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7. Conclusions

Strengthening civil society is part of the good governance chapter of cooperation agreements between Syria and the EU, as well as the UN system. The EU supports governmental and non-governmental activities and initiatives to support civil society's role in promoting good governance. A strengthened role of civil society is important in the view of the EU for both development (ownership) as well as democratisation (accountability/participation). This study aims to show that the EU good governance policy with respect to the role of civil society in democratisation is based on assumptions, which can be questioned from a theoretical and empirical point of view in the context of authoritarian states. 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 democratisation. Syria is the case study.

The study looks into two sub-questions:

- What is the efficacy, the goals and channels of the EU to support civil society in Syria?

- What are the political and structural obstacles that confronted EU civil society efforts in promoting democratic accountability of Syria?

Two assumptions, presented in the study as hypothesis on which the EU policy regarding civil society in the context of good governance is based, are questioned: a) civil society is a pro-democracy force and b) state and civil society actors are willing to consider each other as partners in socio-economic development. As indicated, 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 and the government, as well as 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.

7.1 Inaccurate Assumptions

The EU policy regarding strengthening of civil society as part of promotion of good governance is based on some general assumptions, which become especially questionable, as the case of Syria shows, in the context of authoritarian states when analysing state-society relations, as well as the position and characteristics of civil society.

The first assumption made by the EU is considering civil society as a pro-democracy force. This idea is based on the presumed ability of civil society to foster the accountability of governments. Civil society would be able to ensure that officials can be questioned about their policies and activities, as well as that people who ask for accountability have the right to do so and if necessary are in a position to enforce accountability. From a theoretical point of view, it is important to stress that there is no agreement about what civil society is and does. The functions attributed to civil society by scholars and policy makers are perceptions of state-society relations in specific countries. In practice, the boundaries between civil and political society are blurred. Activities of CSOs can have political consequences. However, civil society cannot be considered by definition a pro-democracy force. However, civil society can consist of both apolitical organisations as well as of organisations supporting democratic or authoritarian state-society relations. A minimalist starting point would be that civil society is an intermediate social sphere between the state and family. The filling in of the concept of civil society by the EU as a pro-democracy force is normative as well as too optimistic and too restrictive. It is normative because the EU links civil society to a specific political goal, namely the establishment of a democratic political system. It is an overly optimistic view because it suggests that civil society is in itself able to enforce change, while in reality civil society might be one of the agents that realise change in cooperation with other forces such as political parties. The effectiveness of these groups increases if they can form coalitions with other competing social forces seeking democratisation of the political system such as political parties, labour unions, professional organisations, etc. Moreover, the effectiveness of civil society as a pro-democracy force would be greatly enhanced if there were already some political liberalisation in place, for instance a legal political opposition, an independent judiciary, as well as freely operating media. However, this is not the case in Syria. It is a restrictive view since the pro-democracy groups and human rights groups form only a part of civil society. In reality, civil society is a complex whole made of organisations with different aims and linkages to the political society, both the government as well as contending social forces. In many developing

countries, including Syria, civil society consists to a large extent of community-based charity organisations of which many are religion-based. These organisations are not only important because of goods and services they provide, but also because they are able to mobilise people. Members of these community-based organisations may have a civic duty attitude based on norms and values to do public work. However, this civic duty attitude does not necessary have to coincide with norms and values which reflect respect for equal civil and political rights for every citizen and which favour a democratic political system.

