Southern civil society in perspective

A literature review

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May 2013
Main points

- Civil society has acquired an increasingly central place in ‘thinking on development’;
- Scientific research into the various aspects of civil society in developing countries is limited, strongly normative in nature and often seen from the perspective of the ‘aid system’;
- It is and remains crucial not to equate civil society narrowly with NGOs. Equally, it remains essential to recognise the need for a contextual analysis (whether that concerns their potential contribution to development, their relationship with government, their interaction in international networks, or their possibilities for financial self-sufficiency);
- Recognising CSOs as development actors also means that they have to be seen in the light of changes in development problems and processes and of the strong proliferation of development actors;
- Despite continuing high expectations regarding CSOs, their ‘golden era’ is essentially because of overall changes in the development context but also (and mainly) because they have become disconnected from their grass roots;
- The ‘battle’ about the most central role for CSOs continues. Insufficient account is taken of the contradictory messages being sent out from the aid system relating to the separation of service provision and a more political role;
- In determining the strength of civil society, it is necessary to look at both internal and external conditions – including the role played by international financing;
- In a legal sense, Southern CSOs are increasingly limited in their freedom. Central to this problem is the discussion of roles and the contrasting views regarding the roles of CSOs themselves and Southern governments. In this context, the international aid system does not seem to make a clear choice;
- Cooperation and networking may be increasing, but they remain unclear at national level and are still strongly dominated by Northern organisations at international level;
- The opportunities for Southern CSOs to break out of their relatively strong dependence on the ‘aid system’ still seem limited. It should be recognised that this dependence brings both advantages and disadvantages. The consequences of the agenda to increase aid effectiveness are crucial in this respect.

Introduction

‘We seem to be in the midst of a ‘global associational revolution,’ a worldwide upsurge of organised private voluntary activity. Despite the promise that this development holds, however, the nonprofit or civil society sector remains the invisible subcontinent on the social landscape of most countries, poorly understood by policymakers and the public at large, often encumbered by legal limitations, and inadequately utilised as a mechanism for addressing public problems’ (Salamon 2010: 167)

In the context of further policy development within the Ministry of Foreign Affairs (e.g. DSO) in the area of civil society, CIDIN has been asked to update its short quick-scan of the academic literature relating to ‘developments in and around civil society in the South’ (i.e. in developing countries) of 2011 (Schulpfen & Habraken 2011). We do this by adding relevant recent studies and paying particular attention to the (political) space for CSOs, the challenges to ‘traditional’ CSOs posed by what is called ‘new citizen movements’, and the funding perspectives of Southern CSOs.

The most crucial selection criterion for such ‘development regions’ is the estimation that they ‘are relevant for the Ministry’s future policy’, or that of Dutch CSOs. The starting point here is
that the Ministry’s policy will continue to focus, in the future, on strengthening civil society in
developing countries and that this will be done while seeing civil society (and donor relationships
with CSOs) as complementary and just as necessary as donor relationships with governments
and the private sector to the social, economic, and democratic development of any country
(Wood & Fällman 2013).

In this paper we express the above considerations through the idea that, in addition to the
general guidelines of the Ministry’s development policy, a new civil society policy should take
account of developments in the area of international cooperation and of a number of
developments in and around civil society in the South. Below, we first briefly examine a number
of developments in international cooperation that are considered crucial and then we focus on
Southern CSOs and their roles, relations with governments, networks and financial self-
sufficiency. First, however, we consider it necessary to take a brief look at the concept of civil
society. We end this paper with the first steps towards a future perspective on the role of civil
society organisations in development (and not in development cooperation), on the basis of the
idea that every policy starts with a perspective.

A prior warning needs to be sounded. Much of the available literature on CSOs is strongly
normative in nature and is not necessarily based on empirical research (although this paper does
attempt to include as many empirical studies as possible).\(^1\) In addition, there is a lack of ‘hard’
data on CSOs (e.g., relating to financing) or the information is only partially reliable. Lastly, a
large part of the literature focuses primarily on NGOs (seen here as a subsector of civil society)
and argues from within or on the basis of the ‘aid system’.

**Civil society – what’s in a name?**

> Seen in this way, civil society is simultaneously a goal to aim for, a means of achieving it, and a
framework for engaging with each other about ends and means (Edwards 2011a: 12)

It is important to recognise that within international cooperation there has long been a tendency
to equate civil society with NGOs. Banks & Hulme (2012: 21) thus criticise donors for their
‘simplistic view of civil society as a collection of organisations rather than a space for interaction
and negotiation around power’ but particularly for narrowing down this ‘collection of
organisations’-idea by focusing almost exclusively on NGOs (also see Obadare 2011a). Earlier,
Edwards (2009) already denounced equating civil society with NGOs as ‘too rigid, too static, too
absolute, too bifurcated and too distant from the diverse and complicated lived realities of
citizen action that provide the most important sources of learning and experience for the
conversation we need to have’. In reality, NGOs are only one part of civil society.

In policy terms, this idea of NGOs being only one part of civil society is increasingly recognised
with donors now having a ‘more inclusive understanding of civil society’ (Giffen & Judge 2010).
Still, it remains important to devote attention to the concept itself. CIVICUS defines civil society
as ‘the arena – outside of the family, the state, and the market – which is created by individual
and collective actions, organisations and institutions to advance shared interests’ (see also

\(^1\) Besides, in their literature review of NGO performance research in academic journals Kareithi &Lund (2012),
for instance, reveal that only ‘a modest number of 31 studies’ really dealt with NGO performance and that even
in these studies the inclusion of a beneficiaries’ perspective on NGO performance was rather low, despite the
popular use of participatory development as an approach. Lastly, only a very small number of articles was
actually published by African researchers.
Salomon 2010 for an overview of the characteristics of what he calls non-profit institutions (NPIs)). On the basis of this broad definition, civil society includes all forms of organisations outside the state and the market (i.e. trade unions, sports clubs, foundations, environmental organisations, etc.). In the context of international cooperation, perhaps not all these forms of collective action are equally relevant for ‘development’ (in a broader sense). It is, however, not easy to draw the dividing line, as recent developments in the Middle East (the ‘Arab Spring’) have shown (see further ‘A changing playing field’). Reasoning from the idea that civil society organisations play a relevant role in development and development processes, it is important to adopt a broad perspective to ensure that potentially relevant actors are not by definition excluded and that aid funds do not reinforce imbalances in civil society in developing countries. It is equally important to keep in mind that not all that is captured under the term civil society is by definition ‘civil’ – in fact, as Bob (2011) clearly shows, there is also ‘civil society’s dark twin’: uncivil society.

CIVICUS’ definition of civil society is, however, not restricted to organisations as they also talk about (1) individual actions and (2) an ‘arena’ and (3) ‘shared interests’. Particularly in light of increased citizen protests, CIVICUS emphasises in its 2013 State of Civil Society-report (CIVICUS 2013: 10) that not only all kinds of associational forms (e.g., NGOs, CBOs, FBOs, trade unions) are part of civil society but that the same holds for ‘individual activists, including online activists, artists and writers and human right defenders, when they act in the public sphere to advance or defend a viewpoint that others may share’.

The combination of ‘individual or collective actions’, ‘arena’ and ‘shared interest’ takes us directly into Edwards’ (2009) three different but strongly interconnected views of civil society: ‘it means a certain kind of society marked out by equality and justice, democracy and tolerance; it means all forms of voluntary collective action—formal and informal, traditional and modern, secular and religious, and not just formal NGOs; and, because these diverse associations generate competing views about the ends and means of the good society—it also means the public sphere, the places and the spaces both real and virtual in which different visions can be reconciled and societies can secure a political consensus about the best way forward’ (Ibid: 3, see also Edwards 2004 for a more detailed discussion of these three views of civil society).

Box 1. Context counts – examples from five regions

Studies based on data on the environment dimension from the CIVICUS Civil Society Index show that the relationship between civil society and the state and between civil society and the private sector vary substantially per region (and country). Opoku-Mensah (2008) shows for Sub-Saharan Africa, for example, that the enabling environment for civil society, ‘while no longer hostile [largely due to pressure from donors], is still disabling for civil society’ and ‘private sector support for CSOs is minimal [to] nonexistent’ (partly because of the fragile state of the private sector itself, but also because of the idea that CSOs are dependent on external donors). A summarising study of the Asia-Pacific region (Tandon & Kak 2008) shows great differences in the enabling environment in different countries in terms of the degree of political freedom, civil liberties and socioeconomic development. Despite these differences, the authors observe that in all countries ‘civil society is yet to achieve any significant status vis-à-vis the state and the market’. Although Taiwanese CSOs are reasonably successful at raising funds from the private sector, this form of financing is minimal in other countries and CSOs have not yet found an effective strategy for working with the private sector. For the Middle East, where the emphasis is on national security and a strong state, Khalilaf & Tür (2008) show that the restrictive political and legal climate is the most problematic aspect for CSOs. In post-communist Europe the space for CSOs has increased considerably (to a large extent also because of pressure from donors) even though ‘their relationship with the state often [remains] tense’, especially in the case of CSOs that are critical of the state. At the same time, the relationship between civil society and the private sector continues to be dominated by mutual indifference (Celichowski 2008). Lastly, countries in Western and Southern Europe have the highest scores on the environment dimension, even though the differences are also clear here. For example, cooperation with the state is more limited in southern Europe than in the north (Knight 2008).
The discussion on the applicability of the concept of civil society in the South continues (and certainly in the light of external efforts to strengthen civil society) (see Lewis & Kanji 2009: 137 for an overview of different standpoints in this discussion). This paper takes as its starting point that neither the Western origin of the concept nor the current dominant Western interpretation of it necessarily make it irrelevant to developing countries. Edwards (2009: 6) therefore says that the question is not whether civil society exists in Africa (‘for clearly, it does’) but ‘how are African civil societies evolving on the ground?’. The fact that Edwards uses the plural form here is crucial because it confirms the idea that civil society is not a homogenous entity (but is, on the contrary, typically very diverse) and because context is of decisive importance to understanding developments in and around civil society in various countries (see also Box 1). Just as poverty (and thereby poverty reduction) depends on the context (DAC 2001), the same applies to civil society (as various elements discussed here below show). For Edwards (2011b) ‘context is all’ meaning that Rodrik’s warning (2007) that ‘trying to apply uniform best-practice rules or harmonising policy differences away does not serve the needs [of] developing and transitional economies’ also applies to civil society and policy-making related to it.

A changing playing field

‘The picture that emerged, in short, was one of disconnects: disconnects between CSOs and other sectors of society; disconnects between CSOs of different types, such as NGOs, faith groups and trade unions, and between service delivery and advocacy CSOs; and disconnects between CSOs and citizens’ (CIVICUS 2012: 71).

Before focusing more specifically on characteristics and development around (Southern) civil society, it is advisable to carry out a brief examination of a number of changes within development and development cooperation, as these are, for example, also important for the functioning, the roles and the financing of CSOs. It should be noted first of all that the exact significance of these changes is not known, nor is the best way to respond to them (although different authors have tried to grasp such changes and have also come up with what these changes require of CSOs and, mainly, international NGOs – see, for instance, the Future is Calling discussion hosted by the Broker on www.thebrokeronline.eu or Banks & Hulme 2012; Evans 2011; Trocaire 2011; Clark 2011). A distinction can be made between changes (1) in the field of development problems and thereby in relation to objectives; (2) within the system of international cooperation; and (3) in terms of actors in the area of development (Shafik 2010).

Problems include issues like demographic changes (Trocaire 2011), increasing pressure on the environment (Brown 2011), a wide range of global goods or bads (e.g. the climate crisis), rising food prices (OECD/FAO 2011; Oxfam 2011) and changes relating to poverty, with rapid reductions in some countries and stagnation in others, and the discovery that most of the poor now live in middle-income countries (Sumner 2010), so that exclusion is moving to centre stage (Trocaire 2011). This is all leading to a widening of the development agenda, with more and more ‘collective action problems’ (Shafik 2010) and thus greater attention to global public goods, international negotiations, networks, etc.

