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1. Introduction

1.1 Background

Since the 1980s, civil society has played an important role in transforming into democracies the authoritarian political systems in Latin America, Eastern Europe and a number of countries in other regions.¹ Already prior to this period, scholars and development practitioners considered civil society as an important player in promoting participatory forms of development. The involvement of local stakeholders such as civil society organisations (CSOs) has come to be seen as a tool to get the government to listen and adhere to the needs of its citizens. Participation is considered to be an important element of good governance by international aid donors and development organisations. The latter use the term civil society, specifically since the 1990s, in almost any document and discussion about development where good governance, increasingly interpreted as democratic governance, has been identified both as a precondition as well as part of development. The notion of development itself has also transformed from promoting socio-economic growth into the much more inclusive concept of sustainable development. The central aim of European Union (EU) development cooperation is, as formulated in the European Consensus on Development, the eradication of poverty in the context of sustainable development. Sustainable development includes good governance, human rights, and political, economic, social and environmental aspects. For the EU, sustainable development incorporates the pursuit of the United Nations (UN) Millennium Development Goals (MDGs).² Within aid programmes of major donors, such as the ones by the UN and the EU, through the European Commission (EC), strengthening of civil society has become a mainstream activity, often as part of promoting good governance. Democratisation of political systems has come to be seen as a core element and condition for successful development. This increased importance coincides with a broadened view of democracy. As Keane indicates, democracy is much more than just the existence of parliamentary elections and a multi-party-system. Indeed, democracy is seen as a never-ending process of apportioning and publicly monitoring the exercise of power by citizens within polities marked by the

¹ Kopecky and Mudde, 2003: 1.

² European Union, 2005: 2. The eight MDGs are to: eradicate extreme poverty and hunger; achieve universal primary education; promote gender equality and empower women; reduce the mortality of children; improve maternal health; combat HIV/AIDS, malaria and other diseases; ensure environmental sustainability and develop a global partnership for development.

institutionally distinct - but always mediated - realms of civil society and government institutions.³

The civil society argument in good governance policies – the donor’s democratic transitions model – is a simplification of a complex and not fully comprehensive and consistent set of arguments regarding what civil society is and does. These democracy assistance programmes are based on a concept about how democratic transitions take place, which owes much to a selective use of theory and has little to do with evidence. Democratisation is interpreted as a three-phase process: liberalisation, the transition itself accomplished through the holding of multi-party elections and consolidation: a protracted process of strengthening institutions and deepening democratic culture.⁴ Civil society plays an important role in these phases. According to Ottaway, with a few adjustments, this model is considered applicable to any country: “[t]he idea that there are virtually no conditions that preclude the possibility of democratization has become an article of faith among democracy promoters.”⁵ The model has its origins in Western liberal and liberal-democratic thinking. Promoting good governance, in the view of Western donors and multilateral aid agencies, is instrumental in achieving the transition towards democracy, as well as in firmly rooting it as a political model. The concept good governance can refer both to improving administrative as well as political good governance. It is based on the political view that good governance is best assured if the economies of these countries are integrated in the capitalist world economic system and that the societies are governed under a democratic pluralist model of state-society relations respecting human rights. The state would be contained through a system of checks and balances, such as an independent judiciary, a democratically elected parliament, a constitution protecting the civil and political rights of citizens, free media as well as a vibrant civil society. A core element of this political approach to good governance is strengthening the role of civil society, the creation of independent media and the establishment of a multi-party system.

Initially, the focus in good governance programmes was on transforming state institutions and holding parliamentary elections. The popularity of civil society as aid target increased due to the fact that cooperation with aid recipient governments did not result in much progress in the field of good governance. Thomas Carothers notes that “[t]his experience prompted democracy promoters to turn to civil society assistance both as a way of stimulating external pressures for

³ Keane, 2009: 2.

⁴ Ottaway, 2003: 12.

⁵ Ibid., 13.

reform on stagnant state institutions as well as an alternative, more accessible and welcoming target for aid than state institutions.”⁶ Civil society became seen as a key agent in both development as well as democratisation. The expected ability of civil society to enhance the accountability of governments refers to its presumed capacity to ensure that public officials are answerable for their behaviour and that those who ask for accountability have the authority to demand answers and if necessary to enforce accountability.⁷ The presence of a vibrant civil society is therefore seen both as a goal in itself as well as aiding good governance. Civil society has become central within the conceptual framework of good governance because of its perceived capability to act as a watchdog and even a counter-force to the government. Supporting civil society has become to be seen as a way to pressure governments to reform institutions as part of policies to increase political accountability. Involvement by governments of civil society in policy-making and implementation is considered a sign of willingness to be accountable, which in turn is considered a step towards democratisation of the political system.

The EU is of the opinion that ownership of strategies by the partner countries is the key to the success of development policies and that wide-ranging participation of all segments of society must be encouraged to the highest possible degree. Since the EU development policy statement of 2000 on ownership of development processes by the population, the participation of economic and social stakeholders and the representation of civil society are principles put forward by the EU. The November 2000 Council/Commission Joint Statement on development policy states that: “[o]wnership of their strategies by the partner countries is the key to the success of development policies. With that in mind, the most wide-ranging participation of all segments of society should be encouraged in order to create conditions for greater equity, for the participation of the poorest in the fruits of growth and for the strengthening of the democratic system.”⁸ Furthermore, paragraph 38 of the Joint Statement points out that: “[t]he contribution made by a broad spectrum of participants from civil society to Community policy is already recognised in the framework of the new partnership with the ACP countries. Implementation of an approach that encourages greater participation by non-governmental organisations (NGOs), economic operators, social partners and the private sector must be encouraged in the context of the Union's relations with the rest of the world.”⁹ In this connection and referring to the principles presented in the White Paper on European Governance, the following is mentioned regarding

⁶ Carothers, 1999: 208.

⁷ Peruzzotti, 2006: 45 and 46.

⁸ EC, 2000: Without a page number.

⁹ Ibid.

cooperation with civil society: “[t]he organisations which make up civil society mobilise people and support, for instance, those suffering from exclusion or discrimination. [...] Non-Governmental organisations play an important role at the global level in development policy. They often act as an early warning system for the direction of the political debate. [...] The Commission will improve the dialogue with governmental and non-governmental actors in third countries when developing policy proposals with an international dimension.”¹⁰ The EU, like the intergovernmental aid agencies such as United Nations Development Programme (UNDP), considers civil society an important actor promoting good governance. Referring to article 9.3 of the Cotonou Partnership Agreement with the ACP countries, in its communication of 2003, a description of good governance is given: “[i]n a context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purpose of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of the rule of law in the management of resources and capacity building for elaborating and implementing measures aiming in particular to preventing and combating corruption.”¹¹ As part of its external relations, the EU tries to promote good governance in the neighbouring Eastern and Southern countries. Properly governed countries, which in the context of the EU signify democratically governed, would contribute to the stability and prosperity of their neighbours and thus are of great importance for the EU. The EU uses political dialogue, assistance and positive conditionality¹² as its main instruments in promoting good governance. In its 2006 Communication on Governance in the European Consensus on Development, the European Commission indicates that:

- The EU’s approach is based on a broad definition of governance, which it perceives as a process of long-term change, based on universal objectives and principles and common aspirations that must inform the main functions of government, all areas of state intervention and the interaction of public institutions and citizens. Democratic governance affirms the rights of all citizens, both men and women, and cannot therefore be reduced simply to tackling corruption;

¹⁰ EC, 2002: 4. Reference is made to COM, 2001: 428 final.

¹¹ EC, 2003a: Par. (5) 4.

¹² Positive conditionality means the offering of encouragements or ‘carrots’ to partner countries in order to stimulate behavior, policies and/or activities as wished by the EU. Negative conditionality denotes the imposing of sanctions or the threat of such in order to stimulate behaviour, policies and/ or activities desired by the EU.

- Democratic governance must be approached holistically, taking account of all its dimensions (political, economic, social, cultural, environmental, etc.). The processes of democratic governance will be supported more effectively by dialogue than by sanctions and conditions;
- Ownership of reforms by partner countries and a dialogue-based approach, encompassing capacity-building support and the prevention of state fragility, will bolster the processes of democratic governance and help legitimise institutions in the eyes of citizens.¹³

The EU assumes that neighbouring countries are interested in cooperation because it would give them privileged access to the EU market, generate investments as well as aid and in some cases even the perspective of becoming part of the EU. The EU expects that policies of socio-economic reform would lead to or be accompanied by political reform. The good governance policy of the EU is mainly promoted through governmental channels as part of a broader bilateral cooperation agreement. The European Neighbourhood, the target area of the European Neighbourhood Policy (ENP), includes Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, the Republic of Moldova, Morocco, the Occupied Palestinian Territories, Syria, Tunisia and Ukraine. In addition to the European Neighbourhood Policy Instrument (ENPI), the EU also uses a thematic financial instrument, the European Instrument for Democracy and Human Rights (EIDHR), with which it aims to give direct support to civil society. The EU uses as a concretisation of civil society the notion of Non-State Actors (NSA). “The term NSA is used to describe a range of organisations that bring together the principal, existing or emerging, structures of the society outside the government and public administration. NSAs are created voluntarily by citizens, their aim being to promote an issue or an interest, either general or specific. They are independent of the state and can be profit or non-profit-making organisations. The following are examples of NSAs: Non-Governmental Organisations/Community Based Organisations (NGO/CBO) and their representative platforms in different sectors, social partners (trade unions, employers’ associations), private sector associations and business organisations, associations of churches and confessional movements, universities, cultural associations, media.”¹⁴ In the context of the development process the NSAs are non-profit-making organisations. In this Communication on development,

¹³ EC, 2006: 20.

¹⁴ EC, 2002: 5.

the business sector is covered only with regard to its participation in the development dialogue and policy implementation. Moreover, these organisations are either operational or advocates.¹⁵ With respect to the question what civil society does or is expected to do, the EU places CSOs and other mostly non-state actors as the most crucial participants in playing an important role in governance and accountability. They play a crucial role in addressing the problem of political legitimacy. In its Communication on Governance in the European Consensus on Development, the Commission argues that “[m]any developing countries need a lasting solution to the gap between the lawfulness of the state’s institutions and their legitimacy in the eyes of the citizens. Whereas democratic lawfulness depends on free elections, legitimacy hinges above all the government’s capacity to keep its election promises and meet citizens’ needs. In this context, the internal processes of dialogue and interaction between the different stakeholders in partner countries are crucial. The EU is backing the gradual establishment of participatory approaches by governments when they design their development strategies. Promoting the active involvement of a broad range of civil society stakeholders (associations, grassroots organisations, non-governmental organisations, media, employers and trade unions), political movements and institutions representing citizens (parliaments, local and decentralised authorities) applies the principles of democratic governance and favours the viability of reform programmes.”¹⁶ The EU gives two sets of reasons why civil society is important: according to the EU, the CSOs contribute to ownership of development strategies by all beneficiaries and in particular, they are helpful in reaching people more efficiently. Furthermore, civil society is important, because according to the EU, it plays a vital role as promoter of democracy, social justice and human rights. The EU not only uses the concept civil society in a descriptive sense but attributes to it clear normative traits. Civil society is considered as good, both from a social point of view: contributor to civility and social cohesion, as well as from a political point of view: promoter of respect for human rights, democracy and rule of law: “[t]he EC wants to strengthen the role of CSOs in order to contribute to the ownership of development strategies by all beneficiaries and in particular, in order to better reach people living in poverty, facilitate the establishment of joint development strategies between CSOs, governmental authorities at all levels (national, regional and local) and private partners, enhance respect and observance of

¹⁵ Ibid.