Secondly, the EU-Syria collaboration presumes to consider civil society as a partner of the government, providing on the one hand goods and services and on the other hand promoting a responsible government. Apparently, the belief of the EU and UNDP is based on the intention expressed by the Syrian government in the 10th Five Year Plan. The EU and UNDP translated this intention into an assumption; the Syrian government will create a favourable environment for reform, works towards the separation of powers and establishes a new law on NGOs. This assumption became the basis for the good governance program support. The assumption of a partnership between government and civil society to attain developmental goals, including democratisation, could also be questioned from a theoretical point of view. The idea of partnership is based on a functionalist view on state-civil society relations. However, it contains contradictory elements. On the one hand, it is a holistic view in which civil society and government agree on the content, direction and priorities of development policy and initiatives. This view is often combined with a pluralist idea of state-society relations, in which different civil society actors seek state approval and support for their initiatives and in which the state acts as an impartial referee. The idea of the neutral state is however debatable, as shown in Marxist thinking, referring to the state as an instrument of control by the economic dominant group as well as by considering the state as an autonomous power base for an elite in control of the state. On the other hand, civil society gets a more political role, when it is considered as an independent actor able to comment on decisions and activities of state agencies. Such a role suggests a political system in which the power of the executive is counterbalanced by other state actors as well as non-state actors. Based on these EU assumptions, it can be concluded that the EU policy on civil society in the context of good governance is strongly influenced by Western liberal democratic thinking in which the coming to existence of a liberal democratic political system seems closely linked to the development of a market economy and the emergence of a middle class. However, the character of the state as well as state-society relations in non-western states differs substantially from the above-mentioned Western liberal

democratic model. Most of the non-Western countries are artificially created entities resulting from decisions by colonizing forces. When these countries became independent, states were often weak because of societies divided along clan, tribal, ethnic, religious and regional lines. In the newly independent states state-society relations are often as much determined by informal, often primordial, relations rather than by formal ones. Authoritarian regimes might try to impose their hegemony on society, including CSOs, through forms of neo-patrimonial ruling combing legal-rational domination on the one hand with concentration of political power and systematic clientelism, on the other hand. In such a context, the development of independent profession or interest-based organisations is often hampered by authoritarian regimes trying to control citizens by imposed corporatist organisations. As indicated, community based organisations are still influential. They form part of the social basis which religious, clan or tribal leaders can use to mobilise supporters. The latter in turn can be helpful in extracting concessions from the ruling elite. The idea that market-led socio-economic development would be combined with or lead to democratisation and a vibrant civil society, as in the case of Western countries, did not prove self-evident. The examples of China, Vietnam and some other authoritarian states show, that a capitalist economic model does not necessary require a parliamentary democracy, a vibrant civil society and independent media. These examples also question the emerging entrepreneurial class, profiting from the privatisation, becoming a proponent of political democratisation. In many cases, as also the case of Syria shows, these entrepreneurs could profit from the privatisation because of their close ties to the ruling elite. In fact, many of them are part of the ruling elite and use their influence to require key positions within the economy.

The presumed willingness of the Syrian government, as seen by the EU and other international aid providers and donors, to allow civil society as a pro-democracy force promoting good governance is questionable, given the characteristics of the Syrian political system: a small group of people with tight personal, clan and sectarian links who control society through a grip on the army and security apparatus, the political system as well as the judiciary. During the period 2006-2010, there was no indication that the regime had interest in seriously promoting political accountability due to the fact that this would undermine its position of power. Moreover, the security services and the conservative wing of the government in Syria distrust civil society, especially advocacy groups. The legal framework aims at controlling their activities and funding. CSOs – secular, professional, Islamic and community-based – have been distrusted by the regime as potential opposition. The Syrian government has imposed an authoritarian political regime on society and has deeply infiltrated all sectors of society in order to control it. To a large

extent, the Ba'ath party has monopolised the representation of the Syrian citizens through the popular organisations. Even registered CSOs, mainly charities, are strictly controlled by the security services. The few development NGOs are mainly government-initiated NGOs. Analysis of Syrian state-civil society relations makes evident that part of these relations, especially in the case of unions, people's and professional organisations can be characterised as state-corporatist and/or clientelist. Interest groups are dependent on and strictly controlled by the government. There is no genuine partnership possible between state and CSO's since the legal environment does not protect them, for example in case these organisations would push for accountability of government agencies and officials.

In short, the EU assumptions regarding civil society, as well as state-civil society relations are not only unrealistic but are dubious both on theoretical grounds as well as based on an analysis of the characteristics of civil society and state-civil society relations in Syria.