Within the system of international cooperation several challenges are noteworthy. This includes ‘fiscal austerity in OECD countries [with its] downward pressure on donor aid’ and ‘a desire in many countries to reduce dependency on aid’ (Greenhill et al. 2013). But perhaps most important of all are the increasing pressure on aid effectiveness and the way in which donors
have shaped that within the Paris Agenda (in the Paris, Accra, and Busan declarations). These international agreements (especially since Accra) have given civil society a more central role.\textsuperscript{2} As Giffen & Judge (2010: 2) point out: ‘Civil society is now seen to have an important role to fulfil in helping build country ownership of aid policies by being engaged in discussions and dialogue about these policies, and also an important role in holding governments to account and ensuring that policy commitments are met.’ (see further ‘The roles of CSOs’).

Sheahan (2010) also makes it clear that the Paris Agenda has not only created opportunities for CSOs, but has also linked the necessary challenges to the capacity of CSOs and the will of governments to include them in policy processes (see further ‘The strength of civil society’). From another perspective, it can even be claimed that elements of the Paris Agenda are used against CSOs (see further ‘Political space’). It is interesting in this connection to examine to what extent the different guidelines in the Paris Agenda are applicable to CSOs. The study by Tomlinson & Macpherson (2007), for example, shows that Southern organisations need ‘predictable [core] funding’, while the Keystone study (2011) refers to the importance of ownership, the involvement of Southern CSOs in policy formulation, networks and core funding.

The current debate on the effectiveness of CSOs actually contains a significant contradiction. On the one hand is the idea that ownership, and the corresponding partnership whereby Southern organisations acquire the space to determine local priorities, is necessary to achieve effectiveness and sustainability. On the other hand, North-South relationships – in the name of improving effectiveness – are precisely more top-down, because policy and programme objectives, funding arrangements and accountability requirements are becoming increasingly flexible. Elbers (2012a) argues that this contradiction originates in opposing underlying assumptions about what development is, how it can be achieved and what role civil society can play in it.

The third area of change is the growing diversification and proliferation of development actors – largely outside the traditional development sector – with their own ‘distinctive value, expertise, partners and motivations – dimensions that expand the potential of aid beyond the simple addition of their financial revenue’ (Worthington & Pipa 2010: 29). This is partly related to the emergence of non-traditional (bilateral) donors (like China and India), but also to non-state actors like private initiatives, global funds, businesses and corporate foundations (Schulpren et al. 2011; Develtere 2009; Severino & Ray 2009, 2010; Shafik 2010). Insight into relations between local civil society and these new ‘emerging donors’ is still seriously restricted by a lack of research.

As one of the few available studies, Sheahan (2010) does conclude that foundations appear freer than, for example, bilateral donors to offer long-term funding, but that they can simultaneously have priorities (providing services outside the public sector) that are not compatible with the objectives of civil society organisations (see further ‘Financing – on the way to financial self-sufficiency?’). She also states that ‘many African civil society actors share in the sense of amazement about the recent growth of China’s role in Africa but have little information and even fewer avenues for dialogue’. The latter has much to do with the fact that ‘as yet, Chinese

\textsuperscript{2}At the same time, the discussion on the aid architecture is primarily a Northern affair. As far as is known, only Menocal & Rogerson (2006) offer a more systematic insight into the perspectives of Southern CSOs on developments within the aid architecture. A recent study by Greenhill et al. (2013) adds a Southern perspective on fragmentation and proliferation which are central challenges the Paris-agenda tries to tackle. They conclude that ‘countries are welcoming this additional choice and see these trends as more positive than negative. The benefits of greater choice were found to outweigh the potential costs of the additional fragmentation’.
actors interested in Africa have done little in practice to acknowledge the relevance of Africa’s civil society and even less talked to its representatives’.

A more recent study by Vaes & Huyse (2013) provides a first more comprehensive Southern civil society perspective on emerging powers’ involvement in Africa and, particularly, on South-South cooperation (SSC). What stands out in their analysis is ‘the China bias of the respondents’ as well as ‘the overall impression that many of the participating civil society representatives may have a limited knowledge but an overall nuanced view on SSC with emerging powers’ (ibid: 33). Despite this, the study shows that about one-third of African CSOs surveyed (N=76) agree that ‘emerging powers understand [their] situation better’ and that an even larger part (49%) agrees that ‘traditional donors can learn from emerging powers’. Perhaps more important is the finding that CSOs have little ‘detailed knowledge on the topic’ and that ‘survey and interviews results display a rather low involvement in SSC by the participating CSOs’ despite the fact that they are ‘convinced that civil society has an important role to play in assuring that SSC would be better aligned with the needs and interest of African citizens’.

To these new actors can be added the growth of ‘global civil society’, which Giffen & Judge (2010: 4) describe as ‘cross-border partnerships and international networks of civil society groups, who lobby and campaign in the international arena’. This is closely related to the widening (and internationalisation) of the development agenda and to the increased attention to the role of civil society in development. At the same time, that raises a number of questions about, for example, representation, legitimacy and (global) governance (Erman & Uhlin 2010) (see further ‘Networks’). Simultaneously, as Gaventa & Tandon (2010) emphasise, global actors and globalisation factors not only lead to transnational civic action, but also have an impact ‘on national and local decision-making processes’ and thus local grassroots actors. At the same time, global processes also bear on citizens trying to organise themselves upwards from the local to the global in order to put pressure on global institutions. They thus argue that global governance ‘does not mean the replacement of one level of authority with another, but an increased complexity of power, which requires the ability to span spaces and arenas if more inclusive citizenship and effective citizenship action are to be attained’ (ibid: 24).

Finally, and of particular importance to civil society, is the fact that the recognition of civil society as ‘independent development actors in their own right’ marks a period in which CSOs are increasingly criticised and in fact have lost much of their standing as ‘essential development partners’ (OECD 2011). Partly this is due to the above mentioned contextual changes which put governments, international arrangements, and new actors (e.g., the business community) more to the front. There are, however, also other changes that impact on the once prominent position of CSOs and NGOs in the field of development. The main question here concerns their legitimacy and then particularly what Trujan (2012) calls ‘moral or ethical legitimacy’ and ‘relative legitimacy’.

CSOs suffer from increased questioning of their moral and ethical legitimacy referring to their recognition ‘as representing the people, or a group of people, which comprises their constituency’. Generally, these claims are questioned by many when asking in name of whom CSOs are actually talking. Such critical questions are not only asked by those outside of CSOs. Even CIVICUS (2013: 20) notes that ‘because of changes in ‘understanding of what civil society is and does’) it is pertinent to ask ‘to what extent are the CSOs accredited to multilateral meetings, such as those of international financial institutions, representative of the breadth and depth of civil society?’ and ‘whose interests can they claim to represent?’.
This discussion is particularly clear at the international stage, where Smith (2012) and Paul (2012) point out that the intense exchange between CSOs and the UN that was so clear in various global UN conferences ‘today has drastically diminished’. Paul (2012) adds that those who predicted ‘a steady upward path of civil society influence at the UN proved to be wrong’. In fact: states have ‘become less tolerant of civil society’ an ‘increasingly wary [of their] activism’. This process started already in the 1990s but really took off after 2000. It should be noted, however, that the legitimacy of the UN system itself is under attack as well. CIVICUS (2013: 11), for instance, in expressing its dissatisfaction with the Rio+20 negotiations felt that these tell ‘us definitively that the multilateral system as it stands is no longer fit for purpose, and needs a major overhaul’. The same sentiments have been expressed elsewhere if only because of the changing geo-political situation.

Discussions about CSOs’ moral and ethical legitimacy is also clear from the disconnect that is seen between ‘established CSOs [...] and ‘many citizens, and particularly from new and informal forms of participation and activism’ (i.e., citizen protests such as the Occupy-movement, the Chilean students’ movement, the campaign in India against corruption) (CIVICUS 2011). Added then is that ‘in almost every country, informal participation, whether it is community voluntary work, involvement in group activities or acts of individual political activism, outstrips membership of formal CSOs’.

PRIA (2012) sees these so-called new citizen movements as ‘individual, home-based, yet collective actions’ that are organized differently than formal CSOs (‘no formally anointed or agreed leadership’, more ‘horizontal’), make ‘liberal use of the social media’, are principally political in nature, and use a plethora of activities (from internet petitions to marches) (also see: Fowler & Biekart 2011; CIVICUS 2012; Della Porta & Diani 2011) . At the same time, a warning is implicitly issued as well for if such movements indeed want to secure sustainable solutions to their grievances, they may require ‘organisational mechanisms of certain longevity and durability’ (PRIA 2012) and as such run the risk of co-optation and losing their informal strength (also see: Habraken et al. 2013).

Obviously, existing formal associations were not considered capable of voicing the collective frustrations and anger at the heart of these new citizen movements leading the strive for ‘dignity and a questioning of the current rules of engagement’ (CIVICUS 2012: 49). This then includes many CSOs and NGOs which have become depoliticised, professional, and formal (because of ‘a tighter regulatory framework’ according to Howell 2012: 50) and thereby essentially ‘alienating hierarchies’ (PRIA 2012: 9-11, also see Banks & Hulme 2013).

For CIVICUS (2011), the disconnect is at the heart of its analysis of the state of civil society as the quote at the start of this section clearly states by pointing at a disconnect ‘between CSOs and other sectors of society […] between CSOs of different types, such as NGOs, faith groups and trade unions […] between service delivery and advocacy CSOs and […] between CSOs and citizens’. An example of this ‘disconnect between CSOs and citizens’ is provided by the study of Dekker & De Hart (2011: 7) for the Netherlands where they see a shift in voluntary work from ‘fixed functions in membership organisations’ to ‘individual activities in more loose relations’. They add to this that voluntary work is also shifting from ‘the core of civil society to the periphery’ where new forms emerge in the ‘transition area to government, the informal sphere, and the commercial sector. The latter in turn points at the emergence of social entrepreneurship as ‘a new, important, and growing subsector of civil society’ (Nicholls 2011). One of the main issues that CIVICUS takes from all this is that they ‘may have too narrowly defined civil society.
and underestimated potential for protest in places where there are few freely operating NGOs or few young people expressing interest in party politics. From this they then take the need for a ‘broader, more inclusive view of what civil society is, how it works and how to support it’.

This perceived ‘disconnect’ directly relates to the call for civil society to ‘find ways of blending service delivery with other roles such as advocacy and community organizing’ (Smith 2011: 38) and makes the call of Banks & Hulme (2013) that NGOs should return to their roots and should strengthen themselves as ‘civil society organisations’ understandable. For them, this principally entails that they should once again ‘politicise’ themselves as it is through their present operation as ‘non-political institutions’ that ‘NGO involvement can bring an end to citizen-driven movements, losing the transformative power of radical ideas and threatening the sustainability of long-term processes seeking structural change’. This call for returning to ‘small-d’ development (and thus moving away from ‘Big D’ Development – also see Bebbington et al. 2008) is, however, easier said than done if only because it requires NGOs to move out of their comfort zone. Banks & Hulme (2013: 22) are thus correct in stating that ‘this is a risk-strewn path’ and ‘it remains far from clear whether NGOs can link up with social movements and play a stronger role in the transformation of highly unequal power relations in society’.

The call for such a move is becoming stronger though. Atwood (in: CIVICUS 2012: 64), for instance, calls for ‘bridging the gap between “traditional” CSOs and online activists’. Perhaps, however, this gap (mainly because “activism” is not inherently compatible with the work of traditional CSOs’) should be bridged not by CSOs becoming activists themselves but by ‘appreciat[ing] the different roles activists and traditional CSOs play’. Kunreuther (2011), although stating that ‘these new formation are still nascent and the impact is unclear’, also remarks that ‘their attempts to address inequalities of power by increasing citizen voice are an indication that new routes to civil society through grassroots associations are constantly opening up, and must be nurtured’. CIVICUS (2012: 77) then calls for building ‘new alliances and coalitions, looser than existing networks and organisations, but more inclusive’. Paul (2012) in turn asserts that ‘NGOs can draw strength […] from emerging grassroots movements and global democratic openings such as the “Arab spring” and anti-austerity mobilizations’ but fails to include an answer to the how-question. This then remains one of the main challenges for civil society organisations in the coming years.

