track expenditures. The Taskforce wrote several national and international NGOs to provide information on resources received and the type of interventions they were used for.[82] The Taskforce also called for an independent audit of expenditures made under the Ebola Trust Fund (ETF).

In August 2015, the General Auditing Commission (GAC) released its findings of an audit conducted on the Incident Management System (IMS), the body that coordinated the government's Ebola response. The report revealed that financial transactions by the IMS were marred by irregularities and that the IMS did not adhere to standards and procedures as outlined in the Public Financial Management Law as well as the Public Procurement and Concession Commission.[83] The Taskforce commended the GAC for the report and called on the government to take appropriate actions against individuals who were culpable. The Taskforce also reminded the government that even during emergency periods, the expense of public resources should be marred by the fundamental principles of transparency and accountability.

Media Outreach:

At the initial stage of the outbreak, communities were in a state of denial. The government's initial message about the disease was also marked by fear and mistrust of public institutions. In a perception survey conducted by International Alert, Liberian had negative perceptions concerning the performance and trustworthiness of the government. 57% of respondents of the survey stated that they did not trust the government and this was a cause for them not believing that Ebola was real.[84]

To counter the message that put fear in the population, the Taskforce developed messages that contained some positive elements such as Ebola is real, it is here, it kills but you can survive if you seek medical attention at the early stage of contracting the virus. These messages were produced in Liberian English and disseminated across the country using over 44 community radio stations.

Community radios were also at the frontline in the fight against the spread of the virus. The Taskforce provided financial support to 44 stations to increase their broadcast time and strengthened their capacity to produce behavioral change messages. Instead of using the voices of high profile policy makers, messages were recorded in local languages using the voices of religious and traditional leaders: "the message is as good as the messengers". In recognition of the role the media played in the Ebola response, the President of Liberia in July 2015, gave an award to the media at a public event in honor of individuals and institutions that made significant contribution in eradicating the virus.

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82   Of the 35 organizations that received the communication, only one provided verbal acknowledgment of the letter.

83   The report can be accessed at www.Gac.gov.lr

84   See Surviving Ebola: Public perceptions of governance and the outbreak response in Liberia, June 2015. The full report can be accessed at www.international-alert.org

Community Mobilization:

While it is true that a lot of citizens listen to radio, the manner of transmission of the virus required engagement with family and community members. In pursuit of this, the Taskforce was engaged in mass community outreach and social mobilization. Through its network across the country, civil society was able to mobilize over 3,000 community volunteers mostly young people who worked as contact tracers and educators, creating awareness among households on the breaking the mean transmission of the EVD, encouraging treatment at health centers and stopping the stigma of survivals, etc.

The community outreach also included forums with local leaders--traditional, community, religious, and government—to hold Community Leaders' Forums (CLFs) to identify issues and discuss means for addressing them. A total of 67 CLFs were held in 13 of the 15 counties, yielding a significant set of data that highlighted concerns and identified actions the communities themselves could take to tackle those concerns.

The house-to-house engagements coupled with the community forums were instrumental in the mitigating the spread of the virus. The President of Liberia acknowledged community ownership of the Ebola response when she spoke at an Ebola Response Lessons Learnt Conference held in March 2015. She stated: "To you our communities, you have every reason to take ownership because at the end of the day, the nation and how it goes and succeeds depends upon you. You are the ones that determine the fate of your country,"

Policy Dialogues:

Organizing policy dialogues on specific thematic issues also marked civil society response. In all, four dialogues were held and each one was informed by the development of a policy brief. Thematic issues discussed included the Restoration of regular health services in the wake of a decline in the number of Ebola cases; Accountability and Management of Ebola resources, the Ethical and social implications of the Ebola trial vaccine and the effectiveness of the implementation of the Ebola protocol in the wake of the re-opening of schools. Policy makers, researchers, academies, and civil society actors normally formed a panel to discuss each of the thematic areas mentioned.

While it is true that the mitigation of the level of transmission of the virus was a collective effort, Liberia civil society organizations and the media were active players in the response process. It is incumbent upon civil society to leverage lessons leant from that period and use them to constructively engage the recovery program. It is self-evident that CSOs do not have expertise in emergency preparedness. This is a thematic area that will require capacity building support for civil society organizations so that they are better prepared to respond to other forms of emergency that may arise.

Challenges, Hindrances and Options for improvement

CSOs have made tremendous efforts in promoting Liberia's peace and development. But they are heavily challenged by the environment in which they find themselves. The legal and political environment is relatively accommodating, but the constant lack of adequate financial support; and the poor state of national infrastructure seriously hinder CSOs' participation and its capacity for effective action. Connectivity and collaboration between and amongst CSO's in urban area such as Monrovia and those in rural parts are limited. A centralized governance system affects the way civil society structural operate as a collective body.

Nevertheless, there has been tremendous development within the Civil Society arena. Liberian Civil Society has now grown from being only focused on civil and political rights to focusing more on socio-cultural and economic rights. The posture and stature has metamorphosed from the hard-core interest-driven activists demanding radical changes, to a more evidence-based advocate using statistics and compelling arguments to influence change.

With changing environment and changing focus and methodology comes the challenge of marshaling the right kind of resources: human, material, financial and technological. The right kind of professionals would offer the right kind of skills and expertise. However, CSOs are currently offering low wages to their staff and employees, because an estimate four out of every five donors are not providing institutional support[85], capacity building support[86] or long term funding for the work of the Organisations.

Dwindling resources and a drastic socio-economic environment that affects philanthropic giving for causes other that humanitarian or religious aspiration pose a threat to local sustainability. With a few exceptions[87], the Government of Liberia is far away from contemplating any support whatsoever for the work of Liberian Civil Society. Organisations themselves are reluctant to approach policy makers on the issue for a well-placed fear of compromising neutrality.

Presently, most donors provide project funding which is highly restricted to project activities alone. Certain donors do not provide funds for paying the salaries of staff or

for capacity building, even though competent human resources and equipment are needed to render the organisation and its work efficient. Else the sums provided for hiring, managing, training and compensating human resources cannot attract high level professionals[88]. Yet paradoxically, these donors may prefer to pay huge sums to expatriates consultant[89] to do work that could be sourced locally, perhaps with a better quality.

CSOs, like other institutions operating in the post-conflict environment are confronted by poor technological resources, such as internet, electricity, equipment and other infrastructure. While these infrastructures are poor, their costs are very high, and they are important factors for effective action. Internal mobility is furthermore constrained by bad roads and highways, which entrenches the practice of marginalization and low level of participation for people living in rural parts. These constraints affect the way groups based in Monrovia and other provincial urban[90] capitals communicate and work with one another.

Conclusion and Recommendations

Liberia civil society operates in an environment that is more conducive than the political space ten years ago. No CSO's offices have been closed down; No CSO's actor is languishing in jail neither are any draconian laws made to curtail the freedom of association that civil society enjoys. In 2007, when the Liberian Government commenced drafting the CSO's/CSO's Policy, the Government attempted to sideline the participation of CSOs. The initial reading and tone of the draft policy was unappealing and so CSOs mounted a campaign to get a space at the table. Eventually, the Government backed off the path it was taking[91], and the document was henceforth, drafted 'word for word, letter for letter'[92] along with CSO's representatives.

Notwithstanding, the relatively free environment, there are laws in the Liberian statutes that oppose or threaten the principles of free speech[93]; the police use these

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85 *Institutional support refers to uunrestricted funds of which expenditure the Organisation can decide independently. As an example, if an invaluable training opportunity presents itself, the Organisation has to apply for separate funding in order to participate However, within the donor Organisation, the bureaucratic procedures might outlive the time or date of the training, or the time for submitting a proposal has passed. Without such funds, Organisations cannot act effectively outside projects, such as respond to spontaneous but important initiatives.*

86 *Most donor capacity building support is in the form of short trainings. The Liberian Civil Society Organisations meeting with Trust Africa in 2010 requested an expansion of these funds. In the future, there is a pressing need to set up systems and provide financial support exclusive of project funding, so that the Organisation grows and becomes potential to attract more resources from other institutions. Also considered as capacity support is the long term funding to overheads: rent, fuel, electricity and internet infrastructure.*

87 *Through the National Budget support is provided to the Federation of Liberia Youth; the Young Men Christian Association (YMCA), the Women NGO Secretariat of Liberia (WOCSOSOL), etc.*

88 *For instance, Master's degree holders and above, or people with years of experience.*

89 *Some expatriate work includes training exercises, some of which have been replicated several times, and there are local civil actors who have built expertise in doing similar trainings.*

90 *There are 15 counties, and each has a provincial capital. By local standards these capital are urban, but by international standards they are rural, not even compared to Monrovia.*

91 *The Government changed its representation: first it was represented by Assistant Minister James Kormon as head of delegation. This position was changed to Simeon Moribah, who worked with the UNDP before and understands CSOs' issues.*

92 *This was a phrase Minister Toga Gayeweah Mcintosh (then Minister of Planning and Economic Affairs, now Minister of Foreign Affairs) used in response to how he would allow CSO's to participate in the process. This is what truly took place. Drafting was done largely in the conference room of an NGO called NARDA, with the document projected on the screen. Every word or phrase was vetted and agreed to. Again, the GOL is revising the document, and representatives from different networks are on the committee. (great example! These views from the field are vital and of utmost importance)*

93 *The laws threatening free speech are: (1) Criminal Malevolence (2) Sedition (3) Libel against the President. Criminal Malevolence is to say anything negative against an official of government that is considered untrue (2) Sedition is to stir up dissent or hatred for the state such that indigenous people want to secede (3) Libel against the President is*

laws sparingly, especially when the use is politically motivated[94]. 'These laws target Civil Society Activists, Media and politicians' (Gongloe, 2011 - reference); when any of these laws are implemented, the case generates public condemnation.

The international community has helped Liberia enormously, but this has been a largely benign effort. More support is needed to promote a vibrant Civil Society and maintain a cogent accountability between the people and their elected representatives; for now this is the promise that a highly skilled Civil Society presents.

Civil Society requires and should be given more international support; this is not possible for political parties because they are restricted by laws from receiving support from non-Liberian sources. Nonetheless the opportunity for international funding, local Civil Society, especially those doing community services, and service delivery work should strive as much as possible to partner alongside Government to help Government achieve those task that it cannot achieve alone. This is highly unattainable for groups doing policy influencing because it is unthinkable that the Government would sponsor their work to facilitate its own criticism.

Liberian Civil Society has grown tremendously in size and in focus. It has won the approval of the people for the issues it represents and advocate. It has made in rows in terms of the influence and footholds it has in political administrations. But it needs to move further.

Civil Society must create a representative link of accountability between itself and the people it represents or claim to represent. People need more ownership and voice in the internal governance of civil society Organisations. This is a cardinal right that the population cannot exercise in political institutions because of the 'so say one so say all' phenomenon. A window of opportunity opens for Civil Society to fill in the gap and play a pivotal role in fostering citizen participation; and how CSO's and its actors use this window will determine the ultimate utility value that Civil Society brings to the democratic space.

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to say negative and untrue things about the presidency. These are aspects that can be handled civilly (what means "civilly"? Think of a better term), not criminally.

94 *Recently, in June 2010, the spokesman for the political party, Movement for Progressive Change was arrested and detained for a crime called Criminal Malevolence.*

MALI

From community development to socio-economic and democratic progress: contribution of Malian civil society to national progress.

Abdou Togola

Introduction

Many African countries experienced major changes during the 1990s triggered by what was known as the East Wind in the late 1980s. Mali was one of the first countries to experience these major changes with the fall of one party systems and the coming into being of multi- party governments in March 1991. The involvement of government and activities of political parties contributed largely to raising awareness, resulting in better organisation and significant strengthening of the various kinds of formal and informal groups, henceforth categorized as civil society organisations – CSOs.

Within this context, the term civil society must be understood in its broadest sense, as comprising all organised groups which have collectively and freely come together outside the framework of the state and public sector. The national validation and meeting synopsis workshop of Mali's civil society (October 2001, Bamako) adopted the following definition: *"Civil society comprises all institutions (associations, organizations, alliances, trade unions, etc.) which have a non-profit objective, are freely constituted, independent of policy and state administration, and whose aim is not to take over or exercise power".*

In Mali, civil society organisations have not been as active as they have been over the past two decades, participating in all sectors of activity in order to attain national development. It is therefore appropriate to take a retrospective look at the development of these organizations and, particularly, attempt to highlight their contribution to socio-economic development and to the strengthening of the culture of democracy in the country.

We will attempt an analysis of the contribution of CSOs to the following key sectors:

- The social sector (education and health)
- The economy
- Good governance and citizenship

This article does not purport to present a comprehensive overview of the activities of civil society in Mali, rather, it is intended to be a critical analysis of their achievements and shortcomings in some sectors. The aim of this article would be achieved if it is able to contribute to discussion on the strengths and weaknesses of CSOs, provide solutions to the identified constraints in order to extend the boundaries of development and good governance.

Brief Overview of CSOs in Mali

• The Origin and Growth of Civil Society in Mali

The origin of civil society in Mali dates back to the period where traditional societies existed. In fact, over the years, almost all ethnic groups had various social groupings

which served as an interface between the traditional authorities and the rest of the community. We can cite the example of the "tons" (or groups) and the early Bambara societies. They had their own rules governing their lives, though undocumented, and had a non-profit objective. Their objective was to bring harmony and well-being to society through mutual aid and education.