7.2 Lack of Policy Coherence

A factor, which undermines the coherence and thus the effectiveness of the EU good governance policies, is that the EU, at least until the on-going 2011 protest of Syrians against their government, in its political contacts with the Syrian government attached more weight to regional stability than to democratisation and respect for human rights. While al-Assad's government continued to arrest and detain human rights and pro-democracy activists, the EU rewarded Syria for taking positive steps with respect to its more cooperative attitude in its external policies, notably in the case of Lebanon. The EU indicated its willingness to sign the association agreement and increased its financial assistance under the ENP. Furthermore, the credibility of the EU in the domain of human rights is undermined by the fact that the EU, at least in the period 2006-2010, did not act uniformly towards the Syrian government. Particularly some Southern European countries, notably Greece and Spain, continued to have high level political relations with the Syrian authorities, even at the moment when the EU followed officially a policy of refraining from political contacts.

A second, related observation about the effectiveness of the EU good governance policy during the period 2006-2010 is that it is based on positive conditionality. The EU promotes good governance through political dialogue and assistance in the framework of partnership. The Syrian government determines which activities, even if these have been previously agreed

upon, have priority and if they will be implemented. Regarding the strengthening of civil society the authorities made clear in the period 2006-2010, that this area had no priority. The EU has been unable to give effective support to human rights and pro-democracy groups in Syria itself. The EIDHR instrument could not be used in the case of Syria, because of the strict control of the Syrian government over the civil society sector. The EU pressure through silent diplomacy and public statements, to release human rights and pro-democracy activists during the period 2006-2010 did not yield concrete results that may be seen as concessions done by the Syrian governments. Even after 2008 when political relations between the EU and Syria improved, the Syrian government did not refrain from arresting and sentencing human rights and pro-democracy activists let alone other alleged opponents. The EU has clearly prioritized strategic interests regarding stability and security in the region (Israel-Palestine, Lebanon, Iraq) over human rights and democracy promotion in Syria itself. This became most obvious when in 2009 the EU signed the association agreement "[…] despite the lack of substantial reforms on human rights issues, the Kurdish question, corruption and nepotism."[1] This was an implicit acknowledgement that the Bush administration leading initiatives since 2005 to isolate and undermine the Syrian regime had failed, furtheremore that seeking dialogue and cooperation might be more rewarding. The cooperative attitude of the Syrian regime with respect to solving the political crisis in Lebanon helped end its political isolation at that time. Although the EU has held the prospect of more cooperation and assistance, including an association agreement, the Syrian government remained cautious, especially with regard to conditionality in the field of human rights and weapons of mass destruction. The main obstacle mentioned by the Syrian regime against the signing of this agreement relates to the fact that the agreement, unlike association agreements between the EU and other Mediterranean partners, included conditional clauses regarding weapons of mass destruction and human rights.[2] Within the government, there were signs of disagreement between decision-makers and related interest groups over the benefits of signing the agreement [3] because if enacted, it would lead to a fundamental change in the way the Syrian economic system actually works.[4] The level of EU support to the Syrian government is limited, even small, compared to that of most Arab countries. During the period

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[1] Al-Fattal, 2010: Without a page number.
[2] Al-Attal, 2010: Without a page number.
[3] Ibid.
[4] Dorstal, 2009: 18.

2005-2008, the Syrian authorities have shown they can cope with this pressure and have been able to find other sources of aid and investment rather than rely on such coming from the West.[5]