¹⁶ EC, 2006: 8.

human rights and fundamental freedom, support the consolidation of democracy and rule of law and finally, contribute to a greater sense of citizenship.”¹⁷

The EU's view on civil society as a core development actor, including in the field of promoting good governance, is directly linked to its vision on state-society relations. The latter vision is based on two assumptions: firstly, “[...] that a state, in order to be legitimate, should be eventually controlled and governed by the people and accountable to the people. A further assumption is that successful development depends on stronger relations between the state and broad segments of empowered citizens. A push for better governance may therefore come from engaged citizens and groups that are able to duly articulate their demands to the state.”¹⁸ The EU recognises that the first assumption can be problematic in the case of authoritarian regimes. Not all countries are ready to accept that “[n]on-state actors (NSAs) play a role in making proposals and as a watchdog, in particular on policies that may be politically sensitive (this may be the case with reforms of the rule of law, but it can also touch upon social, economic, environmental and cultural reforms). As a consequence, the EC tries to work with civil society in order to either reinforce democratic and participatory approaches, or to reduce barriers, which prevent the involvement of NSAs in rather, closed political systems. The weak capacity of NSAs is also an important constraint faced by the European Commission [EC] Delegations in a number of countries. It is not always easy to enter into dialogue and support financially small organisations if they are not endowed with a minimum of capacity.”¹⁹ Although, more Southern Mediterranean Arab neighbouring countries of the EU have introduced democratic characteristics in their governance, including multi-party elections, less restricted media, as well as a growth of CSOs, in many cases authoritarianism, still prevails. The Arab world, at least until the end of 2010, is a clear example. In retrospect, several researchers concluded that promoting good governance by the EU as part of the cooperation with ENP countries in the Southern Mediterranean has been by and large unsuccessful. Börzel notes that the countries where the EU influence on governance seems most limited are those countries facing the biggest problems of bad governance.²⁰ Van Hüllen concludes in her study on EU democracy promotion in the Mediterranean that the degree of political liberalisation is more relevant for the implementation of political dialogue and democracy assistance than

¹⁷ Interview 15: EC Damascus Delegation Official. 29 March 2009. Written answers to a questionnaire.

¹⁸ Ibid.

¹⁹ Interview 15: EC Damascus Delegation Official. 29 March 2009. Written answers to a questionnaire.

²⁰ Börzel, 2009: 38.

interdependence and statehood.²¹ The Arab region where most of the Southern ENP partner countries come from, was until recently considered a region in which the call for good governance by the citizens remained weak, especially when compared to Eastern Europe and Latin America. Donor interventions for strengthening formal institutions of governance often have limited impact and also often lacked the political will to promote growth and poverty reduction, fight corruption and protect human rights. Discussing the results of promoting good governance in the Arab World, Salem indicates on the basis of the UNDP Arab Human Development Reports that “[i]n the past two decades the international and foreign donor community has emphasized good governance as a key element of development assistance. This supply-side approach to democratic assistance has improved some elements of governance and responsiveness, strengthening civil society and enabling more meaningful elections. On the demand side, there has been a strong push for democratization from civil society and opposition parties. However none of the incumbent regimes has made a commitment to real democratization. Political reforms are made grudgingly, partly as a concession to Western pressure and partly as a way to let off steam internally. Without clear domestic demand for such measures, the impact of this assistance remains limited.”²² The current uprising of Arab people against the authoritarian regimes in the Arab world may well become a turning point. While the changing political environment in many Southern ENP countries may open perspectives for improvements in governance, there is also a need to reflect on the question of the effectiveness of EU good governance policies for the last two decades. A part of the comments on the effectiveness of the good governance policy relates to the consistency with which the EU pursued its good governance policies. Tocci and Cassarino argue that the EU undermined the credibility of its good governance policies at the civil society level by granting its financial support either to pro-government groups or at the very most to liberal opposition groups.²³ According to Tocci and Cassarino, on the one hand, donors like the EU want to cooperate with NGOs led by professionals able to develop and implement projects with knowledge of international languages, accounting and reporting techniques.²⁴ On the other hand, Western donors tend to focus on advocacy organisations that promote their views on state-society relations.²⁵ The first category of CSOs consists of organisations that are pro-government, government-initiated or recognised entities active on issues, which do not pose a

²¹ Hüllen, 2009: 16.

²² Salem, 2010: 3.

²³ Tocci and Cassarino, 2011: 7.

²⁴ Ottaway, 2003: 13.

²⁵ Hawthorne, 2005: 102 and 103.

security threat. The second category of CSOs might have a more problematic relationship with authoritarian governments. The government might distrust them or even forbid them to be active. The EU might also undermine the credibility of its good governance policies at the civil society level by using double standards in case of questioning government repression of opponents. The EU expressed criticism and condemnation, mostly verbally, when liberal groups or personalities were harassed by authoritarian regimes of its Southern Mediterranean neighbours and remained silent when others were persecuted by these authoritarian regimes. Furthermore, the EU side-lined increasingly the good governance agenda and gave priority to issues like migration management and reinforced control of the EU external borders.²⁶ Providing cooperation in these domains helped authoritarian regimes to gain strategic leverage and weakened the EU's capacity to exert credible pressure regarding democratisation and observance of human rights.²⁷ Some critics go as far as arguing that: "[...] the EU allowed Arab governments to avoid implementing any serious political reforms in the interests of ensuring their cooperation in security and intelligence-sharing."²⁸ Moreover, as Skov Madsen notes, "[a] split among EU member states between a pro-dialogue group and a pro-democratization group. [...] One camp prioritizes development and a pro poverty first approach, whereas the other prioritizes human rights and democracy, emphasizing the use of conditionality [...] Consequently, most leadership in the region, including the Syrian, exploit the division within the EU to pressure for a stability-security approach and marginalize democracy and human rights."²⁹

Given the above, there is reason to question EU's policies not only on theoretical and empirical grounds but also regarding the intentions of the EU when pursuing good governance policies as part of its cooperation with (semi)-authoritarian regimes. The EU aims to strengthen its relations with neighbouring countries because it considers a politically stable and prosperous neighbourhood in its interest for security and economic reasons. As indicated, the EU is of the opinion that sustainable development is best secured in the long run if states are governed in a democratic manner: guarantee the people's involvement in decision making about and implementation of developmental activities. In the short run, the EU might nevertheless want to invest in its relations with its neighbours, even with an authoritarian regime, because cooperation is beneficial for economic or security reasons. The latter includes fighting terrorism,

²⁶ Tocci and Cassarino, 2011: 7.

²⁷ Ibid., 5.

²⁸ Hollis, 2012: 93. Hollis refers among others to Fernández and Youngs (eds): The Euro-Mediterranean Partnership.

²⁹ Skov Madsen, 2009: 4.

or combating illegal migration. As noted by Burnell, this may explain the relatively tolerant attitudes of the West towards certain illiberal regimes, including (semi)-authoritarian ones.³⁰ However, in order to justify cooperating with (semi)-authoritarian states for internal political reasons, EU political leaders might need to present proof of the partner (semi)-authoritarian state's willingness to invest in democratizing their political system and respecting human rights. Good governance is part of the so-called cooperation package promoted by the EU, therefore partner countries have to express willingness to develop activities in this domain in for instance their national development plans. Reference to universal values and furtherance of democracy can provide a justification for the EU not only to exert pressure on regimes to change their policies, but also to protect its short term interests. Wallerstein calls this approach *European universalism* and considers it as a new means of justification for the Western political, economic, military and cultural domination,³¹ according to Said much like the Orientalist mode in the 18th and 19th century that provided an ideological cover for pursuing self-interest in the form of imperialism.³² The purpose of Wallerstein's comment is not to discredit these universal values, but to underline the importance of remaining critical about all justifications for 'intervention' by the powerful.³³

The study attempts first of all to identify and discuss assumptions, regarding civil society's role in promoting good governance, on which the intergovernmental aid and donor policies are based. Secondly, the study looks at the effectiveness of these policies in the context of state-society relations in one specific authoritarian state, namely Syria. It analyses structural issues in the state-society relations that could frustrate the effectiveness of donor support for democratisation of the political system of authoritarian states.

1.2 Research Problem

Western aid donors, such as EU and multilateral development organisations such as UNDP, seem to be too optimistic and restrictive in treating civil society as a pro-democracy force, as well as too optimistic in their view that state and civil society are willing to consider each other partners regarding promoting democratic governance. This optimism and selectivity is reflected in their cooperation programmes with third countries, especially if the government of such

³⁰ Burnell, 2004: 108.

³¹ Wallerstein, 2006: 74 and 75.

³² Said, 1993: 70.

³³ Wallerstein, 2006: 79.

countries is authoritarian or semi-authoritarian. The cooperation itself is based on and legitimised by cooperation agreements, which are considered to be an indicator of ownership. The latter might be wishful thinking and even bizarre in the case of governments which ultimately base their power on the barrel of a gun. The good governance assistance offered by Western donors and multilateral organisations to governments is based on the assumption that these regimes are willing to democratise their political system. “The assistance offered to them is based on the assumption that they have already gone through the formal transition of holding break through multi-party elections and now have governments that will accept further democratization.”³⁴ Moreover, democracy promoters are willing to assume readiness of authoritarian regimes to democratise solely on the basis of government intentions, even if no steps have been taken to bring about democratic political decision-making. In reality, these regimes lack the political will and interest to democratise and anti-democratic tendencies prevail, such as parliaments dominated by government party. This model for democratisation programmes is questionable because it does not take into consideration the potential resilience of regimes; the fact that a large part of society might prefer authoritarianism above democracy, as well as that the democracy promoters, while stressing the virtue or necessity of broad participation, might in fact be a small group within civil society.³⁵ Authoritarian regimes might even allow civil society to be active, although within constraints and only in certain sectors. These democracy support programmes, through projects based on cooperation agreements, put little pressure on governments and are considered less invasive to the sovereignty of the recipient country. Ottaway calls these programmes low end democratisation programmes. More importantly democracy promoters, by using this model, lack the will to address the real problem, namely the uneven distribution of power. As a consequence, these democracy programmes face less risk for backlash by the recipient country. The consequence is failure to address the structural conditions of state-society relations, which impede democratic transformation.³⁶ It might thus be argued that the current low-end democratisation programmes actually contribute to the continuation of authoritarian regimes. These programmes may also contribute to intended positive change in the sense of political liberalisation. Nevertheless, they fall short of democracy. The high-end politics of democratization; putting diplomatic and other pressures on authoritarian regimes to democratise; might however, be costly and have repercussions for the

³⁴ Ottaway, 2003: 197.

