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Representation and exclusion in partial democracies: the role of civil society organisations

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Representation and Exclusion in Partial Democracies: The Role of Civil Society Organisations

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Only a democratic state can create a democratic civil society: only a democratic civil society can sustain a democratic state. (Waltzer, 1990: 9)

Abstract

The 'third democratic wave' that rose in the 1990s has receded in many countries, as incumbent regimes have manipulated electoral processes and regressive political movements have exploited class, ethnic and sectarian antagonism to undermine political order. Such events have led many to question the importance of democratic processes. The papers in this special section challenge both the uncritical advocates and over-critical naysayers of the third wave by treating democratisation as a long-term and contested transition from closed to open access societies, where elections represent a necessary but not sufficient mechanism to guarantee representation for excluded groups. The three papers focus on the critical role of civil society organisations (CSOs) in securing representation for marginal actors, drawing on the cases of Bangladesh and Uganda. In doing so the contributions illustrate the challenges that CSOs confront in situations marked by the problems of clientelism, capture and exclusion.

Key Words Democratic consolidation; Representative Organisations; Civil Society Organisations; Clientalism.

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Demands for democracy and participation in developing countries have dominated the global govern-ance agenda since the 1980s, driven by local political movements as well as donors who hope that competitive elections will enable people 'to hold [their] elected representative to account and 'promote inclusion and respect towards people of different ethnic origins, religions, genders, or different opinions (UN, Sustainable Development Goal [SDG] #16: 2016).

The 'third wave of democratisation," which began in the late 1900s and culminated in the Arab Spring in 2011, removed or destabilised many authoritarian regimes. It was greeted with great optimism, but these hopes have often been disappointed because many incumbent regimes have retained power by manipulating elections, and many weak states have failed to meet the complex challenges involved in consolidating democratic systems. Indeed, struggles for democratic rights and the onset of electoral competition have often intensified sectarian or ethnic antagonisms. Dominant elites in weak or frag-mented states[1] have managed to retain power by capturing representative organisations, exploiting cli-entelistic linkages, and excluding subordinate classes (Levitsky & Way 2010; World Bank, 2017).

These setbacks are not surprising. Elections have usually been resisted by incumbent elites and their supporters, and have usually worked effectively in societies with higher levels of social, economic, and political capital than most weak states can muster (Geddes, 1999).[2] In a sense, and consistent with Waltzer's observations cited above, many of the outcomes that we hope elections and democracy will produce may actually be necessary conditions for elections and democracy to be effective.

Although holding elections is clearly not enough to enhance social inclusion and generate prosperity, we would not want to jettison the democratic project altogether, for either normative or practical reasons.

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[1] 'Weak states' lack the capacity to sustain order and deliver services (Clapham, 1996); 'fragmented states' may have greater capacity, but are characterised by high levels of cultural or economic conflict (Kohli, 2004).
[2] Also see Brett, 2009; 2011; Kohli, 2004; Kurtz, 2013; Linz & Stepan, 1996; North, et. al., 2009; Tilly, 2007; Van der Walle, 2015; Waldner, 1999.

After all, while authoritarian rule succeeded in a few strong states, it produced economic breakdowns and violent and disruptive conflict in most weak ones. Further; attempts to re-impose 'traditional institutions,' as some as some third world radicals and hybridity theorists suggest, could lead to collaboration with 'dubious non-state orders' and could also 'risk eroding local legitimacy and consent … [and allow] 'violent or oppressive social practices [to] become embedded in officially recognized governance systems'; (Meagher, et. al., 2014: 4/5). And with democracy supported by 'almost 90 percent of respondents worldwide [who] view free and fair elections as an important instrument for improving economic conditions in their country' (World Bank, 2017, Ch 8), efforts to curtail democratization will only generate more unrest. Demands for participation and democracy are not going away; these are inevitable responses to corruption, bureaucratic failure, and to the increasing inequality and unemployment created by the destructive impact of global competition. Hence the question that confronts us now is not 'whether one could obtain aristocracy or democracy, but rather whether one would have a democratic society advancing … with order and morality; or else a democratic society that was disordered and corrupt', as de Tocqueville argued long ago (1835/1971: 149).