The problem with democratic governance through civil society in relation to bilateral cooperation agreements with authoritarian states is not only an issue of inaccurate assumptions but relates also to a lack of policy coherence for development; security and stability issues are ranked higher in comparison to enforcing universal norms on human rights and refugee protection. While lip service is paid to the latter norms, other European interests dominate. This is what Wallerstein called *European universalism.*[6] The first aspect I discussed extensively and is the core element of my thesis: why the EU good governance policy in the case of an authoritarian state like Syria cannot succeed. The second aspect of European universalism could explain why European policy makers and politicians insist on including good or even democratic governance in cooperation agreements with authoritarian states. On the one hand, there is a tendency among Western dominated policy implementing agencies to use a one-size-fits-all model in their development cooperation with countries worldwide, trying to encourage a market oriented economic model as well as a liberal democratic political model while insufficiently taking into account the local circumstances and needs. Many Western policymakers and politicians expected higher economic growth and that this economic development would automatically initiate political reform.[7] On the other hand, while referring to human rights and democratisation as universal values, the EU continued to follow a top-down approach; "[w]ith little thought being put into what democracy and reform practically meant in these countries."[8] Actually the West got cold feet when around 2005 in some parts of the Arab World a marginal increase of political openness through elections led to a strengthened position of Islamist political groups such as the Egyptian Muslim Brotherhood and the Palestinian HAMAS. The EU gave priority over economic and matters concerning migration cooperation. The latter also meant that the main channel of collaboration remained the partner state with much less attention for support to as well as cooperation with civil society. Democracy and human rights issues within the southern partners were sidelined.[9] In this way, the EU and in general the West, despite their liberal rhetoric, played a prime role in sustaining authoritarian regimes, "[v]iewing them as the lesser evil in a region supposedly plagued by religious extremism, if not as reliable partners in pursuing

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[5] Ibid., 31.
[6] Wallerstein, 2006: Without a page number.
[7] Tocci and Cassarino, 2011: 4.
[8] Tocci and Cassarino, 2011: 5.
[9] Ibid., 6.

going policy agendas, commercial and energy interests, and the management of migratory flows."[10] Thus the EU's Mediterranean policies could be considered Western or European universalism.

The upheaval in 2011 of citizens in the Arab World obligated the EU to review its Southern Neighbourhood policies. In reaction to the far reaching political developments in Southern Mediterranean states, the joint EU Communication of 8 March 2011 seems to indicate this policy change by stating "[p]olitical and economic reforms must go hand in hand and help deliver political rights and freedoms, accountability and participation. The EU should be ready to offer greater support to those countries ready to work on such a common agenda, but also reconsider support when countries depart from this track."[11]

The core of the EU political reaction is that governments willing to democratise their political systems should receive additional assistance. A more-for-more principle is advocated and an element of conditionality is built in the ENP:

- A precondition is to have adequately monitored, free and fair elections;

- Agreed reform plans should be implemented. If not this might lead to reduction of EU support.

It remains to be seen if the partner countries will accept the principle of conditionality and if the EU will remain strict with regard to the above mentioned principles when confronted with emerging new semi-authoritarian regimes, or the continuation of old ones in its Southern Mediterranean backyard, as well as its own interests and priorities, such as ensuring stability at its borders and countering mass illegal migration.

7.3 Key Conclusions

The main conclusion based on the answering of the sub-questions is that promoting democratic governance in Syria through civil society in the context of bilateral development cooperation with

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[10] Ibid., 2.
[11] EU, 2011: 5. "It is an incentive–based approach based on more differentiation (more for more): those that go further and faster with reforms will be able to count on greater support from the EU. Support will be reallocated or refocused for those who stall or retrench on agreed reform plans. […] A commitment to adequately monitored, free and fair elections should be the entry qualifications for the Partnership."

an authoritarian government is not an effective strategy. This conclusion is based on the following considerations.

The Syrian regime determined the priorities regarding the implementation of its reform strategy. Political reform had no priority in the period 2006-2010. The EU followed in the period 2006-2008 a two-track strategy by using different instruments and channels to promote good governance. On the one hand, the EU used the bilateral cooperation instrument and on the other hand, it tried to give direct support to CSOs in Syria, including human rights organisations by means of its thematic EIDHR-instrument. Although Syria is a full party of the Barcelona process, the Syrian regime prevented the implementation of some of these EIDHR financed initiatives. Since 2008, the EU limited its support in Syria to mainly social and economic activities by civil society through its bilateral cooperation instrument.