³⁵ Ibid., 13.

³⁶ Ibid., 199. Ottaway sums up some of these conditions in the case of semi-authoritarian states: shallowness of transition; polarisation of society; incomplete process of state formation; asymmetric mechanisms for power generation; absence of embedded democratic elite and the fallout from semi-authoritarianism.

EU. Here democracy-promoting countries might face dilemmas in the process of democratisation. The focus of this study is on how well the EU good governance policy addresses the challenges posed by authoritarian states and in particular in Syria. What are the assumptions on which the EU good governance policies are based and are there deep-rooted issues in these states explaining their authoritarian resilience? As indicated, the EU good governance policy believes civil society is, apart from a provider of goods and services to vulnerable groups in society, also a force promoting democratic governance. Furthermore, the EU presupposes that state and society are willing to consider each other as partners in development. Both EU assumptions are debatable when referring to on-going discussions in social sciences.

Civil Society as a Pro-democracy Force

Regarding the concept of civil society, it is important to note that, while the EU and other policy-makers embrace it as an agent of development and democratisation, the theoretical underpinnings of what civil society is and does, remain debatable among social scientists. While descriptively there is some agreement on what civil society is, there remains an ongoing debate on what civil society does. With respect to the attempts to define civil society, White indicates: “[c]ommon to most current uses of the term is that of an intermediate associational realm between the state and family populated by organizations, which are separate from the state, enjoy autonomy in relation to the state and are formed voluntarily by members of society to protect or extend their interests or values.”³⁷ A further restriction often used is that civil society is the realm of private voluntary association not only separate from the state but also from the market. In the market, relations are based on private interest; however, civil society deals with other social relations not merely based on private interest. Based on this characteristic, UNDP calls civil society the Third Sector. Civil society consists of a wide range of organisations with different characteristics in terms of aims, activities, scope, organisational structure and relation with the state. This becomes clear by differentiating categories of civil society actors. For example, Kaldor makes a distinction between four distinct categories of civil society actors: social movements, NGOs, social organisations and nationalist and religious groups.³⁸ Similar to Al Azm’s view, a distinction can be made between traditional associations, often community

³⁷ White, 2004: 10.

³⁸ Kaldor, 2003: 12.

and/or faith-based organisations; and modern organisations, often professional in nature ones such as unions.³⁹

Political associations, especially political parties, are most often excluded from civil society. The argument is that the aim of political parties is to gain political power, while civil society provides goods, services or advocates certain issues for the public interests, or the interests of specific groups in society. However, the distinction between civil associations and political associations is a blurred one. The activities of certain civil associations, such as advocacy for a sound environment, a public health system, human rights and in addition - if religious organisations are included in the definition of civil society - for the application of Sharia Law, do have political consequences. Moreover, there can be close linkages between certain CSOs and political parties. For instance, there might be ties between Christian parties and certain relief and social service organisations; a similar observation can be made for ties between socialist parties and certain CSOs or the relations of certain Islamist parties, for instance Hamas, and relief organisations.

If one looks at what civil society is supposed to do in relation to good governance, a normative element is most likely included in the definition of civil society; it is “[a] dense network of civil associations, which is said to promote stability and effectiveness of democratic polity through both the effects of associations on citizens’ habits of the heart and the ability of associations to mobilize citizens on behalf of public causes.”⁴⁰ There is a certain tension between these two reasons why civil society is important for democratisation. Foley and Edwards analyse these arguments, which they see as two separate lines of thinking which fit into the different contexts to which they have been applied.⁴¹ The ‘habits of the heart’ argument refers to civil society proponents, such as Putnam, who emphasises the ability of associational life to foster civility in the actions of citizens. This argument postulates the positive effects of association for governance and refers to the apparent capacity of civil society to mobilise people for public causes. It focuses on what civil society is supposed to do, namely socialise participants into norms of generalised reciprocity and trust, which its most well-known proponent Putnam calls *social capital*, and develop networks of civic engagement; “[s]ocial capital refers to connections among individuals-social networks and the norms of reciprocity and trustworthiness that arise from them. In that sense social capital is closely related to what some have called civic virtue.

³⁹ Interview 16: Sadiq Al Azm. 7 June 2009.

⁴⁰ Foley and Edwards, 1996: 38.

⁴¹ *Ibid.*, 43.

The difference is that 'social capital' calls attention to the fact that civic virtue is most powerful when embedded in a dense network of reciprocal social relations."⁴² The positive effect on governance is maximal if these networks of association cut across social cleavages in order to promote cooperation.⁴³ Putnam separates civil society from political society; he considers association as the most important element of the strength of civil society. However, as Foley and Edwards argue, social movement organisations, grassroots interest groups and grassroots political associations are more likely to produce an activated citizenry than choral societies or bird-watching societies.⁴⁴ Establishing these horizontal links between CSOs may be more difficult if the society is compartmentalised along ethnical, religious and tribal lines. Moreover, it can be a lengthy process. In this respect, Ottaway warns that Putnam's concept of social capital "[h]as been transformed to denote not a culture of trust and cooperation which developed over centuries, but something that could be quickly created by funding NGOs and training them in the techniques of lobbying the government, administrating funds and reporting to donors."⁴⁵

The second argument focuses on political mobilised social actors autonomous and outside the customary political associations. This argument considers civil society as a promoter of democracy, social justice and human rights, and is tied in this way to the notion that civil society can act as a counterforce or a watchdog of the state. This argument seems too optimistic about civil society's capacity to act as a pro-democracy force. Ottaway indicates that civil society might reflect social pluralism in terms of religion and ethnicity, however still not be democratic. In other words, civil society just reflects old or traditional social divisions. Thus, the presence of a vibrant civil society might be a sign of political liberalisation but it does not necessary mean democratisation; all kinds of ideas pop up, including undemocratic ones.⁴⁶ Glasius also stresses that civil society is not necessary a pro-democracy force: there might also be "[...] self-interested, narrow-minded and fanatical manifestations of social interaction from civil society."⁴⁷ Foley and Edwards, in commenting Putnam's view of civil society as networks of civic engagement, refer to the real, often sharp conflicts among groups in civil society. Conflicts can even spill over to violence and civil disruption.⁴⁸ Hawthorne, in analysing civil society in the Arab world, notes that civil society might be dominated by apolitical, pro-government or even illiberal

⁴² Putnam, 2000: 19.

⁴³ Foley and Edwards, 1996: 41.

⁴⁴ Foley and Edwards, 1996: 49.

⁴⁵ Ottaway, 2003: 12.

⁴⁶ *Ibid.*, 19.

⁴⁷ Glasius, 2002: 5.

⁴⁸ Foley and Edwards, 1996: 40.

organisations.⁴⁹ Foley and Edwards conclude that both lines of thinking tend to marginalise political parties. Both arguments on what civil society does, seem to be generalisations of what specific parts of civil society do in a particular context.

It is questionable whether there is something like *the* civil society at all. Already Hegel indicates that civil society consists of various elements, not necessary in harmony with one another or having the same interests. It can thus be questioned whether by definition civil society works for the general interest. This also means that parts of civil society may differ in their relation with the state. Some parts may be recognised by the state; others might be illegal and/or considered political opponents. Some may advocate views in support of governmental policies; others may differ. The former can be seen as part of the social basis of the regime; the latter might form part of the social base of the opposition. The extent to which civil society reflects the views of the hegemonic group in society is debatable. Marxists consider the social groups that are in control of the means of production as dominant i.e. the bourgeoisie; other scholars identify some non-economic factors that play a role in the relative power of groups. Thus, there is reason to question the normative vision of the EU that civil society as a whole is a pro-democracy force. Parts of it may be supportive to promoting democratisation of the political system and other parts may be supportive in keeping the status quo of an authoritarian system, or even actively support it. Most likely, a large part of civil society has no direct links with political society; they just provide services. An analysis of country-specific situations, in which civil society plays a pro-democracy role, questions the normative framework of the liberal thinking on civil society. Kopecky and Hawthorne refer also to the limited concept of civil society, an overly optimistic view of civil society as a pro-democracy force, and an incorrect view of the relations between civil society and the state.⁵⁰

Boyte, when discussing civic driven change, focuses on characteristics of the civic agency, as an individual as well as collective action dimension, which is not necessary confined only to civil society.⁵¹ Fowler and Biekart, referring to the revolutionary developments in 2011 in Egypt and Tunisia, similarly comment that civic action is not confined to one sector, namely civil society,

⁴⁹ Hawthorne, 2005: 92-96.

⁵⁰ Kopecky and Mudde, 2003: 1. Kopecky indicates in the case of Eastern Europe that civil society had shown power in opposing communist regimes across that region and played an important role in the transition. Civil society was however, not the only key factor in the downfall of the communist regimes. Kopecky refers to long-term structural socio-economic failures, as well as Gorbachev's policies of glasnost and perestroika. Moreover, with the exception of Poland, opposition movements remained relatively small and weak until the last moments of communist rule. Hawthorne. 2005.

⁵¹ Boyte, 2008: 119-137.

but stems from people in all walks of life who have had similar experiences.⁵² Civic agency is defined as “[t]he capacity not only to direct one’s life and shape one’s environment but also to collaborate with others across differences to address common challenges and to make a common world.”⁵³ Civic agency is considered an attribute of citizenship, namely an attitude of active citizenship based on norms and values to do public work. This active citizenship often begins with concrete issues close to home. The idea of civic driven change, as developed by Fowler, Biekart and others, is normative.⁵⁴ This attitude can deepen democracy, the thick democracy, horizontally towards common rights and responsibilities and vertically towards the state. In fact, it is a form of cultural change, which needs time if civic action has to bring about structural and transformative changes. NGOs and civil society at large can play a role in deepening civic engagement. The notion of civic-driven change evokes the same comment as the one with respect to Putnam’s view on what civil society does, namely that it does not clarify why it should be linked to democratisation. It is based on the assumption that civic refers to people acting as citizens with rights and obligations to states and to states with duties as guarantee of rights. Civic might however be interpreted in a descriptive sense as civilian, being non-military. If interpreted this way, civic-driven change can also fall short of democratisation and restrict itself to collective action in order to improve living conditions without necessarily challenging the authoritarian character of regimes.

In sum, one may conclude that civil society is a widely diverse range of social organisations of which its members might not a priori be inclined to support democratisation of the political system.

Good Governance and the Role of Civil Society

The concept of good governance was introduced in development thinking in the late 1980s and early 1990s. The debate on the importance of good governance was framed especially by the World Bank, the Organisation for Economic Cooperation and Development (OECD) and the UNDP. Analysis of the reasons of failures in development programmes,⁵⁵ including structural

⁵² Fowler and Biekart, 2011: 16.

⁵³ Boyte, 2008: 122.

⁵⁴ Fowler and Biekart, 2008: 22.

