Civil Society, Conflict and Violence

Regina List and Wolfgang Dorner

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Insights from the CIVICUS Civil Society
Index Project

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About CIVICUS

CIVICUS: World Alliance for Citizen Participation is an international alliance of members and partners which constitutes a global network of organizations at the local, national, regional and international levels, and spans the spectrum of civil society.

CIVICUS has worked for nearly two decades to strengthen citizen action and civil society throughout the world, especially in areas where participatory democracy and citizens' freedom of association are threatened. CIVICUS has a vision of a global community of active, engaged citizens committed to the creation of a more just and equitable world. This is based on the belief that the health of societies exists in direct proportion to the degree of balance between the state, the private sector and civil society.

CIVICUS provides a focal point for knowledge-sharing, common interest representation, global institution-building and engagement among these disparate sectors. It acts as an advocate for citizen participation as an essential component of governance and democracy worldwide.

Mission:

CIVICUS is an international alliance dedicated to strengthening citizen action and civil society throughout the world.

Vision:

A worldwide community of informed, inspired, committed citizens engaged in confronting the challenges facing humanity.

CIVICUS seeks to amplify the voices and opinions of ordinary people. It recognises that for effective and sustainable civic participation to occur, citizens must enjoy rights of free association and be able to engage all sectors of society.

Visit http://www.civicus.org.

Series Introduction

Michael Hoelscher and Lorenzo Fioramonti, series editors

This book constitutes the first volume of the CIVICUS Global Study of Civil Society series, which presents and discusses the results of the 2008–2011 CIVICUS Civil Society Index (CSI), a global research project assessing the strengths and weaknesses of civil society around the world. The CSI is a joint effort by CSOs and academic institutions in seventy-four countries to date which provides an unprecedented wealth of detailed and comparative information on the status of civil society. While CIVICUS, an international civil society alliance headquartered in South Africa, coordinated the fieldwork and provided direct support to the various country agencies that implemented the CSI, thereby maximizing the political and social impact of the project, a number of researchers at the University of Heidelberg in Germany provided scientific oversight.

The CSI combines a variety of research methods to investigate the complex realm of civil society on multiple levels. The following chapters are mainly based on three comparative data sources integrated into the International Indicator Database: first, Population Surveys assessing civil society through the attitudes, beliefs and behaviours of individual supporters and members; secondly, Organizational Surveys looking at institutionalized forms of civil society such as NGOs, CBOs, social movements and trade unions, amongst others; and thirdly, External Perceptions Surveys of stakeholders and experts analyzing the impact of civil society. A comprehensive overview of the tools and data is provided in Chapter 2, Measuring Civil Society Globally with the CSI.

Each of these levels of analysis and research tools is probably worth a book series on its own. Yet, we believe that much more can be achieved by combining them into coherent and topical comparative studies. Moreover, this wealth of information is also complemented by detailed case studies, focus group discussions and, among others, media reviews that enhance our knowledge of civil society evolution not only at the national, but also at the local and global level.

Given that no book series could ever be able to make use of the full potential of the CSI data and its numerous ramifications, we are delighted to be working with Bloomsbury Academic as our chosen publisher, given that they have agreed to provide additional space to feature the overall analytical breadth of this international research project. Therefore, while the book series will focus on a set of topical themes, the original data will be made available in an online database for further use by the academic community and civil society practitioners. Background information, such as country reports and case study descriptions will also be freely accessible. We encourage everyone interested in learning more about civil society and its role in fostering democracy, development and sustainable societies to make use of our book series and all the additional features available in our online resources.

Foreword

'Knowledge is power!' For CIVICUS: World Alliance for Citizen Participation, knowledge about civil society is power because it creates a narrative on the roles and functions of civil society that shapes political discourse and policies – large and small – that affect civil society.

CIVICUS's Civil Society Index (CSI) has grown to become a major knowledge-hub about civil society, not only for CIVICUS and its country partners but also for international institutions, governments, donors and others who are in need of solid and rigorous information about civil society in a country or region, or globally. Over the years, and mostly because of our experience with CSI, CIVICUS has developed informed perspectives on civil society knowledge and its relationship with action and change.

In the 2008 to 2012 CIVICUS Strategic Directions, 'knowledge generation and analysis' is highlighted as one of the key approaches to our work. What is meant by this, in my understanding, is that civil society counts as a developer and holder of knowledge. Civil society is the subject as well as object of civil society knowledge. This realization challenges the prevailing pattern in which an outsider (usually someone who holds an academic degree) arrives in a village (or community, town, city) to study civil society, making the community an object of the study.

At the heart of the CSI is a principle that civil society knowledge is produced and owned by civil society. In order to initiate a CSI, a group of people in a country needs to raise their hands and say, 'we want to do CSI.' They will become CIVICUS's country partner, who will gather support from various people of civil society in that specific local context. In this model, knowledge eventually produced belongs to them, first and foremost.

The design of CSI does not stop there, however. Generation of knowledge requires rigour. Good analyses are backed by solid methodologies. This is where CIVICUS's partnership with academic institutions comes in. In the CSI's 2008 to 2011 phase, we were fortunate to partner with the University of Heidelberg, which provided theoretical underpinnings to the work of knowledge generation.

Indeed, CIVICUS would like to take this opportunity to thank all our CSI partners for their contributions and enthusiasm, as well as that of the authors and editors of this manuscript.

Building upon the CSI's record, 2012 has become a year of innovation for CIVICUS, which has launched its new civil society rapid assessment (CSI-RA) tool, which allows a more flexible and adaptable methodology for civil society to assess its own strengths, challenges, potential and needs in a range of different situations and contexts. Significantly, from the point of

view of future studies, the CSI-RA is also not necessarily limited to a single country context, but has the ability to be applied to cover themes across a group of countries. Currently CIVICUS is piloting the CSI-RA in different regions and contexts, and the first pilot is taking place as I write in Tunisia, where civil society has expressed a collective will to look at their reality and challenges after the Jasmine Revolution.

What you are going to read in these pages is an outcome of a collaboration at the interface of theory and practice. Both the series editors and the volume editors provided their guidance and support for chapter authors who worked with data that were mostly produced at the country level. In this inaugural volume of the series of books based on investigation of the CSI data, we have taken up what the volume editors call an 'uncomfortable question' of the relationship between civil society, conflict and violence. As you can see, the chapter authors worked with the available data to provide insight into the question of the links between civil society, conflict and violence, and the implications of these for further research and policy advocacy. The fact that we were able to delve into this rather complex question indicates the richness of the data coming out of CSI.

We are delighted to bring these findings and analyses to a broad audience and to present what synergy between practitioners and researchers can produce. And we hope that this generates more discussion, further studies and a greater number of collaborative projects. In the end, a diverse space of praxis where knowledge and action feed into each other offers a source of power for civil society, which CIVICUS plays a role in creating and nourishing.

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Katsuji Imata
Acting Secretary General
CIVICUS: World Alliance for Citizen Participation

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Acknowledgements

This volume is based primarily on the results of the CIVICUS CSI project, especially its second full phase conducted between 2008 and 2011. Special credit is thus due to the hundreds of researchers who undertook the data collection and analysis, the organizations that served as National Coordinating Organizations in each participating country, their sponsors and donors, as well as those responding to the various surveys conducted in each of the twenty-five countries included in the dataset used for this volume. Without their effort and involvement, we would not have the rich data and stories that serve as the foundation for the analyses here.

CIVICUS, as instigator and home of the CSI project, has allowed us and the authors free access to the data and background materials emerging from the project. We offer special thanks to Andrew Firmin, Mark Nowottny, Olga Kononykhina and Tracy Anderson, who have guided and facilitated the process along the way, and to Margaret Fish who copyedited and formatted the manuscript.

The Centre for Social Investment at the University of Heidelberg in Germany has also played a special role as CIVICUS's academic partner in this endeavour. Michael Hoelscher, seconded to the Centre from Heidelberg's Department of Sociology, has been especially helpful in answering tricky methodological and other data-related questions. The Centre for Social Investment also graciously hosted a workshop held in April 2011 at which the volume's authors presented their very early drafts and had the opportunity to comment on each other's work.

We are particularly indebted to the authors of the chapters included in this volume. They have worked under difficult conditions for such an undertaking, with relatively little time between their recruitment and the manuscript submission deadline and with an unavoidable need to update their quantitative analyses up to the last minute as the dataset was checked and finalized. Throughout the process, they have been responsive and adaptive when needed and have taken up the challenge with good cheer.

We are grateful for the organisational and financial support rendered to CIVICUS for this study by the following institutions: CS Mott Foundation, DFID, Ford Foundation, Irish Aid, Norad, Oxfam Novib, SIDA and UNDP. Views in the book do not necessarily reflect the views of these organizations.

Finally, we thank our families and significant others for their support, without which this volume would not have been possible.