It is, however, not only the moral and ethical legitimacy of CSOs that is being questioned but also their ‘relative legitimacy’ or the extent to which they act ‘in solidarity with [their] constituency, in representing their interest, in acting on their welfare, in being enablers for the people to claim their rights’. Essentially, this refers to their effectiveness (although not necessarily in terms of ‘bang for a buck’-ideas that are central to development cooperation). In that sense, it is correct to point out specific limitations of NGOs as development actors (despite high expectations of CSOs – see further ‘The roles of CSOs’). The AIV (2013) mentions three such limitations: (1) some problems are way beyond the scope of what NGOs can address; (2) their accountability structure is diverse, some NGOs are not sufficiently transparent and are thus not automatically accepted as legitimate representatives or interlocutors; and (3) they deal with limited, unpredictable financing while their dependence on private funding and subsidies can come at the expense of independence. Still, Banks & Hulme (2013) bring together several of the critiques on NGOs and conclude that they have major problems living up to their ascribed grassroots orientation because they have been taken up in the international aid chain making them ‘too close to the powerful, and too far from the powerless’, moving them away from ‘broader goals of empowerment’ to ‘measurable outputs’, making them accountable to their donors and less to
their constituencies, and making them more concerned with the sustainability of their own organisation than with the sustainability of outcomes. Besides, there is still little empirical evidence for their presumed innovative power.

Such critiques may seem to be first of all a critique of the aid industry. From that perspective, it raises questions about the extent to which such critical notes are applicable to broader civil society organisations, to Southern agencies and to those that are (willingly or not) outside of the aid system. For now, such questions remain unanswered if only because much of the existing literature is restricted to (Northern) NGOs and, particularly, to those within the aid system. Besides, there is evidence to the contrary as well. In his case study of Kenya, Brass (2012), for instance, asserts that most Kenyan NGOs are ‘funded via international sources’ and are active in service delivery but still had such an impact that ‘governance of Kenyan service provision has begun to become more democratic’. It again shows the importance of context and the difficulties in generalising about NGOs or CSOs.

At the same time, it would be wrong to see it only or mainly as critique of the aid system for it is also critique at civil society itself, about their performance and about their connection to others (and particularly citizens). As such, the changing playing field for civil society embraces a multitude of challenges; some of which hold for all players in the field of development but also some that specifically hold for CSOs. CIVICUS (2012: 71) summarises these challenges – some of which are discussed in more detail in separate sections below: ‘volatile and ever contested space for CSO operations; limited and constrained relationships between CSOs and the state, and little in the way of CSO-private sector relations; a difficult and in some cases declining funding environment, compounding profound human resource deficits; insufficient networking, particularly between different types of CSOs or CSOs working on different issues; a gap between CSOs’ articulation of progressive values and their internal modelling of them; limited policy impact, when compared to social impact, and with much policy-related activity generating relatively little change; and low levels of public involvement in the activities of CSOs, as characterised by CSO membership and volunteering for CSOs’.

That the Accra Agenda for Action recognises CSOs as ‘actors in their own right’ and many (including DAC members) see CSOs as essential development partners should not distract us from the fact that particularly those CSOs that have been central to the world of international cooperation up to now are not necessarily the favoured ones anymore. Already in 2005, Lewis stated that with more prominence ‘to wider concepts of public action [...] it is now more widely recognised that NGOs play a part, but no longer form the central theme of development’ (Banks & Hulme 2013: 25). Besides, it should be acknowledged that there have been ups and downs in the importance attached to (these) CSOs and that at present the overall picture is more ‘down’ than ‘up’. Banks & Hulme (ibid) while focusing on NGOs, for instance, distinguish five periods starting with the period until late 1970s (in which a limited number of small NGOs existed receiving little external support) and ending in the 2010s in which there is recognition of their ‘limited success in advocacy and empowerment’ as well as of the fact that NGOs are ‘only one sector within broader civil society’. It calls not only for a repositioning but also shows that the 1990s as the ‘golden era’ of civil society is over (Howell 2012). They are still considered important but their acceptance is far less unconditionally as in earlier days.
The roles of CSOs

‘Civil society organizations are very distinct development actors and their significance extends far beyond the role they play in aid architecture’ (Sheahan 2010: 7)

The customary division of development activities in the Netherlands into the three categories of direct poverty reduction, society-building and influencing policy (also known as lobby & advocacy) was reduced under former Minister Koenders (DGIS 2009a) to two, plus one additional role: service provision, the political role (i.e. countervailing power by giving people a voice and demanding accountability from leaders), and strengthening public support at home (for this, see also DGIS 2009b). This division of roles roughly reflects that used in international discourse. Riddell (2007), for example, distinguishes between ‘discrete interventions (projects) in the South aimed at particular groups’ (i.e. direct poverty reduction or service provision), ‘strengthening of southern NGOs or CSOs’ (i.e. society-building), and ‘lobby and advocacy’. To this he adds strengthening ‘public support’ and networks (see also Grotenhuis 2008). Lewis (2009) distinguishes three roles and sees NGOs as (1) service providers; (2) catalysts (advocacy, innovation and their watchdog function) and/or (3) partners. The OECD (2011) shows in a recent survey of bilateral donors that the reasons they work with NGOs should primarily be sought in the idea that they can provide certain services, that they contribute to democratisation processes and that they raise awareness at home. In an earlier report of the OECD-DAC Advisory Group on Civil Society and Aid Effectiveness, six ‘added values’ of International CSOs were distinguished. Next to the catalyzing role they play in connecting civil society in Northern and Southern countries, these include creating awareness in the North, facilitating global movements and international solidarity, and creating political changes in the North needed for international righteous and peaceful relations (Lingán 2011).

Others maintain a simple division into two categories, seeing CSOs as playing the role of service providers (replacing, for example, the government) and/or of political watchdogs keeping watch on other actors, especially the government and businesses. This does not mean to say that CSOs themselves always speak in these terms, as Barr et al. (2005: 675) make clear in the case of Uganda: ‘Surveyed NGOs do not see themselves as service providers, but rather as holistic organisations, preferring to describe their activities in general terms such as “community development”’. It must be acknowledged that every form of role classification serves to obscure reality.

That is not only because CSOs fulfil a combination of roles (De Wal 2009). Lister & Nyamugasira (2003) argue that the distinction that many donors make between a service-providing and a more political role ‘fails to correspond to the current situation, in which organisations play both roles […] simultaneously’ and is ‘inappropriate’ because it ‘fails to recognise and capture the synergy between roles’. From a same perspective, Tujan (2012) reminds: ‘In the aid system, CSOs are often misunderstood and their roles simply reduced to the obvious functions that they play. Thus, international nongovernmental organisations (INGOs), like Oxfam or Care International, are construed as private donors, while other CSOs are either considered programme implementers or watchdogs. When governments relate to them according to these perceptions, opportunity for a more fruitful and strategically productive engagement – based on a nuanced understanding of their significance and implications of their participation – are missed’. In relation to this, Batley & Rose (2010) point, for example, to the fact that cooperation between CSOs and (local) governments cannot only strengthen service provision by CSOs, but ‘also provides opportunities for [CSOs] to engage in broader policy advocacy through insider influence’.
The division into roles also conceals reality because the roles are not static. Korten argued as early as 1987 that civil society organisations can be divided into various generations, running from a focus on individuals to increasingly high levels (community, national, international). Linked to this is the development of CSOs from ‘relief and welfare providers’ to lobbyists and activists.

The discussion on roles – and certainly how broad they should be – also shows that expectations of CSOs are high, notwithstanding the increasing requirements relating to accountability, effectiveness, efficiency, etc., within the international cooperation system. Gauri & Galef (2005), for example, state that civil society organisations ‘are supposed to combine the best characteristics of business, governments, and charities’. The OECD study (2011) shows a similar pattern of expectations, while Tomlinson & Macpherson (2007) produce a list of CSO activities: ‘delivery of [...] services, particularly in remote areas and to marginalised groups’, ‘participating in the policy process’, ‘identifying gaps in the quality of government provision’, ‘analysing the problems of society’, ‘articulating the needs of society’ and ‘linking what happens at the micro-level to the meso and macro-levels’.

It are, however, not only ‘outsiders’ that attribute a plethora of roles to CSOs. CSOs themselves do exactly the same as is evident from the ten roles that the Open Forum for CSO Development Effectiveness (2011: 28) distinguishes. These range from ‘direct engagement and support for communities’ to ‘connect and network CSOs within and between civil societies’ and from engaging ‘communities, civil society, the private sector, local government authorities and other development actors to collaborate’ to ‘encouraging domestic and international volunteering engagement’. Although this list is undoubtedly not meant as a guide for every single CSO, the diversity of roles only adds to the idea of high expectations about what CSOs (can) do in/for development.

Central to the discussion of roles is what civil society organisations ‘are in this world for’ and therefore which role is most prominent (or should be). For some this question is relatively easy to answer, though they word it differently. For Bebbington et al. (2008) the core of the matter lies in the search for alternatives to the existing institutional system (and therefore in changing the system that maintains inequality and poverty). Riddell (2007: 262, 301) describes the basic idea of civil society organisations as follows: ‘Poverty and deprivation are intricately linked to a lack of power, voice and influence. Poverty is caused not only by a shortage of assets, skills and basic services, but by structures, institutions, policies and processes which marginalise poor people, particularly women and girls, and which maintain or increase vulnerabilities and limit opportunities of both individuals and communities, restricting the development and expansion of core capabilities’. From this perspective, their main role lies in ‘influencing institutions, policies and processes that are central to and underpin civic life, enhancing the governance of poor countries, which is increasingly seen as central to development and poverty eradication’.

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3. The use of the term ‘generations’ should not be seen as a guideline for ‘unidirectional processes of change’ (Lewis & Kanji 2009: 15).
4. See, for example, Elbers (2012) on the social transformation rationale of NGOs compared to the focus on effectiveness that is relatively dominant in international cooperation. The IDS (www.ids.ac.uk) even started a ‘Big Push Back’ campaign to combat what it calls the ‘audit culture’. In this respect Eyben (2010b) speaks of ‘theoretical and contested concepts such as civil society, capacity or policy become reified and then numbers assigned to the reification e.g. “state the number of policies influenced” and ‘the donor trend to support only those programmes claiming to deliver easily measurable results rather than to support transformative processes of positive and sustainable changes in people’s lives’.  

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A question closely related to the role of civil society in development is how their strengths can best be utilised. There are two directly opposing views on this. The first is that it is best for CSOs to operate autonomously. The thinking behind this is that only organisations that operate autonomously can reflect and promote locally rooted civic initiatives. The opposing view is more instrumental, based on the idea that the best way to get results from CSOs is to impose strict requirements and monitor them closely. This is part of what is known as the audit or contract culture. According to Elbers (2012b) views on the role of civil society cannot be seen in isolation from the kind of development that one wishes to achieve. He argues that a clear theory of change is required because the nature of the intended changes will have far-reaching consequences for North-South relations, financing arrangements and accountability requirements. His analysis shows that a development vision based on principles like self-determination and ownership is fundamentally incompatible with a view based on apolitical and technical solutions. By laying the emphasis on measurable and planable development back donors implicitly choose this second perspective, while CSOs generally work on the assumption of the first.

The centrality of a more political role for CSOs is widely recognised by certain groups, yet strongly opposed by others. UNDP (2010), for example, speaks of CSOs as ‘policy interlocutors and intermediaries that promote civic participation and representation of minorities and disadvantaged groups in decision-making processes’. At the same time, the CEF study (Tomlinson & Macpherson 2007) makes it clear that, for multilateral, bilateral and civililateral actors, ‘the primary role for civil society is advocacy through monitoring and policy engagement’, while others show that the perspective of bilateral actors in particular is a mix of political and service-providing roles (Giffen & Judge 2010; OECD 2011). It would therefore be better, in the case of these latter actors, to speak of CSOs being primarily focused on a more political role while also playing a (limited) role in service provision.

The perspective of Southern governments contrasts sharply with these views. They have a greater tendency to see CSOs as playing a service-providing role because of the limited capacity of governments themselves and because CSOs are closer to the target groups, can respond quickly and flexibly, and are innovative (Giffen & Judge 2010: 15-16). It would seem obvious that governments would prefer CSOs not to play a more political role, especially if these activities are seen as a threat to those in power. Discussing the strategies of social movements, Bebbington (2010) states: ‘At the less contentious end of the spectrum, these strategies include direct provision as well as co-production with public agencies. More contentious are those strategies that involve negotiation and lobbying, and at the most contentious end are strategies involving outright protest and direct action’. Considering the importance of a local political ‘enabling environment’ to a strong civil society, the government’s perspective is of great importance. At the same time, a number of trends are observable that appear to present obstacles to CSOs (see further ‘Political space’).