⁵⁵ Börzel, 2009: 6. Besides the SAPs, the idea of the minimum state was questioned. This kind of state was not able to provide the necessary framework for functioning markets nor the basic public services needed by especially the poorest groups in society.

adjustment programmes, led to a growing attention for governance problems. How to get the institutions right became the issue.

Governance is defined by the major intergovernmental development organisations, such as the World Bank, as the “[...] use of political authority and exercise of control in society in relation to the management of its resources for social and economic development.”⁵⁶ As noted by Leftwich, the concept of governance is in its most extensive form wider than government and refers to political and crucially economic relations and rules by which the productive and distributive life of a society is governed. Thus, in its broadest meaning, governance has to do with the system of political and social relations: the regime.⁵⁷ Good governance is a more normative concept. The normative aspect becomes explicit if one looks into the kind of system of political and social relations the World Bank and other (inter)governmental aid agencies are aiming at, namely a market-led economy and a liberal or social democracy. Two approaches can be discerned in literature.⁵⁸ The first approach, which is more political, presupposes such a regime and focuses on issues like respect for human rights, rule of law, participation and democracy. Here more attention is given to the role of societal actors in the political process as well as the criterion of political accountability. It explicitly means, as Leftwich indicates, “[...] a state enjoying legitimacy and authority, derived from a democratic mandate and built on the traditional liberal notion of a clear separation of legislative, executive and judiciary powers. [...] It presupposes a pluralist polity with a freely and regularly elected representative legislative, with the capacity at least to influence and check executive power.”⁵⁹ The second and most limited approach associates good governance with creating a sound administrative and regulatory framework. The focus is on the state and on issues like sound financial management and the fight against corruption. This approach uses criteria like efficiency and effectiveness, and can be considered a technocratic one. The focus of the assistance by the World Bank is on improving the public administration.⁶⁰

⁵⁶ Ibid., 8. See also Leftwich, 1994: 370.

⁵⁷ Leftwich, 1994: 371.

⁵⁸ Börzel, 2009: 2 and 3.

⁵⁹ Leftwich, 1994: 371.

⁶⁰ Ibid., 372. The focus is on four areas of public administration in general and public sector management more specifically: accountability (holding officials responsible for their behaviour); a legal framework for development (structure of rules and laws which provide clarity, predictability and stability for the private sector; conflict resolution through independent judicial system); information; transparency (open government to enhance accountability, limit corruption; stimulate consultation between government and private interests).

No one, as Leftwich indicates, can have problems with the more limited form of good governance (the administrative good governance) aimed at an efficient, independent, accountable and open public service. This is in the interest of developing countries. As in 2007 the UN Secretariat indicated in a discussion note on governance for the Millennium Development Goals: “[p]eople want the state and its public administration to act as a social and economic promoter, capable of ensuring equitable distribution of and access to opportunities (political, economic, social and cultural). They also look at the state for sustainable management of resources, the fostering of dynamic partnerships with civil society and the private sector, enhancing social responsibility and ensuring broad participation of citizens in decision-making and monitoring public service performance.”⁶¹

The Organisation for Economic Cooperation and Development (OECD) introduced a more political element into good governance thinking. Compared to the initial approach of the World Bank, the OECD gave much more attention to linkages between good governance and political principles such as participation, human rights and democratisation.⁶² These political notions were not only seen as prerequisites for development, but also as values in their own right.⁶³ Initially the UNDP followed the technocratic World Bank line to good governance, with a focus on economic processes and administrative efficiency. However, in 2002 it adopted a broader approach to good governance and included political aspects. It introduced the term democratic governance.

A similar development, as Börzel notes, can be seen in the EU’s policy development regarding good governance. Initially the EU seems to restrict good governance to proper functioning state administrations and separated this from the essential political elements of democracy, human rights and rule of law. Later, the EU, (the EC as the responsible body for the implementation of the EU’s development and aid policies) considered strengthening the roles of civil society, the media and multi-party democracy as a precondition for the proper delivery of public services and sustained economic growth and thus of development. From 2001, for the EU, promoting a democratic environment became a goal in itself and one that included the strengthening of civil society.⁶⁴ As indicated in sub-chapter 1.1, the importance of civil society was underlined in the EU Joint statement on EC Development Policy of 2000. Reference was made to the presumed

⁶¹ UNS, 2007: 24.

⁶² UN Economic and social council, 2006: 4 and 7.

⁶³ Börzel, 2009: 8.

⁶⁴ Börzel, 2009: 12 and 13.

capacity of civil society to reach people. In this way, civil society contributes to people's ownership of development strategies. Ever since, the importance of civil society for good governance has been stressed in a context in which sustainability of development became linked to a political system guaranteeing human rights, democratic principles and rule of law. Involvement of civil society in development was not only considered important from the perspective of ownership but also as promoter of democracy, social justice and human rights. In the EC Communication of 2006 on Governance in the European Consensus on Development, good governance is equal to democratic governance. In promoting democratic governance civil society plays an important role as partner, but also as counterforce to the state. The EU's view on civil society as a broad range of non-state actors clearly has a normative connotation when defining it as a pro-democracy force.

This importance attached to democratic governance by international development actors as UNDP and by the EU as a major donor, is reflected in their intervention strategies, whose main areas are: support for democratisation, promoting protection of human rights, reinforcement of the rule of law, enhancement of the role of civil society, reform of public administration and anti-corruption, and decentralisation and local government reform.⁶⁵ While the government continues to be seen by major international aid providers and donors as the most crucial institution for improving the lives of people, civil society is considered an important agent in promoting effective and accountable government institutions. At the same time, the presence of such democratic institutions is considered a precondition for a vibrant civil society. Civil society has become both an object as well an instrument of political engineering by international aid donors.

A civil society analytical framework for analysing good governance policies as well as for developing good governance strategies could be one differentiating between different types of goals and channels. Börzel distinguishes between goals that focus on establishing the preconditions for good governance, including a civil society allowed to promote democratic governance, and goals that focus on strengthening the governance capacity of the state, including through involving CSOs in the implementation of policies. The former goal is explicitly political; the latter aims at increasing the efficiency and effectiveness of governance. External actors, at least in theory, also have the option to channel their assistance through the government or through non-state actors or civil society.

⁶⁵ UNDP, 2005: 8.

Figure 1: Analytical Framework for Good Governance

CHANNEL	GOALS	
	Democratic Governance	Effective Governance
Intergovernmental	1. Focus is on the state establishing a public sphere in which interests can be articulated/aggregated	2. Governance through strengthening the government and the administration
Transnational	3. Empower non-state actors (NSAs) in making public policies in order to improve democratic quality of decision making processes	4. See above but at same time: Including NSAs in implementation (efficiency and acceptance) or building, strengthening NSAs that can help better implement policies

Source: Based on Börzel, 2009: 4. “Transformative power in Europe. The EU promotion of good governance in areas of limited statehood”.

The analytical framework of Börzel corresponds to a more general distinction made in relation to governance reform, namely between 'supply side' approaches and 'demand side' approaches. The supply side approach resembles the concept of effective governance (Börzel⁶⁶) or developmental governance (Carothers⁶⁷) and is based on the implicit assumption that governments are led by people whose central concern is to develop their country. It is assumed that there is a genuine interest by these people in ensuring effective provision of the public goods upon which development depends.⁶⁸ In the supply approach the focus of donors is on how to assist these governments to supply the required changes and overcome hindrances in order to accomplish this goal. Favoured instruments by foreign supporters to provide assistance have been restructuring and training programs as well as budget support, technical assistance for public financial management and associated policy monitoring and dialogue.⁶⁹ Demand side

⁶⁶ Börzel, 2009: Without a page number.

⁶⁷ Carothers. 2009: Without a page number.

⁶⁸ Booth, 2012: 8.

⁶⁹ Ibid., 9.

approaches which correspond with the aim of establishing democratic governance (Börzel⁷⁰) or political governance (Carothers⁷¹), focus on the political dimensions of governance. Proponents express serious doubts about the commitment of governments to a development vision and to probity in public policy.⁷² It is argued that: "[b]etter governance and the effective provision of public goods are only likely to arise when empowered citizens and mobilized civil societies begin to 'hold governments to account.'⁷³ The implicit assumption here is that citizens of poor countries desire and are able to hold their rulers and public servants accountable for their performance as providers of public goods.⁷⁴ Moreover, Booth comments that both distinctions are based on a principal-agent perspective; be it the government or voters, parliaments and civil societies. Booth however questions these views because neither political leaders nor ordinary citizens can be automatically counted on as developmental principles.⁷⁵ Booth also questions the argument that rent seeking and neo-patrimonialism are inherently bad for development. He refers to countries like Indonesia, Malaysia and South Korea with strong neopatrimonial elements in their political systems during their most rapid years of growth, but with forms of centralized economic rents management supporting a long term developmental vision. Here the economic elite had the disposition and capacity to use rents productively to create economic growth rather than obtaining the largest parts from the rent in short terms.⁷⁶ Moreover, more attention could be given to local problem solving and 'local reforms': it is "[...] about addressing the collective action problems that stakeholders face in specific local contexts. Solutions are likely to involve local reformers coming together in new ways to deal with specific bottlenecks, to the extent that national policy regimes permit."⁷⁷ In an authoritarian context this bottom-up approach might provide possibilities for more involvement of people in local decision taking to the extent that such a development is not considered by authoritarian regimes to undermine their power. However, there is no valid argument to state that such support is a step towards democratisation of the political system, since civil and political rights of citizens remain very much restricted.

⁷⁰ Börzel, 2009: Without a page number.

⁷¹ Carothers, 2009: Without a page number.

⁷² Booth, 2012: 9.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid., 92.

⁷⁶ Ibid., 25.

⁷⁷ Ibid., 94.

Depending of the goals, external actors may use different combinations of instruments⁷⁸ that provide different forms of influence on the recipient country. Conditionality can be used in a positive and negative way: positive conditionality is through encouragements such as aid; negative conditionality refers to sanctions.

Table 1: Instruments and Mechanisms for Good Governance Promotion

Instrument	Mechanism of influence
Assistance	Capacity and institution building
Conditionality	Manipulation of cost-benefit calculations
Political dialogue	Social learning and persuasion

Source: Börzel, 2009: 5. “Transformative power in Europe. The EU promotion of good governance in areas of limited statehood”.

Blair makes a similar distinction when he examines ways in which donors have sought to strengthen civil society in developing countries and democratise state-society relations.⁷⁹ According to Blair, in the context of development cooperation donors have two basic approaches in supporting civil society to strengthen democracy: the system reform approach or the sector approach. The system reform approach, aiming at democratic governance, can be pursued where “[d]onors can focus on the enabling environment or rules of the game for civil society by working to improve the conditions in which it can function effectively.”⁸⁰ The sector approach, focused on improving effective governance, might be pursued where donors can work within a given civil environment by supporting specific CSOs. The first approach means improving the policy environment for CSOs (including NGOs); the second one entails supporting specific organisations directly. When the first strategy is possible it may allow international donors to assist both governments in political reform as well as to directly support non-state actors, including pro-democracy and human rights groups, pushing their governments to open up the political system. Logically speaking, Blair mentions, the system reform approach precedes the sector approach; “[t]he conditions propitious for civil society should be in place

⁷⁸ Börzel, 2009: 5.