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Regina A. List and Wolfgang Dörner
Editors

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Civil Society, Conflict and Violence

An introduction

Wolfgang Dörner and Regina A. List

Introduction

The main currents of the discussion on civil society in academia and in international organizations usually concentrate on civil society's positive effects on democracies and on political systems in transition, following such ideas as civil society organizations (CSOs) acting as schools of democracy (after Putnam's work from 1993), and their function of interest expression as the sensor for social needs, which are transformed into political requests (Almond *et al's* framework for 'comparative politics'; Almond *et al.* 2002). The literature and research pay rather less attention to situations in which conflicting interests are not negotiated peacefully and to the link between civil society and violence (Stacey & Meyer 2005). This volume intends to contribute to a broadening of perspective by looking more closely at aspects such as the status of civil society during and after armed conflict, the interplay between non-state actors and state authorities as they react to threats of emerging or past episodes of conflict or violence, and situations in which civil society actors make use of violence.

A biased perspective on civil society, where civil society is assumed automatically to be a force for good, is related to a prevailing one-sided perception of the phenomenon. Generally, actors within civil society are assumed to be oriented towards goals such as working against oppression, and the reconciliation of interests and finding of compromises. They are believed to work towards an abstract, collectively shared common good. As a consequence, there is a danger that attempts to explain any uncivil actions and violence on the part of civil society are dismissed because the explanations themselves are often seen then as a justification for such actions and violence (Ezzat & Kaldor 2006).

In some cases such a one-sided understanding of civil society is deliberately chosen. Some scholars exclude from civil society by definition the 'uncivil' or 'bad' elements, which do not promote and practise non-violent and democratic values. But often this preconception occurs rather unconsciously, for example,

when civil society is treated as one monolithic entity, or a single sector in society, which has positive qualities and generates beneficial effects for governance and the community *per se* (see for example the World Bank's *World Development Report 2011*). Whether by deliberately focusing only on the 'good' and 'civic' elements of civil society, or simply by taking the positive effect of civil society for granted, such approaches underexpose, 'define away' or ignore the potential of permanently present conflicts, which might evolve into violent confrontations.

The prevailing optimistic but partial perception of civil society also affects the research related to the question of the role civil society plays in long-standing, worsening and armed conflicts. According to the positive interpretation, 'civil society figures as the antithesis of conflict and violence. It is suspended in times of war and has to struggle to re-emerge in its aftermath' (Albrow & Anheier 2006: 4). As a consequence, the focus of research lies on civil society's constructive contributions to peacebuilding and reconstruction in the aftermath of armed conflict. Occasionally, case studies highlight the positive role which CSOs play during an ongoing violent confrontation, such as mobilization for peace negotiations and provision of services for persons who are deprived of regular, public support. Uncomfortable questions, for example the extent to which actors of civil society may have accelerated the emergence of violent conflict or hindered peace and reconciliation processes have, until recently, received minor attention.

This optimistic, somewhat euphoric, approach to civil society might be explained by the historical occurrences of the 1980s and 1990s, the successes of which are often ascribed to civil society, i.e. the process of ending the communist regimes in Eastern Europe and Central Asia and the counter-authoritarian movements in Latin America. However, towards the end of the 1990s and during the first years of the new century, a more critical view on civil society began to appear. Occasionally, the discussion seems to have swung to the opposite extreme, to the point that 'attacking civil society has become a sport among academics and political commentators' (Encarnación 2006: 357). However, critical examinations in (often historical) case studies provide valuable input to help refine the discussion.

The more critical works envisage the links between civil society and uncivil behaviour exhibited by both non-state and state actors in situations of conflict at two different levels. The first type of studies examines the 'uncivil' or even violent activities in which civil society groups and organizations engage. For example, in their edited volume, Kopecký and Mudde (2003) collect case studies of 'uncivil' occurrences in civil society in post-communist Europe. With his case study on social movements in Nigeria that are prone to resort to violence, Ikelegbe (2001) provides another example for the 'perverse manifestations' of civil society. These authors show that actors within civil society often directly sympathize with or even support violent activities, and thus accentuate already

existing cleavages, pushing for non-democratic action rather than stronger democracy.

The second type of studies turns to the general situation and the effects of civil society as a whole with respect to the political system at the national level. For example, Berman's study (1997) examines the case of the Weimar Republic in Germany before and during Hitler's rise to power, and describes how engagement in a vibrant civil society became a substitute for effective political participation. Civic engagement took the form of a retreat to the private collectivity, which failed to influence political happenings. As a consequence of this mode of engagement, civil society did not actively take part in the politics of the country and failed to help prevent the outbreak of violence and atrocities by the state. From a more critical point of view, it could be said to have made the atrocities more possible.

Taking inspiration from these more critical perspectives, two possible directions emerge for further research on civil society and its role with regard to conflict and violence. First, studies need to look into the composition of civil society and 'what the actors actually do' (Bermeo 2000). This means the research on civil society needs to go beyond the assessment of its strength as measured by the mere existence of CSOs (e.g. number and size of organizations, membership rates) to also take into account the values it pursues and practises. Second, research should explore the wider issue of the integration and the impact of civil society in the political system and in society more broadly, and the extent to which the conditions in which civil society operates contribute to a peaceful dealing with conflicts and hinder or support an escalation of conflicts.

For this volume, we have asked young as well as experienced scholars and analysts to take up these research challenges, examining the make-up of civil society and its integration in its social and political environment, using the findings assembled through a multi-country, comparative action-research programme, the CIVICUS Civil Society Index (CSI), implemented during 2008-2011 in thirty-eight countries and territories around the world (described in detail in Chapter 2). The mission these scholars were given was to conduct exploratory analyses of these data, often combining them with other sources, and to examine the links between civil society, conflict and violence and their implications for future action, including further research and policy advocacy.

After this brief introduction to the topic and scope of this book, in the remainder of this introductory chapter, we will 1) define the concept of civil society used in the CSI research that is the foundation of this volume; 2) examine the relationship between civil society, conflict and violence; 3) discuss potential or theorized roles of civil society in situations of conflict; 4) discuss some of the impacts of conflict on civil society; and 5) present the organization of the volume.

Defining civil society for comparative research

In order to assess the status and the strength of civil society in the broad range of countries covered by the CSI project, the national research teams applied the following definition:

> Civil society is the arena, outside the family, the state and the market which is created by individual and collective actions, organizations and institutions to advance shared interests (Mati, Silva & Anderson 2010: 17).

In Mati, Silva & Anderson (2010: 17–21), CIVICUS provides greater detail about the reasoning behind the adoption of this definition, based on various strands of relevant literature, on CIVICUS's goals, and on the experience gained in the first phase of the project (2003–2007). Three elements of this reasoning are particularly pertinent to the analyses in this volume.

In the first place, the CSI project focuses on the political concept of civil society. This choice stems from CIVICUS's own interest in strengthening civil society and its contribution to social change. The conceptualization of civil society as a political term differs from 'nonprofit sector' or 'third sector' approaches that focus on the economic weight and role of civil society and its activities.

Second, the definition of civil society employed by CIVICUS places emphasis less on organizational form and instead highlights its functions and roles. This enhances the chances of capturing a broader diversity of organizational forms and features as well as types of activities and phenomena. This functional definition works as an advantage for the CSI project, which has a highly explorative character and pioneers in areas where little is known about the situation of civic participation.

Finally, and especially significant for the analysis here, CIVICUS opted for a non-normative – or non-exclusive – concept of civil society. This means that the definition acknowledges that 'civil society is not a homogenous and united entity, but rather a complex arena where diverse and often competing values, ideologies and interests interact and power struggles occur. These can manifest in peaceful, but also violent forces or ways that may advance or obstruct social progress' (Mati, Silva & Anderson 2010: 20–21). Thus, civil society as conceived for the CSI research includes both 'civil' and 'uncivil' actions, organizations and institutions.

This approach to civil society is founded in the conviction that it is the interplay of diverse interests and deliberation about different opinions that is the most appropriate way to bring about positive change. While being '… realistic about conflict in today's world', one can be 'optimistic that most people, organizations and businesses will work together'.[1] Therefore, single elements within civil society might endorse and enact values which are not considered positive by the majority of persons. Indeed, the promotion of issues

(which in the end could also be called interests) not generally recognized and not supported by the majority is a very basic trait of civil society. A cause that one person or group judges to be worth advocating for might not be acceptable for others. But the expression of interests and concerns by citizens, engagement for specific causes and negotiations around the diverse points of view generate overall beneficial effects – if the conditions for this interplay among the diverse interests and preferences are fairly set.

The working definition is refined further during the research process in two ways. First, in an early phase of the implementation cycle (see Chapter 2 for details), the CSI definition is vetted by the national partners and the set of civil society stakeholders that make up the national advisory committee. During one of the advisory committee's first meetings, participants engage in an exercise to discuss and validate (or modify, if deemed necessary) both the definition of civil society used for the research and the list of types of organizations or groups that would be included within the civil society arena in their local setting. This step serves to ensure that what is measured is relevant in the specific context. The results of these discussions are reported in the CSI Analytical Country Reports.[2]

Second, with the selection of indicators and the formulation of survey questions, the research design translates the abstract working definition into concrete operationalizations, as will be described in more detail in Chapter 2. The indicators used to measure or describe civil society fall into two categories: those describing the 'structural' features of civil society and various forms of participation, including levels of membership and volunteering and the state of financial and human resources, and those referring to the 'cultural' features, that is, the practice of values in civil society.[3] Though other factors (such as the level of resources available to the country implementation partners) also influenced the choice of these indicators and questions, they can nevertheless be seen as reinforcing the CSI's working definition.