The CSOs supported by the EU are to a large extent GONGOs such as FIRDOS and its umbrella organisation the Syrian Trust for Development. There is no indication that supporting these organisations and their activities contribute to democratizing the political system. Moreover, these organisations do not aim to promote democratic governance. They do not put much pressure on the regime because they are linked to it. The fact that the SPC invited such organisations to participate in workshops to provide input for the 10th as well as 11th Five Year Plan cannot be considered as a genuine form of partnership between government and civil society since the regime excluded beforehand important parts of civil society by not allowing them to register.

Could a grassroots development approach in the context of an authoritarian state contribute to the empowerment of people? Could then development NGOs act as facilitators between local communities and the government and help empower these communities in cooperation with the authorities as part of activities to improve the socio-economic situation? The Syrian case shows that it is of self-interest for authoritarian regimes to involve CSO's in socio-economic development. CSO's, while remaining under strict control, could be established to initiate relief and developmental activities. As Kawakibi and Kodmani observed, new initiatives such as those of community organisations, took advantage of the Five Year Plan and its emphasis on local development: "[t]he extraordinary expansion of charities is the strongest indicator of Syrian society's dynamism and its ability to take care of itself. They reflect the strong solidarity ties

within society as well as efforts to compensate for the failure of the governance system."[12] The idea of organisations like AKDN, one of the few development INGOs active in Syria, is to work with communities, in cooperation with the local authorities and the people's organisations, in order to improve the livelihoods of people in the community. Programmes run by AKDN and others, such as UNDP in cooperation with local NGOs, including the GONGO, can be effective tools in creating participatory forms of development, which improve the position of the poor and/or more vulnerable segments of the Syrian society. Furthermore, projects focusing on assisting and organising women, youth and handicapped people to earn a living might contribute to strengthen these groups' socio-economic positions in society. These programmes and projects may be even seen as contributing to a human rights-based approach to development. However, it is a fallacy to consider that they will act as catalysts for political reform or democratisation.[13] If successful, these projects could become a win-win situation. On one hand, they strengthened the socio-economic position of individuals and communities and on the other that of the local authorities, which if they participate actively, could improve their services. In fact, such a grass roots approach could be helpful in upgrading an authoritarian political system. At best, the empowerment of people at the local level within such projects may be regarded as a contribution to a limited liberalisation of an authoritarian political system at the local level, without challenging the power position of the regime. CSOs cannot play an effective role of fostering transparency and accountability of government bodies if civil society itself is not protected by a state respecting the civil and political rights of its citizens. The general context remains one in which criticism on the regime might have serious repercussions for the individual as well as the organisation he or she is representing. At best, projects of GONGOs might form a channel for beneficiaries to pass on views relevant for development initiatives to local decision makers. In this way these projects might contribute to a limited form of political liberalization that might even be functional from the regime's aim of upgrading its authoritarianism.

There are a number of structural obstacles for civil society in Syria, which are not unique to authoritarian states. These obstacles have to do with administrative weakness of the state on the one hand and the character and capacities of civil society on the other hand. The state, especially the Ministry of MOSAL, does not have the means and capacities to provide much support to civil society to enable it to play a role in socio-economic development as well as to develop into a genuine partner in policy development and implementation. The legislation

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[12] Kawakibi and Kodmani, 2013: 6.
[13] Hawthorne, 2005: 106.

governing the work of associations is out of date. The role of the MOSAL responsible for association is instead of facilitator of the work of these organisations one of controller. Civil society itself consists in Syria to a large extent out of community based charity organisations. These organisations provide goods and practical services to local communities. Many lack basic capacities, as noted by INTRAC as well the EC in small-scale studies[14], to work as development organisations and become active as advocacy organisations including regarding democratization and respect for human rights. A different political situation might create conditions to tackle with donor assistance, as part of a long-term process, these structural obstacles.