Under the First Republic, the growth of civil society was affected by the choice of a socialist regime after independence, characterised by a strong centralisation of power which made the State the key driver for development. For example almost all schools throughout the country had parent teacher associations, however, they were not involved in the management of the schools. Producer and consumer cooperatives were not independent and were compelled to implement state policies.

The Second Republic[95] broke away from socialist rule, slightly improving civil society's ability to express itself. Trade unions became more active in protecting the rights of their members. Village associations became more influential and played an increasingly active role in the management of the affairs of the village. Undoubtedly however, it was after the 1991 revolution that civil society became really dynamic, becoming actively involved in all sectors of work and exercising some level of control over government action.

Presently, there is no law regulating the activities of civil society in its entirety. The associations and other groups which make up civil society are regulated by law number 04-038 of August 2004 which repealed Ordinance No.41/P-CG of March 28, 1959 regulating associations. Each group has specific legislations regulating its working relationship with the state. NGOs for example have a framework agreement with the Ministry of Regional Administration and Local Communities through the Grassroots' Development Support Unit which defines their rights and responsibilities.

- ### • Has Civil Society Understood Its Role? What Image does it Project?

Civil society today has a better understanding of its role and is making efforts to play this role. Aware of their weaknesses as individual entities, civil society organisations are coming together under umbrella organisations to better protect their interests and strengthen their capacity to undertake interventions. Thus Community Health Associations (ASACO) have established FENASCOM (Federation of ASACOs in Mali), Parent Teacher Associations (PTAs) have established FENAPEM (Federation of PTAs in Mali). Recently created groups include National Council of Civil Societies (CNSC), Federation of NGO Coalitions (FECONG) etc.

With time, Mali's civil society has learnt to establish some level of credibility for itself due to its positive activities. As indicated above, it is involved in all areas of national life.

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95   This refers to the period from the November 1968 coup d'etat to the 1991 "revolution"

For example the contribution of NGOs to development efforts is estimated at about 80 million FCFA per year[96]. The CSCOM has, to a large extent, made the minimum level of healthcare accessible to people. NGO activities have led to an increase in the school going rate through support to parent teacher associations to enable them deepen their involvement in the management of the school and to ensure good quality education.

Civil society, working particularly through its National Council, NGOs and coalition of NGOs, is actively involved in the development of a Strategic Framework for Poverty Reduction which serves as a point of reference for development projects and programmes. Thus, the relevance of Djoumé Sylla's statement:

> "For the Malian government as well as Mali's development partners, the role of civil society in strengthening the democratic process and attaining economic and social development cannot be overemphasized. This option can be found in the constitution of Mali and in the various economic and social sector policy documents[97]"

Contribution of civil society to economic progress and democratic development

- ### • Contribution to social development

Civil society has undertaken numerous interventions in the area of health and has had various levels of success depending on the geographical area of the intervention and the prevailing local conditions. Mali already has a long history of Community Health Centres (CSCOM) which are managed by Community Health Associations (ASACO). The health sector policy completely integrates grassroots' community organisations since they constitute the first level for the implementation of the national health policy (the base of the "health pyramid"). There are today about 714 CSCOM[98] throughout the country. NGOs which are mainly clustered under the umbrella Group for health and population are equally very active in the area of health.

The above examples demonstrate the success civil society has chalked in the health sector[99]. In January 2002, the Ministry of Health, through the National Aids Control Programme, signed contracts with close to 130 national NGOs to implement the "One NGO, One Community" initiative within the framework of formulating a local response to HIV/AIDS. Following a study on female genital mutilation undertaken by

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96   This amount represents the cost of projects undertaken by the 400 NGOs recognized by government, according to the 2010 report of the Local Development Support Unit (CADB). CADB is a unit within the Ministry of Regional Administration and Local Communities (MATCL) which manages the relationship between government and NGOs.

97   D. Sylla : Etat des lieux de la société civile malienne, 2002.

98   L. Codjia, F. Jabot, H. Dubois : Evaluation du programme d'appui à la médicalisation des aires de santé rurales au Mali – Rapport intermédiaire, 2008, p.9.

99   Examples of success stories were obtained either from interviews with civil society leaders, reports on activities or from documentation published on the internet.

the Population Council and ASDAP, a local NGO, in collaboration with the family and community health division, the Ministry of Health in January 1999, circulated a letter banning this practice in social health facilities.

Civil society has also been active in the area of education. One good example of enthusiasm and collaboration among the various civil society organisations and the government can be found in the case outlined below which took place in the village of Sougoula, in the rural community of Ouélessebougou, about 75km south of Bamako.

In the year 2000, Sougoula and two other neighbouring villages made a request at the Regional Directorate of Education for the establishment of a second cycle[100]. Unable to grant the request of all the three villages, the Directorate requested the villages to construct and furnish nine (9) classrooms as a prerequisite for granting their request. Thus, Sougoula, which already had six (6) classrooms, mobilised to put up three (3) additional classrooms. The village benefitted from support from the African Institute for Management and Training (INAGEF) in collaboration with CLUSA, an American NGO. In the spirit of solidarity, the village [101]Ton (or association in the Bambara language) village association contributed a sum of FCFA 1,761,600 and instituted a contribution which yielded FCFA 1,223,500; natives of Sougoula living in Bamako contributed FCFA 690,000, while the youth of the village provided the manual labour. The PTA and the leaders of the association were responsible for ensuring that the administrative processes required by the Town Council were undertaken. At the end of the day, Sougoula succeeded in constructing and furnishing the classrooms with additional support of 20 desks from the Directorate. Lessons started on the 16th of October 2000.

- ## Contribution to economic development

Civil society's interventions in the economic sector are mainly focused on income-generating activities, savings/credit accounts, as well as the establishment of businesses and provision of support/business advisory services. In addition to NGOs, the key organisations are the Chamber of Commerce and Industry, the Permanent Assembly of Chambers of Trade in Mali (APCAM) the Malian National Retailer's Trade Union (SYNACODEM). The economic sector provides partnership opportunities between the government (particularly at the local level) and civil society for the provision of some services such as tax recovery and health services. In 2002, Research Triangle Institute (RTI) in partnership with the African Institute for Management and Training (INAGEF) and the Ministry of Regional Administration and Local Communities (MATCL) organised a series of training in financial management for the locally elected representatives and leaders of civil society in the following regions: Koulikoro, Sikasso, Ségou and Mopti. During a training session at Koulikoro, a participant, Madam Aminata Konaté made

insulting remarks at the locally elected representatives who were working on the common budget. She complained about the fact that all requests for support made by her association which provides support to underprivileged children had been denied. She was also an influential member of an association of sand winners at Koulikoro. Based on her poor understanding of the role of the town council, she was inciting the other sand winners against the payment of municipal tax. After the training, Madam Konaté apologised publicly to all the locally elected representatives and other actors. She promised to convince her colleagues to pay their taxes and to sensitize all the other actors to regularly pay their taxes. Several months after the training, a study undertaken by INAGEF revealed that Madam Konaté had kept her promise.

FENASCOM has just gone into partnership with the Ministry of Employment and Professional Training through the Agency for the Promotion of Youth Employment (APEJ). The reasoning behind this initiative, according to the two parties is the fact that on one hand, the CSCOM lacks qualified personnel, particularly qualified personnel in the rural areas, and on the other hand, the Ministry receives graduates from the university and professional health institutions looking for jobs.

- ## Contribution to Good Governance and Democracy

The activities of civil society in this sector mainly focus on rights protection (human rights, the rights of women and consumers) citizen monitoring and/or control, training/sensitization. We can cite the following cases as examples:

The first PSRP[102] prepared by government and adopted in 2001 was contested by the CSOs. Government was obliged to revise it and upon completion of the review, it was noted that the document prepared by the CSOs under the title "Democratic Governance" was almost fully adopted in the final version of the PSRP.

The CNSC put in place a follow-up group which was responsible for monitoring the execution of the budget in the municipalities, circles and regions. Also within the framework of community outreach, an exceptional phenomenon took place in the form of the emergence of local radio stations in Mali in the early 1990s. According to URTEL, (Union of Independent Radio and Television Stations), there are 168 community radio stations of all types, independent of state radio. These radio stations have a significant impact in terms of providing information to/sensitizing the masses.

Community radio stations represent an effective tool for information dissemination. The following is a good case in point.

With support from USAID, the Diafarabé village, located in the central delta of the

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100 In Mali's educational system there are two levels of basic education, namely the first cycle (from the 1st year to the 6th year) and the second cycle (from the 7th year to the 9th year).

101 A word in Bamanan, the national language, which can be translated as « Group »

102 From 2012, the concept of PRSP or Strategic Framework to Fight against Poverty, has been replaced by CSCRP or Strategic Framework for Growth and Poverty Reduction. This new concept focuses on economic growth as a necessary means to fight against poverty.

river Niger, about 500km from Bamako, set up a radio station. Soon after completion of installation works, the village experienced torrential rains which lasted an entire day. At about 10pm, the old dam which protects the village from floods gave way. Two youth who witnessed this, notified the mayor and rushed to the radio station which made an emergency call and remained open until everybody was assembled and the inhabitants and their belongings were out of danger. The following day, having heard the emergency call on radio during the night, inhabitants of surrounding villages went in their numbers to Diafarabé to help reconstruct the dam.

Today, Mali enjoys some level of political stability and has succeeded in establishing a supposed consensus driven democracy. Civil society has contributed considerably to the success of Mali's democracy through various activities which include the following:

• In 1994, as part of efforts to attain national reconciliation following the Touareg revolution in the north of Mali, the government made an appeal to civil society to help consolidate peace through a consensus- based approach. It is based on this that civil society actively participated in the organisation and facilitation of regional meetings in every region, to encourage public debate on the country's future prospects. In all, seventeen regional meetings were organised, capped by a national synopsis and restoration summit held at Bamako. These meetings resulted in what was known as the "Flame of Peace" in Tombouctou in 1996, a ceremony during which rebels surrendered their weapons to be burnt.

• As part of the development of the Strategic Framework for Growth and Poverty Reduction (GPRS3) for the 2012 – 2016 period, government entrusted civil society with the task of developing a national peace and security policy.

• Civil society is involved in the follow-up of the implementation of GPRS through a citizen monitoring mechanism. This mechanism is used at the community, local, regional and national levels within the context of meetings organised by civil society (community, local, regional and national contexts).

• The National Council of Civil Societies (CNSC) put in place a follow-up group to monitor the execution of the budget at the community, sub prefecture, prefecture and regional levels. These groups collaborate with the oversight committees of the Advocacy and Lobbying Networks (RPL) in the three regions of Mali (Sikasso, Mopti and Gao) of the district of Bamako.

The resurgence of the touareg uprising in the north with unprecedented intensity from 2011 considerably destabilized the whole country, making it possible for various jihadist groups and drug traffickers to flourish. This instability reached its climax with the military coup d'état in March 2012. The rebels, who felt they were in a position of power, took advantage of the situation to openly voice out the expectations they had secretly nurtured until then, which is the independence of the northern regions of Mali which they call Azawad. This break up, announced from the Republic of Mali, seemed to have been rightly avoided as a result of a peace and reconciliation agreement which was birthed out of lengthy peace talks held in Algiers and signed in Bamako on the 15th of May by the Government and on the 20th of June by the rebels. In spite of this agreement, the country encountered a cycle of violence which was witnessed in every region. Faced by this unprecedented situation, civil society tried to add its efforts to that of government in order to restore real and sustainable peace as well as ensure national reconciliation. In fact, in a document titled «Civil society's joint voice »[103] civil society committed to « ensure compliance at all costs with the obligations which emanated from the Algiers peace talks and also organize a citizen's watchdog to keep an eye on public governance ». This move is part of recommendations of the round table talks on decentralization (held from 21st to 23rd October 2013) which advocates for greater regionalization while respecting the territorial integrity of the country, as a solution to the crisis. Civil society went further to propose a « decentralization which gives communities within the districts the opportunity and means to drive and direct local and regional development while ensuring respect for human rights and the needed coherence in national development ».

Analysis and Recommendations

In spite of the progress made, it is worth noting that there are still numerous challenges and that Mali's civil society can and must do better. The challenges include the following, among others:

• Weak capacity in view of the magnitude of the role they must play. For example, when government entrusts civil society with a task as important as developing a national policy on peace and security, the proper thing to do is to ensure that there are adequate resources to undertake this task. On the other hand, civil society must show that it is up to the task by ensuring that it has the required capacity to undertake it.

• The issue of viability and sustainability of organisations which is linked to insufficient local resources, thus the near total dependence on external funding.

• The risk of political exploitation and manoeuvring, given that some actors may consider the involvement of civil society as a new phenomenon.

• The tendency of civil society leaders to want to « play the game » of public officials (by opportunism) to the detriment of the people's interest.

Recommendations:

• Civil society must pay particular attention to strengthening its capacity by encouraging alliances and groups within coalitions and other umbrella organisations. CSOs must above all, also ensure that they themselves espouse

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103 Coordination, CSO Forum: Collective of civil society in Mali - Common Voice of civil society, in August 2014

democratic governance- hold statutory meetings, change the leadership, have regular internal control.

- Being aware of the complementary roles they play, government and civil society must come up with ways of ensuring the viability of CSOs. Areas for consideration could include strengthening partnerships and/or subcontracting some relevant state services. Besides, considering the current trend where donors prefer to provide direct budgetary support to the government, the latter could encourage donors to financially support the activities of civil society.

- Civil society must constantly be conscious of their role as the people's advocate and avoid being manipulated by politicians.