Taking a step back, 'world history', has produced multiple transitions from situations where 'one is free' to those where 'some are free', and, hopefully, eventually to those where 'all men (sic.) as such are free, and ... man is by nature free' (Hegel, 1822-30/1975: 54). And increasing freedom in weak authoritarian states has always threatened the wealth and power of existing elites, has been heavily contested, and often suffered serious reversals. The recurrent democratic waves that have transformed the modern world suggest that the forces that allow freedom to trump dictatorship are more powerful than those that block it, but persistent setbacks also show that democratisation is not a teleological inevitability.

The current crisis encourages us to think about democratic capacities that can be partially created *before* democracy is introduced, and subsequently built through 'complex and lengthy historical processes'

afterwards (Karl and Schmitter, 1994: 180; Lipset, 1959). When these processes of capacity construction begin in authoritarian societies, they can create what North et. al. (2009) call the 'doorstep conditions' that enable them to move from closed, to intermediate to open societies. And these processes are, undeniably, taking place almost everywhere, through improvements in communication and human, social, and economic capital, and the spread of liberal capitalism. These processes have intensified pressure from excluded groups and have turned most societies into intermediate societies, where the demand for competitive elections has already been conceded (van der Walle, 2015; Carothers, 2007; 2002). Consolidating these democratic transitions, in turn, and deepening democracy, therefore depends on the ability of excluded social groups to represent their own interests, strengthen their economic capacities, and oblige dominant elites to implement progressive policy programmes by enabling them to build what North et. al. (2009: 26, 152) call 'perpetually lived organisations', that is to say, impersonal organisations that are sufficiently institutionalised to outlive their individual members.

Representative Organisations and Political Agency in Competitive Authoritarian States

Building on these insights, the articles in this special section offer a corrective to both the uncritical advocates and over-critical naysayers of the third wave, treating it as a heavily contested and long-term process. Democracy depends on parties that compete for power at the ballot box, and also civil society organizations (CSOs), such as social and political movements, pressure groups, and non-governmental organizations. CSOs are 'an an essential ingredient in both democratization and the health of established democracies' (Foley and Edwards, 1996: 38: Faguet, 2012: Putnam, 1993) because they enable groups of all kinds to articulate demands and influence how elected rulers and state officials exercise power, and they play multiple political roles in authoritarian and democratic societies.

Of course attention to CSOs is not new. Scholars have celebrated their role in challenging authoritarian regimes in Latin America and Eastern Europe (Foweraker, 1995; Tarrow, 1994), for example, identified them as a key mechanism for representing the poor with donor support (Clark, 2002), and they are seen as essential for 'bottom-up development' processes (Chambers, 1997; 1983; Nelson & Wright, 1995; Uphoff, 1992).The studies in this special section show how CSOs' ability to perform these desired functions are contested by existing elites and can be distorted by power asymmetries that undergird authoritarian regimes. The case studies provide detailed evidence of the same problems of clientelism, capture and exclusion identified by the World Development Report (2017).

David Lewis analyses clientelism and the marginalisation of political organizations in Bangladesh. The article examines the activities of political NGOs in Bangladesh and identifies some important successes, but attributes their long-term failure to three factors - an *institutional setting* dominated by clientelistic structures; a shift in *donor support* from mobilisation to market-based service delivery agencies; and *internal structures* and external relationships that encouraged elite capture, co-option and personalised leadership.