Civil society and its relation to conflict and violence

As noted above, civil society is defined for the CSI research as the arena created by individual and collective actions, organizations and institutions seeking to advance shared interests. When those interests become claims before governments, businesses or other actors, there will likely arise conflicts – including over resources, identity and policies. Conflict among diverse interests, which are shared by some but not by others, can thus be considered one of the main features of civil society. Indeed, Reichardt (2006) calls on us to see civil society as a 'conflictual arena' and reminds us that civil society does not always entail peaceful and cooperative means of settling conflicts, but often rather 'crude ways', including violence.

One of the key questions then, as Varshney (2001) poses in the case of ethnic conflict, is whether conflict is waged and ultimately settled through institutionalized channels, e.g. elected bodies, nonviolent protest, etc., or through 'crude ways' such as violence. In this section we reflect on the circumstances under which conflict can be dealt with in a peaceful way through such institutionalized channels and when, instead, the use of non-democratic – in the extreme, violent – means for expressing or controlling the expression of interests becomes more probable. We focus on three elements that influence those circumstances, namely, opportunity structures, legitimacy and capacity.

According to Tilly and Tarrow (2007), by regulating the way in which organized citizens can make claims, political authorities create 'political opportunity structures'. These opportunity structures take three different forms: one, the power-holders prescribe avenues for expressing interests (the legal channels); two, they tolerate certain modes of expression that are not legally prescribed but accepted; and, three, the authorities forbid selected claim-making methods. As a result, civil society actors have basically two options when their aim is to express their interests or those of their members: either 'contained claim-making', i.e. accepting and using the legally defined or tolerated channels, or 'transgressive claim-making', i.e. going beyond the limits of legal and tolerable actions. This latter type of claim-making might include the use of violence.[4]

Whether different civil society actors opt for legally prescribed, slightly transgressive or outright aggressive means of claim-making is closely related to the question of whether they consider the political system to be legitimate or not. Legitimacy – in an ideal situation – means that 'those who are ruled believe that the rulers have a right … to implement their decisions by force if necessary' (Almond *et al.*, 2002: 14). However, a more nuanced examination reveals that 'those who are ruled' is not one compact entity, but a composition of different groups. Therefore, as Arendt explains more precisely (Arendt 1969), a regime's legitimacy derives from the support of the strongest (but not necessarily most numerous) group in society. In many parts of the world, recognition as a governing force results from being the comparatively strongest among many (minority) groups and from being the comparatively best organized group in society. Even if those groups which do not support the government (the opposition of a regime) outnumber those that rule, these groups would have to act in concert and possibly to organize themselves well in order to challenge the established regime.

From this perspective, civil society is not only 'an arena of contested and competing values'. Civil society becomes the contested 'source of legitimacy with potential for political mobilization' (Albrow & Anheier 2006: 2). CSOs, and, in some cases, civil society as a whole can lend support to ideas, groups and institutions and thereby bestow on them an additional measure of legitimacy. This is especially so when civil society and groups within it enjoy broad support from the population and are thus seen themselves as legitimate actors.

The opportunity structures that define the available channels for claim-making and the legitimacy of the various political actors, as well as the support for civil society actors, are major determinants of the way civil society functions and the way it interacts with the state in representing society's or its members' interests. But ultimately, the extent to which civil society's interactions with the state follow the modalities of contained or transgressive interest expression depends at least as much on the capacities of the main actors (Tilly & Tarrow 2007: 55 ff.). Governing regimes distinguish themselves through higher or lower capacities to control the rules and to monopolize effectively the use of force (Tilly & Tarrow 2007: 62 ff). High-capacity regimes (whether democratic or authoritarian) are successful in responding to expressed interests and in limiting claim-making to the prescribed and controlled options. Low-capacity regimes, by comparison, are less successful in satisfying requests from groups within society and fail to prevent competing factions in society from resorting to violent means for claim-making and for resolving conflicts. As a consequence groups other than the ruling party are able to marshal popular support (and thus legitimacy) and to apply physical power and coercive means. Examples for these alternative centres of power are separation movements, the uncontrolled use of force by war lords in fragile states, or the phenomenon of public lynching in the United States in the previous century, when a formal and functional democracy showed itself unable to control the occurrences of civil society exercising the use of force, outside of the state's monopoly (Reichardt 2006: 150).

By the same token, civil society as a whole and its constituent organizations and institutions also have different levels of capacity to interact with the state and other societal actors when making claims. CSOs are able to organize and coordinate their activities to different degrees, depending on the capacities (and willingness) of the individual organizations and the environment that enables (or does not enable) these activities. Even in the midst of an armed conflict, for example, CSOs may indeed find the means to collaborate in making claims for peace despite the collapse of the usual institutionalized channels. On the other hand, civil society capacity may be so weak following years of authoritarian rule that it does not have the ability to clamour for transitional justice measures despite the opening of institutional channels. Similarly, in the situation of post-communist democracies, CSOs often seem to lack the ability to make effective use of prescribed avenues for claim-making, resulting in an increased distance between society and political system, and thus threatening and eroding the legitimacy base of a newly-established democratic order.

The connections between legitimacy (related to the monopolized use of force) and capacities help to explain not only the direct interactions between the state and civil society, but also some dynamics among the different non-state actors. In general, the less people support the current regime and the less rules are considered legitimate, the more likely becomes the use of violence for

the settlement of conflicts between different groups in a society. Regimes which enjoy little acceptance (legitimacy) and which have low capacities fail to ensure that groups within society use legitimate, non-violent processes for settling conflicts among themselves. While factions might not intend to challenge the central powers, the government might simply not be able to prevent factions of society turning to violent means for confronting competing and opposing parts of society.

Summing up, the circumstances under which claims can be made and conflict can be dealt with peacefully or not are influenced by the political opportunity structures creating channels for such action, the legitimacy of the actors involved, and the capacity of these actors – be they state, civil society or other societal actors.[5] In the following section, we turn specifically to civil society, the focus of this volume, to examine the roles it plays or could play in the various stages of conflict under a variety of circumstances.

Potential roles of civil society in situations of conflict

The theoretical orientation laid out on the previous pages took as its starting point the working definition of the CSI, based on a distinctively political concept and putting an emphasis on the aspect of political participation, the interactions with political institutions and actors and civil society's functioning as a bridge between the population at large and the political system. However, there are many roles which civil society fills in society that are less directly related to these political aspects.

Going beyond the CSI definition, we turn to other possible frameworks, based in democratic and related peace theories. In his examination of civil society in peacebuilding efforts, Spurk (2010) elaborates a model of seven basic civil society functions in political, social and development processes. He combines functions proposed by Merkel and Lauth (1998), drawing from democratization theory, with other elements taken from development cooperation practice. The roles thus include:

– protection of citizens
– monitoring for accountability
– advocacy and public communication
– socialization
– building community
– intermediation and facilitation between citizens and state
– service delivery

The model, especially as it applies to peacebuilding efforts, recognizes that civil society actors will not fulfil all these functions all the time and that some functions are more relevant to certain stages of conflict, including the period leading up to the outbreak of violence, or peacebuilding.

Furthermore, in keeping with the CSI conception of civil society as including 'civil' as well as 'uncivil' elements, we must add that not all civil society actors make such positive contributions and that, whatever their intent might be, not all civil society contributions are perceived to be positive. For example, some groups within broadly defined civil society express or even practise intolerance while fulfilling these functions, and can have the effect of exacerbating existing divisions and stimulating violence. In addition, a single action undertaken by a CSO could be perceived by other parties as either fighting against oppression and defending the rights of the marginalized, or inciting discord and unjustly questioning a regime or institution considered to be legitimate (at least by the strongest groups in society, as suggested earlier).

We should also mention here that, as noted by Paffenholz and Spurk (2006), many scholars and practitioners question the service delivery function, particularly in the peacebuilding phase. They raise the question of whether service delivery, which serves a social or economic function, is primarily a possible point of entry for peacebuilding efforts, and should only be seen as a civil society function when it is connected to the other functions. Even when focusing on the political aspect, however, one cannot deny the importance and value of the role many CSOs play, especially during and in the immediate aftermath of armed conflict, in providing for the basic needs and security of affected populations.

The impact of armed conflict and violence on civil society

Though as outlined above, some literature has examined the actual and potential roles civil society and its constituent elements fulfil before conflict turns violent, during conflict, and in the context of peacebuilding and reconstruction, relatively few efforts have been made to trace and document the impact of armed conflict on the development and functioning of civil society at these different stages.

One step in this direction is documented in the report of the 2011 CIVICUS/ Open Forum Thematic Consultation on CSO Development Effectiveness in Situations of Conflict (Poskitt & DuFranc 2011). It offers the accounts of a group of CSOs that have sought to operate during situations of outright and low-level armed conflict in various countries and regions. Among the most troubling impacts was a reduction of civil society's space to act. It is hardly surprising that a government would restrict certain activities and channels for

claim-making during armed conflict and even at the point when arms have finally been laid down. The difference lies in, among other things, the extent to which the restrictions are considered legitimate, the extent to which they are applied equally, and whether they are loosened once conflict has subsided.