Conclusion

Mali's civil society has made great strides over the past two decades. Whether in the area of economic and social development or in the promotion of democracy and good governance, its activities have had very significant impact. It is however necessary to maintain and improve on the gains made. The task ahead is huge because in order to guarantee a good future and the best living conditions for all Malians, it is necessary to ensure that majority of the people receive at least minimum education and sensitization. The fact that the state has the will is irrelevant; it will not be able to rise to this challenge alone, neither can civil society alone notwithstanding its enthusiasm and strong commitment.

Civil society will gain more by being more 'aggressive', enterprising, committed in its lobbying, in order to have more influence on existing legislation and go to the extent of proposing new legislation which could better improve the atmosphere and the framework of its interventions. Given the fact that the government and people have recognised its role, civil society must demonstrate more creativity to ensure the sustainability and viability of its constituent organisations.

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Persons Interviewed

- Mr. Michel Diawara: Director, Center for the Promotion of Citizenship for a Sustainable Grassroot Development (CEPROCIDE)

- Mr. Oumar Dembélé: National Coordinator, Network for Advocacy and Lobbying (RPL)

- Mr Makono Diarra: Head, African Institute for Management and Training (INAGEF)

- Mr Yaya Mariko: Consultant, Société d'ingénierie, d'études et de contrôle

- Mr Mohamed Aliou Diallo : Expert in Financial Management, African Development Bank, National Office, Mali;

NIGER

Civil society in the face of socio-political changes in Niger : role and opportunities

By MahamanTidjani Alou

Introduction

Niger is a country which has a relatively active and visible civil society however, this status was not easily achieved. It is the result of a slow process which became entrenched with time owing to the events which marked the socio-economic life of the country.

Although Niger's civil society was actually founded during the 90's in the wake of the country's democratisation, its origins date back to an earlier period. In fact, organisations of various inclinations were in existence since the early 60's when Niger attained independence. In those days, they were known as associations, a more 'appropriate' title for the period towards the end of colonial rule, which marked the beginning of the initial organisational structure of civil society. It is important to emphasize the establishment of the Union of Nigerien Schools (USN) in 1960. This organisation established itself as a strong critic of the new government. Since that period, it has maintained its reputation as a critic of government policies, particularly educational policies.

Apart from this school based organisation, the existing associations focused on recreational and/or professional activities. They could not in any way be compared to the civil society organisations we have today. Civil society organisations make their presence felt in the various sectors of political, economic and social life. They established their roots particularly during the national sovereign conference of Niger in the 1990's and have since undertaken a lot of activities, strengthened by a favourable national legal framework and by the unique position it occupies with technical and financial partners who have made them an integral part of their programme of action.

Given this background to Niger's civil society, it is necessary to examine them through a presentation and classification of the various groups of actors and the relationship they have with others in the sector. Then we will examine factors that have led to their growth and their involvement in the political, social and economic life of the country. Finally, to conclude the discussion on these developments, we will make some recommendations aimed at strengthening civil society.

• Some specific patterns of civil society in Niger

Civil society is a constant feature in political discussion. It emerged with the growth of the democratic process. In Niger, it has become a strong symbol of democracy. In fact trade unions, (student associations and labour unions) have played a key role in its emergence. Subsequently, during specific periods in history, various associations and trade unions have distinguished themselves in the public domain through the militant activities of their members, advocating for democracy or even fighting for dear life (Tidjani Alou 2006). Such events have largely led to the visibility of civil society by making it an integral part of the public life of Niger.

Niger's civil society can be compared to a group of heterogeneous organisations with various objectives (Abarchi and Tidjani 2006; Buter and Sani 2003; Floridi and Tata 2005) which have been brought together under this title coined by Hegel and Gramsci, key propagators of civil society. In African countries in general and Niger in particular, the notion of civil society has gained popularity in view of the observed phenomenal growth in the number of associations.

In spite of the above, Niger's civil society is considered indecisive. The leadership has often been criticised for malfeasance or even running after per diem. This tendency has resulted in a negative reputation for civil society which many compare to an organisation which works not for the general interest but to fulfil the sole interests of its leadership. This is however, only one aspect of civil society, it is also considered in public life as a place for disillusioned militants, working towards a collective objective and also to promote the general interest. It is true that this reputation is based on the fact that some organisations which hold themselves out as custodians of democracy, engage in business related activities in the name of civil society.

In order to outline the key characteristics of civil society in Niger, six major traits have been identified (1) proliferation (2) attaining professionalism (3) forming groups (4) activities undertaken in the political arena (5) personalization (6) gaining a foothold in the urban areas.

• Proliferation

For close to about 20 years, the number of civil society organisations has grown as well as the variety of sectors they operate in . (Yaya 2011: 9-10). Today they are in the hundreds in a country where not too long ago, activities of informal associations were suspect. The boost in the activities of associations is a reality in Niger. The Ministry of the Interior and the Ministry for Community Development which have oversight of civil society organisations are hardly able to determine their exact number, neither are they able to determine which organisations are really active and operate according to the laid down regulations. In a recent report (Yaya 2011:15) prepared on behalf of the European Union, it was noted that in 2008, there were between 871 and 1085 civil societies, according to sources. This uncertainty still remains today. This shows that many civil society organisations are still operating as informal organisations or have become informal, resulting in an indomitable civil society.

• Attaining professionalism

Niger's civil society has a genuine objective to become professional and seeks to promote its activities in areas in which it has competencies. An important part of their activities is to source for funding in a context where activists and members do not always pay their dues. This desire to be professional makes them dependent on their donors and weakens their ability to operate autonomously with respect to their freedom and

capacity to undertake interventions. They become more like operators, busy executing their contracts rather than playing their original roles of independent and committed activists.(Tidjani Alou 2012)

On the other hand, the ability to be professional translates into a deeper involvement of these associations and NGOs in providing employment in a country plagued by endemic unemployment of young graduates. Thus, they play a role in building a very dynamic sector which contributes in its own way to economic growth and compensates for the inability of the State to recruit the ever growing number of young graduates.

• Forming groups

It is important to note that the current trend for civil society is to rally together in large associations around specific thematic areas. These associations emerged during the 2000s. Initially, the trade unions were the ones grouping themselves in large power bases. While the trade unions experienced a proliferation of power bases, associations rather came together to strengthen their capacity to take action and reduce their fragmentation. The following are examples of this phenomenon: Coalition of Associations of Livestock Farmers of Niger (CAPAN), National Platform (PFP), Coalition of Human Rights and Democratic Organisations (CODDHD), Network of Development Based NGOs and Human Rights and Democratic Associations (RODADDHD), Network of Educational Sector Organisations in Niger (ROSEN), Network of Organisations for Budgetary Transparency (ROTAB), Coalition of NGOs and Women Associations (CONGAFEN) etc. (Yaya 2011: 58-59). Such proliferation worsens the lack of transparency among associations.

• Interventions in the Area of Politics

It is important to note that in Niger, civil society organisations are identified by their consistent intervention in the area of politics. This trend is in line with the role they have played in entrenching the democratic process. They were at the forefront of various unrests that took place towards the end of the authoritarian regime which was in place since the early 60's. Their activities in the area of politics is therefore significant due to various positions they took on major issues which have marked Niger's political life.

In this regard, we can cite the example of the role they played in 2005, through the 'Fairness/Equality Coalition against the High Cost of Living', a coalition of workers' unions and civil society organizations (Tidjani Alou 2006). Through this coalition, they demonstrated against some aspects of the budget which increased VAT on essential commodities. Their actions led to the mobilisation of masses of people in Niger's big towns (towns, countries which are no longer inhabited) and obliged the government rescind its decision although it was endorsed by the international financial institutions.

This trend of interventions in the area of politics was also observed during the 2009

political crisis which was a result of President Tandja's desire to extend his tenure. This crisis showcased the deep political rifts within Niger's civil society with some organisations in favour of the extended tenure of the President of the Republic in spite of the decision of the constitutional court and others against the prolonged tenure.

It is interesting to note that many actors in civil society who were against the extension were appointed to prominent positions in the transition government put in place after the February 18, 2010 coup.

- ### Personalization

It is important to note that these civil society organisations tend to become personalized due to the fact that they identify with their leader. The leadership hardly rotates, the associations maintain the same leaders for long periods. At the end of the day, this trend calls into question the enthusiasm which characterises these organisations and can result in a weak democratic base of these organisations.

- ### Urban Associations

It is important to note that nigerien civil society organisations are concentrated in the urban areas. The very prominent among them have very little presence in the rural areas where there are mainly women's groups and farmer associations established by development projects.

II- Factors which promote the involvement of civil society

Various factors have facilitated the growth of civil society. These include the democratization of the political system, the favourable legal framework in place and the posture of funding organisations which have made civil societies their development partners.

- ### Democratization of the political system

This is probably the most important factor. Democratization has opened up the sector by creating the conditions favourable for associations to thrive. We are witnesses to the exercise of public freedom enshrined in the laws of the republic. Although legislations relating to associations were adopted in 1984 under the emergency rule, the regimes which derived from the national conference quickly liberalised this legal framework with a view to adapting them to suit the new political realities of the country. Since then, the number of associations has grown, covering almost all sectors of political, economic and social life. Today, these organisations exist and are identified alongside political parties. They have become key actors in the socio political life of the country.

- ### A favourable legal framework

Democratisation has not only facilitated the development of civil society in Niger, it has also provided the right context for the adoption of legislations which promote the involvement of civil society in the public domain. Truly, it will be difficult to take note of all the legislations which relate to public involvement in Niger. It is possible however, to identify some legislations in which citizenship participation is clearly defined as a key condition for the exercise of people's rights, as a condition for consolidating democracy, the rule of law and human rights and an essential pillar of good governance. The constitution is the normative legislative framework however, other legislations also provide substantial clarity. These relate to General Civil Service Regulations, the electoral code, the Charter on access to public information and administrative documents, rules governing press freedom, General Local Authorities Code, the rural and environmental code.

Various international laws ratified by Niger can also be cited such as the African Charter on Human and Peoples' Rights(African charter/ CADHP), International Treaty on Civil and Political Rights (PIDCP), International Treaty on Economic, Social and Cultural Rights (PIDESC), Convention on the elimination of all forms of discrimination against women (CEDEF). We can also add the United Nations declaration on the right to development and the Vienna declaration and programme of action.

- ### Repositioning of Donor Organisations

During the past few years, there has been tremendous change in activities related to cooperation for development purposes. Civil societies are now involved in partnering with such organisations and this new phenomenon can be observed in Niger as well. The successive coup d'etats and the weak economic performance of the state have facilitated the repositioning of some donor organisations towards civil society which now use their response mechanisms. Thus, many civil society organisations have taken the opportunity to consolidate themselves in the development sector. An NGO such as Karkara has become a key actor in the rural sector due to the numerous projects it has implemented. ANDDH holds a similar position in the human rights sector.

This change in international cooperation has undoubtedly promoted the development of civil society organisations which now have a lot of opportunity to undertake activities within their sector of intervention, competing with the state services which have lost their monopoly. In this regard, we can cite the example of the European Union which has systematically provided support to civil society since the Cotonou convention. In Niger, this support has been provided through the Niger Civil Society Support Programme (PASOC) which is beginning a second phase. Other donor organisations such as the UNDP have in place intervention programmes which provide various forms of support to such organisations (capacity development, ordering of various services)

III- Perspectives

We can envisage various perspectives, though not exhaustive, which can serve as guidelines for action.

- ### Capacity Strengthening

This probably relates to very well known activities which need to be undertaken to enable Niger's civil society organisations strengthen their competence and the effectiveness of their interventions at both the operational and institutional level. Indeed a lot of effort has been made at these levels however, they are inadequate vis a vis the challenges civil societies face.

- ### Autonomy

This issue raises questions about the civic commitment of these organisations due to their level of involvement in the execution of development projects. Though desirable, this involvement leads to the mobilisation of the most energetic activists and normally makes them focus their activities rather on executing development projects. (Tidjani Alou 2012). Besides CSOs must work towards developing, within their ranks, ethics which promote good governance and place value on selflessness, while reducing the much criticised tendency to use their organisations for personal gain. Efforts to instill ethics into the sector are evident in some countries where there is a strong will to develop a civil society charter. In Niger, these efforts hardly yielded much due to divergent opinions expressed by these organisations and their fear of being exploited and made dependent on the state.

- ### Widening the scope of intervention of actors in civil society

In view of the urban nature of these organisations, there is the need for civil society to reorient their activities towards the rural areas where there are many issues and where it is more difficult to promote change.

Conclusion

Over the past few years, Niger has recorded a significant growth in associations. Far from simply being a new phenomenon, this marks an important transformation in the socio political and economic life of the country. Obviously civil society is constantly growing and has its strengths and weaknesses, with time however, it has gained some level of legitimacy and undeniable social basis which makes it an important and ubiquitous player. In fact it can promote the emergence of sustainable social movements which will provide the people of Niger with an intervention framework capable of improving their participation at all levels. Consequently, its dynamics deserve to be better fashioned.

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The Role of Civil Society in Nigerian National Development

Oka Obono

Introduction

Modern civil society organisations (CSOs) in Nigeria emerged from social, economic, political, and human rights contestations that had impacts on national development during the colonial period and the years of democratic struggle. In the latter phase, the contributions of CSOs were shaped by the rise of of military dictatorships while, in the former, by an urge to terminate British rule. In this sense, Nigerian civil society is the most significant factor for generating political change both prior to, and after, independence in 1960. The activities and concerns of modern CSOs are, therefore, an elaboration, continuation and adaptation of ideals that were developed within this historical context. While their engagements respond to alternations in the overbearing power and weakness of the state, modern CSOs draw on the impulses and strategies of the nationalist mass movements that preceded them. This partly explains the ardent activism that has sometimes come to characterise them.