Bangladesh shifted from democratic to military rule in 1975, and back to democracy in 1990, followed by regular elections contested by two major parties that alternated in power until this process was disrupted by a military-backed caretaker government in 2006-7, but followed by elections in 2008. The country has therefore operated as a formal democracy, but regular elections have been superimposed on illiberal values and structures that have produced a system of "rotating plunder" that has created a limited degree of stability, but turned democracy 'into a façade. Both parties have refused to act as a 'loyal' opposition by resorting to boycotts, strikes, protests, and political violence when they lose, and depend on patron-client relationships to reward supporters and maintain alliances with dominant elites.

Donors have supported successive governments and service delivery NGOs, but also helped radical activists to create politically oriented NGOs committed to overcoming the structural causes of poverty and exclusion and facilitate 'people's self-development' (Rahman, 1993) in the 1970s and 1980s. These activsts used NGOs to evade the military regime's limits on open political competition, and because parties were compromised by their reliance on vertical clientalistic systems. They formed village level groups to strengthen the economic and political capacities of the poor; tried to link them into wider networks and federations; and to influence the government through policy advocacy.

Paradoxically, they were most effective under the military regime because they did not threaten its authority, and helped to promoting pro-poor policies that helped it legitimise itself. However, their successes depended on 'top down' advocacy and reformist elite networking, not political mobilisation, because they could not resist the violent sanctions that followed confrontations with local power structures, or build horizontal ties within vertically structured rural societies.

Democratisation should have strengthened their influence, but their ability to mobilise support threatened the clientalistic relationships that sustained a political system where parties depended on patronage distribution and could co-opt NGO leaders, and the poor depended on vertical links with local elites rather that horizontal links with each other. An authoritarian cultural environment, privileged access to donor resources, and links to the external patronage system enabled NGO leaders to undermine internal democratic processes and stakeholder accountability with only one exception. A decline in donor support from mobilisation to development NGOs, compounded by their internal failures, then virtually eliminated the political NGO sub-sector with one significant exception. Lewis's article thus speaks to the challenges of building and sustaining democratic capacities even in the context of increased electoral competition.

Tom Goodfellow analyzes organisational Capture in Uganda. The Uganda Taxi Operators and Drivers Association (UTODA) was set up to represent owners and operatives, and regulate and maintain public transport services in Kampala. It should have strengthened democratic processes, but Goodfellow shows that it was captured by its leadership and the political-economic elites who straddled the state-society divide and created new structures of authoritarianism and elite collusion instead. This under-mined urban services and popular representation more generally and led to the organisation's downfall in 2011 and the reassertion of top-down state control.

Thousands of mini-busses provide public transport in Kampala, and were generating more than $100 million a year by 2009. Ownership is widely dispersed, but many owners control large vehicle fleets. UTODA collected welfare payments for drivers, and fees to enable the City Council to maintain the taxi parks. By 2009 it was collecting $24 million from fees, but transferring less than $5 million to the City, and had spectacularly failed to fulfil its obligations to its members or the city, but it had protected taxi owners and provided massive rents to its secretariat.

These immense profits and rents meant that UTODA was unable to insulate itself from national political power struggles. It allied itself with the ruling party, and many leading politicians profited from large taxi fleets. The government gave it monopoly powers that were then protected by a tight web of political and economic interests that enabled it to exploit its operatives, withhold taxes, allow taxi-parks to deterio-rate, and ignore congestion and dangerous driving for over two decades.

Goodfellow attributes these failures to the weak internal accountability mechanisms that allowed owners and officials to dominate workers, but especially to collusive relationships between UTODA's leaders and the state. Rather than a unidirectional process in which societal interests 'capture' the state, he treats this as a two-step process of 'double capture' in which UTODA was first captured by government interests, followed by the emergence of independent interests in the organisation that enabled it to dom-inate government policy.

He then attributes the instability of this elite settlement to the fact that it generated both collusion and conflict with different parts of the state. UTODA's failures produced serious public anger and chronic conflict with the opposition-controlled City Council. The government responded by replacing the elected Council with an appointed City Authority and removing UTODA's authority and fees. This eliminated a dysfunctional organisation, but in the absence of any democratic foundations or alternative bottom-up organisations to build upon in the sector, led to the government reasserting top-down control and further undermining the possibility of a democratic alternative.