Furthermore, CSOs in the above study cited fewer opportunities to participate in governance. In many cases, these result from many of the same restrictions mentioned above, which may or may not be seen as legitimate or appropriate. Government might be so weakened by conflict that it simply lacks the capacity to address claims at all. Still, even when a government might be willing to hear other voices, security concerns and the lack of resources, time and freedom of movement simply prevent civil society's participation – not to mention the fulfilment of other more basic functions, such as those described in the previous section.

Not surprisingly, the priorities and activities of CSOs change during periods of armed conflict and post-conflict reconstruction. In times of such crises, when basic security is threatened, people are displaced and basic services become unavailable, CSOs frequently shift priorities and existing resources to attend to the most pressing needs of those they serve or represent. Many local CSOs, however, note that the priorities of external donors often receive emphasis over their own. The donors' lack of understanding of the local context and local needs, they contend, can have a negative impact on local tensions and conflict (Poskitt & DuFranc 2011).

Moreover, civil society itself may become polarized, especially (but not necessarily) those parts of civil society that represent competing interests in a conflict (Paffenholz & Spurk 2006). Though CSOs are often assumed (and called on) to be neutral, the reality is often quite different on the ground, in particular where neutrality would be akin to standing by and watching human rights abuses take place. In other cases, however, elements of civil society may take up the opportunity to pull together to avoid further escalation or attempt to mediate conflict.

Finally, some have posited that armed conflict may in fact be positive for the development of civil society (Meyer & Stacey 2010). In some cases, armed conflict may lay the groundwork for civil society's expansion and development in later years. In the absence of a functioning state, self-organization becomes more necessary and crisis may promote greater civic engagement. Furthermore, CSOs may gain greater legitimacy and support by making positive contributions during conflict and, in some cases, in peacebuilding processes.

Organization of this volume

Departing from the functional definition of civil society as it is used in the CSI research that forms the foundation for the contributions to this volume, this

introduction has provided some conceptual elements, namely opportunity structures, legitimacy and capacity of state and civil society actors, for an orientation on the discussion of the relationship between civil society, conflict and violence. The previous pages have outlined these elements that influence the circumstances under which conflict can or cannot be waged and settled through peaceful means at a theoretical level and hinted at some of the roles civil society can and does play during the various stages of conflict, and the impact conflict can have on civil society and the organizations working within it.

The authors of this volume approach the topic of civil society, conflict and violence from diverse angles, touching on these themes to different degrees. They base their analyses on different elements from the diverse empirical outputs of the CSI project, taking advantage of the qualitative as well as the quantitative material and bringing evidence from other research endeavours, as well as from the day-to-day advocacy work in the field of promoting civil society and civic participation.

To lay the foundation for the subsequent analyses, Michael Hoelscher and Thomas Laux in their chapter, Measuring Civil Society Globally with the CSI, provide key background information on the development of the methodology used to collect the CSI data. In addition to describing the theoretical underpinnings of the methodology, they present the data structure in detail, describing the implementation process by which the data were collected and calculated, the various data sources from which the data were derived, and the many outputs. They also point at some critical issues related to the measurement of civil society in a comparative way and more specifically regarding the quantitative data. Thus they express some caveats for the researchers which should be kept in mind when working with the material.

From this broad overview of the methodology and data, Tracy Anderson brings the discussion to focus on the volume's central topic in her chapter, Exploring Civil Society in Conflict and Post-conflict Countries: A Continuum to Peace. Drawing on the CSI International Indicator Database, she elaborates a profile of twenty-five countries included in the dataset, clustering them according to whether they were in the midst of armed conflict during the period in which the data were collected, were in a post-conflict status for less than ten years or more than eleven years, or had experienced no recorded armed conflict since 1945. By examining and comparing the profiles of civil society in these clusters more closely, she explores the possibility of an observable trajectory of civil society development along the five CSI dimensions through the various stages of a conflict-to-peace continuum.

The contribution of Tricia Olsen, Leigh Payne and Andrew Reiter then turns to a subset of CSI countries. In their chapter, An Exploratory Analysis of Civil Society and Transitional Justice, they focus on those countries which are included in their Transitional Justice Database and have undergone a regime change. The authors examine the possible range of associations between

the application of certain types of transitional justice mechanisms (such as amnesties, trials and truth commissions for dealing with the human rights violations of previous regimes) and certain features of civil society. A distinction between CSOs in general and the specific sub-group of non-governmental organizations (NGOs) and human rights groups helps to refine the analysis. By concentrating on selected indicators from the CSI Organizational Survey, they explore whether there is support for the hypothesized relation between civil society strength and transitional justice choices.

In his chapter, Civil Society, Conflict Resolution and Post-conflict Reconstruction in Kosovo and Liberia, David Kode hones in on two specific post-conflict countries, Kosovo and Liberia, to show how the role civil society plays during a conflict situation might influence its profile once the conflict has ended. His analysis builds on a description of the two armed conflicts, based to a large extent on the perspectives in the two country's CSI Analytical Country Reports. His work focuses on an essential difference between the two situations: while one conflict can be characterized as a struggle against oppression and for independence, coinciding with a clear 'us' vs. 'them' situation, the other can be seen as the outcome of warring parties fighting for hegemony, a situation which is still related to ethnic groups within the population, but with less clear-cut divisions. It is assumed that these broader contexts co-determine the space and the possibilities that are left for CSOs in which to act. Kode then uses the CSI indicators of the perceived impact of civil society and its organizations to illustrate the long-term effects this may have.

Mandeep Tiwana and Brett Kyle then use selected CSI indicators to examine more closely the state's role in regulating and controlling civil society and the space in which it may make claims and operate more generally. In their chapter, The Law, Security and Civil Society Freedoms, they follow a trend that has been perceived by civil society advocates in many countries in the period following the terrorist attacks in the USA in September 2001 and the subsequent 'war on terror'. The authors begin by examining two indicators from the CSI Organizational Survey reporting the perceptions of CSO representatives regarding the general legal environment in which civil society operates and illegitimate attacks on CSOs. They then trace related incidents described in the CSI Analytical Country Reports and in advocacy-related material in order to illustrate how civil society actors – both organizations and individuals – are often hindered or even criminalized for their engagement. They also explore whether the perception of a restrictive legal environment and of attacks on civil society is related to the type of governmental regime.

In their chapter, Violence in Civil Society: Insights from the CIVICUS Civil Society Index Databases, Anaël Labigne and Anne Nassauer seek to contribute to the discussion on the CSI definition of civil society by examining whether certain types of violence or 'uncivil' action are wholly incompatible with the conception of civil society. They begin by looking at the CSI indicators focusing

on the perception of the use of violence within civil society to determine how prevalent the use of violence actually is. Their work then turns to the descriptions of violent activities as they have been reported in the CSI Analytical Country Reports from both the latest CSI phase (2008–2011) and the previous phase (2003–2006). Their intention is to go deeper than the description of the phenomenon by numbers and to show how the uses of violent means by groups within civil society differ. Their reflections contribute to the analysis of situations in which conflicts escalate into violence, taking into consideration the interplay between the political environment of CSOs and their goals and repertoires of activities.

Finally, in our concluding chapter, we summarize the results of these explorations – connecting them to some of the issues and topics raised in this introduction and thus highlighting the ways in which the single pieces with their particular perspectives examine specific elements which may influence whether the use of violence becomes an option. In addition, we highlight areas where additional research or data might support or extend the findings and suggest other possible questions relating to the link between civil society, conflict and violence that could be examined using the rich CSI data.

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2

Measuring Civil Society Globally with the CSI

Michael Hoelscher and Thomas Laux

Introduction

The general quality of an index can be measured by the new insights gained through it (Anheier 2005: 242). The CSI, as a participatory, action-oriented research project, tries to generate new insights on two levels. The research component of the project aims at assessing the strengths and weaknesses of civil society in many countries around the world in a comparative way. The action component seeks to strengthen civil society locally through enabling it to identify its support needs. However, there might occur a tension between these two aims. While the action component calls for a strong local adaptability of the project, thereby guaranteeing that it serves the needs of local civil society partners, global comparisons need to be grounded in rigorous scientific research aiming at the highest level of equivalence of assessment.

This chapter focuses on this latter research aspect and introduces the methodology used during the second full phase (2008–2011) of the CSI project, thereby providing context to the CSI with the aim of encouraging researchers to do their own analyses with the rich data source the CSI offers (Appendix 4 lists data of the dimensions and sub-dimensions for all countries for which this data is available at the time of writing). The methodology adopted for the 2008–2011 CSI, as will become clear, combines the two aims of the CSI by having a core of comparable items and tools, along with additional features that can be adjusted to the specific country context. This makes the CSI a very flexible, although also quite complex, instrument for the assessment of civil society.

The first part of the chapter gives a broad overview of the theoretical CSI approach to measuring civil society, introducing its different dimensions and the Civil Society Diamond.[1] The second part presents the data structure in more detail. The implementation process and the different data sources produced are also explained. A third part sets out some of the main outputs of the CSI, mainly the International Indicator Database and the Analytical Country Reports. The chapter closes with the discussion of some methodological issues

and an outlook on how the CSI could be used to improve our knowledge of civil society on a global scale.