In this paper, the examination is made on the nature, evolution and progress of civil society in the Nigerian social and political context; its rise to intellectual significance and institutional prominence within that context; public images and perceptions of its role in national development; its major challenges and accomplishments and; ultimately, its continued relevance to a country plagued by factional politics, endemic regional rivalries, and levels of insecurity and developmental stasis that continually threaten its aspirations of evolving a prosperous and inclusive democracy.

Origins and Progress of Civil Society in Nigeria

Nigerian civil society was at the forefront of rural and urban protests against foreign rule and the colonial state. In the background to nationalist struggle, leadership in civil society was not provided by educated elite as it is in the current setting. Instead, it emerged from the loose and non-formal coalitions and networks of indigenous communities. In the Egba Uprising of 1918, for instance, more than 30,000 Egbas were mobilised by their warlords to protest the imposition of direct taxation and British Forced Labour Policy. This uprising was an attempt to "regain the autonomy lost in 1914[104] and restore the traditional checks on the autocracy of the [British-backed] *alake"* (Roberts *et al.*, 1984: 429). More than 1,000 of the protesters were killed by British forces but, like the Iva Valley Shooting at the Enugu colliery, which took place three decades later in 1949 and claimed the lives of 22 miners, this massacre served to mobilise public outrage and support for the nationalist struggle once it had started.

Taxation was a bone of contention between the colonial state and civil society, the *casus belli* of frequent demonstrations and other expressions of mistrust and antagonism in the colonial state. it is a typical source of tension in many colonial states and the Boston

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[104] *The year 1914 was a watershed in Nigerian history because of the amalgamation of the Southern and Northern Protectorates by the British authorities, which transformed Nigeria into a single political entity.*

Tea Party of December 16, 1773 is a case in point in US history. This was a demonstration organised by American colonists to destroy a shipload of tea sent by the East India Company, in defiance of the Tea Act of May 10, 1773 passed by the British Parliament. The protest became an iconic turning point in American history and is still referred to in the so-called Tea Party movement in contemporary American politics.

As early as 1895, a proposal to institute a House and Land Tax met with stiff resistance in Lagos, Nigeria. In 1908, the Land Acquisition Ordinance and introduction of a water rate were strongly opposed by (Coleman, 1958). This opposition was not co-ordinated by formal organisational leadership as such but by the will of the people. Indeed, nowhere was this anti-tax opposition more sustained, spontaneous, inclusive and territorially extensive than in the Women's Riots[105] of 1929 (Mba, 1982).

Along with other crucial events, these were the precursors of formal nationalist struggle, which coalesced in the General Strike of 1945 led by Michael Imoudu of the Railway Workers' Union. Four years earlier, Imoudu had led 3,000 unionists on a five-kilometre march to the Government House to demand better conditions. He was detained under the Nigerian General Defence Regulation of 1941 but released in time to co-ordinate the 1945 historic strike.

It is against this background that the oppositional character of modern Nigerian civil society is to be understood. It was forged early in the nationalist era and tempered later by military dictatorship. Modern civil society in Nigeria is thus the beneficiary of both an elite leadership presumption that was inevitable during the independence campaign and a radical left-leaning orientation and rhetoric that are its enduring legacies. With this presumption, it is easy to understand why control of civil society typically resides in an activist class in urban centres and intellectuals who overlook the fundamental discrepancies between them as a class and the underserved poor who are their presumptive constituency. In the process, the historical capacity of marginalised groups to organise themselves fails to find expression. Instead, in a form of ahistorical amnesia that is a severe indictment of the sector, that ability is only acknowledged theoretically by modern CSOs but hardly every in real practice. It is eroded and left undeveloped at precisely that point when it should be enhanced as part of the commitment to increase inclusiveness and participation in civil society.

The Public Image of Civil Society

The proliferation of CSOs in Nigeria has affected public perception of their competence and commitment. Although service and sacrifice are cardinal values for civil society practitioners, recent developments seem to indicate that, for many actors, life in the

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105 *The typology of these protests in the literature raises questions in feminist epistemology. The qualification of the protests as a 'women's' riot, for instance, results from dismissive tendencies of patriarchal scholarship, which draws attention to the presumed novelty of the dramatis personae rather than the unfair tax regime that was the focus of their protests. By typecasting these protests as 'riots', the epistemology suggests collusion between official historiography and a reductionist imperialist perspective of the events.*

non-governmental organisations (NGOs) is just another job. This perception is promoted by the tremendous growth of the community. In consequence, public perception of civil society can be distinguished by the respect it reserves for the historical accomplishments of civil society with regard to political transition, on the one hand, and the gratitude it accords specific organisations engaging with specific communities, on the other. Owing to the infiltration of charlatans, public perception is changing and influenced by several factors.

1. Perceived lack of co-operation and co-ordination among CSOs, demonstrated by their unwillingness to share resources. This duplicates functions, delays project execution and leads to overall loss of quality.

2. The perceived absence of structures promoting permanent relationships between CSOs and beneficiary communities. This creates a project mentality on both sides that does not foster commitment or sustainable development.

3. The use of the generic term "civil society" to describe organisations of diverse ideological persuasions, methods and ethical commitments, with no strong sense of cohesion within that community. This instils doubts about the authenticity of their independent claims.

4. The absence of publicised sanctions for civil society operatives. This encourages public perception that the environment is one that protects impunity and lack of accountability.

5. The notion that there is limited job security and high staff turnover. This translates into loss of public confidence in programmes that CSOs insist should be sustained.

6. The suspicion that many CSOs are not run in accordance with objective management principles but are instead run by a "one-person shows" or "family affairs" approach. This reduces the moral and material investment that their publics can make and adds to the contradictions of ownership.

7. The absence of strong monitoring and evaluation mechanisms or peer review/compliance system in the coalition of CSOs. This reduces perceptions of accountability among CSOs.

It is important to create feedback systems that capture popular opinion as part of real-time performance tracking. Without cohesion, social appreciation will be restricted to CSOs that make meaningful impacts in the lives of people but not for all CSOs as a generic unit.

Understanding Civil Society in the Nigerian Context

A straightforward definition of civil society is not always given in many writings, including *Between State and Civil Society in Africa* (Osaghae, 1994), and *For a Restructured Civil Society, a Responsible Bourgeoisie and Conscientious Professionals in Politics* (Ngaidé, 2009). Hence the questions:

What is civil society? Does it exist, or is it emerging? Is it confined to the "modern sphere", whose organisations are predicated on a differentiation between the political and the social, and the social and the economic? Or does it include the "traditional" sphere where the organisation of life proceeds on the basis of diffusion, and not a differentiation, between the economic, the social and the political? Is the problem solved by making a distinction between "modern civil society" and "traditional civil society"...? Or is it thereby simply shelved? On the other hand, does not the notion of a 'civil society' as a modern construct lead at best to a one-eyed vision of social and political processes? (Mamdani, 1995:3)

As active non-state actors, CSOs are a self-generating, self-supporting, self-perpetuating and self-regulating community of change agents who voluntarily organise political, economic, or cultural activities, independent of the state and, in some instances, beyond the market. Broadly speaking, they include private business enterprises, labour unions, trade unions, professional associations, religious bodies, student organisations, non-governmental organisations (NGOs), hometown associations (HTAs) and community cultural associations.

In building a cohesive civil society in Nigeria, the extant model must be reworked to delink the activity of civil society from the exclusive preserve of West-leaning CSOs and leverage advantages available to these organisations as well as *other* local associations. Without such primary or internal synthesis, a perspective that shows the origination of the oppositional character of civil society in colonial experience cannot be achieved. In Nigeria, therefore, civil society can be viewed as a sphere of acquired and ascribed social statuses, relationships and institutions promoting societal stability and individual/ group wellbeing but that are distinct from the market and institutions of the state. Civil society organisations are *a part, but not all, of that sphere*. As a sphere, the concept of "civil society" is, by its nature, inclusive.

Modern CSOs share space with other organisational and *non-organisational* forms of civil engagement in all their loose, stable-and-not-so-stable, sporadic and ad hoc forms. In this respect, what is sometimes referred to as "the modern sector" sets the functions of consanguineous family networks aside. Yet, in the rural areas, this extended family system is the aboriginal civil society and forerunner of all subsequent agencies or secondary institutions. It is distinguished by the unity of its functions around an embracive concept of development. Its operations buttress the Hegelian point that civil society is "the sphere of relations between the family and the state, a place where mutual needs are met and contractual terms defined" (LeVan, 2011:138); hence the characterisation of the extended family *system* as the amalgam and predictor of future functions and the institutional processes of industrial society (Isiugo-Abanihe and Obono, 1999). This "range of relationships" include "Official mobilisation programmes, powerful traditional authority figures, large informal economies, and corporatist arrangements" (LeVan, 2011:136).

One can add to this list the persistence of elaborate networks of consanguineous and kin and pseudo-kin relationships. The result of the conceptual dichotomy and political usurpation of the term "civil society" is that Nigerian HTAs, which contribute to local development but not to neoliberal democratisation as such, are routinely excluded from its application. According to LeVan, because "they appear to have little in common with labour unions, human rights groups, or front organisations, democratisation studies usually neglect an important sector of civil society common in Africa" (p. 146).

This situation can be redressed by instituting programmes of integration, co-ordination and conscientisation that will "resist divisions" in civil society (Djinnit, 2011).[106] Such programmes should acknowledge that the "division in civil society" appears at two broad levels: (1) absence of cohesion within the bloc of modern CSOs and (2) polarisation between that bloc and their more indigenous but less sophisticated and under-funded counterparts. The combined effect of this plural polarisation, or double dichotomy, is that it hinders effective civil society participation in advancing economic and cultural development.

Success and its Consequences

The formation of the Civil Liberties Organisation (CLO) by Olisa Agbakoba, Clement Nwankwo and other lawyers and journalists, in October 1987, was a momentous point in the history of Nigerian civil society. It marked the beginning of the country's robust human rights movement (Shettima and Chukwuma, 2002). Its immediate purpose was to challenge the human rights record of the military junta. Amnesty International reported that, from June 1993 – a full year after the provocative annulment of presidential elections – to 1994, over 200 pro-democracy protesters were killed by Nigerian security forces. On 10 November 1995, playwright and environmental rights activist Kenule Saro-Wiwa and eight others were hanged for protesting against the activities of multinational oil firms in the Niger Delta. Indeed, the sight of a bloodied Olisa Agbakoba who was taken away by security forces was one of the iconic media images of those times and the end of this dark phase of Nigerian history can legitimately be regarded as an outcome of these struggles.

Other groups like Campaign for Democracy (CD) and the National Democratic Coalition (NADECO) were founded to press for democracy and good governance following the annulment of the June 12, 1992 presidential election by General Ibrahim Babangida. Through numerous affiliate organizations, CD mobilised Nigerians to make the nation ungovernable and force the military out of power. Massive protests rocked the country. It was the first time since the end of the civil war that civil society took action to challenge state authority in this manner (Ihonvbere and Shaw, 1998). The country's present democracy is the direct outcome of these efforts. More than 20 years after the

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106 *Extracted from extempore remarks by Mr. Said Djinnit, United Nations Special Representative of the Secretary General (UNSRSG) for West Africa and Head of the UN Office for West Africa (UNOWA), 17 October 2011, Dakar, Senegal.*

event, "June 12" is observed by CSOs through seminars, symposia or symbolic marches as a significant date in the birth of the country's democracy. In the southwest, it is sometimes regarded as a *de facto* public holiday, partly in concession to the influence of Nigerian civil society on state processes.

From 1999, when civil rule returned to Nigeria, CSOs relapsed into their traditional role of engaging the state and building citizenship consciousness on varied issues. This led to the growth in number of civil society groups, mainly in the health field where HIV/AIDS and other reproductive health matters had captured donor attention.

Contradictions set in from that point. The donor orientation of the new movement was in large responsible for its drive. The scrimmage for funding bred mutual suspicion. Cohesion was impossible. Internal rivalries replaced the unity of purpose that ousted the military regime. Sectarian differences overshadowed universal commitments. Owing to their role in ending military rule, some civil society activists retained a worldview that was permanently suspicious of the state. While their actions ushered in an era of hard-won democratic transition, the process was not accompanied by effective transitions in their own engagement philosophy. The Joint Action Committee of Nigeria (JACON) which was led by Chief Gani Fawehinmi fell within this group. Its partial metamorphosis into the National Conscience Party was an attempt to place the opposition in power and not an indication of tergiversation among its leaders. As a trend, this was a dialectical continuation of the same struggle but it would appear that its delicate dialectical nuance was lost on some of its latter-day inheritors, who now went into politics for the self-aggrandizement it brought rather than the state platforms it could have provided for serving the people.

Other actors acknowledged the imperfections of the state but believed that sufficient goodwill had been shown by government since Abdulsalam Abubakar's adminsitration midwifed the transition that brought Olusegun Obasanjo to power in 1999. The Transition Monitoring Group (TMG), at the time led by Clement Nwankwo, fell within this second category (Shettima and Chukwuma, 2002). Indeed, at inception, Obasanjo's administration established an Office for the Special Adviser on Civil Society, in a bid to strengthen linkages and build trust between government and civil society groups. His role as host of the African Leadership Forum and his historic imprisonment for his critical stance against the military regime gave credibility to this relationship. But the partnership was short-lived. The necessary regulatory framework for stabilizing the relationship was missing. It was a speculative relationship at best. The incumbent's bid for an unconstitutional third term in office precipitated a crisis that unravelled that relationship.