⁷⁹ Blair, 1997: 27.

⁸⁰ *Ibid.*, 26.

before it can function most effectively.”⁸¹ Nonetheless, international donors tend to follow the sector approach in certain circumstances, even when the conditions aimed at in the system reform approach are not in place. For pragmatic and strategic reasons, international donors like USAID, the UN and the EU support specific CSOs despite a weak civil society environment in the country concerned. The need for cooperation, as well as the proposed activities, is presented in a functionalist manner, for example as strengthening and improvement of technical capacities of governance. Blair provides three categories of reasons for this approach, which may seem at a first glance illogical.

Realism: Donors are confronted with authoritarian regimes lacking interest in the democratisation of political decision-making processes. Furthermore, donors encounter a controlled civil society often forbidden to be involved in advocacy work, especially in the field of democracy and human rights.

Functionalism: Donors, as Blair explains, “[...] tended to think apolitically, operating primarily within the context of a technology transfer model of development, in which economic growth was the main goal and donors focused mainly on projects rather than policy.”⁸² The focus on thinking technically or bureaucratically might be functional in the sense that it helps to hide politically sensitive issues related to presumed partnerships between governments, civil society and the private sector. Is this a partnership that is transparent and open for everyone? Is there willingness to accept fundamental changes in state-society power relations by those in power?

Strategy: Blair notes that USAID and other donors have thought politically in devising their aid strategies. It was reasoned that the sector approach might be a transforming approach in itself; “[a] way to improve an inauspicious enabling environment, on the basis that some civil society activity could itself lead to a better environment for civil society. This approach might be labeled trickle-up strategy.”⁸³ Liberal Western development thinking, the agenda which dominates the work of international governmental development agencies, gives way to the idea that capacity building of CSOs in the field of socio-economic development might make these organisations more vocal and will lead to more advocacy activities. The liberal idea is that these interest groups will lobby for and or ally themselves to democratic opposition groups trying to democratise the political system.

⁸¹ Blair, 1997: 26

⁸² Ibid., 27.

⁸³ Ibid.

As indicated by Fowler, “[i]n the short run, strengthening civil society is as likely to increase social tensions as to reduce them because more voices are better able to stake their claim to public resources and policies.”⁸⁴ The preoccupation of policy-makers and aid providers with governance in development thinking has led to a number of critical remarks questioning assumptions and linkages. The convergence, which has been suggested by policy makers and academics between democracy support and development assistance, is today under discussion. A main reason is that good governance has for too long been considered from a mere technological perspective, as an issue of getting the institutions right. Authors like Carothers, Booth, Grindle and Levy make inter alia the point that politics do matter. Moreover, democratic governance as a precondition for development is questioned by development practitioners, as indicated by Carothers and quoted by Levy. It may be out of concern for the instability democracy may engender in fragile states or out of self-interest, but many developmentalists are of the opinion that “[a] sustained dose of authoritarian rule was necessary to get a poor country on a developmental track.”⁸⁵ The analysis of success stories of late developing states as in South Korea, Malaysia, Indonesia, Vietnam, China and Brazil, are examples where the take-off in terms of sustained economic growth started during an authoritarian phase of governance. However, there are other cases like India, where authoritarian rule does not play a role. It is important to note that the states were not merely authoritarian or democratic. More importantly, these states are characterised by “[b]oth the political will and the bureaucratic competence to establish a developmental moment in a competitively hostile international environment.”⁸⁶ Leftwich calls these effective states. Weber and other political scientists understood that conditions for such a state includes fundamental elements for which few of the least developed countries (and also few others) qualify even before questions of accountability and responsiveness come into the picture. “First, the state must have a monopoly on the legitimate use of force (there can be no private armies); second, the fundamental rules of the political game – the institutions of rule – must be considered to be legitimate by the people who live in and under it; and, third, the state must have the infrastructural capacity for its own writ to run the length and breadth of the country.”⁸⁷ Grindle and others have also pointed out that much good governance research and advocacy is a-historical. The history of the developed countries shows that these often already had

⁸⁴ Fowler, 1998: 8.

⁸⁵ Levy, 2010: 27.

⁸⁶ Leftwich, 1994: 373.

⁸⁷ Ibid., 20.

considerable economic development long before they had fully institutionalized democracies, professional bureaucracies, and rules for corporate governance, modern financial institutions and extensive social welfare services. They also question the general imperative of getting the institutions right on which good governance is based. Economic growth can take off without prior widespread institutional reform, although some institutional reform, such as the emergence of private property rights, might be necessary or more important than other innovations.⁸⁸ A more historic analysis of patterns of development makes evident that besides the necessary administrative capacity for development, the role of politics and the state is paramount.⁸⁹

Grindle mentions another problematic aspect of good governance to development, namely that the good governance agenda is vast and covers virtually all aspects of the public sector. Many of the poorest countries of the world have, almost by definition, weak institutions – not only in terms of management but also with respect to available resources. Moreover, the legitimacy of the governments of these countries is often questionable and their leadership might be corrupt, deeply divided and incompetent.⁹⁰

Another critique is that the good governance agenda, largely defined by the international community and embraced by domestic reformers, is based on policies and practices of what works in advanced capitalist democracies. As Booth indicates, current good governance policies are not evidence-based, but rather they reflect what ministers and parliaments in donor countries will support. Instead of copying best practices one has to develop approaches that best fit. The latter implies, according to the African Power and Politics Programme: “[a] real commitment to working with the grain, meaning building on existing institutional arrangements that have recognisable benefits. [...] a shift from direct support to facilitating local problem-solving.”⁹¹ In other words, external donors and aid providers should base their decisions and policy dialogue on a thorough understanding of the prevailing institutional arrangements. It is a call for understanding the local situation and for support to those local arrangements that work. Moreover, it is a call to base assistance on what citizens of a specific country find acceptable even though it may conform to less than perfect standards. Grindle favours good enough governance on condition of minimal acceptable government performance and civil society

⁸⁸ Grindle, 2004: 531. Grindle is referring to research by Dani Rodrik (2003), Ha-Joon Chang (2000) as well as Arthur Goldsmith (2004).

⁸⁹ Leftwich, 1994: 373.

⁹⁰ Grindle, 2004: 525 and 526.

⁹¹ Booth, 2011: 1 of 5.

engagement in such a way that it does not hinder economic and political development and permits poverty reduction.⁹² Good enough also means an approach based on a local or country-specific assessment and a careful step-by-step approach following identified priorities. What might be essential and what are desirable aspects of governance? A distinction should be made between those reforms, which are encouraged and pursued because they are good for governance and those, which are particularly relevant for poverty reduction.⁹³

Levy, while agreeing that institutions and politics matter for development, stresses the importance of a more nuanced approach than simply calling for good governance.⁹⁴ In his view, a distinction should be made between the specific development trajectories countries are on and what he calls big-G and small-g; “[b]etween strengthening national-level institutions and a focussed effort to foster participation in and oversight of the provisions of public services by stakeholders with strong, unambiguous incentives to achieve good results.”⁹⁵ Levy argues that while opportunities for effective big-G are often difficult to find or to implement, such as judicial reform to achieve a well and independently functioning judiciary, there are many opportunities for small-g. Levy considers small-g reform as an alternative in the context of state-led trajectories, which are often run by authoritarian states. “Small-g reforms offer an alternative and potentially tractable entry point. Such initiatives take the government at its word that its goal is development. In some settings, moreover, small-g reform proposals may work with the grain of a bottom-up, participatory ideological discourse. Their gist is to make citizens better informed, more fully engaged and firmer in their expectation when it comes to the government’s provision of vital public services. In the short run, the development benefits can be profound. [...] Viewed from a longer-run perspective, the potential impact may be broader still. Initiatives such as these give people voice in their dealings with government officials, thereby encouraging the shift from subject to citizens.”⁹⁶ Levy also mentions the case of countries where patronage politics, clientelism and related corruption are always and everywhere part of the underbelly of the political process. These are often low-income countries with weak institutions but with competitive politics. In such a case, perhaps referring to Grindle’s a just-enough-governance trajectory, might be appropriate. In such a context, at least initially, the chances for strengthening big-G are likely to be limited. Here one could focus on the creation of islands of

⁹² Grindle, 2004: 526.

⁹³ Grindle, 2004: 534.

⁹⁴ Levy, 2010: 30.

⁹⁵ Ibid.

⁹⁶ Ibid., 32.

effective collective administration within a wider context of weak governance through small-g programmes.⁹⁷

As indicated above, the technocratic approach to good governance focused on getting the institutions right while the political approach to good governance aims to ensure that preconditions for good governance are met. However, in the latter case it is not only about having the right structures with checks and balances but also about culture. The system or structure functions well if people have confidence in it and people gain confidence in the system if it works well. In the words of Patrick Chabal, a democratic mentality means a political culture in which individuals trust the mechanisms of the democratic system of representation. Moreover, it needs “[a] political culture in which there is widespread acceptance of democratic norms of accountability.”⁹⁸ Democracy, both in terms of structure as well as culture, is a long-term process, as the political history of Europe makes clear. It is, as Chabal mentions, “[...] the end result of a long and complex political process and not the outcome of conscious policy decisions taken at a particular point in time to establish a better political order.”⁹⁹ The latter is an additional argument for a small-g approach, creating at the local level islands of effective collective administration based on democratic systems of representation, which in turn increase the trust of people in these mechanisms and institutions.

At the end of the 1980s and the onset of the 1990s, there was in development thinking and policy development a process of converging development and democracy support. This led to the concept of good governance, which is mostly interpreted as getting the institutions right. This technological view on good governance has been questioned, leading to a reappraisal of the role of the state and politics. At the same time, the assumption of democratic governance (with its inclusion of liberal democratic notions such as free elections, division of state powers and rule of law) as a precondition for development is also scrutinised. Authoritarian states might be, at least in the initial stages, effective in promoting development. However, such states’ socio-economic policies may become more effective if they are legitimised by a firm political mandate guaranteed by free and fair elections. The effectiveness of these policies may also be increased by the existence of independent, impartial courts capable of settling differences and conflicting interests between the state and private partners, or among private partners.

⁹⁷ Ibid., 32 and 33.

⁹⁸ Chabal, 1998: 298.

⁹⁹ Ibid., 299.

If thinking about good governance priorities becomes more strategic then it is inherently also more political. In such cases, policy makers may be confronted with conflicting priorities, between promoting democracy and development. Moreover, development (like democracy) promoters should be humble regarding the ability of external intervention to hasten the pace of social change.