Finally, it is interesting to note that the discussion on the roles of CSOs is not only highly normative, but also leaves out an important aspect: the role of civil society as employer and economic player. Salamon et al. (2013) clearly show (although based only on data from 16 countries – including only five developing countries) that the non profit sector is a major employer, contributes on average 4.5% of GDP, and that the ‘vast majority of nonprofit gross value added (GVA) is generated through service activities’ (e.g., housing, social services, education and health care). Also here, differences between countries are significant. Canadian CSOs, for instance, contribute 8% to GDP while this is only 1.6% in Thailand. An earlier analysis
(CCSS 2004) also showed this disparity between countries and between ‘developed’ and developing countries with, for example, on average 7.4% of the economically active population in ‘developed’ countries being employed at CSOs over 1995-2000, while it was ‘only’ 1.9% for developing countries. In this light, Amendola et al. (2011) assert that nonprofit organisations can promote investments in human capital via welfare services, advocate for better working conditions, and can mitigate the effects of institutional failure by advocating for better access of all agents to various markets.

**The strength of civil society**

‘... the academic community, practitioners, policy makers all have different agendas and will therefore prioritize different things when assessing civil society’ (Anheier et al. 2011: 7).

No matter how the roles and expectations of CSOs are interpreted, each role requires specific capacities and, if they fulfil a combination of roles, CSOs need to be familiar with many different areas of activity. Studies on the capacities, or lack of them, among Southern CSOs shows that they are faced with a broad range of challenges. Although these challenges can be expected to vary from country to country, the literature offers a number of general models to explain the strength of civil society (see Bailer et. al 2008: 238-240 for an overview of the most important models).

Perhaps the best known analysis of the state of civil society is the CIVICUS Civil Society Index. As can be seen from the clear overview presented by UNDP (2010), this is by no means the only assessment tool, but it is the most wide ranging. The overview presents a total of 16 of these tools, a large number of which have only been developed very recently. They all have important advantages and disadvantages, the most important disadvantage being that they are rarely used more than once (especially in the same countries) so that ‘there is not yet a strong body of results that demonstrate performance over time’ (ibid: 26). On the basis of a closer analysis, UNDP lists five dimensions used in the tools: ‘capacity, engagement, environment, governance and impact’ (ibid: 20), where capacity and engagement (i.e. ‘communicating with stakeholders to take their interests into account’) are clearly given greater weight. In addition, the tools are assessed to determine to what extent they have a gender and a poverty focus. In this paper, when addressing the question of ‘strengths’, we make a distinction between ‘internal’ and ‘external’ conditions.

Tujan (2012) aptly summarise the external and internal conditions discussed here:

1. mechanisms to ensure the promotion and protection of the rights to expression, peaceful assembly and association, and access to information;
2. CSO-specific policies, such as CSO protection and promotion through legislation and regulations including charitable status provisions;
3. regulations and norms to promote CSO transparency and accountability to their constituencies;
4. the general legal and judicial system and related mechanisms through which CSOs or their constituencies can seek legal recourse;
5. the degree to which multi-stakeholder dialogue is encouraged and practiced; and
6. measures to promote philanthropy and corporate social responsibility.

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5 In addition, a large number of tools are distinguished that focus on exploring the strengths and weaknesses of individual CSOs.
In the case of internal conditions, CIVICUS (Heinrich & Malena 2008) looks at ‘structural and normative capacities’, referring to both ‘makeup, size, and composition’ and the relations between CSOs and to the values that CSOs adhere to, practice and promote. Internal conditions are closely related to the capacity of individual NGOs to fulfil their roles adequately. Despite the fact that NGOs’ capacities have grown, doubts are often expressed about them, also by Southern organisations themselves. Mundy et al. (2010), for example, argue that CSOs may ‘have a growing policy voice’ but their capacities to fulfil that role ‘vary substantially by country’. Significant weaknesses of CSOs lie in areas like mobilising citizens and interaction with parliamentarians. The authors suggest that the ‘civil-society voice’ capacity can be strengthened by effective coordination and coalition-forming. Tomlinson & Macpherson (2007), writing on civil society advocacy, come to similar conclusions and argue that, in addition to the fact that much advocacy work is ‘donor-imposed’, CSOs lack ‘technical skills and resources’ in such areas as ‘establish[ing] micro-macro linkages by translating grassroots reality into policy advocacy agendas’, ‘knowledge of how to access relevant information, skills in research, networking skills and confidence to engage with the government’. Although the conditions per role can vary, the ECDPM framework used in the IOB evaluation of capacity-building offers a good starting point (IOB 2011).

From an overall policy perspective, external conditions are at least as important as internal ones. CIVICUS places these conditions in the dimension of ‘environment’, which embraces a range of factors considered relevant to the strength of civil society: ‘political, legal, institutional, cultural and economic factors, as well as attitudes and behavior of state and private-sector actors toward civil society’ (Heinrich & Malena 2008: 8). The analysis by CIVICUS (Bailer et al. 2008) shows that the most crucial factor in assessing the strength of civil society lies in ‘better governed states, reliable institutions, and credible civil servants and politicians’. In addition, socioeconomic factors are important. Tomlinson & Macpherson (2007: 19) summarise this concisely by stating that ‘a [...] challenge for CSOs is the will of the government to engage with them’. Also the analysis of Dagnino (2011) that ‘the current condition of Latin America makes the centrality of the relationships between state and civil society even clearer’ fits this observation (also see Kienle (2011) for a discussion on civil society in the Middle East; Howard (2011) on post-communist Europe; Howell (2011) on China; Chandhoke (2011) on India; and Obadare (2011b) on Sub-Saharan Africa). That political will can be improved, as Hisas & Penaflor (2006) indicate in relation to the participation of CSOs in the MDG country reporting and monitoring process.

On the basis of their comparative study of South Korea and South Africa, Fioramonti & Fiori (2010) make it clear that ‘the phase of democratic consolidation can significantly alter the motives, dynamics and objectives of civil society’. The way in which civil society develops depends strongly on the economic context, according to the authors. Economic growth in South Korea has given civil society ‘a strong voice’, while in South Africa ‘deep inequalities and socio-economic divides [...] shrink the extent and relevance of the middle class [and] create a significant divide between well-resourced NGOs that enjoy quite limited popular support and widespread grassroots movements with more limited resources and a strong focus on socio-economic rights’.

The conclusion to be drawn from CIVICUS’s findings seems clear: the best way to strengthen civil society is through a top-down approach (i.e. through changes initiated by the government) (see also Blair 1997). Following this, a ‘good governance’ analysis – in the sense of determining the legislative and political space for civil society – is therefore crucial in ascertaining where
investments in civil society have the best chances of success. Whether one should indeed take such a top-down focus as all-encompassing remains to be seen, however. Overall, the idea still remains that both a top-down (government-led reforms) and bottom-up (strengthening CSOs) remain necessary. Bailer et al. (2008) also come to an interesting conclusion, that no connection can be found between ‘the aid system’ and the strength of civil society (see also Riddell 2007: 301-306). Others consider this conclusion debatable. Mundy et al. (2010), for example, point to the ‘new opportunities for civil-society participation at the national level’ as a consequence of the introduction of sector-wide approaches.

**Political space**

‘Politicians tend to love civil society only until they get elected’ (Edwards 2009: 8).

If governance is crucial to the strength of civil society, the ‘legal environment’ must be seen as important for how it functions (Heinrich & Shea 2008). Mayhew (2005) makes it clear that ‘national legislative frameworks [...] may profoundly influence the accountability, legitimacy, organisation and vision of local NGOs’ and that legislation can lead both to conflict and to ‘important opportunities and benefits’. More recently, the emphasis has been on conflict as governments (and by no means only authoritarian regimes – Sandberg 2006 – see also Box 3) are increasingly adopting legislation that reduces CSOs’ room for manoeuvre (Tiwana & Belay 2010).

Based upon case studies from 15 countries and regions, PRIA (2012) concludes ‘that relations between civil society and political society have become increasingly complex, and depend very much on the roles that civil society plays’. Some of the country examples provided clearly show that the ‘formal political systems [...] have been sidelined by intense citizen actions’, have ‘surprised’ politicians and are viewed as ‘undermining the legitimacy of existing political actors’. At the same time, there are also examples where civil society has ‘engaged constructively with political society’ as in the case of service delivery, or when civil society focuses on strengthening local governance institutions as part of ongoing decentralisation processes (e.g., India, South Africa, Uganda, Indonesia, Cambodia), or where CSOs have been invited by governments to serve in official committees and contribute to ‘programme planning, policy-making and monitoring activities of government agencies and ministries’ (e.g., Chile, Argentina, Uruguay, India, South Africa, Uganda, Indonesia).

Such positive developments cannot be witnessed everywhere, however. Besides, the fact that CSOs are invited to the table or are lauded for their service delivery activities, does not mean that for other activities they meet with more restrictive reactions. This is particularly the case with actions that pose a threat to the ‘position, authority and legitimacy’ of political leaders (ibid: 19). In several cases, such restrictions are clearly visible as ‘one government after another passed laws to tighten government control over’ CSOs (Paul 2012). These laws restrict not only the capacity of Southern CSOs ‘to work at the international level’ but also their possibilities for more political work in their own countries. As Banks & Hulme (2012: 6) assert: ‘while there is

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6 See also the report by the Commission of Inquiry into the Future of Civil Society in the UK and Ireland (2010) which argues that ‘a favourable legal framework’ is one of the critical factors in ‘a healthy relationship with the state’.

7 The countries and regions are: South Africa, Zimbabwe, Malawi, East Africa, Cambodia, India, Indonesia, Ireland, United Kingdom, Greece, the Netherlands, Russia, Latin America region, Chile, Argentina and Uruguay. The case studies refer to the changing nature of civil society as part of the Civil Society @ Crossroads programme. Also see: www.pria.org/civil-society-at-crossroads-.
space for positive relationships between government and NGOs for those working towards mutual goals in service and welfare provision, those working openly in advocacy and human rights tend to be viewed with suspicion or open hostility, especially when explicitly challenging the state’.

Box 3. Civil society and fragile states

It seems logical to assume that the political space for CSOs is more limited in fragile states than in other countries. However, it is striking that – despite the fact that fragile states have acquired a central place in the discourse on international cooperation in recent years – very little has been written about civil society in this context. Furthermore, some commentators (see for example Dowst 2006) focus on what international (i.e. Western) NGOs can do in fragile states. Although this in interesting, it says little about what local CSOs can do in these countries. Oosterom (2009) also looks closely at the role that international civil society can play in fragile states, but she also provides some insight into the ‘complexities of local state-citizens relations in fragile settings’.

The critical analysis by Rombouts (2006) of the applicability of participation thinking to CSOs is also interesting. She argues, for example, that ‘donors’ eagerness to adhere to the participation paradigm seems to prevent them from taking thorny civil society issues seriously and explore in sufficient depth the operational consequences’.

More specifically: capacity and security are not the only two problems that have to be addressed to ensure the participation of CSOs. Four other conditions are equally important for genuine participation, which are by definition difficult to fulfil in fragile states: ‘overall representation, peaceful consensus, equal arms and power neutrality’. This all leads her to conclude that aiming to achieve CSO participation in fragile states in ‘not necessarily good’ and can even lead to ‘increased tensions or open conflict’.

One of the issues in fragile states is the provision of services to the public. This is based on the idea of the OECD and others that bad service provision contributes to the fragility of the state, but that delivering services can also be one way for the state to build up the social contract with its citizens. From this perspective, service provision, or at least monitored, by the state is part of nation-building and the legitimacy of the state. The consequence of this is that some restraint is required in promoting the provision of services by, for example, CSOs. Batley & Mcloughlin (2010) argue on the basis of their analysis that such a general ‘guideline’ takes insufficient account of the diversity in countries and that the ambition to allow service provision by non-state actors to be managed by the state ‘would be wrong […] this has not happened in any developing country’. Furthermore, the ‘guideline’ also ignores the willingness of civil society to cooperate with the state and thereby a context-specific analysis of civil society.