While Syria can be considered as an extreme case, it nevertheless contains some findings on the promotion of good governance which are replicated in other authoritarian settings. Promoting good governance in authoritarian states is extremely difficult: the political approach to governance aimed at promoting democratic governance by Western donors with direct assistance to pro-democracy groups and parties "[s]truggles for traction when it is prevented by tough authoritarian governments from in-country activities and is confined to outside work, such as supporting exiled dissidents and offshore media. It may gain a footing when there is at least some domestic opposition force that is both significant and capable of making use of outside support."[15] Carothers refers to 'electoral revolutions' of Serbia, Ukraine and Georgia.[16]

To encourage political reform and democracy, the developmental approach is to use indirect methods such as supporting socio-economic development and building state capacity and promoting good governance. The track record of developmental approaches to successfully encourage political reform in authoritarian ruled societies is not promising either. Authoritarian ruled countries like Vietnam and until 2011 Tunisia showed no noticeable progress of political reform despite developmental approaches to encourage political reform with aid for legal reform, strengthening of local government and other indirect manners.[17] There are no indications that the popular uprising that led to the departure of the Tunisian dictator Ben Ali and the democratisation of the political system have been the outcome of EU donor support for a developmental approach to promoting good governance. On the contrary according to Tocci

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[14] Intrac, 2004: Without a page number; Intrac, 2012: Without a page number; EC Delegation Damascus, 2007b: Without a page number.
[15] Carothers, 2009: 11.
[16] Ibid.
[17] Ibid.

and Cassarino, the EU played a prime role in sustaining authoritarian regimes in the Middle East.[18] Referring to China, Carothers notes that "[…] a relationship between positive developments in strengthening the rule of law or local government and a larger process of national, pro-democratic political reform remains elusive."[19] Burnell, referring to Jordan, indicates that if a donor tries "[…] to tinker with state institutions in the cooperation with non-democratic regimes, [it] might have as a risk that it is co-opted by regimes that have no intention to democratize."[20] Furthermore, any emphasis in cooperation by donors like the EU with authoritarian regimes on how to democratise should not lose sight of parallel challenges: how to create rule of law and how to get the government to respect certain fundamental rights of individuals and minorities.[21] The latter is even more important in a society like Syria consisting of different religious and ethnic groups; where secular and religion based views on the layout of state and society compete with one another.

As Tocci and Cassarino noted, the EU sidelined democracy and human rights with southern Mediterranean partners for the benefit of collaboration in other key domains, notably migration management and the reinforced control of EU's external borders.[22] The EU undermined the effectiveness of its own civil society oriented good governance-policy because it gave in its relation with the Syrian regime more political weight to regional stability and security than to democratization and respect for human rights. The EU showed the Syrian regime and people that improving the human rights situation and promoting democracy in Syria was less of a priority than the Syrian regime's cooperation in dealing with regional issues like Lebanon, the Palestinian issue and Iraq. In 2009 this became most evident when the EU signed the association agreement while new arrests of pro-democracy activists took place. If the cooperation sought by the EU with authoritarian regimes is only meant to protect strategic interests, then the cooperation in relation to good governance might be considered mere window dressing for internal political purposes and a means to justify its compliance with authoritarian regimes, such as Syria. After the chemical attack in 2013 on Damascus suburbs and consequently the passing of the UN Security Council Resolution 2118[23], Syrian lawyer and

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[18] Tocci and Cassarino, 2011: 2.

[19] Tocci and Cassarino, 2011: 11.

[20] Burnell, 2004: 110.

[21] Ibid., 102.

[22] Tocci and Cassarino, 2011: 7.

[23] The UN resolution 2118 dated 27 September 2013 was unanimously adopted. The Council determined that the use of chemical weapons anywhere constituted a threat to international peace and security, and called for the full

human rights activist Razan Zaitouneh noted that this resolution not only implies that president Bashar al-Assad will continue to rule Syria, but "[t]he resolution also reveals the lie we have all been living regarding the human rights principles that have not been applied, not even in form, in Syria. If this is how I have been affected, how does the ordinary Syrian citizen, who has never believed our misleading slogans about human unity and equality, feel after suffering such discrimination and injustice?"[24]

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implementation of the 27 September decision of the Organisation for the Prohibition of Chemical Weapons (OPCW), which contains special procedures for the expeditious and verifiable destruction of Syria's chemical weapons.

[24] Razan Zaitouneh, 2013: Without a page number.