While Lewis and Goodfellow both illustrate the challenges and limitations to CSOs' efforts to secure greater representation, King & Hickey's article points to the possibilities of greater success. These authors show how a local donor funded NGO and a farmer cooperative in rural Uganda reduced the political and economic exclusion of small farmers in rural Uganda by enabling them to build new trust networks, cross-class alliances, and encourage synergistic relations between civil and political society. They use Tilly' theorisation of 'democratisation as process' to show how they strengthened their political agency in conditions of socio-economic inequality and contested state-society relations in a semi-authoritarian, neo-patrimonial and predominantly agrarian society.

Uganda has had regular elections since 1986, but the regime uses public resources and manipulates shifting power relations between political elites, and elites and more popular actors to retain power and subvert democratic processes. Ugandan smallholders do not depend on landlords but have been systematically excluded from public politics and formal markets, and subjected to hierarchical social structures and clientelist relations with local politicians and civil servants that Tilly (2007) calls 'categorical inequalities'.

These processes have forced the rural poor to rely on informal economic and social relationships that Tilly describes as 'segregated trust networks' to survive. He argues that these block their ability to con-

solidate democratic transitions until they can find ways to integrate them into public politics. King and Hickey review the literature exploring the role of a wide range of solidaristic organisations – co-operatives, parent teacher associations, churches, and local NGOs supported by foreign NGOs – that have done this, and then document the activities of two successful Ugandan organisations.

The first is a professionalised development NGO run by local elites and financed by donors. It supported democratisation through rights and governance training, created deliberative spaces, leadership retreats and policy research to foster positive relationships between civil, state and political elites. It could not incorporate local citizens into formal participatory processes governing service delivery, but did bring non-state elites in local planning and budgetary processes.

The second is a coffee marketing and savings co-operative that mobilizes smallholders through house-hold-to-household conscientisation. It created a reputation for efficiency, trustworthiness, and high quality coffee, gave farmers better prices, and increased household income, savings levels, and socio-economic mobility.

This study shows that these organisations did not challenge national power structures, but also that they did help excluded communities to challenge categorical inequalities and encourage political and economic engagement and suggests that smallholder forms of collective action could play a more progressive role in making democratic developmental advances rather than more professionalised/de Tocque-vllian forms of civil society. It therefore provides us with a useful corrective to overly-elitist and pessimistic evaluations of the challenges confronting 'bottom up' development, by demonstrating that building capacity within informal institutions, and strengthening channels of influence with external organisations can strengthen their capacity 'organise and demand political and social rights' enhancing the likelihood that 'distributional conflicts' can be 'peacefully mediated' (Sandbrook et al., 2007).

To summarize, we live in a world marked by deep and persistent desires to consolidate the democratic rights of the poor, but where efforts to do so in many competitive authoritarian states remain compromised by clientelism, capture and exclusion. The strength of the democratic imperative that dominates contemporary political discourse is undeniable, but the challenges that democratic overcome through long-term and heavily contested processes designed to strengthen state and economic capacities in these societies, and especially to create strong and responsible representative organisations that enable the poor to play an equal part in negotiating the compromises between conflicting interests on which peace, stability and political cohesion always depend. It is the latter phenomena, the creation and mobilization of CSOs, that is the focus of this special section. The three articles that follow provide us with important insights about the processes, and the challenges that ongoing attempts to achieve these goals have confronted in competitive authoritarian states. These include the complex threat to autonomous pro-poor organisations posed by competitive politics in societies dominated by vertically integrated clientelistic relationships and the way electoral competition can intensify problems of elite capture of representative associations, but also how the leadership of intellectuals and support by foreign donors can create organisations that mobilise and represent marginalised and atomised actors.

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