The CSI approach to measuring civil society

The concept of civil society is one that gained extraordinary prominence during the last two decades. After an initial phase of celebration of the concept by many scholars and policymakers of different ideological persuasions, recently its usefulness has also been heavily debated (Mati 2009; Putnam 2000; Chandhoke 1995; Etzioni 1995; Gellner 1994; Cohen & Arato 1992). One of the reasons for this is the missing empirical evidence, especially in a comparative perspective, as 'knowledge on civil society in many countries is still limited' (Mati, Silva & Anderson 2010: 8). Based on the insight that there is still a lack of adequate ways for measuring civil society (Anheier 2005: 241), the CSI is one attempt to examine the phenomenon of civil society in a different, and hopefully fruitful, empirical way.

The CSI approach was developed on the basis of an extensive reading of the relevant theoretical and empirical literature and in collaboration with well-known experts in the field. This chapter, however, does not provide the space to delve into these intricacies of civil society theory in more detail, but will only outline the rough ideas behind the CSI concepts and point the interested reader towards further relevant literature. As one of the aims of the comparative aspect of the CSI is to contribute to further development of civil society theory through substantial methodological synergies, some important issues with regard to the measurement of civil society will be discussed at the end of the chapter.

One of the main advantages of the empirical work of the CSI project is to move 'from the realm of ideological discourse to the area of real-world experiences' (Heinrich & Fioramonti 2008b: xxx). Civil society is defined in this context as 'the arena, outside of the family, the state, and the market, which is created by individual and collective actions, organizations and institutions to advance shared interests' (Mati, Silva & Anderson 2010: 17). This conceptualization integrates de Tocqueville's liberal conception of associational life as well as Gramsci's (1992) notion of civil society as the site of struggle for hegemony (Heinrich 2005: 219; see also Howell & Pearce 2002). Considering the difficulties of measuring civil society cross-nationally and the variety of theoretical approaches, the CSI uses a functional definition that seeks to exclude normative biases as far as possible from the empirical view, also allowing, as Chapter 1 describes, the inclusion of the 'dark side of civil society' (e.g. Rethemeyer & Nagar 2007) in the analysis.[2] The functional aspect of civil society focuses on the arena where 'shared interests' are pursued. The specific forms or associations in which people articulate their interests are

multifaceted. Thus the term 'civil society' in the CSI includes individual action, demonstrations, social movements and other unorganized forms as well as non-profit organizations, charitable trusts and other organizations. A notable weakness within this definition is the unspecific use of the term 'interest', which is not clearly defined and needs more clarification (Heinrich 2005: 217). Apart from this, such a functional approach for assessing and defining civil society seems appropriate in order to capture the diversity of and within civil society.

On this basis, the CSI aims at painting a comprehensive picture of civil society globally.[3] Comprehensiveness is sought in three dimensions. First, conceptually, civil society internally is measured in four different, inter-related dimensions, with a fifth assessing the external context for civil society. With this, civil society is assessed in a much broader sense than most other approaches offer, which often limit their analysis to 'social capital' in the form of trust and associational membership (e.g. Fukuyama 2001; Hooghe & Stolle 2003; Putnam 2000), or to the organized third sector.[4] Second, the CSI spans time, having now concluded its second full phase (2008–2011), preceded by CIVICUS's *New Civic Atlas* (Poinier 1997) in 1997, a pilot phase in 2001, a full first round in 2003–2006 (Heinrich 2007; Heinrich & Fioramonti 2008a), and an additional African regional phase (2008–2011). This allows for comparisons over time and analysis of trends, although changes in methodology to some extent limit the ability to do this. Third, with regard to a spatial dimension, a large number of countries have taken part in the project. Overall, seventy-four countries or localities have been involved in different phases so far. Besides the twenty-five countries of the 2008–2011 phase which provided the core dataset for this book (with an additional nine national partners subsequently providing data or in the process of doing so at the time of writing), six countries participated only in the pilot phase, four countries completed the African phase, and fifty-two countries took part in the 2003–2006 phase, of which twenty-two took also part in the 2008–2011 phase (see Appendix 1).

Supplementing the CSI's comprehensiveness in conceptual breadth, time span and geographical spread is the application of a mix of quantitative and qualitative elements in its research design.

The 2008–2011 CSI comprised four internal dimensions, assessed by fifty-three indicators measuring twenty-four sub-dimensions (see Appendix 3 for a complete description of dimensions, sub-dimensions, and indicators). The dimensions are as follows.

Civic Engagement: Describes the formal and informal activities undertaken by individuals to advance shared interests at different levels, distinguishing between social engagement (interests of a generally social or recreational nature) and political engagement (interests of a more political or advocacy nature). Each of these is assessed in the three aspects of extent, depth and diversity of engagement within a country.[5]

Level of Organization: Looks at the organizational development and degree of institutionalization of civil society as a whole. In order to do so, it assesses the level of complexity and sophistication in a sample of CSOs. Sub-dimensions are internal governance; infrastructure; sectoral communication; human resources; financial and technological resources; and international linkages.

Practice of Values: A specific aspect which the CSI addresses and which distinguishes it from other efforts is the assessment of the internal practice of values within the civil society arena. Since the CSI does not assume that civil society is by definition made up of progressive groups, nor does it take for granted that civil society is able to practise what it preaches, it is paramount for this project to treat the practice of values as an empirical question that must be tested. Analyzed for the extent to which they apply within organizations are the aspects of democratic decisionmaking; labour regulations; codes of conduct and transparency; environmental standards; and the perception of the adherence to such values as non-violence and tolerance within civil society as a whole.

Perception of Impact: The level of impact that civil society has on policy and social issues as well as on attitudes within society as a whole is analyzed from the perspective of perceived impact, measured by both observers within civil society as well as external stakeholders belonging to the state, private sector, media, academia, international governmental organizations or donor organizations. Sub-dimensions are responsiveness; social impact; policy impact (each of these three measured both internally and externally); and the impact of civil society on the attitudes of people who are engaged in the sector.

Additionally, the CSI takes into account as a fifth dimension (made up of three sub-dimensions and twelve indicators) the national external context for civil society.

External Environment: In assessing the state of civil society it is crucial to give consideration to the social, political and economic environment in which it exists. Some features of this environment may enable the growth of civil society. For example, the prevalence of social values such as trust and tolerance among the general population may foster associational activity. Conversely, some features of the environment might hamper the development of civil society, such as restrictions on freedom of association and the legal framework, but also socio-economic factors such as an economic depression might impact on civil society negatively. Although it is close to impossible to provide an all-encompassing explanation of how the environment relates to each feature of the state of civil society, the CSI regards the inclusion of the general state of the external environment in which civil society operates as essential for understanding the complexity of challenges and opportunities facing civil society. The external environment is assessed in the fields of socio-economic context; socio-political context; and socio-cultural context.

Civic Engagement
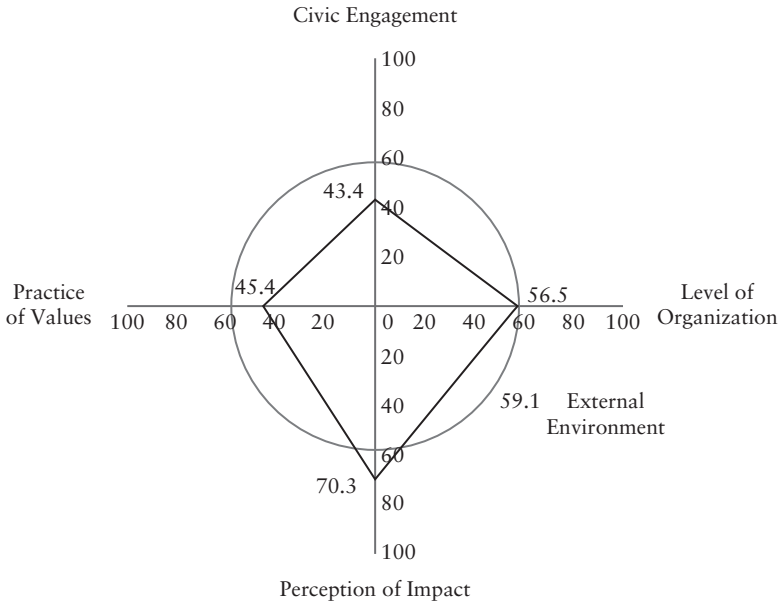
Figure 2.1 Model Civil Society Diamond
Source: CIVICUS

Instead of combining all the information into a single figure, as is done for example by the UN Human Development Index, the CSI displays its different dimensions separately. This feature makes, as Anheier (2005: 242) notes, the CSI an indicator system rather than an index, even though its title suggests otherwise. To depict the full information in an easily accessible way, the so-called Civil Society Diamond was developed by Anheier (2004) and later adapted in 2008 to account for changes in the methodology between phases one and two of the CSI (Figure 2.1). Each of the four main dimensions builds one of the radiances of the diamond, displaying the scores for each on a scale from 0 to 100. This allows easy comparison across countries and the detection of relationships between dimensions by inspection of the diamond.

Represented visually by a circle centred around the axes of the CSI diamond, the external environment is not regarded as part of the state of civil society, but a crucial element for its development. Broadly speaking, the larger the circle, the more conducive the external environment is considered to the health of civil society. Care should be taken not to over-interpret the details of its size and shape, however. Although the diameter of the circle gives a broad indication of the state of the external environment, no particular meaning should be attributed to whether the points of the diamond fall within or outside of it; the circle and diamond are simply two graphics, one superimposed on the other. Note also that the external environment measure is always circular,

never elliptical. Although conceptually it is plausible that the environment may foster or restrain different dimensions of civil society differently, it is simply too complex to capture this with empirically valid summary variables.