State-Civil Society Partnership

As indicated earlier, promoting good governance has become a major theme in development thinking. The interpretation of what the aim of good governance should be has shifted from improving administrative and institutional capacities, i.e. effective governance, to ensuring democratic governance. In the first approach, civil society's role is primarily to support governments in implementing their policies. In the democratic governance approach, the aim is to empower CSOs and broader non-state actors in the creation of public policies, which improve the democratic quality of the decision-making processes. Here civil society's role may have effect on the power relation between state and society. The political approach to good governance¹⁰⁰ has led to an academic debate. The convergence between democracy support and development assistance is a current topic of discussion. While respect for human rights and democracy can be regarded as an universal value in its own right, the political view, that these notions are prerequisites for proper delivering of public services and sustained economic growth, thus development, is questioned.¹⁰¹ Good governance has been presented by aid providers and donors for too long as a mere technical question of getting the institutions right. However, politics and the state do matter in development.¹⁰² The political intentions of the ruling elite of countries as well as the competence of state bureaucracies to develop and implement policies make some states more effective than others in pursuing development. In order to stay in power, ruling elites might often feel obliged to act in response to powerful interests in society; a development, which in the long run might even be detrimental to their ruling. Good governance support has not only been considered a technical issue too long but the approach has also been a-historical. Moreover, the good governance agenda is too vast¹⁰³ and donor-

¹⁰⁰ Academics and aid providers agree on the importance for development that the efficiency and effectiveness of administrative governance has increased. This is the limited interpretation of good governance as well as of accountability.

¹⁰¹ Carothers, 1999: Without a page number; Levy, 2010: Without a page number.

¹⁰² Leftwich, 1994: Without a page number; Grindle, 2004: Without a page number.

¹⁰³ Grindle, 2004: Without a page number.

driven¹⁰⁴; it deals with almost all aspects of development in a context of receiving countries often with weak institutional and political capacities. There is a call for a more realistic and pragmatic approach, which must be based on existing functioning institutional arrangements and needs to facilitate local problem solving instead of striving for good governance. In this new desired approach, preference is given to good enough governance¹⁰⁵, or just enough governance, or small-g governance.¹⁰⁶ Such different views also directs more attention to the cultural dimension of good governance, namely that people should develop trust in the governing bodies.¹⁰⁷

Furthermore, it can be argued that the view of the EU and intergovernmental aid organisations like UNDP on state-civil society relations is normative and based on liberal thinking. The concept of civil society used by the EU, in the context of its cooperation and democratisation policies, is closely linked to a specific form of state¹⁰⁸, namely a liberal-democratic one guaranteeing individual rights whereby through an elected representative parliamentary system the rulers are accountable to the ruled. The EU assumes that the recipient state and civil society have an interest to cooperate in the domain of development, including in the sphere of good governance. Moreover, it is assumed that civil society has the capacity and vision to work for the public interest. It is also assumed that the state acts as a neutral force; its role is seen as supervisory and if necessary, one that reconciles conflicting interests. In case there are deficiencies in the capacities of state and/or civil society to strengthen governance, it is dealt with in a functionalist manner that is seen as a matter of strengthening these capacities through technical cooperation. The EU's assumed cooperation agreements with third countries, that these governments seek partnerships with civil society in order to promote development, are questionable. This functionalist view on state-society relations hides the reality that in some of the recipient countries civil society is severely controlled by the state, including through state-corporatist arrangements. Moreover, parts of civil society might be distrusted by the ruling elite and considered as a possible threat to its position of power. The academic discussion on state-society relations in the context of authoritarian regimes also proves that the state might use its relations with parts of civil society to strengthen its power basis.¹⁰⁹ The ruling elite might foster patriarchal and clientelist relations between different communities and the state, including its

¹⁰⁴ Booth, 2011: Without a page number.

¹⁰⁵ Grindle, 2004: Without a page number.

¹⁰⁶ Levy, 2010: Without a page number.

¹⁰⁷ Chabal, 1998: Without a page number.

¹⁰⁸ Kaldor, 2003: Without a page number; Ottaway, 2003: Without a page number.

¹⁰⁹ Heydemann, 2007: Without a page number; Pratt, 2007: Without a page number.

CSOs, in order to create state-corporatist arrangements, whereby certain organisations are nominated as representatives of civil society. It can also create government-operated non-governmental organisations (GONGOs) as counterparts to international donors and aid agencies in the domain of development.

The liberal view also assumes that the emergence of civil society is linked to the development of a capitalist economy. Two different comments can be made with respect to this presumed connection. With the introduction of modern forms of production emerged the professional organisations, labour unions and NGOs. Some scholars view this as the starting point of civil society. Others however indicate that even prior to the establishment of a market economy based on private capital; there was already a civil society. Thus, the modern sector of civil society emerged parallel to more traditional community-based organisations. In the latter, primordial relations are still strong. Donors such as the EU and intergovernmental organisations like UNDP use a broad definition of civil society. According to the author, both categories of CSOs as well as their relations with the state should be taken into account to assess whether civil society can be considered a pro-democracy force.

Secondly is the liberal expectation that the privatisation of the economy will lead to a new class of entrepreneurs who seek to get political influence through the creation of pro-democracy groups and political parties, and who will push for democratisation. This argument is disputable because it is detached from the analysis of the state-society relations within a specific country. An analysis of the characteristics of the new entrepreneurial groups might question the argument that they, in order to protect their interests, will push for democratisation of the political system. It may well be that, in the case of an authoritarian political system, those social groups which most profit from the privatisation of the economy originate from, or are closely linked to, the ruling elite. They have an interest in keeping the political status quo because it serves best their interests. Moreover, in general it can be argued that the commercial interests of most entrepreneurs are not served with enduring political unrest and insecurity. The privatisation of the economy however, might threaten the positions of other social layers in society, whose interest might have been served under a more state-controlled economic system. The social base of a government may shift. Such a development will not only alienate these social layers from the government but also weaken the position of their representatives within the ruling elite.

In short, the idea of partnership between state and civil society is disputable for a number of reasons. Firstly, civil society is no homogenous force. If there is any cooperation with the state, then it is collaboration between the state and certain sections of civil society. Secondly, the idea of partnership suggests equality of state and civil society, with both working for the public interest. However, the state might be an instrument in the hands of powerful societal groups or be an interest group in itself having an autonomous powerbase. Thus, the dominant paradigm of liberal democrats on cooperation between the state as a neutral actor and of state and civil society cooperating in order to attain a shared goal can be questioned.

1.3 The Case of Syria

The content and effectiveness of the EU good governance policies is further examined in one of the above-mentioned authoritarian states, namely the Syrian Arab Republic. Syria has a specific kind of authoritarian system, that is to say, an authoritarian socialist populist state. A single party dominates such states and society is tied to the state through party controlled corporatist organisations, while remaining dissidents continue to be subjected to repression.¹¹⁰ In the case of Syria, the Baath party was de jure the leading political party. In practice, the army and the security apparatus form the dominant force in the regime. The latter context presents extremely difficult conditions for the international donor community aiming to promote good governance, for these states have almost total control over society. The public space for activities of civil society is very limited because it forms a potential challenge for an authoritarian regime such as the Syrian one. Under President Bashar al-Assad, the regime differentiated its approach towards civil society. While the regime continued to closely monitor civil society and oppress any activity it considered as a threat for its position, it allowed more civil society organisations active in charity as well as socio-economic development.

Syria is one of the partner countries under the ENP. During the research period for this PhD, the EU was the most important foreign donor in Syria. The aid volume to the country is modest compared to other Southern Mediterranean countries, since the envisaged association agreement between the EU and Syria has not yet been ratified. Furthermore, the aid volume per capita has been modest compared to most of the other Southern Mediterranean countries, with the exception of Algeria and Egypt, both receiving similar per capita aid amounts. Table 2 below indicates EU commitments; it does not include funding available under regional and thematic

¹¹⁰ Pratt, 2007: 3.

programs as well as European Investment Bank loans. Depending on the period and country, the actual spending may differ.

Table 2: Committed Bilateral EU Aid to Southern Mediterranean Countries (in million euros) under MEDA and ENPI Programs

	Algeria	Egypt	Jordan	Lebanon	Morocco	Syria	Tunisia
1995 – 1999	164	685	257	182	664	98	428
2000 – 2006	338	596	314	127	907	189	518
2007 – 2010	184	558	265	187	654	130	300
Total	684	1.839	836	496	2.225	417	1.246
Population 2010 in millions	37	78	6,5	4,3	31,6	21,5	10,6
Aid per capita	18,49	23,58	128,62	115,35	70,42	19,40	117,55

Source: EC, 2013: Without a page number. EU aid figures (Egypt, Jordan, etc.) <http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/Algeria> UNDESA, 2013: Without a page number. Population figures: UNDESA <http://esa.un.org/undp/wpp/Excel-Data/population.htm>.

In its 10th Five-Year Plan (2006-2010), the Syrian government announced far-reaching reforms aimed at transforming the economy into a social market economy. The UN and the EC, as well as bilateral European partners and international non-governmental organisations (INGOs) such as the Aga Khan Development Network, found justifications for support in the Five Year Plan, because the latter was considered a sign of ownership of the development strategies promoted by them. The EU for instance, is of the opinion that “[d]eveloping countries have the primary responsibility for creating an enabling domestic environment for mobilising their own resources, including conducting coherent and effective policies.”¹¹¹ Promoting good governance is an important element in the 10th Five Year Plan. In this regard, an important role was designed for civil society, not only as provider of important services and goods for development, but also as promoters of efficiency and accountability by the governmental agencies. Thus, strengthening the role of civil society has become an important goal to achieve, which is also one of the intended outcomes of the United Nations Development Assistance Framework (UNDAF).

¹¹¹ EU, 2005: 3; Par. 4.1: 14.

UNDAF is the cooperation strategy on which the UN and Syria agree. The cooperation between the international community and Syria is based on the assumption that the process of the envisaged socio-economic reforms should be accompanied by political changes, which should lead to democracy. This is also indicated in the Five Year Plan. The EU, especially through the EC, was willing to invest in democratic governance initiatives to be implemented by the UN as part of the UNDAF.

The cooperation between Syria and the UN in the domain of good governance for the period 2006-2010, as agreed upon in the UNDAF, is based on a number of assumptions, such as the presence of a conducive political and social environment; an effective separation of power; and the development and implementation of a new NGO law. In the period 2006-2010, none of the assumed institutional reforms took place:

- The regime has made clear during the implementation of the 10th Five Year Plan that political reform is no priority;
- Syria remained governed under the emergency law;
- CSOs active in areas considered by the regime as sensitive remain strictly controlled and might face repression. Advocacy organisations are for the most part not allowed to register. Human rights groups are banned. Pro-democracy activists risk to be arrested;
- Although it announced several times that it would do so, the regime has not published a new law on CSOs, in order to make it easier for these associations to register, start activities and acquire funding.

Nevertheless, a few developments took place, which indicate that the state in the period 2006-2010 is allowing civil society to become more active in the domain of relief and development;

- The regime allowed more CSOs to be registered and start activities in the field of charity, development and even in advocacy, especially regarding health and environment issues. The most important organisations were started by people, who are part of, or very close to the regime and especially the First Lady. Some of them are consulted by the regime on policy matters;

- The regime remained very reserved in allowing INGOs to start activities in Syria with the exception of providing assistance to Iraqi refugees. However, even in the latter case, the operations and activities of these organisations are strictly defined and controlled;
- The regime has consulted some CSOs when preparing for the 11th Five Year Plan.