The collaboration fell apart. Despite continuous engagement by civil society groups since the Obasanjo administration, few organisations have been able to influence national policy to the degree achieved in Ghana, Kenya, or South Africa (USAID, 2004) or

alter the character of the state (Okafor, 2006). Trade unions are the only group to have consistently done this with regard to minimum wage for workers and the protection of oil subsidy. They were joined in the latter function (protection of oil subsidy) by youth movements and social media platforms, which mobilized mass protests and shut down the country for nearly two weeks in January 2012.

As a result of their exclusion from governance, civil society groups formed alliances with opposition political parties. This bonding expanded the space for participation but it could prove ominous in the long term. With the landslide victory of the All Progressive Congress (APC) over the People's Democratic Party (PDP) in the general election of 2015, there are signals that the autonomy of CSOs as a self-conscious community with an agenda and modus operandi quite distinct from the state and market might have been compromised. The APC was originally a broad coalition of opposition parties. It attracted many seasoned rights activists to its fold. In securing victory at the polls, it presents a unique opportunity for the study of civil society transformation in Nigerian society. The Muhammadu Buhari administration has become an interesting case study of how Africa's largest democracy would mould three mutually contradictory elements into a functional political philosophy, i.e. (1) the albatross of Buhair's former incarnation as a military dictator, (2) the persistence of an elite capture of the state and its corrupt/dysfunctional bureaucracy, and (3) the tensions produced by the presence of so many rights activists and former members of the overthrown party.

The political disentanglement of this *ménage a trois* will not be easy. Some civil society actors have adopted realignment with the state as a conscious strategic choice. However, it is important for the sector they represent (or have left behind) to improve their own internal cohesion and build coalitions among themselves. Nigerian CSOs need to intensify multilateral partnerships with the private sector by encouraging improved corporate social responsibility (CSR) for sustainable community development in access to housing, health, education and employment opportunities, environmental preservation and improved infrastructure. This type of collaboration is not well-developed possibly due to the non-profit clause in instruments establishing many CSOs. With careful legal attention, work with the private sector need not lead to a violation of that clause or spirit since the CSR instrument of many private organisations is coextensive with the mandate of some CSOs.

It is instructive to note that many oil and gas companies and other private organisations became more focused in addressing CSR issues with the intervention of civil society groups like the Movement for the Survival of the Ogoni People (MOSOP) and Environmental Rights Action (ERA). The activism of such groups made Shell Petroleum Development Company Ltd. and other oil companies to scale up community development efforts in Bayelsa and Rivers States. The continued negative impact of private sector activities have affected the development of trust relationships in some areas, leaving the civil society-private sector relationship underdeveloped due to conflict of values.

Nevertheless, Nigerian civil society groups have a long history of collaboration with external development partners. This dates back to support received by the labour movement for capacity building activities during the military era. Over the years, development partners like USAID, DFID, European Union, World Bank, Global Rights, OSI/OSIWA, and IMF have streamlined areas of co-operation with local development partners to address areas of need. In some instances, the relationship takes the form of country compact contracts, where the government, CSOs and external development partners design a framework for collaboration. An example is the National Strategic Health Development Plan 2010-2015. In other cases, there is direct funding by external development partners to the civil society groups.

Challenges and Accomplishments

As agents of change, Nigerian CSOs are confronted by real institutional, legal and social barriers. Having evolved with greater visibility, and encouraged to act by willing international partners, civil society groups are faced with at least seven strategic challenges:

1. The demands which civil society makes on the state. These are not always reflected within civil society itself, with particular reference to the rigorous entrenchment of ethical culture, transparent governance and accountability.
2. The built-in need within civil society for charismatic personalities. This means ownership of organisations is sometimes personalised with minimal adherence to management by objectives. The situation constrains ideas and may in fact breed poor leadership.
3. Leadership squabbles. These reproduce splinter bodies in civil society with effectively the same mission statements and a tendency to rehash facts and perpetually reinvent the wheel.
4. Time and fund wastage. This results from inefficient fund utilisation and dissipation of energy in the operations of civil society groups as strong groups tend to work in similar thematic areas and publish similar annual reports without collaborations that conserve resources and re-channel them to other areas of need.
5. Planning and budgeting that are still tied to external donor cycles. This affects long-term strategic planning and reduces the capacity for sustained implementation.
6. High staff turnover that is induced by poaching. This adversely affects the inculcation of a spirit of partnership among groups and promotes a sense of competition among them.
7. The combination of foreign funding and an anti-state history. This sustains the state's suspicion of CSOs and reduces prospects of their co-operation in areas of need.

On the positive side, Nigerian CSOs were the primary push behind electoral reform, passage of the Freedom of Information Act (2011), and overall improvements in workers' conditions of service. They successfully pushed for a reversal of government policy on fuel subsidy. As one wing of the sector, the Nigerian media are the most outspoken in Africa and, together with other civil society elements, form part of a drive for increased fiscal transparency in the public sector. Their actions have produced expanded mass interest in budgetary politics and the entrenchment of gender equity as a principle of inclusive governance.

While these are undeniable achievements, more needs to be done by CSOs to confront the tasks of institution building, economic development, end of public corruption and improved security. These cannot be readily achieved while many CSOs fail to disseminate project outcomes effectively or without local validation of content or results. The performance of many CSOs in the contemporary period will be sub-optimal, if CSOs do not have functional and regularly updated websites or if they are fairly difficult to be reached physically. Capacity building and adherence to project protocols remain key challenges. Projects encounter delays in the release of funds but these delays do not always justify non-completion of proposed projects.

Although feedback strategies may vary by project, field-oriented CSOs should be more participatory and less *ad hoc* in their approach. Feedback should extend beyond project life cycles. Typically, programme design, implementation, monitoring and evaluation are concluded without input from target communities. There is low sense of community ownership. Against this background, Moru (2005) observed that many of the challenges that civil society groups face in Nigeria are self-inflicted. There is little co-ordinated effort at building community consensus and mass mobilisation for actions requiring broad appeal. They seek inclusiveness by non-inclusive means. Divisions within the ranks of civil society along ethnic and regional lines frustrate the chance of collective advocacy and the development of a united purpose.

To address these challenges, it is important to build on the existing coalitions of CSOs within the country and region to enforce a peer review and collaboration mechanism. Such synergizing would enhance quality assurance in research, budgeting, programming, advocacy, intervention, participatory monitoring and evaluation by leveraging the strengths of thematically-linked CSOs. The combative styles of engagement developed in the era of an intransigent dictatorship should be complemented with strategic thinking and how to utilise that in policy dialogues. Nigerian CSOs must embrace the reality of retaining an activist outlook while creating room for constructive proactive engagements with political leaders, the private sector and external bodies.

Conclusion

Nigerian CSOs are a permanent fixture in the country's political landscape but there are structural (external and internal) constraints to the independence and effectiveness

with which they act. In the bid to influence policy, many organisations have come under strong political influence. Co-optation has eroded their traditional autonomy. This means that internal cohesion is one of the main goals that civil society must achieve as it engages with the state and private business in the new democratic order. Owing to the end of active physical struggle, it is imperative for civil society to become proactive for more effective engagement. Practitioners should consolidate their skills in research and analysis as a means of validating the empirical premises of proposed actions.

Correspondingly, engagement with donor communities should synchronise priorities and achieve equality in agenda setting. Civil society cannot be seen as independent of the internal state but dependent on an external donor community for direction. While it is clear that their activities were necessitated by the failure of the state to provide basic and advanced civic services, reactions are mixed concerning their autonomy and apparent freedom from oversight. The thrust of civil society should be to activate the type of state that would drive economic and political development by challenging existing structures and critiquing state responses to developmental problems.

The diversity of CSOs in Nigeria is a measure of expansions in the democratic space. The number of human rights organisations is high, but the number of organisations working in the areas of health, food security, poverty alleviation, and social service is extraordinarily large in Nigerian civil society. The competences of the organisations can vary very much. This can make collaboration difficult. It is, therefore, important to protect the unity of the sector. This can be done through collective training and capacity building in research, ethics, strategic thinking, policy analysis, and scientific programme management. Other actions include collaborative information generation, increased information sharing and use, joint planning and execution, establishment of theme-based coalitions or peer review and consultation. These are steps that Nigerian CSOs must take as a community as they face unaccustomed challenges in today's Nigeria.

New threats to Nigerian national development should define the focus of future civil society engagement. These include travesty of justice, corruption, power and energy problems, high youth unemployment and cost of living, bad road, waterways and other transportation networks, decline in educational facilities, poor health care delivery systems, crime and insecurity, urban alienation, home-grown insurgency and the "slummification" of poor settlements as a consequence of rapid urban development. Government has not made significant impact in these areas partly because civil society seems not to view these as reason or contexts for contestations with the state and the private sector. There are too many groups chasing a limited set of goals. As a result, many civil society groups need to reinvent themselves and expand their focus. The spectre of 494 Nigerian organisations clustered around 12 priority areas is analogous to having too many civil society cats feeding at a few funding troughs.

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Civil society in Senegal: institutional arguments and challenges for participatory governance

Ibrahima Aidara

Introduction

The XX century is characterised by a paradox: major progress has been made in the scientific, technical and economic sectors however, challenges related to development and mass poverty have worsened. In many African countries, this has led to awareness creation and a determination on the part of the people not to rely solely on the state but to build their own capacities to enable them overcome their challenges.

Towards the end of the 70's to the early 80's, Senegal witnessed a strong growth in civil society in terms of size, influence and capacity. This was influenced by processes related to the structural adjustment programme, withdrawal of state involvement, globalization of the economy, growth of democratic governance, the growth of telecommunications and particularly the increase in general poverty.

We have seen the phenomenal growth in the number of national, regional and international NGOs which with time, have become indispensable actors in the provision of basic social services as well as in the preparation of development policies and programmes.

We have witnessed the emergence of civil society as a key actor in society. It however, has various facets in terms of its nature and composition. Also, civil society is defined in various ways, in terms of its conceptual approach, historic origin and national context.

The first chapter of this article will provide an insight into the general characteristics of civil society in Senegal, its development with the passage of time and the present understanding of the concept of civil society in Senegal. The second chapter will discuss the level of involvement of civil society's actors in Senegal's development process and the third chapter will assess the challenges faced by civil society in Senegal. Finally the fourth chapter makes recommendations on the promotion and development of Senegal's civil society in its role as a key player in national development.

SENEGAL'S CIVIL SOCIETY

There is no clear definition for this often used term. Civil society refers to groups which share a common ambition namely to be guided in their work by the ideals of solidarity, which do not work for the State neither are they subject to the government. Civil society refers to all citizens who interact with the State and actors in the market. These organised actors (NGOs, non profit associations, movements, trade unions, the religious community) work in the public domain and relay the concerns of citizens based on universal rights to the State and the business sector. According to the African Meeting for the Defense of Human Rights (RADDHO), civil society "comprises all the actors who are not political parties, governments or the media"

Another definition of CSOs, which applies to NGOs in particular, highlights the

innovation that NGOs have brought to the North –South cooperation. The objective of NGOs is to provide support to people with a view to improving their living conditions, fighting against poverty and promoting sustainable development. NGOs undertake this work in collaboration with the State. In Senegal, the State Secretariat for Human Development is responsible for NGOs. This Secretariat later became the Ministry for Human Development then was changed to the Ministry of Women, Children and the Family and again to the Ministry of Social Development. From the Ministry of the Family, Food Security, Women Entrepreneurship, Micro Finance and Children, the responsibility for NGOs was given to the Ministry of Interior at the end of 2011.

- **History of the development and current understanding of the concept of civil society in Senegal**

The origins of civil society in Senegal dates back to the colonial era. Forced labour and the conscription of men to form troupes of Senegalese fighters provoked the opposition's collective reaction against the colonial authorities. Later, due to the growth of the working class and the educated middle class comprising mainly government workers and teachers, a new form of 'civil society' sprung up. It had a new genre of actors who had a new mission: to make demands. Their main demand was for equal rights and better conditions for workers. This civil society was therefore a conglomeration of trade unions and employers unions. In 1947, railway workers went on strike for several months to demand the same rights enjoyed by their French counterparts. Senegalese women from the four municipalities which existed in the colonial era were given the right to vote at the same time as French women.

The youth constitute another category of actors in civil society. They are grouped in Cultural and Sports Associations. The key activity of this civil society is organising general sports competitions. Towards the end of the 70's to the early 80's a different kind of NGO emerged, women groups, housing cooperatives, groups with a focus on economics, human rights organisations, consumer rights associations etc.

Majority of Senegalese understand civil society to mean NGOs although NGOs only constitute a part of the totality of civil society. For RADDHO[107], civil society represents the fourth arm of government aside the executive, judiciary and legislature. It is a counter force. It is considered that civil society comprises organisations and networks which operate outside the state apparatus. These organisations are expected to exhibit some attributes such as independence, autonomy and non partisanship.

In Senegal, the fact that the leadership of NGOs and trade unions are also leaders

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107 *RADDHO (Rencontre Africaine pour la Défense des Droits de l'Homme) is a regional Senegalese NGO. It was established in 1990 and aims at promoting, and protecting human rights in Senegal and Africa. It has a strong network of partnerships in Senegal, Africa and throughout the world*

of political parties creates confusion and raises questions as to the legitimacy and transparency of the CSOs.