Data structure of the CSI

To measure these different dimensions of civil society, the CSI uses a multi-level, multi-method approach, based on a variety of data sources. On the micro-level, information on individuals is collected through a Population Survey. The meso-level of CSOs is tackled by a separate Organizational Survey of CSO representatives. And the macro-level of the national situation and context is assessed by an External Perceptions Survey of experts, and data from international databases such as those of Freedom House and Transparency International's Corruption Perception Index. Information from these different data sources is integrated in the CSI International Indicator Database, which is the heart of the quantitative comparative CSI and can be used relatively easily by all kinds of researchers. However, the raw data of the three surveys provide a rich source of additional material for advanced analyses. These quantitative data are complemented on the country level by a variety of qualitative data such as case studies, focus groups and interviews. The Analytical Country Reports of the national partners add additional expertise and local literature to this picture, providing a broad description of the state of civil society in each nation or territory. The following sections first explain the implementation process and introduce the different data sources in more detail.

The implementation of the CSI

To ensure the comparability of the data gained in each country, the implementation of the CSI is guided by a detailed CSI Toolkit provided by CIVICUS (2008). By combining objective measures (e.g. the percentage of the population active in CSOs) as well as more subjective ones (e.g. impact evaluation from the External Perceptions Survey, case studies and focus groups), a broad and inclusive picture of civil society, its empirical manifestations and its role in a society is ensured and a more differentiated understanding of civil society can be gained. Regarding the action-orientation of the CSI, the research's 'subjective measures' serve as a reflection on civil society's own role, its accountability and its existing ambivalences (Mati, Silva & Anderson 2010: 10).

The summary of the CSI implementation process can be found in Figure 2.2. The implementation of the CSI in a country is demand-driven and is thus initiated
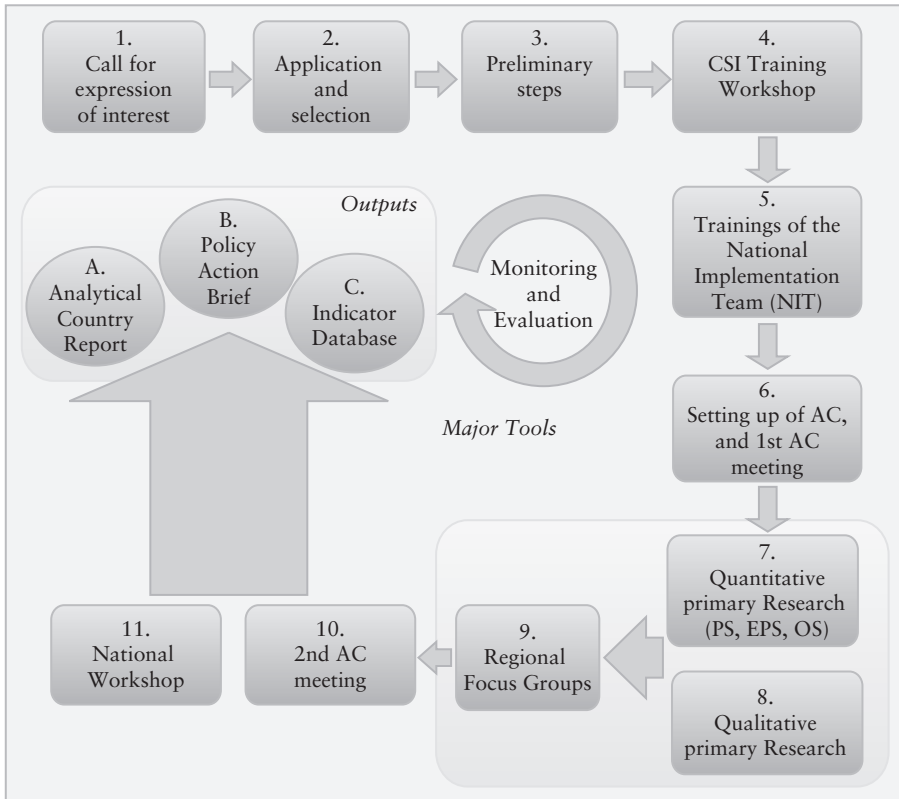
Figure 2.2 The CSI implementation process
Source: Mati, Silva & Anderson 2010: 32.

by an expression of interest by the National Coordinating Organization (NCO). Before the NCOs are designated by CIVICUS, several preliminary steps have to be undertaken. These preliminary steps include the identification of already existing secondary data sources for a country, the definition of country-specific facets, the development of a work plan, the draft of a budget defining the available financial and human resources and the setting up of a local resource mobilization and communication strategy. When all this is completed to satisfaction, CIVICUS accepts the partner and assists it through the project. The most important means for this is the extensive CSI Toolkit, which contains the master questionnaires for the surveys as well as suggestions for sampling, notes on how to apply for funding, proposed public relations strategies etc. Additionally, CIVICUS provides a help desk prepared to deal with more country-specific problems and offers continual advice for the implementation and the process of adaptation of the Toolkit. Last but not least, the Centre for Social Investment, CIVICUS's academic partner at the

University of Heidelberg in Germany, has been available for more general questions on scientific rigour.

After committing to the partnership, the NCO recruits a National Implementation Team (NIT), which conducts a social forces analysis about the relevant actors and power relations within society as a whole and then within civil society, and provides a first overview based on the available secondary data.

After the first three steps set out in Figure 2.2, training workshops for the NCO are organized by CIVICUS to make the participants familiar with the methodology and to secure a high research standard. Accordingly, the NCO trains the NIT in their country.

While the process up to this point is roughly similar to other cross-national studies, such as the World Values Survey, the European Social Survey or the Johns Hopkins project, some of the following steps set the CSI apart. In particular, the strong inclusion of different stakeholders, including asking them to validate and interpret findings, identify strengths and weaknesses and develop an action plan, is a unique feature. This inclusion not only contributes to the action component of the project, but also helps to improve the validity and reliability of the results overall.

In a sixth step, therefore, an Advisory Committee (AC) is set up, consisting of twelve to twenty civil society representatives and other stakeholders, who assist the NIT to implement the CSI. This process consists of the data collection through conduct of the Population Survey, Organizational Survey and External Perceptions Survey, and around five case studies. After that, different regional focus groups discuss and explore the main strengths and weaknesses of the picture of national civil society, using as the basis for its discussion the collected data. Following this, the AC meets to discuss the results and to plan a National Workshop. The National Workshop assembles seventy-five to 200 people and is the final meeting within the CSI implementation process of different civil society actors and stakeholders for discussing and developing an action plan to strengthen civil society. The results of the data collection and deliberations are combined to shape the Analytical Country Report and Policy Action Brief, as described in more detail below. As becomes clear, the CSI project generates a wide range of data sources and outputs, which are described in more detail in the next few paragraphs.

Data collection methods

Population Survey

The Population Survey assesses the strengths and weaknesses of civil society on the individual level. More than 45,000 people were surveyed for the 2008–2011

phase (see Appendix 2). The main dimensions this survey generates data for are Civic Engagement and Practice of Values, and to a lesser extent the Perception of Impact and External Environment. The survey asks for membership and active participation in different associations and organizations; for time spent volunteering and spent with friends and family; for political protest behaviour; trust and tolerance; public spiritedness; and some socio-demographic data. In some of the countries it is the first time that data on these issues are available in such breadth.

While it would have been ideal to have an even more extensive Population Survey to gather data on engagement in more detail, the range of questions posed was limited due to pragmatic reasons. By narrowing the range of questions, it was ensured that countries not able to secure funding or lacking the infrastructure for a full representative population survey could use data from the World Values Survey 2005 instead (if available for their country).[6] In the event, some countries, for different reasons, also sometimes used other data sources (such as the European Values Study 2008 or some Barometers), complementing them with some items they surveyed on their own.[7] This led to a situation where in ten countries the Population Survey consists of different samples, each contributing only a subset of indicators towards the national scores. This imposes limitations on cross-national comparability, and also inhibits some analyses on the sub-national level in these cases (see discussion below).

Organizational Survey

The Organizational Survey seeks the input of the main actors within civil society. The survey consists of questions concerning internal governance, resources and organizational practices within CSOs as well as civil society's own perception of its impact and its legal environment. Therefore, two different perspectives are captured: one addresses the organizations as such and the other focuses on information about civil society as viewed by actors involved in this sphere.

The information about the organizations concerns their internal structure, formal aspects and institutionalized practices, and their connections to other CSOs. Insights are also gained into the financial resources and the financial situation of these organizations. The representatives of CSOs also report about the perceived social and political impact of civil society as a whole and of their own organization.

Besides this, the CSO representatives report on common practices observed or experienced within civil society as a whole in order to examine the normative aspects often associated with civil society. The CSI seeks to enable a more realistic view on civil society, and therefore the views on the incidence of violence and corruption within civil society, for example, are highly interesting.

For the Organizational Survey 4,117 CSO representatives were interviewed in all the twenty-five countries that form the dataset for this volume; the numbers for the specific countries can be found in Appendix 2.