More concretely: in 2011 almost two thirds of all African countries had adopted (or were about to adopt) legislation that directly affected the right to exist of CSOs that are politically active and/or receive foreign support (Okumu 2011; also see ICNL 2009; ICNL 2011). Jalali (2008) observes a similar trend in India, where ‘legislative practices […] serve to reduce foreign influence’. According to the International Centre for Not-For-Profit Law (ICNL) this is not only a trend, but it is clear that governments are working together in this area (Okumu 2011). ActAlliance (2011) speaks of ‘increasing problems with shrinking political space for non-state actors’.

It is clear that this restriction – which contrasts sharply with the more central role attributed to CSOs in the international discourse (see, for example, the Accra objectives as part of the Paris process) and with a lot of international legislation – can take many forms: propaganda, administrative sanctions like limiting the possibilities for registration or fundraising, banning organisations and/or advocacy on certain issues, obstrucitng activities through arbitrary and strict controls, setting up GONGO (government-owned NGOs) so that financing goes to parallel organisations under government control, making membership of an organisation illegal, and/or physical violence and intimidation (ActAlliance 2011; Sandberg 2006; Howell et al. 2008).
Table 1. Legal barriers to CSOs

<table>
<thead>
<tr>
<th>Legal barrier</th>
<th>Description</th>
<th>Types</th>
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| Barriers to entry             | The use of law to discourage, burden, or prevent the formation of organisations | • Limited right to associate  
• Prohibitions against unregistered groups  
• Restrictions on founders  
• Burdensome registration/incorporation procedures  
• Vague ground for denial  
• Re-registration requirements  
• Barriers to international organisations |
| Barriers to operational activity | The use of law to prevent organisations from carrying out their legitimate activities | • Direct prohibitions against spheres of activity  
• Mandatory compliance with national development plans  
• Invasive supervisory oversight  
• Government harassment  
• Criminal sanctions against individuals  
• Failure to protect individuals and organisations from violence  
• Organisational termination and dissolution  
• Establishment of GONGOs |
| Barriers to speech and advocacy | The use of law to restrict CSOs from engaging in the full range of free expression and public policy advocacy | • Prior restraints and censorship  
• Defamation laws  
• Broad, vague restrictions against advocacy  
• Criminalisation of dissent |
| Barriers to communication and cooperation | The use of law to prevent or stifle the free exchange of contact and communication among CSOs and others | • Barriers to the creation of networks  
• Barriers to international contact  
• Barriers to information and communication technology  
• Criminal sanctions against individuals |
| Barriers to assembly           | The use of law to ban and interfere with peaceful public gatherings          | • Bans on public gatherings  
• Advance notification requirement  
• Content-based restrictions  
• Restrictions on categories of persons  
• Responsibilities of organisers |
| Barriers to resources          | The use of law to restrict the ability of organisations to secure the financial resources necessary to carry out their work | • Prohibition against funding  
• Advance government approval  
• Burdensome procedural requirements  
• Routing funding through the government  
• Restricted purposes and activities |

Source: based on World Movement for Democracy 2012

In its Defending Civil Society report, the World Movement for Democracy (2012) distinguishes six different barriers to CSOs imposed by governments. All these severely restrict their room for manoeuvre. Barriers to entry, for instance, prevent the formation of CSOs such as is the case in North Korea (because of limited right to associate) but also in Panama (because of burdensome registration procedures). CSOs in Russia and Egypt, on the other hand, (also) experience barriers to operational activity due to direct prohibitions against specific activities. Table 1 provides an overview of the plethora of legal barriers governments use to restrict CSOs (see the report for country examples with each of the different types).

Three issues should be added here. The first concerns the fact that the discussion about political space is often restricted to the national level. As pointed out earlier, also the international level is important here and thus the way and extent to which CSOs are able to operate internationally (e.g., in relationship to the UN, to international donors, etc.). But also ‘below the national level’
(CIVICUS 2013) should not be forgotten. Particularly also at this local level, there is little empirical data available concerning the enabling environment. Two recent case studies in the district of Semarang (Indonesia, covering 102 local CSOs) and the Accra region (Ghana, covering 89 local CSOs) as part of the former IS-academy on civil society provide some insights.8

Distinguishing between national, regional (e.g., provincial) and local government, these studies show that local CSOs have relationships on all three levels.

Still, in Indonesia a large part of local CSOs do not receive subsidy from any government level (50%), are not involved in implementing government programmes (50%), do not lobby government (40%), and are not involved in any advisory committee of the government (90%). Those who have any such interactions only sporadically have contacts with any level of government (starting at once monthly) which a large part considers to be ‘too little’. Besides, these CSOs strongly focus at interaction with the government at provincial level (and, to a somewhat lesser extent, at local level). The latter is not that strange considering the fact that most CSOs principally work at the level of the province (and also because of the decentralised government structure in the country). Interesting is, finally, that these Indonesian CSOs are relatively neutral to positive in their perceptions of how different levels of government approach them (e.g., the extent to which they feel comfortable approaching any of the levels of government or the extent to which government’s staff is respectful, helpful and capable). CSOs are more negative about the level of corruption (particularly at national level) and they call upon all three levels of government to be more open to criticism and to draw more on the expertise of CSOs (Anantasari 2012).

In contrast to Indonesia, Ghanaian local CSOs mainly work at national and local level and, unsurprisingly, also have more frequent contact with the government at those levels (which because of a more centralised government system is logical). A large majority feels there is ‘enough contact’ with national (78%), regional (55%) and local government (63%). Although the majority of CSOs surveyed ‘feel comfortable approaching the [national, regional and local] government to discuss problems’, they also feel that particularly the national and regional governments do not ‘treat all partners the same way’. Likewise, they mainly criticize the level of corruption at all government levels and the low level of government resources channelled through CSOs/NGOs. Using the expertise of CSOs and being more open to criticism are the two main expectations Ghanaian CSOs have (as was the case in Indonesia) (Owusu 2013).

Second, central in the discussion on an enabling environment for CSOs is legislation. This is also clear from the Istanbul CSO Development Effectiveness Principles which explicitly mention the obligation of ‘all governments [...] to uphold basic human rights – among others, the right to association, the right to assembly, and the freedom of expression’ (Open Forum for CSO Development Effectiveness 2011). CIVICUS feels this to be a too narrow approach opting in its future Civil Society Enabling Environment Index currently for a broader perspective (CIVICUS 2013: 15, but also see OECD 2012). Although its EE Index is still under construction, the draft EE Index contains a total of four dimensions. The fourth is, unsurprisingly, the legal environment (including such sub-dimensions as personal rights and NGO/CSO laws). The first three are (1) socio-economic environment (e.g., education, communications), (2) socio-cultural environment (e.g., tolerance, participation trends), and (3) governance environment (e.g., policy dialogue, corruption).

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8 These are preliminary conclusion from draft reports on Indonesia and Ghana. Full reports and other publications are expected in the second half of 2013.
Third, it should be noted that legislation does not necessarily need to have a negative impact on civil society organisations. It can even act as a catalyst to give direction to the discourse on CSOs, the extent to which they represent civil society as a whole, to whom they are accountable and how they can be protected (Mayhew 2005). More broadly, and in reaction to the dominant view that collaboration between CSOs and government inevitably means civil society will be subordinated and depoliticised, Batley and Rose (2010), speaking about Asia, show that cooperation between government and civil society can be successful, as long as CSOs are not dependent on a limited number of funding sources and if they invest in building up informal contacts with civil servants. In a later study, Batley & Rose (2011: 237) show that ‘even where NGOs are formally in a weak structural relationship with governments, they may be less vulnerable to governmental dominance than either of these positions suggest’. Put differently: there is some credit to the less dominant perspective that it is possible for CSOs and government to reach mutually agreed objectives and equal participation in decision making.

The justifications for imposing restrictions on CSOs are as diverse as the restrictions themselves. Clark (2011), for instance, singles out transnational terrorism, the financial crisis, and climate change as constricting political space of CSOs all over the world. He adds that these crises have reduced citizens support for CSOs, diminished civil society’s ‘corrective force’, and reinstated the ‘state as saviour’. Also Howell et al. (2008) point to the ‘long war on terror’ as one of the main starting points for the ‘backlash against civil society’. World Movement for Democracy (2012) concurs by stating that ‘governments have sought to justify restrictions under the banner of national security, counter-terrorism or anti-terrorism’ (also see: Hayes 2013). Okumu (2011) lists five reasons for introducing ‘laws on disenabling environment of CSOs’. In addition to the ‘fragility of states’, they are ‘democracy and the control for citizen voice’ and ‘the slow pace of CSO self regulation and accountability’. The last two reasons are directly related to donor policies: the ‘3D security approach’ leads to a ‘whole of government’ idea that presents problems for CSOs, which are considered to be neutral actors in development and security. CIVICUS (2012: 90) adds that the ‘rise in state pushback, in both democratic and authoritarian states’ also has to be seen as a reaction to ‘a massive increase in protest action’. Particularly the (fear for a repetition of the) Arab spring and geopolitical shifts (e.g. the rise of China) have changed the attitude of states towards civic action if only ‘to pre-empt or crackdown on protests’.

Lastly, a direct link is made between the Paris Agenda and the increasing restriction of the space for CSOs. Okumu (2011) even speaks of the Paris Agenda being used as an instrument to repress civil society organisations. Many countries see the declaration as confirmation of the failure of civil society and as justification of the need to force them to operate within the frameworks imposed by the government. They interpret (1) coordination as agreement with government policy; (2) ownership as ownership by the government; (3) harmonisation as confirming with the government’s agenda; (4) mutual responsibility as ‘demanding all information from NGOs’; and (5) results-based management as reporting, complete documentation and demanding evidence of the results of CSO advocacy (ibid). In this light, World Movement for Democracy (2012) provides the example of Nigeria which 2007 draft NGO Bill ‘provided for “harmonization” of the activities of NGOs, without defining what “harmonization” means’.

This shows that, in the search for the reasons for restricting the space for civil society organisations, donor policies cannot be ignored. Howell et al. (2008), for example, argue that promoting the development of civil society in the South and the focus on ‘aid effectiveness’ have led to an emphasis on coordinated and centralised interventions, an increasing focus on...
technical service provision and financing some civil society organisations at the expense of others. Although it remains to be seen whether this new focus on centralised coordination and harmonisation will lead to more effective aid provision and development programmes, it is clear that these efforts, through their filter effect, threaten to suffocate the pluralistic nature of civil society in the South.

As indicated, the relationship between civil society and the political system is neither white nor black. In reality, the political space for civil society may be (at the same time and in the same country) both expanding and contracting. The same essentially holds for the international enabling environment (also see earlier remarks under ‘A changing playing field’). This puts the Accra Agenda for Action agreement to ‘work with CSOs to provide an enabling environment that maximises their contribution to development’ into perspective. Such an enabling environment (defined as a ‘set of interrelated conditions – such as legal, bureaucratic, fiscal, informational, political, and cultural – that impact on the capacity of development actors to engage in developing processes in a sustained and effective manner’) strengthens again the idea that context matters and that it is extremely difficult to generalise.9

**Networks**

*The idea of networking is good. We can do more when we work together. We can make a big difference because we have more power. But it’s a big challenge – how to work together?’ (Ashman 2005: 9).*

The Keystone study (2011) shows that, in addition to financial support, Southern organisations primarily seek support in addressing challenges that can be mobilised in a broad sense through networks. On the one hand, it is a matter of becoming more involved in the policy formulation of Northern partners and the development of joint strategies, and on the other hand of exchanging lessons and experiences and strengthening their ‘presence at national / international levels’. CIVICUS (2013) thus mentions ‘making civil society connections’ as one of the areas in which ‘CSOs can take steps to enhance their strength and increase the potential for improving their environment’. (International) CSO networks (both North and South) are also seen as necessary to increase citizens’ participation in the making and implementation of policy and in watching over government performance. This requires of CSOs to focus on broader concerns of global governance and to move out of their thematic or sectoral approach (Clark 2011).