In the case of Syria, it is refutable if the political liberalisation, which international aid providers and donors predicted, could have been the beginning of a process leading to democratisation. It might also have been a deliberate attempt of the regime to take advantage of the opportunities provided by the economic cooperation, while making some cosmetic changes that do not threaten the power position of the regime.

Syria is considered to be an extreme case of a common pattern, in which an authoritarian state, through different tools, attempts to use civil society for its own ends to stay in power. The authoritarian state will give space to those organisations aiding to attain its core goal and will oppress those organisations and activities considered to be a threat to its power position. This is the context in which the EU and the international community in general, decided to support the Syrian government in its expressed aim to transform its economy in a market led one and to democratise its political system. Can democracy support offered by the EU as part of cooperation agreements with the Syrian regime be effective?

1.4 Relevance

Whilst grounded on a discussion of theoretical notions and paradigms regarding civil society and state-society relations, this study is policy-oriented. It has both theoretical as well as policy relevance.

Theoretical Relevance

As indicated in subchapter 1.2, there are several elements in the EU vision of democracy promotion through strengthening of civil society, which can be questioned from a theoretical point of view. The concept civil society is a problematic one. As will be discussed in Chapter 2, a multitude of definitions of sometimes contradictory or even excluding definitions are given by scholars and development practitioners. The civil society argument, as part of an approach to bring politics back into development thinking, is still a valid answer. Firstly, because civil society

is an abstract concept used to describe a multitude of non-governmental organisations, which to a certain extent have some characteristics in common. As Van Rooy notes, it is an observable reality¹¹²; Civil society refers to people who have organised themselves in a voluntary manner around issues which go beyond the mere private interest. The different manifestations of civil society, both in organisational form, conflicting interests and different relations with the state, is part of this observable, albeit confusing, reality. Secondly, a broad approach to civil society increases awareness of the existence of other forces in civil society, in addition to pro-democracy advocacy groups, which can contribute to democratisation, as well as groups, which act in support to authoritarian forms of state-society relations. Such an approach also draws attention to other formations within civil society apart from NGOs, which can for instance be agents of democratisation, or to the contrary, might support authoritarian forms of governance. The relation between state and civil society is presented in good governance policies as being “[...] distinct and neatly bounded. States are authoritarian; civil societies are the potential carriers of democratic reform once they have acquired the capacities to play this role. [...] The boundary between the state and society is highly porous, and these roles much more ambiguous. [...] Regimes have worked to capture civil societies, insulate them from the effects of democracy promotion programs, and exploit them to reinforce rather than challenge authoritarian systems of rule.”¹¹³ However, parts of civil society might also find allies among the ruling elite willing to protect or foster their interests.¹¹⁴ The extent to which groups within civil society are willing and able to play a role as a pro-democracy force has to be studied within the concrete context of state-society relations of specific countries.

The concept of civil society has also theoretical relevance, since policy makers and politicians, to pursue certain aims, use it. As such, civil society is also a political reality. It is important, as it will be discussed in Chapter 2, to understand the language of civil society because the functions attributed to civil society reflect views of governments and aid providers on state-society relations. Donors, such as the EU, present the cooperation between the state and civil society in the domain of promoting accountability in functionalist terms, as if it is a shared goal. The EU as well as other multilateral donors and aid providers, assume the willingness of the state to allow civil society to promote political accountability of governmental agencies. However, the latter

¹¹² Rooy, 1998: 30.

¹¹³ Heydemann and Leenders, 2011: 4.

¹¹⁴ Interview 9B: Local staff member of an international organisation. 5 May 2010. “Islamic civil society is flourishing. The conservatives have infiltrated the Ministry of Religious Affairs. They try to impose an Islamic way of life on society.”

activity could lead to a shift in power between the state and society, which is detrimental to the position of the ruling elite. It is therefore questionable whether the authoritarian regimes are willing to allow civil society to play such a role. The EU uses the concept of civil society as a descriptive category with normative traits. As a descriptive category as understood by the EU, the concept of civil society covers a very broad range of organisations, both modern and traditional; these can be charity organisations, development organisations and advocacy organisations, run by professionals or volunteers. The normative aspect is the EU's view of civil society as a potential pro-democracy force. The EU seems to generalise the explicit aim of democracy advocacy by a specific category of CSOs, namely human rights and pro-democracy groups, to the whole of civil society. Analysing the characteristics of civil society using Syria as an example, investigates this normative view. Liberal economic and political thinking influences the good governance policies, which in turn are based on an interpretation of the development of state society relations in the Western world from an agrarian society towards an industrialised one. The expectation that a market-led economic development will require or lead to political liberalisation of authoritarian political regimes is doubtful. The capitalist economic development in countries like the People's Republic of China, the People's Republic of Vietnam and also non-socialist authoritarian regimes in the past, such as in South Korea and in Chile under General Pinochet, show that capitalist economic development will not automatically lead to democracy, nor that a democratic political system is a prerequisite for rapid economic growth. The new entrepreneurs will not necessarily be or become porters of democracy. These entrepreneurs often originate from and/or have strong ties to the authoritarian state. Moreover, these entrepreneurs often support civil society initiatives run by CSOs with close links to the ruling elite. Directly or indirectly, these entrepreneurs contribute to the resilience of authoritarian regimes.

Policy Relevance

The policy relevance of this study is primarily to expose the possible tension between a policy and the reality, or the context in which the policy is implemented. Policies are based on assumptions; these assumptions might be based on the context in which the policy is conceived. This study focuses on the assumptions made by the EU on the nature and role of civil society as well as on the nature of state-civil society relations. Studying state-civil society relations in Syria, an extreme case of a strict authoritarian state, is an advantage because of its

comparative extremity that can underscore and present in a pronounced manner general processes and dilemmas of good government promotion in authoritarian settings. The case of Syria shows that civil society is a complex phenomenon with both traditional and modern characteristics. The relation between the state and parts of civil society differ, depending on the kind of activities performed by civil society, as well as on the relationship between leading figures in the civil society with the regime. While in general the Syrian state, due to its authoritarian nature restricts civil society's activities, the state differentiates the implementation of its policies towards different CSOs. Some CSOs obtain more public space from the regime for political and/or socio-economic reasons in order to implement activities, including through the use of foreign funding. In such an authoritarian context, foreign donors might decide to invest in activities of CSOs that help improve the position of vulnerable and/or disadvantaged groups in society such as women, children, elderly, handicapped, as well as local communities in poverty-stricken areas. The donors expect that, in the long run, such trickle-up approach contributes to democratisation processes in authoritarian contexts, because these disadvantaged groups are empowered at the local level. A counter argument is that authoritarian regimes, such as the Syrian one, control which CSOs may become partners in cooperation programmes co-financed by foreign donors. As a result, authoritarian regimes are capable of transforming and developing parts of civil society into an instrument to strengthen their position. This questions the role of civil society in the promotion of democracy assumed by the aid donors and implies that donor support to good governance programmes, within the framework of cooperation with authoritarian states, can help to upgrade authoritarian regimes. Thus, democracy promoters face the dilemma that working through governmental channels might help to strengthen the position of vulnerable groups in society, without at the same time, contributing to a structural change in state-society relations.

1.5 Objective and Questions

The EU aims to strengthen civil society as part of its good governance cooperation strategy with third countries in order to promote democratisation. Can such a strategy be effective in the case of an authoritarian government? The research objective of this study is to show that the EU good governance policy, with respect to the role of civil society, is based on assumptions, which can be questioned from both a theoretical as well as empirical point of view, analysing state-society relations with the use of Syria, a specific authoritarian state as a concrete example. This study uses a case study, which will be discussed further in the following subchapter, and Syria

as an extreme example of a common pattern of an authoritarian state, is the object of the study. The focus is on civil society, given the central role provided to it in the good governance programmes of major international donors, in particular the EU and major intergovernmental aid providers, specifically the UNDP. This case study focuses not so much on the implementation of specific programmes or projects meant to strengthen or support civil society as a pro-democracy force, but on the assumptions regarding civil society and state-civil society relations on which these programmes are based. The aim is to discuss the earlier mentioned assumptions as hypotheses in the case of a specific authoritarian state, in this case Syria. The hypotheses are: civil society is a pro-democracy force and state and civil society actors are willing to consider each other as partners in socio-economic development.

These hypotheses are queried by:

- The characteristics of civil society in Syria in the light of the theoretical discussion on the concept civil society as well state-civil society relations and the EU policies and programmes of democracy promoters are incompatible;
- The nature of the relations between political society – the government and the contending social forces – and civil society in Syria are not amenable to Western liberal or liberal democratic contentions on democracy as applied by the EU policies on good governance.

This analysis helps to address the main research question, namely: how and to what extent the EU good governance support in Syria, in particular with respect to civil society, addresses obstacles to democratisation?

The research aims to answer the following sub-questions:

1. What is the efficacy, the goals and channels of the EU to support civil society in Syria?
2. What are political and structural obstacles that confronted EU civil society efforts in promoting democratic accountability in Syria?

The research strategy is to focus on those problems linked to the position of civil society in relation to the Syrian regime, which democracy assistance has addressed or tried to address, as well as underlying, structural, issues that are overlooked or ignored. The study will not

evaluate the impact of specific programmes and projects. After all, the latter does not reveal much about the impact on democracy. Furthermore, these programmes and projects may have attained the intended outputs. However, if the broader political context did not change, the impact of the project might be limited or none existent. The study restricts itself to those activities financed by or intended to be financed by the EU through the EC and mainly to be implemented by the UNDP. The study leaves out analysis of political pressure as well as the effectiveness of diplomacy. The research, while analysing state-society relations in Syria under the Assad regime, will pay a close attention to the period 2006-2010. This latter period is of special interest given the EU and Syrian intention to increase cooperation on good governance and civil society promotion. This period 2006-2010 is when the 10th Five Year Plan of the Syrian government was implemented. For external donors and aid providers, the 10th Five Year Plan provided an opening for democratic governance assistance, since the Syrian government clearly stated it wanted to make progress in this domain. In the Five Year Plan, the Syrian government announced its intention to foster the role of civil society, not only to contribute to the envisaged socio-economic reform, but also to enhance the efficiency and accountability of governmental agencies. It is this plan the EU as well as the UN embraced in order to support the Syrian government with its implementation.

1.6 Method

This research is based on the case study method, which is useful in situations where it is desired to cover contextual conditions believing that they are highly pertinent to the subject researched.¹¹⁵ As indicated, the aim of the study is explanatory, namely to identify and weigh factors which influence how and to what extent the EU good governance support, in particular with respect to civil society, addresses obstacles to democratisation.

A case study method has an advantage over other research methods when *how*, *why* and even *what* questions are “[...] being asked about a contemporary set of events over which the investigator has little or no control. [...] The goal will be to expand and generalise theories and not to enumerate frequencies.”¹¹⁶ The latter would be the case in an experimental setting in which much more control is possible over different variables. In a case study, contextual conditions are observed because the latter may be highly pertinent to the phenomenon of the

¹¹⁵ Yin, 2003: 13.