External Perceptions Survey

The External Perceptions Survey mainly examines the perceived impact of civil society action on social and political concerns (see Appendix 3). Whereas the Organizational Survey focuses on the perceived impact assessed by persons within civil society, this survey stresses the external perspective of civil society stakeholders. By comparing the two surveys, discrepancies between internal and external perceptions may become evident or, if the results are similar, civil society representatives' estimates of their impact can be confirmed as likely to be accurate. Different stakeholders are interviewed to give their evaluation of the most promising fields for civil society activity, its perceived impact and outcome so far.

The sampling of the External Perceptions Survey resembles the one of the Organizational Survey in securing regional coverage of the interviewed stakeholders (urban vs. rural, centre vs. periphery) and their diversity, regarding gender, age and ethnicity. Sample size differs between the countries; the smallest one is Japan with twenty-seven interviewed stakeholders and the biggest is Russia with 136 cases (see Appendix 2).

The interviewed stakeholders occupy different positions. The largest group consists of people in the executive branch of government, closely followed by people working in academia and in the private sector. The other respondents belong to the legislative or the judicial branch and some of them work in the media, in international governmental organizations or donor organizations. This wide range of different perspectives on civil society may enable a differentiated view on civil society action and its impact in a country.

Other data sources

The three surveys are complemented by information drawn from large international databases to complete the CSI diamond. The additional data sources are used to describe the socio-economic context, the socio-political context (with some data also drawn from the Organizational Survey) and the international linkages of civil society (see Appendix 3). Therefore different existing high-quality indices were drawn from in order to get a broad description of the situation in the analyzed countries. Data from Social Watch, Transparency International and the World Bank were used to examine the socio-economic context of civil society (inequality, corruption, economic context and basic capabilities, respectively). The socio-political environment

is largely observed through data from the World Bank and Freedom House, mainly focusing on political rights and freedoms, the rule of law and state effectiveness. To evaluate the international linkages of a national civil society, data were drawn from the Union of International Associations, one of the key sources for data about international governmental organizations and non-governmental organizations.

As already mentioned, a number of research outputs based on a qualitative approach, i.e. case studies, focus groups and expert interviews, complement and refine the information which has been gathered through the quantitative surveys. These represent a more qualitative perspective on the state of civil society, giving more in-depth insight on specific issues and problems for civil society in a specific country. They provide important information for understanding the state of civil society in a country as well as giving information to civil society actors about ways and methods to shape political and social processes (Keck & Sikkink 1998). These qualitative parts of the data collection process are also very important for the project's action-orientation by providing direct and intensive contact between civil society actors and stakeholders.

The focus of the case studies is to respond to specific problems or issues in each country and therefore to complement the comparative information provided by the different surveys. One major goal is to comprehend why or why not civil society has a certain social and political impact. Another goal is to complement the findings in the CSI diamond by adding an in-depth perspective. Therefore each case study is orientated on one of the five dimensions of the CSI diamond, and many countries commission one case study per dimension.

Regional focus groups and expert interviews allow a discussion of the quantitative results in more depth and a seeking of explanations and interpretations. Through this they all serve as triangulation for the findings in each country and give a broader insight into the complex phenomenon of civil society.

These qualitative components of the CSI are more than just an annex to the quantitative data. They offer in-depth insights about the implementation process and the particular situation in a country and, combined with the quantitative findings, complete the broad picture given about the state of civil society.

Dissemination of results

The CSI aims to distribute its data and results in the most accessible way, so that not only country partners, but all kinds of civil society stakeholders,

as well as researchers and the interested public, can gain from the project's output.

To make the data from the aforementioned four quantitative data sources and from all countries easily accessible for comparative analyses, the scores of all indicators and of the aggregated sub-dimensions and dimensions are collected in a central International Indicator Database.

From the raw data of the surveys, indicators for all sub-dimensions and dimensions are calculated on a standardized scale ranging from 0 to 100.[8] The sub-dimensions and therefore dimensions are calculated by averaging the respective indicators, as no theoretical or empirical justification for any kind of weighting is applied. The CIVICUS Research Unit re-checks the indicators from all countries and combines them into a single dataset. The resulting International Indicator Database (current summary in Appendix 4) will be made fully available online and gives easy access to the most important findings for all surveyed countries and allows for their comparison, as well as serving as the basis for the construction of the country diamonds. In addition to the aggregated data of this database, the raw data from the surveys will also be made available to researchers and practitioners alike.

The cross-fertilizing integration of the qualitative and quantitative results collected through the CSI, as well as further results from desk research and a thorough review of available research on civil society in each country, is undertaken in the National Workshop and finally in the Analytical Country Reports.

The purpose of the National Workshop is twofold. First, it brings together civil society actors and stakeholders to discuss the strengths and weaknesses of a country's civil society, aiming to develop strategies for improving its situation and impact (the action component). Second, the (quantitative) research outputs are discussed to put them in context and assess their reliability and validity (the research component).

The NCO and NIT draw on the qualitative sources, as well as the quantitative data, to produce two main outputs of the CSI: an Analytical Country Report (ACR) and a Policy Action Brief (PAB). The ACRs, addressed mainly to civil society stakeholders, can be seen as the main output of the CSI on the country level. They summarise the entire CSI implementation process and synthesise the findings – both quantitative and qualitative – in an analytical manner. The documentation of the implementation process may reinforce the research standards, helps to evaluate the outcomes and secures a higher degree of transparency. The ACRs also encompass the outcomes and suggestions made in the national workshop. As they are written by experts from the respective countries, they add in-depth knowledge to the more comparative data from the surveys and help to interpret the quantitative findings. They serve as a

state-of-the-art report about the situation, the problems and the issues of civil society in a country. An overview about the available ACRs is given in Appendix 5.[9]

The Policy Action Briefs, addressed primarily to policymakers, particularly in national governments, outline the main CSI findings and highlight the action agenda and policy recommendations to try to rectify a national civil society's weaknesses and promote its strengths.

Besides these two main outputs on the country level, CIVICUS and its partners also aim to disseminate results in different forms, such as in the overview reports published in 2011[10] and through the development of thematic publications which use the data, such as this volume. CIVICUS also uses the CSI data as the starting point for further pieces of research analysis and publication, such as research projects on civil society funding, CSO gender mainstreaming and volunteering and civic activism, initiated in 2011.

Methodological issues

As has become clear in the last few pages, the CSI is an extremely rich source of data for the comparative analysis of civil society. With data on different levels (micro, meso and macro) and from different sources, it enables researchers not only to describe and compare civil society in different countries, but also to test for more complex hypotheses in cross-national settings, thereby contributing to the advancement of civil society theory. Nevertheless, there are some tricky issues that researchers have to keep in mind to take full advantage of the CSI data. While the redesign of the CSI methodology and framework has taken into account many of the issues raised in a debate in the *Journal of Civil Society* on this topic (Anheier 2005; Heinrich 2005 & 2006; Howard 2005 & 2006; Salamon & Sokolowski 2006; Sokolowski & Salamon 2005), some could not or have not been solved yet in a fully satisfying way. The most important of these are discussed in the following paragraphs.

The most important problems concern the Population Survey. First, some countries used data stemming from multiple surveys instead of conducting their own. Where possible, similar questions were merged into a single variable in the international dataset. While this is not visible in the International Indicator Database, with the individual data aggregated on the country level, which poses no direct challenge as long as analyses keep to the country level (however, see below), it inhibits many analyses on the individual level in these countries. For the dataset used in this volume, this is the case in Argentina, Bulgaria, Georgia, Italy, Japan, Jordan, the Philippines, Slovenia, South Korea and Turkey.[11] Luckily, in eight of these countries one of the datasets comprises at least the

core variables together with some socio-demographics of respondents. Only Bulgaria and Georgia face larger problems (and to a lesser extent, Japan), as important variables are split between the datasets in a way that inhibits most analyses on the individual level.

A second problem, related to the first, is that those countries which do not undertake their own Population Survey (those countries mentioned above, plus Chile and Croatia) rely on data from different years, drawing mainly from the World Values Survey 2005, but also the WVS 2000 and the European Values Study 2008, or even EVS 1999. In relatively stable countries this might not be too big a problem. However, many surveyed countries are experiencing rapid change, and using older data probably introduces a bias. This poses an indirect challenge to the comparability of indicators even on the country level.

Third, some countries did not keep to the original coding scheme for all questions, or even dropped items (e.g. some missed data on some socio-demographic characteristics). Some of the deviations are justified adaptations of the CSI Toolkit to the specific country context (e.g. when some specific organizations, such as burial societies, were added to the list of voluntary organizations for membership on request), but some are not (e.g. when Russia did not differentiate between inactive or active membership).