These aims can be placed in the context of an increasing intensification of civil society structures and the development of a global civil society, partly as a result of globalisation, the ICT revolution, increasing attention to cross-border problems (e.g. climate change, security, HIV/AIDS) and the neoliberal discourse, with a revaluation of the role of the state and economic developments (Anheier 2007; Wild 2006; Glasius & Timms 2006; Giffen & Judge 2010). This transnational civil society is also described by Anheier (2007: 5) as ‘the sphere of ideas, values, institutions, organisations, networks, and individuals, located between the family, the state, and the market and operating beyond the confines of national societies, polities, and economies’.

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9 Several publications (PRIA 2012; CIVICUS 2013; World Movement for Democracy 2012) do provide examples of countries where the room for manoeuvre of CSOs is problematic (including examples that are less expected). However, these cannot easily be combined, notwithstanding that in many cases they point in the same direction. In this light (and despite the clear – also methodological – criticism) the idea of establishing a Civil Society Enabling Environment Index by CIVICUS is important.
Global civil society is often presented in the literature as a force against neoliberal globalisation (Katz 2006) and/or ‘for democratic change, one which is implicitly making claims to global citizenship’ (Jordan 2011). Giffen & Judge (2010) consider this an overly simple portrayal because of the great diversity of actors and the related widely varying agendas, which make it impossible to speak of an all-embracing standpoint on civil society. Scholte (2007) sees global civil society as mainly playing a watchdog role, focusing on global governance and legitimacy issues. Wild (2006) argues that, despite its contribution to policy formulation, the impact of global civil society should not be exaggerated; it offers no alternative for global institutions and existing structures, and sets no political priorities.

In combination with global civil society, three elements relating to networks play an important role in the (academic) discussion.\(^{10}\) In the first place, it is about new public management, where CSOs act as subcontractors for governments and multilateral organisations (Anheier 2007). That already shows that the relationship is asymmetrical. Southern organisations are used instrumentally, and have a limited degree of freedom and self-expression (Katz 2006; Edwards 2009). Clear consequences of this refer to one-sided financing aimed at promoting service provision – CSOs as subcontractors (Mercer 2002; Anheier 2007) and taking over identical management and accountability structures (Katz 2006). According to Edwards (2009: 6), such an instrumental approach brings dangers: ‘Dependence on foreign donors is high, raising suspicion about “external agendas” that make civil society groups an easy target for attacks’. Mercer (2002: 14-15) warns against a dependent relationship: ‘There is now widespread recognition that the ability of NGOs to fulfil their democratic roles vis-à-vis civil society is increasingly circumscribed by the forces of political and economic neo-liberalism, as mediated through international financial institutions, states, and donors’. Through this dependency, CSOs can lose their connection to the ‘broad based mass constituency’ (ibid: 15), which will decrease their strength and legitimacy (Edwards 2009; Yanacopulos 2005).

Secondly, there is the problem of corporatisation, pointing to closer cooperation between international companies and CSOs (Anheier 2007; Gosh 2009). In the past two decades, companies and CSOs have increasingly developed joint initiatives (Lambell et. al 2008): ‘The interactions of these two actors are no longer restricted to philanthropy and charity but have exhibited increased diversity in recent years, with a range of alliances addressing environmental issues and codes of conduct’ (Jamali & Keshishian 2009: 278). On the side of the private sector, the reasons for this cooperation can be found in legitimacy, reputation and social status, and knowledge-sharing. CSOs are primarily stimulated by the increasing competition for funding, social necessities, and sustainability, but also by the wish to contribute, as catalysts, to corporate social responsibility (ibid; Keeton 2011). However, empirical research shows that such relationships have so far been symbolic and instrumental in nature, and have not yet been developed in integrated cooperation agreements. Another trend within this area is CSOs incorporating corporate elements in their own organisational structures, usually in response to a growing emphasis on efficiency, sustainability and effectiveness (Keeton 2011).

Thirdly, it is about strengthening social cohesion within transnational communities, as well as in local contexts. Crucial in this respect is the conclusion reached by Katz (2006) that transnational

\(^{10}\) Within the discussion about networks often little attention is paid to the question what networks are, why they are worth supporting, what are challenges experienced by networks, for what purpose networks have been set up, etc. Important here is that, just like CSOs themselves, also civil society networks are diverse and require different ways of support. Ashman (2005), for instance, identifies five types based on their shared purpose and the associated level of interdependence.
CSO networks are dominated, both numerically and in substantive terms, by Northern organisations, which have more contacts than their Southern counterparts. Networks are primarily formed geographically (at regional level) rather than thematically, and organisations mainly seek transnational contacts with organisations active in a country with the same level of income. Income level also determines the density of the network, such that most networks occur in the North. Wild (2006) also notes that global fora are largely occupied by Northern organisations, meaning that the agenda is also not completely representative. Southern CSOs wish mainly to enter into relationships to increase the predictability of aid, knowledge and impact (Eyben 2010a; Keystone study 2011). Furthermore, Southern CSOs use their relationships with Northern organisations to increase their legitimacy among Southern governments. This is also known as the ‘boomerang effect’ (Keck & Sikking 1998; Yanacopulos 2005).

Although Northern organisations still dominate international networks, Smith (2012: 16) concludes that ‘there is over-representation from groups in the global North in this population, [but that] over time we [have] seen reduced inequality in North-South participation’. She relates this growing Southern participation principally to changes in ‘the larger global political arena, and in particular by the UN global conferences’. Paul (2012) adds that these global conferences (particularly those of the 1990s) were a way for Southern organisations and Southern led networks to position themselves as proposing ‘alternative ways of thinking and a more global approach to policymaking than the older NGO associations with Northern roots’. If that is true, the demise of such global conferences and the increasing critical stance towards the involvement of CSOs (see, for instance, Smith 2012; Paul 2012) might negatively influence this trend.

At the same time, the idea that CSOs from ‘emerging countries’ fill the void seems to have some merits as their governments and business community have begun to play an important role internationally. However, PRIA (2012) warns against too much optimism here if only because of the traditional focus of the civil society in these countries on domestic affairs, their uncertainty in taking a position between ‘perceived national interests [and] values and principles established in global covenants and discourses’, and their continuing problem in accessing adequate information from official channels. Howell (2012) adds for China that there is only a ‘very limited number of international Chinese NGOs’ and that these tend to government-sponsored and – controlled.

Still, John (2012), departing from a widespread belief that BRICS countries can have a harmful effect on human rights and development, feels that civil society in these countries should focus more on rights and accountability of their own government and engage more in advocacy efforts – certainly also at the international level. Important themes here then are linked to the BRICS as organised front to push for changes in the global financial system, or refer to development challenges within the BRICS countries. Themes related to the former are reforms of international financial systems, trade initiatives, agriculture and food security, climate change and development cooperation with Africa. With regard to domestic (but cross-cutting) development challenges civil society should especially focus on development financing, taxation and financial regulation, and poverty and inequality. Finally, for these CSOs in BRICS it is felt to be important to also link national and global processes more closely and learn from recent international advocacy interventions.

Networking and cooperation between local CSOs is on the rise, especially because the number of Southern organisations is growing explosively (Yanacopulos 2005). The role of these networks is
described as creating social capital (Anheier 2007), facilitating knowledge-sharing, combating duplication, promoting social cohesion, and making greater use of lobby activities (Mercer 2002; Yanacopulos 2005). Edwards (2009: 5) argues that ‘a healthy civil society needs both strong bonds and strong bridges, associations that meet the needs of citizens in all their expressions, and ties that reach back in time to provide continuity as well as forward to a new sense of self’. There are, however, also questions surrounding the strength of Southern networks. Mercer (2002), for example, states that the unity of Southern civil society is under pressure because of deeply-rooted ethnic, religious, political and regional differences. Empirical evidence on effective, broad-based Southern coalitions therefore remains thin on the ground. The latter does not mean that Southern civil society organisations do not form mutual collaborations or networks. Younis et al. (2013: 48) show that South-South civil society cooperation does exist and that particularly CSOs active in BRICS seek collaboration with other organisations in BRICS as they deal with similar domestic challenges like poverty, unemployment and inequality originating from economic growth.

**Financing – the road to financial self-sufficiency**

‘Many CSOs are facing existential crises, which includes problems caused by a deteriorating funding environment’ (CIVICUS 2012: 10).

Every type of financing source appears to contain a number of important elements which are directly related to the roles fulfilled by civil society organisations. For example the Keystone study (2011) has shown that Southern organisations regard equality, involvement and autonomy as crucial. They want to be seen and treated as equal partners. They want to be involved in the decision-making process and to have the capacity to determine themselves which activities they are going to carry out and how. In other words, they want to be strong, independent and influential organisations, rather than subcontractors. These wishes cannot be regarded in isolation from one of the most important priorities for Southern organisations which the study highlighted, namely the tapping into alternative sources of financing outside the traditional aid system.

The starting point in this paper is the idea of financial self-sufficiency on the part of CSOs. This means freeing oneself from the aid system that played, and still plays, an important (financial) role in the development of civil society in the South. It would appear to be a valid observation that part of civil society in the South would not exist without (substantial) financial support from the North (or in any event not in the current way). This begs the question of whether the conclusion by Tomlinson & Macpherson (2007) that the financing of Southern advocacy CSOs ‘will be international in source, as there is insufficient commitment of private and national money’ also applies to the services provided by CSOs. In view of the vision of national governments on the role of CSOs, one might expect governments to be (partially) more inclined to finance services provided by CSOs than their more political activities.

The importance of ODA funds also begs the question what happens now that these traditional sources of funding Southern civil society seem to be decreasing (e.g., due to lower ODA budgets but also to countries such as India, Indonesia and South Africa graduating to middle income status) (also see: Paul 2012; Greenhill et al. 2013). According to PRIA (2012: 14-16) this means that ‘flexible funding for independent actions of [CSOs] […] has become increasingly scarce’, organisations ‘have begun to find new ways of mobilising resources domestically and internationally’ and that ‘private philanthropy is […] gaining momentum’. 
Despite the central role that funding plays in the discussion about civil society (and certainly within the field of international cooperation), it is striking that there are hardly any empirical studies looking into this. One of the few of such studies is that of Burger & Owens (2013) who looked at the survival prospects of Ugandan NGOs. Based on data on nearly 300 Ugandan NGOs over 2002 and 2008, they conclude that there is ‘no evidence that more effective or more altruistic NGOs have a greater likelihood of survival. The main determinant of survival appears to be access to grants, and NGOs without grants struggle to survive’.

More in general, and following the idea that all funding sources come with a price which impact on their autonomy, CSOs have been called upon to reduce resource dependence and ‘become fiscally self-sufficient’ (Moulton & Eckerd 2012). Particularly reducing dependence on foreign funding is mentioned then as important if only because demand for such funding is (substantially) larger than supply (a gap that, considering pressure on aid budgets, will likely increase even further). Still, the idea that there are also more content-wise reasons to opt for less dependency is wide-spread (see, for instance, Mango 2010 stating that such funding reflect the priorities of the donor which may ‘interfere with local strategies’) but far less researched. In fact, Wang (2006) concurs that there is in fact little empirical evidence that sheds a light on the relationship between particular resource streams and the roles of CSOs. However, a few studies have been published lately.

Moulton & Eckerd (2012) essentially test a ‘Nonprofit Sector Public Role Index’ which relates performance on six roles (i.e., service provision, innovation, individual expression/specialisation, social capital creation, political advocacy, and citizen engagement) to financial resources (i.e., individual donations, foundations grants, earned income, government grants or fees, indirect public support). They conclude that ‘resource dependence [...] may play an important value preservation role in the nonprofit sector’ based on the evidence ‘that particular resource streams are strongly associated with particular nonprofit roles’. This holds, for instance, for the fact that ‘government revenue is strongly and positively associated with performance on the political advocacy role’; a finding which is in sharp contrast to many observations made in the literature.