This confusion affects the reputation of CSOs in Senegal to the extent that the government considers them as opposition parties. There is tension in the rapport between government and civil society. For example Senegalese President Abdoulaye Wade in answering a question posed by the Marianne newspaper in February 2010 said the following: 'There is no civil society in Senegal, there are only masked politicians who cannot live up to their responsibilities. I find this pseudo civil society offensive'. This statement was confirmed in June 2011, by the Prime Minister, Souleymane Ndéné Ndiaye. According to him, there is even no civil society in Senegal. 'There are people who belong to political parties and others who have political opinions but do not have the courage to take part in the political game like the rest of us...'.

- **The Current situation and key actors in Senegal's civil society**

Senegal's civil society is growing in an environment marked by key factors of political, social and economic dysfunction.

- **Associations:** In Senegal, associations can be found in almost every village and suburb: village associations, groups with a focus on the economy, women's groups, cultural and sports associations, the dahiras, community based organisations etc. Due to the limited scope of their interventions they are not able to show interest in strategic issues with respect to the fight against poverty. They rather provide prompt response to issues relating to small groups.

- Foundations : They are regulated by more recent statutes than those that apply to associations (1995 law). They are less in number than the associations and NGOs and generally operate in religious and humanitarian areas.

- **Non Governmental Organisations:** The droughts experienced in the 70's were an important landmark in the development of NGOs in Senegal. They focused their activities in the rural areas where they put to test innovations in the area of water resources and agriculture. It was only from the 80's to the 90's when the structural adjustment programme was in place that NGOs interest in the popular urban economy was noted. The period from the 90's to the year 2000 was marked by the desire of NGOs to move from their initial experiences to influencing public policies. The establishment of a consortium of NGOs in the mid 80's, the CONGAD[108], promoted the consolidation of NGOs as fully fledged actors in the development process. This position enabled them to dialogue with the State and donor organisations.

- **Social movements:** Social movements particularly trade unions, women and youth

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108 *CONGAD: Conseil des ONG d'appui au Développement. Established in 1982, its objective is to promote cooperation and sharing among NGOs and protect their interests. It has 200 national and international NGOs.*

organisations have been avenues for mobilization of people and sector based demands.

- **Marabouts and the Clergy:** This is a very important group in view of the fact that it has been the subject of interest and questions. They play the role of social or esoteric alternatives or better still spiritual and educational mediators.

- **New emerging actors in Senegal's civil society:** (1) The intellectual elite: In Senegal, there are movements such as the circle of intellectuals which comprises people who have strong influence either on national public opinion or on a particular social group or category. (2) The hip hop movement is back in Senegal's civil society. Initially recognised as an actor in the cultural sector, this movement is at the forefront of the campaign for responsible citizenship and for the promotion of good governance through information dissemination and sensitization activities. For example the "we've had enough" movement which is undertaking a sensitization campaign for the youth to have access to the national identification card and the voter identification card to enable them take part in the elections. The 'daraji' movement which has released an album to sensitize on the risks of the 'gold curse' in Senegal and has called for responsibility and transparency in the mining of the resource.

- ### The Key intervention areas

Interventions of Senegal's civil society can be categorised in five key areas:

- **The work environment:** Trade unions. Its affiliated membership are categorised into three groups: employers unions, salaried workers union and union of workers in the informal sector.

- **Human rights, democratic and economic governance:** This relates to human rights organisations and organisations which focus on public affairs management.

- **The socio –economic environment:** This relates to associations, groups, NGOs, Foundations. Their objective is to create, facilitate, contribute to improve the livelihoods of people by working in areas such as education, health, income generation etc.

- **The cultural and religious environment:** The basis of activities and guide for members of this civil society is the protection and promotion of culture, religion etc. This civil society has the capacity to mobilize large numbers of people, with the backing of the heads of the movement who are religious heads and dahiras.

- **Social Relationships:** These are organisations which work in a specific sector comprising people who have power relationships to attain more equity such as the genre, communities negatively affected by the decisions.

INVOLVEMENT OF CIVIL SOCIETY IN SENEGALS'S DEVELOPMENT PROCESS

Based on the review of CSO interventions, six main areas have been identified as those in which CSOs contribute significantly to change. These are mainly: education, human rights protection, health and HIV/AIDS, economic and democratic governance/ adaptation to climate change, education on peace, security and conflict prevention, the fight against poverty and micro finance.

- ### Education/Training/Literacy

The activities of NGOs in this sector such as ASAFIN or ACAPES seem to be very enlightening with the creation of a multipurpose professional training centre which provides thousands of youth the opportunity to receive training and thus qualification. Improvement in knowledge levels is undoubtedly one of the key changes attributed to civil society organisations.

- ### Human rights protection

We can cite as an achievement, the amendment of the 1999 law on the penal code which now imposes a 10 sentence with hard labour on rapists and people who engage in violence against women. This victory is attributed to civil society organisations and women's movements in particular. The passing of the law on gender equality in the election process is a major progress made.

- ### Public Health/HIV/AIDS

Within the context of implementing the integrated health development programme the Ministry of Health and some development partners have gone ahead to sign various contracts with the NGO's in place, notably those in the following sectors: Reproductive Health (50%), AIDS (20%), Capacity Strengthening (10%), IEC (10%), and Community Health (10%). An institutional framework has been put in place to complement the involvement of NGO/OCB in the implementation of the health policy. A guide has been developed to regulate the partnership between the Ministry and NGOs/associations.

- ### Advocacy for good economic and democratic governance

CSO participation in the development and follow up of public policies has become a key requirement for democracy and citizenship due to globalisation. Governance issues which have become the subject for heightened controversy between government and CSOs in view of their sensitivity and political scale constitute an area in which civil society has made recent investments.

- **Microfinance and the fight against poverty**

The involvement of CSOs in providing support to the underprivileged by facilitating access to basic social services and microcredit has contributed significantly to improving the livelihoods of the poor.

- **Environment and adaptation to climate change**

Senegal's civil society is spear heading activities related to environmental protection and debate on the key issue of climate change. Since the 70's, village based associations have been very much involved in activities relating to reforestation and the fight against bush fires.

- **Education on peace, security/armed conflict**

Civil society in Senegal has gained prominence in the area of conflict prevention and consolidation of peace. Civil society actors play an increasingly important role in the discussions, initiatives and programmes aimed at promoting governance, peace and the security of the country. In all, CSOs have had variety in their range of intervention, categorised in six key areas as outlined above. It must be noted that these areas of intervention are in line with national priority areas outlined in Senegal's economic and social policy document 2010 -2015 (3rd generation DSRP) and totally reflect the concerns of the people. The general objective of CSOs is to provide support to people in order to improve their livelihoods, fight against poverty and promote sustainable development.

THE KEY CHALLENGES OF CIVIL SOCIETY

- Democratic and economic governance constitutes a big challenge for CSOs. The absence of a regular General Assembly within their ranks, which should culminate in the democratic renewal of tenure of CSO leaders is a sign of dysfunction.
- The challenge of sourcing for funding to ensure effective participatory processes which are inclusive and sustainable.
- Other huge challenges relate to technical and institutional capacity strengthening as well as giving CSOs a professional outlook.
- The challenge of resource mobilization: Majority of civil society organisations are dependent on donor organisations and government funds.
- The challenge of independence of CSOs in relation to political parties.

RECOMMENDATIONS

- Put in place a tripartite framework to research and implement initiatives for the promotion and administration of social issues in Senegal. This framework will bring together all stakeholders in the social/solidarity-based economy.
- Put in place a programme to promote citizenship participation and use as leverage: sensitization and communication with a view to involving foreign and national partners as well as the private sector to motivate them to provide financial and material support towards the achievement of social action programmes.
- Strengthen institutional and technical capacities of local and national CSOs;
- Improve on the governance of NGOs. Developing networks and alliances: Joining a network gives CSOs more weight and is an important tool for sharing experiences.

CONCLUSION

The weak nature of the modern State as well as its proven inability to meet social needs and the democratic aspirations of the people are the basis for the support of organisations whose main aim is to redefine the social contract between government and the various components of society.

While progress made due to international networks have made CSOs credible partners in the execution of government's development programmes, their weak professionalism and lack of financial independence is regrettable. They however, have a lot of influence in the management of national and international issues.

With the emergence of new actors comprising on one hand emigrants capable of financing projects in the communities they belong to and on the other hand the phenomenon of the hip hop movement and the 'we've had enough' movement, a new type of civil society is materializing.

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Civil Society and the Democratic Transformation of Sierra Leone

Aisha Fofana Ibrahim & Nemata Majeks-Walker

Introduction

The need for a vibrant civil society cannot be underestimated in a society such as Sierra Leone which has experienced not only a brutal 11 year civil war (1991-2002), but also a number of repressive regimes that violated all thinkable rights of its citizenry since her independence in 1961. Even though it can be argued that civil society existed prior to independence in Sierra Leone, the proliferation of organizations with the potential to influence the state on behalf of its people is a product of the civil war. However, there is neither a generally accepted definition of the term "civil society" nor an accepted classification of which groups should be regarded as civil society actors in the Sierra Leonean context.

The term is generically used to refer to organised groups such as women's, professionals, faith-based, advocacy, youth and workers groups, that mediate between the state and ordinary citizens or between duty bearers and claim holders in an effort to check the potential excesses of the state. These groups have in one way or the other been able to "challenge state authoritarianism, expand democratic spaces, and defend issues of public interest" (Jusu-Sheriff, 2004:267). By 2007, there were over 300 international non-governmental organisations (INGOs), non-governmental organizations (NGOs), civil society organisations (CSOs), and community-based organisations (CBOs), registered with the then Ministry of Development and Economic Planning (MODEP) with many equal numbers unregistered. All these bodies constitute what is today regarded as civil society in Sierra Leone.

This paper looks at the transformation of civil society over the decades from a time when they operated within a restricted space to a time when, because of proliferation, the activities and existence of some organisations has become suspect. It also examines the positive role civil society played during the civil conflict and their contributions to building a democratic Sierra Leone.

The changing faces of Civil Society

The notion of what constitutes civil society is a contested one not only in Sierra Leone but elsewhere in the developing world. This contestation ranges from which organisations qualify to be labeled as non-governmental to the functions they should perform in society. The most recent working definition of civil society in Sierra Leone holds that it is "*The space outside the household, government and the market where people organize or associate to advocate with and on behalf of the people, geared towards the interest of the community*".[109]

Arguably, the earliest examples of civil society - organisations that occupy the sacred

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109 *This definition was agreed upon by over 50 CSO representatives during workshops for the national CIVICUS study in 2006.*

space between the state and society — are the traditional secret societies such as the Poro and Sande[110] that continue to wield some form of influence in modern day Sierra Leone. Concerned with the *rite de passage* from girl/boyhood to woman/manhood, these groups have "constituted alternative poles of power and some carved out their own autonomous "civic" space to promote or defend their specific interests" (Jusu-Sheriff, 2004: 267). Closely following these traditional institutions are the professional associations that emerged in nineteenth and early twentieth century in Freetown to defend the individual and collective rights of their members. Other established voluntary groups coalesced around issues of gender, ethnicity and religion.

Workers and youth groups engaged in social activism during the struggle for independence. This suffered a setback after independence was achieved. Early post-independence civil society comprised mainly of community based development organizations, youth groups, farmers' associations, and women and faith-based organizations. These associations were concerned with self-development and growth of their members than in challenging state excesses. The few exceptions were the labour Congress, the Bar Association and the National Union of Students.

By the time Siaka Stevens, 1968-1986, centralised power around his personality and declared a one-party dictatorship in 1978, all dissenting voices went underground. This was the beginning of state fragmentation that was to lead to civil war.

The advent of war in 1991 — an outcome of over twenty-five years of authoritarian rule — witnessed a revival and subsequent proliferation of civil society organizations. Civil society thus re-emerged to play its historic role in the context of a brutal civil war with a clear understanding of the strategic role that non-state actors have to play in the day-to-day activities of a functional State. Spurred in part by global human rights discourses anchored around issues of participation, accountability and transparency, these agents have made their mark as quintessential oversight bodies monitoring the activities of the state, advocating for democratic principles and freedom, and enlightening the citizenry about their rights.

Civil society groups also perform a host of public, private, generalized, as well as, specialized functions and are seen as apolitical/not-for-profit social groups. Most are active in the development sector, providing services in education, health and agriculture while others are engaged in the peace-building and governance sector, with a focus on democracy, anti-corruption, human rights, and gender equality.

However, a critique of CSOs is that:

"...civil society values are poor in Sierra Leone. CSOs do not practice Good Governance and Gender Equity. CSOs are characterized by the culture of secrecy and corruption.

Widespread corruption has been reported within CSOs. Most CSOs lack internal democracy, accountability and transparency and leadership for most is in the hands of their respective founders or even set up as a family organizations aimed at attracting donor funding."[111]

Generally however, CSOs are rated above average in terms of professionalism and accountability, while others are viewed as one-person entities not above malfeasance and impropriety. There exists an unhealthy competition for donor funds, power and influence, that does not augur well for the image of national CSOs. Moreover, their over reliance on donor funding creates an uneven power relations, whereby power lies with the funding partner and CSOs become mere implementing bodies for INGOs. In many instances, projects become unsustainable because many INGOs spontaneously change funding focus, which creates a situation whereby many CSOs end up chasing where the money is rather than focusing on their core principles.[112]

Locking horns with khaki boys and warlords

The role of civil society, especially the women's movement, in challenging the military junta and ending the civil war is well documented and a veritable success story of their collective intervention in nation building. Recognizing the huge cost and consequences of armed conflict and state failure, civil society organisations challenged the military junta and launched a nation-wide campaign to educate, inform and galvanise the people of Sierra Leone to defend their individual and collective rights as citizens. This was achieved through massive awareness raising workshops with stakeholders and aggressive media intensive campaigns on emerging national discourse on democratic values, peace building, good governance and human rights.