¹¹⁶ *Ibid.*, 9 and 10.

subject of the study. In a case study, the researcher deals with many (complex) variables of possible interest and their relations, as well as with many sources of evidence. Moreover, a case study uses previously developed theoretical propositions, such as a broad definition of civil society in this study, which defines data collection and analysis. In short, a case study is not only a research design but also a comprehensive research strategy.¹¹⁷

This case study is a single one; it is not based on a comparative approach or method. By means of a thorough analysis of a specific situation, that of Syria, it aims to deepen the understanding how and to what extent the EU good governance support, in particular with respect to civil society, address obstacles to democratisation.¹¹⁸ Analysing the case of Syria, characterised by an extreme authoritarian regime controlling civil society, exposes the weakness of the assumptions on which the EU cooperation policies are based in the field of good governance. These policies derive from certain assumptions: the idea of civil society as a pro-democracy force, the idea that economic liberalisation requires or goes together with democratisation and on a policy level, the assumption that partner states are ready to democratise the political system. Thus, the main applications of the case study as a method in this research is to describe an intervention, namely donor and more specifically EU's support to strengthen Syrian civil society and the real-life context in which it occurred: the state-society relations in Syria. This case study is a descriptive one and has an exploratory character¹¹⁹ because little research has been done into the nature and characteristics of civil society in Syria. The purpose is, by means of a state-society analysis and a theoretical reflection on the concept civil society as well the relations between state and society, to show that the apparent assumptions on which the EU good governance policies are based should be questioned. The outcomes of the study might be of use in order to assess possible assumptions on which donor interventions in the domain of good governance are based in the case of other authoritarian states.

Qualitative Research

¹¹⁷ Yin, 2003: 13 and 14.

¹¹⁸ *Ibid.*, 15. Yin differentiates between 5 types of applications: 1) to explain the presumed causal links in real-life interventions that are too complex for the survey or experimental strategy; 2) to describe an intervention and the real-life context in which it occurs; 3) to illustrate certain topics within an evaluation in a descriptive mode; 4) to explore these situations in which the intervention being evaluated has no clear, single set of outcomes; 5) the case study may be a meta-evaluation – a study of an evaluation study. This case study has the second type of application.

¹¹⁹ Hakim, 1987: 61.

Case studies can include and even be limited to quantitative research, but can also be based on qualitative as well as quantitative evidence.¹²⁰ This case study is predominantly based on qualitative evidence, although it also contains quantitative elements such as the mapping of CSOs in Syria. The qualitative aspect of the research contains two elements. Firstly, on theoretical grounds it identifies and subsequently questions the assumptions on which donor good governance policies promoting democratisation in authoritarian states through civil society support are based. Secondly, it confronts these assumptions with the specific characteristics of state-society relations in Syria in which donor good governance policies are implemented.

Sources and Methods of Data Collection

Primary data consists of reports from EU and UNDP, as well as consultants on associations in Syria, reports of local and international human rights organisations, information on websites of local associations and international organisations active in Syria, as well as questionnaires and interviews. Civil society in Syria has been partially mapped based on often scattered information collected by the EC, UNDP, the British Council and consultants in regards to different categories of CSOs such as charity, social services as well as advocacy organisations, registered and unregistered organisations. Secondary data collection is done through library research, internet research and comprising books, articles and reports dealing with the nature of the state in Syria; the character of its political and economic regime; the character of social, regional, ethnic and sectarian divides; as well as the history and the character of civil society. The secondary data collection also includes studies on the good governance policies of the EU and other multilateral organisations.

Primary data has been among others, collected through questionnaires filled out by respondents and by interviews using the questionnaires. According to Selltiz, Jahoda, Deutsch and Cook: “[i]n an interview, since the interviewer and the person interviewed are both present as the questions are asked and answered, there is opportunity for greater flexibility in eliciting information: in addition, the interviewer has the opportunity to observe both the subject and the total situation to which he is responding.”¹²¹ On the other hand, filling in questionnaires is less

¹²⁰ Yin, 2003: 15.

¹²¹ Selltiz, Jahoda, Deutsch and Cook, 1971: 238.

expensive than interviewing, easier to administer, uniformity is ensured, anonymity can be guaranteed and there is less pressure for an immediate response.¹²²

In this study, the possibilities for primary data collection on civil society and state civil society relations were restricted by the authoritarian character of the Syrian regime, which made it difficult to freely collect and discuss information on these issues. Files of the responsible Ministry of Social Affairs and Labor (MOSAL) on registered CSOs are not public. As EC and also the UN experienced when they asked for information on the registered CSOs and their activities, the information provided by MOSAL was incomplete and very limited. Even if contact details of registered CSOs were to be available, it is doubtful that representatives of such organisations would have been willing, without prior consent of MOSAL, to discuss their relation with the government, the possibility and ways of influencing governmental policies as well as the eventual need for foreign support for civil society development. Given the political sensitiveness of these issues, it is doubtful MOSAL would give permission for such research. Even if this would be the case, it is doubtful the respondents would be in a position to talk freely. Thus, instead of focusing on registered CSOs itself, the author choose to collect information on the character of civil society in Syria and its relations with the Syrian government in a more indirect manner, through his contacts with a broad range of resource persons having information on these issues. The researcher worked in the period August 2004 until August 2009 as first secretary of the Netherlands Embassy in Damascus with specific responsibilities for immigration, refugee, human rights and civil society issues, including support to CSOs active in the domain of socio-economic development. As part of his work, he developed a broad network of contacts among international and local organisations, both governmental and non-governmental, as well as among social and political scientists and analysts, civil society and human rights activists. In May 2010 he made a follow-up visit to Syria during which he interviewed some of his previous connections.

Questions regarding civil society and its relation with the regime were embedded by the interviewer, in his position as embassy representative, in requests for information and views on specific aspects of the human rights situation in Syria (such as women's rights and situation of human rights activists) and/or activities of civil society for which support was needed. This qualitative research method was used in order to better understand the specific characteristics of Syrian civil society and its relation with the state. It is a form of indirect observation: "[t]he

¹²² Ibid., 238 and 239.

observer does not actually perceive given social phenomena but depends upon persons who have directly observed or experienced these to reconstruct them for him.”¹²³ It uses focused interviews, since “[t]he hypothetically significant elements, patterns, processes and total structure of this situation have been provisionally analysed by the social scientist.”¹²⁴

The interviews were conducted using a list of open questions (see Annex 1) and were semi-structured. The use of open questions in the semi-structured interviews allowed the researcher to repeat the question if the reply is not to the point and/or change the wording of the question if necessary. The questionnaire is used during the interview as a list of topics and aspects of a question to cover. As indicated by Selltiz and others: “[t]his list of topics or aspects is derived from his formulation of the research problem, from his analysis of the situation or experience in which the respondent has participated, and from hypothesis based on psychological or sociological theory. This list constitutes a framework of topics to be covered, but the manner in which questions are asked and their timing is left largely to the interviewer’s discretion.”¹²⁵ The semi- or partially structured interviews are with persons having knowledge of the situation of civil society in Syria, either because they are active in civil society and/or have knowledge about state civil society relations. On request, key respondents were asked to fill in the questionnaires to obtain a complete list of answers and to be able to compare answers. These respondents have been explicitly informed about the nature of the questionnaires as part of a research on state civil society relations in Syria. These respondents are three Syrian human rights activists and one Syrian political analyst. The Delegation of the EC and UNDP-Syria were asked to fill in a separate questionnaire which focused more on their motivation to support civil society and their activities to strengthen the capacity of CSOs in Syria (see Annex 2).

As indicated by Selltiz and others, “questioning is particularly suited in order to obtain information about what a person, knows, believes or expects, feels or wants, intends or does or has done, and about his explanations or reasons for any of the preceding.”¹²⁶ The aim of the questioning is to query the earlier mentioned hypothesis, namely a) civil society is a pro-democracy force and b) state and civil society are willing to consider each other as partners in socio-economic development. The types of questions posed aimed mainly at ascertaining facts and views mentioned in primary and secondary sources about the character of civil society in

¹²³ Sjoberg and Nett, 1968: 187.

¹²⁴ Selltiz, Jahoda, Deutsch and Cook, 1971: 264.

¹²⁵ Selltiz, Jahoda, Deutsch and Cook, 1971: 264.

¹²⁶ Ibid., 243.

Syria and its relations to the state as well as the effectiveness and feasibility of donor support to civil society as a tool for democratization. Based on this analysis, the main research question is how and to what extent the EU good governance support, in particular with respect to civil society, addresses obstacles to democratization? Depending on the background of the interviewee, the semi-structured interviews focused either more on the characteristics of civil society or more on the nature of the relations between political society and civil society.

In total 27 persons were questioned either through filling out a questionnaire or through a semi-structured interview. The choice of respondents can be explained by the following reasons: they have been approached either because of their knowledge of state-society relations in Syria and the situation and composition of civil society in Syria, or because they implement civil society support programmes, or they were active in those sectors of civil society which aimed at promoting accountability of the government. Interviews were held during the period mid-2007 and May 2010 with 25 respondents. Four out of 6 respondents who filled out a form have also been interviewed. The respondents can be roughly divided into five categories; a) representatives of international governmental or NGOs (9 persons of which two of international NGOs); Syrian human rights activists (6 persons); political analysts (6 persons); Civil society organisation representatives (5 persons) and one Syrian government official. The category CSO representatives refer to registered organisations including one GONGO. The category of political analysts includes some known regime opponents. In total 21 out of 27 respondents are quoted in the study. Given the sensitive nature of this investigation, the reporting of the results of the background interviews is done on an anonymous basis. Only to the kind of organisation the person is working for is referred to.

1.7 Organisation of the Thesis

This introduction has given the background of the study, the research problem, objectives and hypothesis, as well as research questions. Chapter 2 elaborates on the concepts of civil society, NGOs as well as state. A distinction is made between the descriptive and normative notion of civil society. The concept of civil society is linked to the debate on democratisation and development. The second chapter explores the different views on the role of civil society and relates them to different visions on state-society relations. Chapter 3 describes and analyses the main characteristics of the Syrian state. What kind of relationship developed between the Syrian state and society under the rule of the Ba'ath party? Answers to this question will help

understand the position and the characteristics of civil society in Syria, the main subject of this study. Chapter 4 analyses contending social forces in Syrian society; the main ones are the pro-democracy groups, the political Islam and the Kurdish opposition. The chapter discusses also the ties between contending social forces and parts of civil society. The focus of Chapter 5 is on civil society in Syria. The aim is to understand the history, the size as well as the character of civil society in Syria in the context of the broader state-society relations. In Chapter 6, the focus is on the EU policy in the domain of good governance as well as the cooperation between Syria and the EU in this domain. What has been the outcome of this cooperation with respect to the role and involvement of CSOs in promoting good governance? Chapter 7 summarises the findings and conclusions and in the epilogue, the nature of the ongoing struggle for Syria, which started with widespread protests against the Syrian regime, is briefly discussed.