The study of Batley (2011) into cooperation between governments and NGOs in Bangladesh, India and Pakistan in service delivery is also illustrative here as it shows that ‘even [where they] operate in constraining institutional environments and enter agreements with government’, NGOs are still ‘able to exercise strategic choices’ (also see Elbers & Arts 2011). In effect, he concludes that working together with governments in service delivery does not mean that they cannot also be active in influencing government: ‘at least for these NGOs, there is no contradiction between advocacy and service delivery’. Besides, Batley (2011) and Rose (2011) show that local NGOs have different strategies at their disposal to maintain their financial independence. They thus (1) receive untied funding from private donors that allow them to engage with government without financial exchange, (2) diversify their funding sources, and/or (3) only engage with funders that share their purpose. In this regard, the conclusion of McLoughlin (2011) that ‘a good deal of the literature on state-NGO relations hypothesises the negative effects of collaboration on the autonomy, identity and effectiveness of the non-state sector’ but that there ‘is little objective evidence in this regard, and some indication that these effects are not absolute’ is important (see further ‘Political space’).
Also CIVICUS studies provide a glimpse behind the scenes of a number of countries. For example Opoku-Mensah (2008) concludes that in four African countries (Ghana, Togo, Uganda and Sierra Leone) ‘rates of membership and volunteering in CSOs’ may well be high, but that does not translate into ‘substantive financial support’ because individual financial contributions are insignificant. They explain the latter by referring to poverty and to the ‘continuous support of foreign donors for civil society’. This is evidence of the continuing need for donor financing in order to continue operating as a civil society. An ADB study from 2004 focused on the charity market in Asia and revealed for India, Indonesia, Thailand and the Philippines that ‘almost all high to middle-income households made philanthropic gifts in the preceding twelve months’ (with donations to the religious organisations in first place by a mile) but also that differences between the countries ‘outnumber similarities’. The Johns Hopkins’ Comparative Nonprofit Sector Project (Salamon 2010) shows simultaneously that, on the basis of data from the period 1995-2000, the majority (61%) of CSOs in developing countries are dependent on fees (in this case member contributions or income from services provided), that 22% comes from government sources and the remaining 17% from philanthropists.11 Although it is informative, the division into three categories of income sources used by Johns Hopkins may be less useful if the focus is on CSOs in developing countries and international cooperation. A further refinement would then be a good idea in order to distinguish between international and national sources.

**International sources**

International sources therefore refer, in the first instance, to the traditional donors (the bilateral, multilateral and civilateral channel within the international cooperation system). As indicated above, a large number of non-traditional actors can be identified outside that traditional aid system. These include individuals, foundations, companies, migrants, and a wide range of other actors (see, for example, Kinsbergen & Schulpen 2010; Develtere 2009). As Greenhill et al. (2013) assert: ‘There is now a myriad of ‘non-traditional’ sources of development finance, including from non-DAC donors such as China and India, philanthropists such as the Bill and Melinda Gates Foundation, ‘social investors’ such as the Shell Foundation and Acumen Fund’. Their study tries to determine the challenges and opportunities of this new aid landscape for developing country governments. Although they clearly show that ‘non-traditional development assistance’ is increasing substantially and already makes up a sizeable part of total aid and that recipient governments ‘regard the benefit of greater choice outweighing the cost of fragmentation’, their report is particularly interesting for the discussion here because of their case studies of Zambia, Ethiopia and Cambodia. These not only show that (as discussed already under ‘Political space’) ‘countries have different attitudes towards NGOs’ but also that in all three countries ‘the volumes of both philanthropic and “social impact investment” flows were small and were not having a significant impact on the aid landscape’.

At a time where we are still trying to get a first grip on the structure and magnitude of the present-day aid architecture and there is essentially no data available on the expenditure of all these ‘Northern’ actors on Southern civil society actors, the Index of Global Philanthropy (Hudson Institute 2010) is a welcome addition to the standard DAC aid data. For example the data shows that, of the total flow of funds from OECD countries to developing countries in 2008, which exceeded US$355 billion, well over half can be attributed to remittances by migrants. The

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11This data includes all CSO activities from culture and recreation to religion. Incidentally, in this context philanthropy includes ‘donations from individuals, foundations, and corporations’ (Wang 2006) and with that, therefore, also the funds received by Northern CSOs (whether subsidised by the organisation’s own government or not) and funds via companies and foundations affiliated to companies (which are regarded here as one of the ‘new actors’ in the field of development).
ODA share amounts to 34% and the remaining 15% comes from philanthropic sources (in this case citizens, companies and CSOs ranging from foundations to religious organisations). While the differences between the OECD countries is substantial, it has been established that ‘private philanthropy is on the upswing around the world’. What is more, that world is not limited to the West.

Research into the extent of those (Northern) ‘philanthropic sources’, relationships with Southern CSOs (if any), policy starting points, etc. is still in its infancy. For the time being, the insights into these sources is therefore limited, despite some progress having been made in certain sub-areas. Although huge progress has been made in recent years as regards data collection on remittances, the relationship with Southern CSOs is still fairly unexplored territory. Data relating to expenditure by Northern NGOs is not available as such. For the time being, determining the size of this Northern subsector of civil bilateral development actors and their budgets, methods, country and sector choices continues to be guesswork. For a number of years now, data on Dutch NGOs has been collected in the NGO database which was set up by CIDIN and the Ministry of Foreign Affairs. CIDIN and HIVA (University of Leuven) are also carrying out research into private initiatives and their financing, motives and projects (see, for example, Kinsbergen & Schulpyn 2010). Individual papers by researchers provide an initial insight, as regards other sub-areas, into the diversity of this channel and key questions in the discussion. For example, Desai & Kharas (2009) demonstrate that, in contrast to official donors, the donation behaviour of citizens (in this case in the US) is focused more on individuals and is therefore influenced less by country-specific indicators.

Fioramonti & Regelbrugge (2008) point out that business philanthropy is a more developed phase than corporate social responsibility. They call this an unpromising sign and ‘further proof of the fact that business-civil society engagement is operationalised by both parties in terms of a mere funding relationship’. The latter means that, in purely financial terms, companies do offer potential. Promising here is the finding of Urriolagoitia & Vernis (2011) that the economic recession has had a smaller impact on philanthropic investments than predicted. They further illustrate that (in this case Spanish) ‘companies that are managing philanthropy in a more sustainable way are not cutting their philanthropic investments despite sinking profits and rising uncertainty’ (ibid: 780). The latest findings for Dutch companies do not confirm these findings for their Spanish counterparts, however. Particularly also for ‘international cooperation’, the funds from Dutch companies show a constant decrease from 2007 onwards (Schuyt et al. 2013).

Foundations are, as indicated, another actor in development which have received more attention, particularly during the last 10 years, as a result of, among other things, a significant increase in their number (in the Netherlands, for example, the number of foundations increased by 40% between 2001 and 2007 - EFC 2008). At the same time it has to be acknowledged that the focus of research is still very much on foundations in the US and not necessarily on those that are (also) working on development in the South. In itself, this is not very surprising. For example, a facts and figures report by EFC (2008) shows that 12% of the foundations in seven

12 Foundations are regarded as a subsector of civil society. They stand out from other development-related CSOs primarily because they have ‘their own financial resources’ (Marten & Witte 2008: 5). The European Foundation Centre (www.efc.be) defines foundations as follows: ‘Public-benefit foundations are asset-based and purpose-driven. They have no members or shareholders and are separately constituted non-profit bodies. Foundations focus on areas ranging from the environment, social services, health and education, to science, research, arts and culture. They each have an established and reliable income source, which allows them to plan and carry out work over a longer term than many other institutions such as governments and companies’.26
European countries offer support in the ‘international development & relations’ sector and that less than 2% of the Belgian and Finnish foundations operate in developing countries. Axelrad (2011: 45) also points out that ‘only 10% of U.S. foundations’ grant-giving goes to international development, and only a small portion of this funding is actually delivered directly to developing countries’. The latter comment refers to the two broad ‘operational setups’ (Marten & Witte 2008) whereby foundations either carry out projects themselves or finance projects initiated by other actors (‘typically NGOs’). For the time being, however, financial data on this subject is not available, despite the fact that the growth of foundations would seem to indicate opportunities for Southern CSOs.13

With the growing geo-political and economic importance of BRICS also comes the question whether they have anything to offer in the field of funding or interaction with civil society. This is again a question easier posed than answered, although Howell (2012) makes a convincing case for China. Overall, her expectations that China will add substantial funds to Southern CSOs are bleak. China ‘does not have any particular programmes to support or strengthen’ CSOs and ‘does not channel significant amounts of aid money through NGOs’. She dedicates this to the fact that ‘Chinese aid does not focus on governance issues’ and China ‘does not share the typical Western liberal expectations of [CSOs] to act as “watch dogs” over state behaviour’. Vaes & Huyse (2013) simultaneously show that South-South cooperation has up to now largely bypassed civil society instead focusing on the private sector and government: ‘the common [South-South cooperation] policy statements remain rather silent when it comes to the role of civil society’. Nevertheless, they also show a difference between China on the one hand and India, Brazil and South Africa on the other, with the latter at least acknowledging the role of civil society as part of their partnership with African states. However, concrete funding opportunities for CSOs are scarce with even these new actors up to now.

As far as (traditional) ODA is concerned, slightly more is known about the financing of CSOs, although not all the related data is reliable (for a further discussion see, for instance, Keijzer & Spierings 2011). A recent study by the DAC (2011) revealed that all DAC countries work with CSOs and that most work with civil society organisations in the South as well, in addition to national and international organisations. At the same time the ODA data highlights a strong preference for ‘aid through NGOs’ instead of ‘aid to NGOs’. In other words, donors exhibit a clear preference for the financing of CSOs as part of donor-initiated projects and programmes rather than the financing of programmes set up by the CSOs themselves. Incidentally, the differences between bilateral donors are considerable, for example as regards the share of CSO financing in the total ODA. As has traditionally been the case, the Netherlands was in the top three in 2009 as well, with 30% of bilateral aid for CSOs.

Data on the distribution of bilateral ODA funds across national, international and local CSOs is not available because, to date, the OECD/DAC database has only distinguished between national and international organisations (with Southern organisations categorised as international). It is clear, however, that national CSOs have a substantial lead on international and local organisations, while a survey among DAC donors has shown that ‘twenty of the twenty-six respondents allocate 1% to 30% of their support for NGOs directly to local organisations’. Such direct funding of Southern organisations (primarily via decentralised bilateral budgets) was recognised as a growth sector in the Netherlands several years ago.

13 Marten & Witte (2008) present an interesting analysis of the significance of the emergence of foundations for the international aid system (see also Adelman 2009 and the slightly older report by the OECD from 2003).
Although almost no research has been performed recently into direct funding (but see Fällman 2012), a number of studies on the Netherlands have been published. In the 1990s direct funding played a greater role in the debate and many of the discussion points raised are still key. Here again it applies, as in much of literature referred to in this paper, that those discussions were (and are) not necessarily based on empirical research. The request for more direct funding is essentially inspired by the idea that ‘SNGOs in many southern countries have become strengthened to be able to design, implement and monitor development projects on their own’ (Tandon 2008: 2; see also Koenders 2008 in which a number of additional arguments are put forward such as the ministry’s need to remain in contact ‘with the grassroots’ particularly in a period in which project support is replaced by sector support). Such arguments in favour of direct funding are nothing new (see, for example, ODI 1995; INTRAC 1998; EC 2001).

Incidentally, the same applies to the arguments against direct funding. For example, this type of bilateral support for Southern CSOs was and is seen as a threat to Northern organisations because it can weaken their (financial) position (Pratt et al. 2006: 11). Critics also maintain that direct funding ignores the need for financing via an independent channel, certainly in the light of ‘the social and political role of civil society’ (Sasse 2008). Others refer to the argument that ‘public donors are poorly placed to provide such support, for political as well as for managerial reasons’ (Nijs & Renard 2009: 21; Meereboer 2008). The AIV (2010) sounds a note of caution because (1) direct funding primarily goes to large organisations with a track record and therefore excludes many Southern CSOs,14 (2) questions can be asked about the capacity and expertise of bilateral donors with regard to the selection and strengthening of CSOs, and (3) it is unclear ‘to whom southern NGOs should relate’ with reference being made to direct funding as a potentially undermining factor in relation to the independence of CSOs and the fear that governments will take countermeasures (see also INTRAC 1996, EC 2001). Others fear that direct funding is expensive and ‘inhibit[s] the danger of distorting SNGO agendas to fit donor objectives’ (Bebbington and Riddell 1995), that it can result in a greater emphasis on upward instead of downward accountability (Manji 1997), that CSOs can become ‘top-heavy and centrally guided’ and that it creates (Sobhan 1997) or leads to increased competition between Northern and Southern organisations (INTRAC 1998). The OECD (2012: 13) adds to this that donor ‘procedures and mechanisms for channelling funds to [CSOs in developing countries] can be overly complex and demanding’.15

Of course, this whole issue could also be viewed from the perspective of Southern CSOs. INTRAC (1996) concludes that ‘with some exceptions, SNGOs are less concerned about the source of their funds [...] than with characteristics they regard as positive’. They therefore prefer ‘a physical in-country presence’ for the sake of improved communication and by no means all Southern organisations are impressed by the ‘claims of partnership by NNGOs’. Three recent country studies of direct funding have added a number of other issues. For example, Tap (2010) claims that both donors (the Netherlands, Sweden and Norway) and local NGOs that receive direct funding are of the opinion that the level of ownership of budgeting, project planning and strategy of those local organisations is relatively high. The local organisations also referred to the many benefits of direct funding. For example, it reduces transaction costs (certainly in the case of basket funding mechanisms) and it saves time and energy in the search for financing and

14 Nijs & Renard (2009) dryly remark that ‘direct funding is really only a possibility for the larger NGOs. Smaller NGOs lack the capacity to interact with bilateral donors and the funding of local NGOs can entail administrative overburdening for local delegations’.