For example, the National Provisional Ruling Council's (NPRC) attempt to stall the democratic transition process was met with resistance by CSOs during the National Consultative Conferences of Bintumani I and II, at which they insisted on elections before peace. At these Conferences, the junta line was that there needed to be peace before elections could be held. Understanding the implications of such a position, civil society stood firm on the holding of general elections to bring back constitutionalism in Sierra Leone by arguing that peace could be better negotiated by a democratically elected government.

The actions of civil society were again pivotal in the restoration of the government of president Kabbah in 1998 after it was ousted from power by the Armed Forces Revolutionary Council (AFRC) and Revolutionary United Front (RUF) coalition in 1997. CSOs mobilized people within Sierra Leone and in neighbouring Guinea, where the

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110 *The Poro is an all male secret society, while the Sande is an all female secret society in Sierra Leone. Membership into theses societies cut across every ethnic group in the country except for the Krios.*

111 *CIVICUS Civil Society Index Report for the Republic of Sierra Leone (2006) p 9*

112 *For more on this see Fanthorpe and Maconachie (2010) and Jusu-Sheriff (2004). Both analyze the unsustainable nature of these groups that are totally dependent on funding from INGO and how they can be easily compromised.*

Kabbah government was located, to organize marches, take part in radio phone in programs to demand for a return to democracy. Radio Democracy 98.1 became the mouthpiece for the pro-democracy movement.

Civil society was also vigilant in ensuring that the RUF adhered to the Lome Peace Accord. When the RUF violated the accord and abducted 500 UN peacekeeping troops, Women's Groups, on May 6, 2000, demonstrated outside the residence of the RUF Leader demanding their release. These and other demonstrations, in which the RUF shot and killed demonstrators, led to the end of the RUF in government and the arrest and trial of Foday Sankoh the leader of the RUF.

The post-war era and the entrenching of democracy and the rule of law

CSOs have been effectively engaged in development and nation building through holding the government accountable for its stewardship, providing a plethora of services and building the capacity of a wide spectrum of the population to critically analyze some of the social and economic trajectories of the government. The Sierra Leonean experience suggests that civil society has been a partner in development on several occasions, which complements rather than opposes the efforts of the government.

Thus civil society has played a pivotal role in shaping democratic principles and practices, positively influencing gender norms and above all creating a space for women and other minorities to participate in public life. The fact that many Sierra Leoneans are becoming aware of their rights as citizens, and, to participate in democratic processes through free and fair elections as well as to exercise their franchise through non-violent means can all be attributed to the work of civil society groups in the country. In the last three elections held in the country, civil society embarked on massive awareness-raising, mobilization and sensitization campaigns in which people were encouraged to exercise their voting rights, and particularly to vote for female candidates and ensure a violence free election.

In effect, the 1996 elections saw over 750,000 (60.33%) of the 1244,601 registered voters casting their votes, while in 2002, 2.3 million (85%) of the 2.7 eligible voters registered to vote and a total of 1.9 million, 83% of those who registered, voted in the elections. The 2007 elections also witnessed a high number of voter turnout with 1,984,016 of the 2,617,554 registered voters casting their votes. All of these elections were relatively non-violent.

CSOs provide educational and other social services to communities that might otherwise never benefit from such services. They promote community participation of citizens and have consistently provided the ideal civil space for Sierra Leoneans to contribute to their own development. This has empowered many Sierra Leoneans to be able to contribute in the search for solutions to their problems. By creating the much needed awareness and knowledge on human and legal rights, CSOs have relentlessly fought for the introduction of important legislations as well as the repeal of unpopular acts.

Between 2002 and 2007, Women's Groups led the campaign for the enactment of the three gender justice acts, namely the Domestic Violence (DV), Registration of Customary Marriage and Divorce and Intestate and Devolution of Property Acts in 2007. These three acts protect and promote women's human rights both at the domestic and legal/public spheres. The DV Act criminalizes domestic violence, while the Devolution of Property Act addresses all the discriminatory provisions of law and practices against women in relation to inheritance, making men and women equal in the distribution of estate.

As part of the general civil society engagement, women's organizations have been at the core of changing the status of women in Sierra Leone in the 21st century. This era has witnessed the emergence of the non-partisan 50/50 Group of Sierra Leone whose mission is to campaign for more women in politics and public life through training and advocacy. This group has focused on changing the public's perception of women in politics and public life through recruiting, training and supporting over 6,000 female leaders, political aspirants and candidates over the years.

The 50/50 Group has organized vigorous training and capacity building programmes, as well as advocated and lobbied political parties to encourage women to take leadership positions. It led campaigns to encourage the alternating of women and men on party lists (zipper system). All these efforts have contributed to an increased number of female contestants, from 65 in 1996 to 156 in the 2002 presidential and parliamentary elections, and elected parliamentarians from 5 to 18 (two women Paramount Chiefs) or 14.5 per cent of members of parliament.

With the restoration of local governance in 2004, 54 of the 107 female candidates who contested for the elections were elected, constituting 13.7 per cent of elected councilors. In collaboration with other women's groups and OXFAM, the 50/50 Group provided funding and support to 29 female politicians to stand as independent candidates during the 2008 local government elections. The 50/50 Group furthermore led the establishment of the Council of Women Councilors and the Sierra Leone Female Parliamentary Caucus whose aims include increasing women's participation in decision-making positions as well as lobbying for the revision of discriminatory laws against women.

The Ebola Crisis

In May 2014, the first case of Ebola was reported in Sierra Leone and like in all the calamities that has befallen Sierra Leone, civil society was fully engaged in working towards a solution to the crisis. The role and impact of Civil society has been immense in the fight against Ebola and range from ensuring that the immediate needs of people

are met to holding the state responsible for service provisions and the management of Ebola funds. The last case of Ebola was discharged on September 25, 2015. As of September 26, 2015, the cumulative confirmed cases of Ebola in Sierra Leone stand at 8,704; deaths at 3,589 and survivors at 4,051.[113]

Since the outbreak in 2014, civil society groups have worked collectively and individually and have been at the forefront of mobilizing and sensitizing communities on how to curb the spread of the virus. Some organizations have focused on monitoring health facilities and the treatment of the sick, while others have focused on restoring livelihoods, building the capacity of survivors, providing water, sanitation and educational facilities. Civil society was quick to draw attention to weak accountability systems and delays in the international response to the Ebola epidemic. A vast majority of organizations expended resources on providing material goods for the sick and survivors, taking care of children orphaned by Ebola and educational materials and services for children. Women led CSOs were also at the forefront ensuring that the gendered nature of the disease is not overlooked. One such group is the Women's Response to Ebola in Sierra Leone Campaign (WRESL).

WRESL, a coalition of women's organizations and co-coordinated by the 50/50 Group and MAWOPNET, was formed in July 2014 to address the gendered nature of EVD. This campaign provided a platform for women in Sierra Leone and those in the diaspora to contribute both their material and human resources to the fight against Ebola. Recognizing that women are proportionately affected by Ebola, this campaign set out to ensure that not only was the gendered material needs of women met but that gender becomes a critical category of analysis for all Ebola related interventions. WRESL has consistently articulated that women are especially vulnerable to EVD because of their primary role as care givers as well as prevailing gender roles and traditional practices. This makes women susceptible and disproportionately affected by EVD and therefore the need to engage women in the fight against EVD. To date The WRESL campaign has focused on the following:

- Documenting and supporting orphans and dependents of Ebola;
- Advocating for the welfare of health workers, especially in the provision of adequate protective gear, payment of benefits and general well being
- Providing facilities and training on hand washing, initially in all markets in the Western area and in at least two in each district in order to imbibe a culture of hand washing in Sierra Leone.
- Making Ebola messages realistic and consistent.
- Supporting women in quarantine homes through the provision of care packages
- Supporting women survivors of EVD. through the provision of care packages

- Conducting a study on the impact of Ebola on women and girls.

Before the first countdown to the end of Ebola which started on August 25, 2015, CSO's had formed a consortium with a project titled: «Civil Society Ebola Response and Recovery Platform» with the goal of enhancing collaboration in rolling out post Ebola recovery programmes as well as engendering public trust.[114] This consortium, it is believed, will influence the way post-ebola reconstruction programs are designed, will enhance the monitoring of how money is spent by the state and other stakeholders and will ensure that ordinary people have a say in the design and implementation projects.

Conclusion

CSOs, especially women's groups, have come to recognise that they are more formidable when they work collaboratively. As such, recent advocacy campaigns, such as the 30% minimum quota campaign, have been mainly organised under an umbrella body — The Women's Solidarity Support Group (WSSG) ,[a coalition of women's groups including Grassroots Empowerment for Self Reliance (GEMS)], The 50/50 Group, Campaign for Good Governance (CGG), the Search for Common Ground and various other women's organisations.

The primary objective of the WSSG is to advocate and campaign for the protection of the rights of women through the judiciary and legislature in the wider community. This has been done through a combination of advocacy campaigns, rallies, demonstrations, test-case litigations and through creating reflection platforms in the form of dialogue sessions where women are able to debate and consult on issues that affect them. To date this collaboration of women's group for a minimum 30% quota for women in parliament and all elective and selective decision making positions has been successful and has led to the drafting of the Gender Equality Bill, which will be tabled in Parliament before the end of 2015.

Most recently is the WRESL campaign, a coalition of women's organizations that continues to advocate for the recognition of the gendered nature of Ebola and the need for women's engagement and participation in all processes.

Such coalitions seem to be the way forward for CSOs in Sierra Leone. The larger and stronger the membership, the more seriously they will be taken by the state and the less burden placed on single organizations to fight the fight. Coalitions also help to avoid duplication of efforts and deter suspicion and allegations of partisanship. With the amount of professionalism and dedication displayed by the majority of CSOs in the country, the realization of a country in which accountability and transparency prevail becomes an immediate reality.

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113 National Ebola Response Centre (NERC). Nerc.sl. retrieved September 29, 2015

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114 Statement by Head of Action Aid Sierra Leone, Mohamed Sillah at a CSO consortium meeting with the Chief of Staff on Tuesday 18thAugust, 2015 at State House, Freetown. http://allafrica.com/stories/201508191573.html

Recommendations

Civil society can only be vibrant and effective if it is accountable to the people it is responsible to, refrains from partisan politics and sustains itself independently. In general, CSOs have been able to maintain their neutrality although sustainability remains a major challenge, especially since donor funds are drying up and development partners such as DFID and the European Union (EU) are under increased pressure to do more with limited resources. Moreover, most donors must now achieve and demonstrate results with shrinking budgets to skeptical citizens and governments.

1. Civil society organisations must remain vocal and continue to hold the state accountable to its citizenry through advocacy, monitoring and capacity building.

2. There must be a joint commitment by development partners to support civil society in their efforts to build a culture of transparency and accountability in Sierra Leone.

3. Provision should be made in the national budget for an annual subvention to CSOs to reduce their overall dependence on external donor funding which in some cases directly influences the agenda of these organisations.

4. Parliamentary Committees should be encouraged/ mandated to dialogue with civil society as a matter of principle on crucial matters involving the general populace.

5. To effectively fulfill their roles, CSOs need to build the capacity of their staff.

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The contribution of civil society to the upsurge of democracy in Togo : challenges for internal mobilisation and national development

Mbrou Lucky Antoinette

Introduction

A contemporary concept which has been bandied around a lot or is at least misunderstood, 'Civil Society' is positioning itself as a melting pot for non state actors working towards the well being of the people.

In Togo, civil society has experienced a fairly unusual growth in view of the fact that since the 2000's it has played an active role in the democratization, national reconciliation and development of the country.

The objective of this article is not to give an exhaustive exposé on Togo's civil society but to give a synopsis on how it is regarded by its actors and beneficiaries, identify its strengths and weaknesses to be able to assess its contribution to the socio economic and political development of the country.

The Context

- ### Definition and understanding of the term 'civil society' in Togo

In CIVICUS (2006), 'civil society' is defined as "*a dynamic environment outside of the family, the State, political parties and the market, where people come together to further their common interests*".

Thus defined, civil society is not an opposition organisation, it brings people together to carry out activities for the benefit of the entire population. It affects all that relates to the progress of the citizen and also extends to the area of politics. Civil society organisations, which are essentially apolitical have not left political entrepreneurship to political parties. Togo's civil society is visible through its contribution to development and the consolidation of democracy.

Civil society is doing well among the people because based on a study undertaken by the Population Research Unit of the University of Lome (URD, 2002), in 2002, CSOs comprised 42% of the population. More than ten years later the figure has gone up significantly. Parent Teacher Associations, local development committees, organisations with a focus on environmental conservation, poverty, impunity, corruption, human rights violations etc. mainly make up this percentage of the population. The significant increase in this percentage can be attributed to the need to form groups in order to undertake activities which have an extremely positive impact on members. The following groups can be identified:

- Associations of natives of an ethnic community within a specific geographical area;
- Men and/or women belonging to various socio professional sectors whose objective is to entrench certain rights and show that they are well represented;
- Victims of political excesses;

- Groups established to ensure the promotion and well-being of some marginalised sections of the population
- Groups established to strengthen the capacity of the youth etc.

These are the various areas which account for and sustain the interest of Togolese in associations.

• Origin and Development

The beginning of the contemporary civil society movement in Togo dates back to 1933, to the days of the uprising of market women in Lome. They demanded the release of the "Duawo" (the elite) and the removal of harsh taxes imposed by the colonial authorities in the aftermath of the economic crisis of 1929. Civil society already had prominent members before the creation of the State of Togo. It comprised associations such as mutual aid movements, solidarity groups and groups established to fight for independence.

After Togo's independence in 1960 and the coming into power of Gnassingbé Eyadema in 1967, Togo's civil society experienced a period of lethargy owing to the one party political system in the country. However, the thirst for the freedom of the people of Africa, which was made manifest through uprisings in many African countries during the 1990's and the 'East Wind' resulted in opening up, indeed restoring the political environment with the establishment of democracy and multi party rule. Togo was not spared from the 'wind of change'. As a result of this new era, many CSOs with a focus on safeguarding political gains, good governance and human rights were established.

Immediately after this period, Togo's civil society went through a period of disgrace in 1992 due mainly to a break in international cooperation owing to poor democratic practices. CSO funds, mainly provided by foreign partners, diminished and activities came to a standstill.

In 2000, activities of civil society picked up; majority of its activities during this period were undertaken in the areas of human rights protection, education, literacy, fight against impunity etc. This can be attributed to the political openness promoted by state authorities, the requirement for good governance by international institutions, the development of new technology in the area of information and communication (establishment of half a dozen FM radio stations in the capital and more in the rural areas, the boom in private media), multiparty systems, elections and finally advocacy activities of local CSOs and the Togolese diaspora.

• Conceptual and practical framework for Togo's civil society

The peculiar aspect of Togo's civil society is the fact that some organisations have voluntarily excluded themselves from it while others have been excluded involuntarily. This applies to workers unions who, for the most part, consider themselves as another social force and are reluctant to be counted among the CSOs because their direct counterparts are the employers association and the State.

The private sector, though not part of civil society, supports CSOs by financing specific activities particularly through fund raising for humanitarian activities and the execution of some projects as part of supposed corporate social responsibility.

• The ambiguous outlook of beneficiaries of CSOs and their activities

Some people consider that CSOs working in the areas of good governance, politics or democracy are a spring board for politicians who have failed in their political parties or for political novices who nurture an ambition greater than civil society. The latter take temporary refuge among CSOs in order to make a name for themselves. For others, it is an opportunity to enrich themselves on grants from funding partners.

Although this may not be entirely true, it makes us aware of the fact that people are closely observing the activities of civil society as well as the management of their heritage.

• Challenges and scope of the relationship with the State, the Media and Private Sector

Until recently, CSO relationship with the State was tense, marked with frequent conflicts. Some of the events that have created some level of discord between the two entities include prohibition and suppression of public protests against a State measure, witch hunt of influential actors in civil society with its consequent impunity, slowness in regularizing the registration documents of associations, making actors in civil society look like political actors etc. The political environment in Togo did not allow for open dialogue.

Relations with the State however, improved with the political openness promoted by the various actors in the socio political life of the country and with national reconciliation which led to the creation of a Truth and Reconciliation Commission in 2009, relations with the State have improved. It is necessary to indicate that the work of this Commission ended in April 2012 and its report was made public. On 24th December, 2014, Government established the High Commission on Reconciliation and Strengthening of National Unity, to complete the work of the Commission. It was given the task of implementing a victim reparation programme, such as was proposed by the Truth and Reconciliation Commission. The expectations of various socio-political actors in the country and particularly of the people of Togo, who have high hopes for this institution, is that the work of the High Commission will contribute effectively to reconcile the sons and daughters of this country. It is however, necessary to point out that the challenges this institutions must face are enormous.

The State increasingly involves CSOs in the resolution of socio-political conflicts; This is the case of GF2D[115] and REFAMP-T[116] who were stakeholders in the 2004 Global Policy Agreement in their capacity as women associations working for the total emancipation of the Togolese woman and her involvement in the management of public affairs.

The media, on the other hand is a key partner to CSOs not only because they are voluntarily part of civil society but more because they are a channel for disseminating information to the people. To this end, work sessions and training seminars are often held to group their actors into various thematic areas.

There is a weak relationship between private sector and civil society which essentially focuses on providing various forms of support for the implementation of activities. There is however, no clear or established partnership framework between them.

Civil society's capacity to become an essential component in the development of the country

- Socio economic development

Togo's civil society has the advantage of being close to the people unlike the case of political and State actors. Thus it condemns social injustice, works towards poverty reduction and fights against human rights violations. With respect to poverty reduction, some CSOs such as FAMME and ALAFIA have put in place microfinance schemes by sponsoring AGRs for the benefit of the people. These organisations generally give small loans at progressive rates to women and Togolese nationals or to groups/cooperatives desirous of undertaking income generating activities. This alleviates the poverty of people, particularly women.

In addition to this financial support, civil society organises training, to strengthen the capacity of beneficiaries. It also undertakes advocacy activities with the State and other decision makers and organises campaigns to sensitize people on social development issues. These campaigns focus on general human rights, women's rights etc. WILDAF-AO has undertaken advocacy with the State for Togo's ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women.

GF2D established legal advisory, aid and support centres countrywide to provide legal support to people, especially women.

- Democratic Development

The 1990's in Togo, saw the emergence of a very committed civil society devoted to fight for and safeguard gains made in the area of democracy. By its involvement in the

political life of the country, which was evident through sensitization campaigns, going to the grassroots to condemn abuses and violations, civil society positioned itself as an indispensable partner. Election periods were times when it played a very important role. It actively participated during these periods to ensure free and fair elections. To this end, the CSOs network was put in place particularly from the year 2007, to observe the organisation of the various elections. The LTDE[117], OSCADAE[118] based in Lome are also examples of the commitment of civil society in that they actively participated in entrenching democracy and the rule of law in Togo. They were always ready to condemn the abuses and violations to which people fell victim as well as election related fraud.

Given that the history of Togo is marked by violence during periods of elections, particularly presidential elections, civil society made a lot of effort to promote peace during this period in the life of the country. Many CSOs organised various kinds of activities, from meetings with political leaders to sensitization of people in various regions on non violence. In 2010, organisations such as Justice and Peace, CACIT, GRAD, GF2D etc. established a CSO platform known as *'Civil Society Mechanism for Peaceful Elections'*. This initiative as well as various other efforts from civil society helped to ensure a peaceful presidential election in 2010.

In 2015, the GF2D collaborated with ten CSOs to implement a project called «Mobilisation of women based organisations for a violence free election in Togo ». The project was a nationwide one and had the objective of promoting peace during the electoral process which led to the presidential election of 25th April,2015. In addition, with support from WANEP-Togo, a «Situation Room» was created on election day. The Joint Action of Civil Society (CNSC) was able to mobilise significant financing from the European Union which enabled it to deploy more than 3,000 national observers.

CACIT provided support to victims of political violence. To date, 72 complaints were filed at the tribunals against the alleged perpetrators of these acts Unfortunately, none of these complaints were investigated. To this end, the Court of Justice of ECOWAS instructed Togo, in a decision taken on 3rd July 2013, to investigate them.

Civil society can also be seen in the area of good governance, fight against impunity, peace building etc. Activities undertaken by COPED, CACIT, WANEP-Togo and many other organisations demonstrate its contribution to the promotion of democracy and the rule of law in Togo.

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115 *Working Group on Women, Democracy and Development*

116 *Network of African Women Ministers and Parliamentarians – Togo*

117 *Refer to list of acronyms and abbreviations*

118 *Ditto 3*

Assessment of Togo's civil society

Difficulties and challenges

• Political and Administrative Challenges

Registering an association in Togo is a big challenge. According to the World Bank (2004), 46% of CSOs indicate that the registration process is very difficult and 32.4% indicate that administrative bottlenecks are impediments to the creation of associations.

All civil society organisations established in the country must first of all obtain certification to be recognised as an association. The provisions which regulate this contract of association can be found in law number 40-484 of 1st July 1901 (JORT 1946, page 328). Every association is first of all recognised by the Ministry of Interior and Security subsequently, the Ministry of development and regional planning certifies it as an NGO. It is important to note that certification as an NGO has its own advantages such as non payment of certain taxes.

Aside the fact that some political representatives put psychological pressure on NGO activists working in the political field, there is a clear line that separates civil society from politics. Many would say that this separation between the government and civil society must be consolidated. To prove them right, some CSOs are created by political leaders or their supporters to promote their political ideas. Since the 2010 presidential elections, the country has witnessed the creation of associations commonly called 'support associations'. These associations enjoy more visibility and have significant financial resources at their disposal because they devotedly communicate the political ideologies of their leaders. Unfortunately, this kind of association is categorised as a CSO. This situation is frustrating for civil society which is powerless in the face of these 'excesses'.

• Funding the activities of civil society

Togo's civil society is not financially independent because it receives funding for its activities from external sources; it is one of the reasons why the break in international cooperation had such a negative impact on its development. The contributions of its members are insignificant considering the issues CSOs deal with. They are obliged to court the support of financial and development institutions such as the World Bank, United Nations Agencies, chancelleries and embassies of western countries.

This does not promote the achievement of the objectives and vision of CSOs; they are often obliged to carry out their activities according to the requirements of their financial partners.

The situation would have been less difficult if the State had made provision for support to civil society in its budget; only the media benefits from conditional aid from the State.

• Institutional red tape of Togo's civil society

Togo's civil society is inequitably distributed nationwide. According to an NGO report on Sustainable Human Development prepared by the UNDP in 2004, more than 50% of CSOs are based in the capital Lome. The situation has not changed much more than ten years after this report was released. This lessens the impact of the activities they undertake. The poor cooperation among NGOs is equally noteworthy; only 46% of NGOs in Togo are members of federations or networks[119]. A study by the World Bank in 2004 noted a weak cooperation between local NGOs on one hand and international NGOs on the other. The coalitions and alliances crumble with the test of time and other interests.

Aside international NGOs which have the required resources to recruit qualified staff, majority of local CSOs lack qualified human resources. In addition to poor professionalism there is also the infighting for leadership positions which considerably undermines institutional progress.

Conclusion

Togo's civil society is certainly one which needs to be worked on to become perfect in spite of laudable-efforts it has made these recent years in relation to socio-economic and political development in Togo. In fact since 1933 to date, catalysts have enabled CSOs to position themselves better. Catalysts such as the 'East Wind' in the 90's, the emergence of multi party states, the openness advocated by the government, the impetus created by external donors etc. It has become an indispensable actor in contributing to address the challenges confronting the country.

"A reliable and sincere partnership with the State, more professionalism and training for the sector, more visibility and creativity in its approach; these are the elements civil society requires in order to achieve the objective it has given itself: Becoming progressively close to the people" The resolution of these key challenges that CSOs make daily efforts to address will safeguard the future of civil society and the significant contribution that it has made in Togo to ensure harmonious development.

Discussion and recommendations

In spite of its shortcomings, Togo's civil society experienced unprecedented growth with the expression of their freedoms by the people of Africa in the 1990's and support from the 'East Wind' and more recently in the 2000's. All the actors agree to promote this growth even if it means that the private sector must remain inactive.

Various reforms must be undertaken to ensure that civil society's activities make better

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119 *UNDP - Togo, NGO Report on Sustainable Human Development in Togo 2004*

impact. Some of these include:

1. It is critical that civil society becomes professional in its work. It requires relevant competencies to enable it maintain the key position it occupies vis a vis the government.

2. The regulations that these organisations have freely adopted must be adhered to by their own actors.

3. The capacities of the latter must be strengthened in various sectors to ensure the effectiveness of their activities.

4. Civil society must have reliable financial partners over long periods of time to ensure continuity in its activities; it must particularly develop strategies to source for internal funding in order not to suffer the effects of international financial crisis

5. The partnership among CSOs must be consolidated. The activities of CSOs will be more visible if strategic partnerships along thematic lines are encouraged. Information sharing among local and regional CSOs must also be sustained. This partnership is also important with respect to actors in government. Civil society must not always be wary of them

6. The State in its capacity as guarantor of individual and institutional freedom must accelerate administrative procedures associations must go through to be certified, facilitate civil society's access to the media, involve civil society in socio political conflict resolution, and in the long term, provide subsidies to CSOs.

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ABSTRACT

In West Africa, CSOs have evolved and gained important recognition in public policy debates and contribution to democratic development. Civil society has contributed in varied ways to good governance and socio-economic development. Specifically, CSOs have intervened in elections and governance processes, conflict prevention and management, humanitarian crisis, health and sanitation challenges (Ebola outbreak in the region).

Even though CSOs are contributing significantly to development, very little has been highlighted and documented to demonstrate their achievements and contributions to the regions development.

This research report seeks to present a potpourri of existing and emerging issues on civil society's contribution to development in West Africa. Its sixteen chapters are each written by civil society practitioners actively working in the field and represent perspectives of all the fifteen countries. The book has two main objectives: to identify, gather, document, and share civil society's contribution to development as well as effectively use the evidence to shape public policy making in the region. The main priority is to present evidence that strongly reflects issues on the ground that would challenge preconceptions, while still maintaining a relevance to public policy and practice. What the authors have done is to individually capture the historical evolution of civil society, its contributions to development and propose concepts that will frame the development discourse in West Africa.

The overall aim of this research report is to move forward the documentation of the contributions of civil society to development across the region. It also seeks to open up the space for continuous discussions by showing the intrinsic value of civil society, using evidence drawn from each of the fifteen countries focusing on contributions to good governance, democracy, and sustainable development.