15 The 2012 OECD report also includes a few lessons for funding CSOs and calls for ‘a mix of formal funding mechanisms’.
reporting. Some CSOs also claim that direct funding is more flexible and facilitates greater innovation and strategy development.

Mangelaars (2009) looks specifically at the added value of indirect funding (in this case via Northern CSOs) compared to direct funding. Her study in Uganda revealed that Southern CSOs are aware of the advantages and disadvantages of both forms of financing. In other words, the donors in question have their own qualities. For example, Northern CSOs value, in particular, the relationship (open communication, the same ‘mentality’) and their focus on capacity building. Bilateral donors are particularly valued because they can open the door to local government and a variety of financial elements (a greater tendency towards core financing and greater freedom as regards determining how the funds are going to be spent). Lastly, a similar study by Kranen (2009) draws comparable, but also some opposite conclusions for Indonesia. A positive aspect of bilateral donors is their greater openness for (long-term) core financing, fewer changes in requirements and criteria, a high degree of ownership and their financial room to manoeuvre. Northern CSOs are valued as donor and partner because they are less bureaucratic, more flexible as regards overheads, devote less attention to capacity development and have comparable visions and values.

National sources

National sources cover fees, subsidies or contributions by governments, companies or local funds (in this case foundations) and contributions by citizens. Although no hard data is available on the importance of these national sources, various country studies by CIVICUS refer to major differences in the extent to which, for example, financial relationships exist between governments or companies and Southern CSOs, with some (Fioramonti & Regelbrugge 2008) actually taking steps to avoid a purely financial relationship between companies and CSOs. It is also clear that the increase in the number of foundations is not limited to the North and that a similar philanthropic sector is emerging in Southern countries as well (Hudson Institute 2010). A study by Axelrad (2011: 145) therefore states that ‘the rise of philanthropic foundations based in the developing world promises new potential’ for ‘a resource-starved non-profit sector’.

Although there is some sympathy for Axelrad’s starting point that the importance of ‘indigenous philanthropic actors’ has less to do with their number than their local knowledge, the fact still remains that little structural research has been carried out in this field and that hard data on their potential to provide an alternative for international sources for local CSOs is mainly lacking.

One of the few structural research projects paying attention (among other things) to civil society sources of support is the Johns Hopkins’ Comparative Nonprofit Sector Project. But even here, recent publications providing detailed information about sources are rare and/or are covering data from a limited number of countries. A recent overview (Salamon et al. 2013) presents data from twelve countries only (including four developing countries) and shows overall that ‘fees and charges, not philanthropy, are the major sources of’ income for non-profits. The differences between countries may be major, however. In Kyrgyzstan, for instance, fees make up 85% of the income of CSOs, while this is only 13% in Mozambique (where philanthropy is with 84% by far the major source). Earlier data for the period 1995–2000 from the same research programme shows that fees were also then the major source (also for the thirteen developing countries then included) but that differences between countries were clear (CCSS 2004).

There are, however, not only major differences between countries but also between CSOs within one country. This holds for the Netherlands where data from CBF shows substantial variation between CSOs as far as their funding sources are concerned, but also from the Uganda study of
Bougeas et al. (2012). Not only do ‘a few attract most of the funding’ but the ‘majority are dependent on one or two donors’ with those funded ‘by international governments receiving much larger amounts of funding than from any other source’. The study (covering more than 400 Uganda NGOs) also confirms that local funds (e.g., fees) are important despite the fact that 35% of the income of these Ugandan NGOs comes from international sources. What makes their study even more interesting is that they show that ‘local donors do not implement any selectivity criteria when allocating funds’. Put differently: whereas international donors ‘rely more on characteristics that proxy the efficiency’ of the NGO, for local donors it is more important ‘how well connected the manager [of the NGO] is locally, the geographic location of the NGO and whether the NGO is indigenous’ (also see Burger & Owens 2013).

The latter is one of the few exceptions to the rule that data is lacking also with regard to the giving behaviour of individual citizens in developing countries. In effect, therefore, research in this area is still in its infancy. That makes the research by De Kluijver (2010) into the perspectives of the charity market in developing countries and the programme Action for Children of Wilde Ganzen even more interesting. Based on an analysis of the ‘attractiveness of charitable fundraising’ (in this case a significant monetary contribution per capita to ‘charitable organizations’) primarily in Western countries, De Kluijver concludes that that attractiveness increases in line with a country’s BNP per capita, a higher Gini coefficient, a higher score for Governmental Regulatory Quality, a higher percentage of the adult population with access to financial services and a higher number of Civil Society Self-Regulation Initiatives. The application of these indicators to developing countries shows that Sub-Saharan Africa is the ‘least favourable region for fundraising market attractiveness’ and that Latin-America is the most attractive. Asian countries, ‘European Developing Countries’ and the Middle East have a wide diversity and their score is between that of Africa and Latin America. The differences between countries and regions are, incidentally, also worth mentioning. For example, Asia scores better than Africa due to the greater access to financial services. ‘Europe’ does not score much better than Asian countries precisely because of the lower right of access to those services and a low Gini coefficient. Of course these outcomes are not yet a reality and are only theoretical scores for attractiveness, as Tandon & Kak (2008) have demonstrated for the Asian-Pacific region: ‘With voluntary charitable giving remaining largely below 1% of personal annual income (and largely limited to religious organisations and charities), despite growing economic prosperity, alternative financial prospects for civil society seem bleak’.

Removing the ‘bleakness’ and thus trying to extend the financial commitment of a growing middle class to development is exactly the central aim of Wilde Ganzen’s Action for Children programme. This programme started in 2007 and is presently being executed in Brazil, India South Africa and Kenya. Although the programme is still relatively young, experiences so far show that there are huge obstacles to attract local funding (e.g., becoming known to the middle classes). Still, there are also positive signs (Wiggers 2013).

Although there are potentially opportunities for Southern CSOs to diversify their funding sources, it has to be recognised that, for the time being, they are largely dependent on international sources – particularly from within the traditional aid system. The same applies to the majority of Dutch NGOs and, perhaps even more so, to Southern development organisations. Wang (2006) therefore observes, on the basis of data from the Johns Hopkins Comparative Nonprofit Sector Project, which includes both Northern and Southern countries, that ‘the pervasive myth of civil society’s self-sufficiency has no factual base’ and that there is no country ‘where private giving is the dominant source of revenue for civil society organisations’. As far as
Southern CSOs are concerned, this would therefore also mean that they remain dependent on Northern donors.

What is more, it is important to acknowledge that all (potential) sources present their own challenges to CSOs. This is partly down to the uncertainty and the related low level of predictability of these sources. For example, Anheier (n.d.) refers to the negative consequences of the economic crisis. However, to a certain extent the challenges are directly related to their roles. As a result the literature projects an image of a civil society that is particularly capable of fulfilling its political tasks, but has trouble acquiring funds from its own government or from companies, while the charity market in most developing countries appears, for the time being, to have been explored only to a limited or minor extent. Besides, as PRIA (2012) asserts, there seems to be a very limited ‘resource support in [developing] countries’ for such interventions as ‘community mobilisation and awareness generation and independent advocacy’.

There does not yet appear to be any end in sight as regards the financial dependency of international sources, despite those sources also being aware of their own pros and cons. Various country studies within the CIVICUS project refer, for example, to the danger that international sources, with their preferences for specific elements of civil society, could lead to unbalanced development of local civil society. UNDP (2010: 19-20) points out that ‘in some countries, the massive influx of foreign aid for civil society has fostered an elite tier that works for CSOs but might be out of touch with society more generally’. Tomlinson & Macpherson (2007) warn that, in the event of bilateral or multilateral donors, the focus here is in principle on ‘government funds’ and that ‘recipient country expectations’ therefore apply which are not always compatible with a more political role by CSOs. What is more, the effectiveness agenda within aid architecture is also seen as a potentially problematic development. On this subject, Nijs & Renard (2009) state that the increasing focus on measurable results and impact may well be understandable but ‘if not handled carefully, might put unreasonable demands on NGOs that in the end will discourage them from undertaking some of the social and political tasks bilateral donors wish to support’.

Towards a vision of the role of civil society in development

The latest general policy paper of the Dutch minister for international trade and development cooperation sets out the broad contours for the future relationship with civil society (DGIS 2013). The importance of civil society is confirmed at several places in the document but the documents still lacks a more comprehensive vision on the role of civil society. We expect this vision to be part of the coming policy paper specifically aimed at CSOs if only because in our opinion any policy process starts with the development of a vision and, with that, the answering of the question of whether, and if so why, the role of CSOs is important in development processes. Here it is important to emphasise that this role does not only relate to the value which can be attached to civil society in the light of the challenges facing developing countries but also those that are of a more global nature and touch upon the lives of people in the North as well.

Roughly speaking that ‘value determination’ can be based on two approaches: normative or effective. Traditional visions relating to the role and position of civil society in the development process (De Tocqueville etc.) focused on their contribution to the deepening of the process of national democratisation. Within the framework of international aid architecture the vision of civil society has been radically narrowed to NGOs and they are being increasingly used as instruments to reinforce the effectiveness of development aid. The question is whether such a
narrow and instrumental ‘effectiveness approach’ has not blocked the view of the local endogenous dynamism of civil society and whether, as a result, civil society has not in reality turned into an implementer of a process supported from outside. Beside, as this paper shows, there are strong doubts whether civil society is able to live up to its own promises and, particularly, the high expectations that donors have of them.

As an alternative it would perhaps be better to link up with the increasing attention for the development effectiveness of civil society; a perspective thus where CSOs are not instrumentally viewed in terms of their ability to contribute to ‘official’ development goals, but to initiate and drive endogenous change processes. Studies by, for example, Rodrik (2007) indicate a strong link between development dynamism and internal management (governance), with civil society playing a key role in guaranteeing vital values and networks which facilitates an inclusive development path (and with that effective poverty reduction).

The latter leads us back to the normative starting point of the traditional vision in which the more political role of civil society is, in effect, a central aspect. At the same time a warning needs to be sounded to the effect that disconnecting the political and service-providing role of civil society may nullify any synergy between the two roles. Perhaps even more important is the disconnect between civil society and citizens that has become clear in the last few years.

It goes without saying that a lot more could be said on this issue. However, our starting point is that it is not the task of the authors of this literature study to develop that policy vision. In addition, the literature does not always provide any clear indication in any one direction. This means that any interpretation is by definition biased and normative. With that in mind we end this contribution to the policy process at the ministry with a plea for that process to acknowledge that:

- Civil society must be studied on a context-specific basis;
- Governance is of primary importance for the robustness of CSOs and with that for the degree in which they are able to fulfil their roles;
- The importance of governance will only increase due to the tendency, by means of legislation, to reduce even further the space available to CSOs in many developing countries;
- The current international financing of CSOs – and particularly those financed via the aid system – implies both advantages and disadvantages;
- Civil society is broad and not limited to a certain type of organisational form;
- Southern CSOs still play a relatively subordinate role in the international discourse in favour of their Northern counterparts;
- CSOs – as representatives of citizens in the South – have to have a certain degree of autonomy in order to ensure endogenous change processes; and
- Much of the environment that Southern civil society organisations operate in is still ‘terra incognito’.

32
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