Other problems relate to more or less all CSI surveys, and are also well-known from other cross-cultural surveys (Harkness, *et al.* 2010; Hoffmeyer-Zlotnik & Wolf 2003; Jowell, Robert, Fitzgerald & Gillian 2007). A possible bias, for example, is introduced by improper forms of sampling and by non-response. The CSI Toolkit contains general sampling criteria and procedures for all three surveys. These give some hints on how to secure a (close to) representative coverage (for example with regard to regional representation: urban vs. rural, centre vs. periphery, affluent vs. poorer parts). However, the criteria are not always applicable, or not applicable in the same way. Therefore, the method of sampling varies between the countries in order to take into account the local availability of information. For example, in some countries sampling of organizations was done by drawing a random sample from a registration list. In some others, however, no such lists exist, or existing lists are not reliable. In such cases, snowball sampling was often used. Sampling for the External Perceptions Survey is probably the most problematic with regard to being representative. Nevertheless, as respondents are seen as 'experts', in principle they should hold similar views (based on shared knowledge), and the question of a representative sample becomes less important. With regard to the population surveys, country partners were asked to use an established survey organization, so that appropriate sampling could be expected. Nevertheless, within the CSI framework, it would be beneficial to have more detailed documentation about sampling than is currently available.[12] The same problem holds true for the question of missing data. For some variables there are huge

numbers of missing responses in some countries. Proper analyses on whether these missing responses were random or not have yet to be done.

Potential bias can also stem from translations of the English master questionnaires into other languages (Harkness 2003). Different means can be taken to reach the highest comparability of the instrument possible, but most of them are resource-intensive. Again, documentation about the translation process is missing for most countries. More generally, issues of equivalence of measures (Deth 1998; Przeworski & Teune 1966) and of data quality in different countries persist.

There is another issue relating to the question of translation, but this time the other way round: some responses in the surveys contain string variables, for example the names of organizations others have networks with (from the Organizational Survey). These were kept in their original language and writing, which guarantees the best transfer of the original data, but might result in some extra effort to analyze them cross-nationally.

Apart from issues of data collection, there are other operational issues. One is certainly the aggregation of the empirical data into the theoretically derived sub-dimensions. The overall structure of the manifest indicators measuring the latent constructs of the different dimensions has not yet been thoroughly tested.[13] Another problem is that some variables are used in the construction of multiple indicators. For example, the aspects of depth, breadth and diversity of participation are constructed in parallel ways for political and social engagement, all based on two single measures (one for political, one for social engagement). As a result, some aggregated indicators are not fully statistically independent. Therefore, researchers are advised to carefully examine the CIVICUS paper explaining the construction of the indicators in more detail.[14] A third issue is the standardization applied in scaling the indicators from 0 to 100. This standardization is straightforward in most cases, for example when looking at the percentage of people that engage in some associations. However, some calculations are more difficult, especially when there is no upper limit or the theoretical limit is far from being reached in praxis (e.g. 'hours of voluntary work'). As now becomes obvious with the available data, the scale is utilized to quite different extents by different indicators. Some nearly use the full range, while others use only a small section of it.[15]

Besides these more or less technical problems, there is a general debate on how to measure civil society cross-nationally and whether this is feasible at all. One of the main questions is how to combine global generalizability and locally adapted approaches. While the perspective of comparative research stresses the need for generalizability, the action component emphasizes more the local context. As an action-research project the CSI aims to involve different actors in the research, and puts a strong emphasis on actors' specific perspectives and country contexts. Nevertheless, the CSI tries to combine this with scientific rigour. As an international comparative research project, it aims for comparability of results across countries.

How are these somewhat contradictory aims reached? The most important mechanism is the use of a multi-level, multi-method approach. First, civil society is, as already explained, addressed on three levels: the individual, the organization and the country. This allows a balance to be struck between generalizability and local adaptation for each level separately. While, for example, at least the quantitative aspects of the context on the country level are assessed in a general comparative manner, the issues by which civil society impact is assessed are adapted to country-specific conditions. Second, the CSI is based on a wide variety of methods, reaching from desk research over expert interviews and case studies to the Organizational and Population Surveys. While the latter lend themselves better to comparative research, the former can be more adapted to the local contexts. A third feature to reach both aims of specificity and generalizability is the use of a two-step procedure. There is a standardized comparable core (represented mainly in the International Indicator Database), which is fleshed out by additional indicators and methods which take more account of the specific national contexts. For example, countries are encouraged to add their own types of organizations to the central selection when asking for organizational membership.

This was indeed one of the biggest challenges when redesigning the current tool. The old CSI consisted of two sequential steps: first, a national research team collected all the available data, and then in a second step the National Advisory Group (NAG) rated these available data on a scale from 0 to 3 for each indicator. The more objective data of the surveys were therefore only the input for a more subjective assessment as to whether a certain value meant a strength (3) or a weakness (0) or something in between (1 or 2).

In the new CSI Toolkit, the two steps are not constructed as a sequence, but rather as two complementary parts of the assessment. As experience has shown the unreliability of the rating done in the first round of the CSI for some countries, and as this 'subjective' measurement raised legitimate critique (Sokolowski & Salamon 2005: 239), the use of such subjective measures was reduced in this latest phase. Now, the raw data is kept for the international comparisons, but a more qualitative interpretation and discussion of the data by the Advisory Committee is included as part of the ACRs. By this, the indicator scores in the international database become more comparable, but the perhaps sometimes even more adequate national subjective interpretation is still available to researchers and practitioners.

Conclusions

To summarize, there are at least three major advantages of the CSI. First, the mix of different methods allows for cross-checking the results of the different approaches.

Second, the project design allows the incorporation of excellent field knowledge through the cooperation with civil society actors. Additionally, the CSI offers a large number and heterogeneity of participating countries. However, there are also some tensions. The first is the broader theoretical question of whether contextualized action-research goes together with comparability. The second tension arises from some methodological issues with regard to data quality and comparability.

For a possible future re-design of the research approach, the research could benefit especially from three changes. First, an element of triangulation at the level of indicators and sub-dimensions could be built in systematically. The use of different data sources, qualitative as well as quantitative, and collection of data on different levels (individuals, organizations, and the national level) would easily allow for this. Corresponding questions could be used in all three surveys in order to compare and thus control the various perspectives. As a second proposal, the integration of questions regarding the presence of and connectedness with international civil society would bring benefits. At the moment, countries focus on their national civil society, and only a very limited number of indicators enquire into international or transnational networks and their impact within countries. Innovative measures for assessing the inclusion of domestic civil society into transnational networks still have to be developed and should become part of the CSI.[16] The biggest improvement, however, would be the implementation of a full Population Survey in all participating countries, even though this is very resource-intensive.

Nevertheless, we are convinced that the CSI is one of the most ambitious approaches to measuring civil society in a comparative way and offers many opportunities for substantive methodological synergies. The data, which will be made available to the academic community, will help to develop further theoretical hypotheses which, in turn, will, it is hoped, inform future rounds of the CSI. Therefore, while the CSI is by no means a perfect research tool, we think it is already good, and it definitely aims to improve further.

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3

Exploring Civil Society in Conflict and Post-conflict Countries

A continuum to peace

Tracy Anderson

Introduction

Civil society has had a long-standing history of involvement in conflict and post-conflict countries. It has played such roles as: peacemakers, peacekeepers, transitional justice and reconciliation motivators, basic needs providers, and even instigators, warriors and war-mongers. Moreover, the special social, political, economic and cultural environments that exist in conflict and post-conflict countries can strongly affect how civil society operates. As such, the effectiveness of these roles of civil society in conflict and post-conflict circumstances has been contested for just as long. Indeed, previous studies have found that CSOs and their programmes can both make a positive impact and hinder peace efforts (Fischer 2006; Frerks 2005; Marchetti & Tocci 2009, to name a few).

Using the CSI 2008–2011 data, this chapter continues the examination of civil society in conflict and post-conflict countries, and the impact of conflict and post-conflict situations on civil society. Yet it takes a unique approach by comparing the differences and similarities of civil society in countries that are in different stages along a conflict-to-sustainable-peace continuum (countries currently in conflict, countries that have been in post-conflict for ten years or less, countries in post-conflict for eleven years or more and countries that have not been in conflict since 1945), rather than taking a longitudinal look at a country's – and it's civil society's – journey through each stage.

It will examine how, and how well, civil society operates along this path, how it changes and develops, what its strengths and challenges are according to the five dimensions of the CSI (Civic Engagement, Level of Organization, Practice of Values, Perception of Impact and External Environment) and along a number of specific indicators that make up these dimensions. Understanding the differences and similarities between civil society in these various stages of conflict and post-conflict can provide an understanding of

the space civil society must maintain during and after times of conflict. This study can also flag what CSOs and stakeholders can expect through the transitions through the various stages, thereby enabling pre-planning in order to capitalize on the strengths and counteract any weaknesses as each stage approaches in a country. With that understanding comes the opportunity to strengthen the initiatives that support peace and can prevent a future lapse into violence.

Yet hypothesizing about these differences is just as difficult as defining the notions of 'civil society' and 'conflict/post-conflict'. It is logical to deduce that countries in conflict will have a weaker civil society because of the environment that conflict creates – harsh laws, and inability to enjoy aspects of life including work, play and engagement in civil society because of real hazards – such as land mines, walking into lines of fire, or bombings. Conversely, countries that have never been in conflict should have a stronger civil society than those that have, as they have not been torn apart by the physical and psychological destruction of combat. Yet, it is equally logical to say civil society could be stronger in conflict countries because there is greater need: when governments cannot or will not meet the needs of their citizens, civil society steps in to provide those basic needs through, for example, displacement camp care, food provision, security, rights advocacy and so on. Moreover, the darker side of civil society can emerge when groups are organized to bring about change through violent means.[1] Therefore, this exploration will uncover which of these hypotheses matches the experience of the countries analysed.

Further, this chapter attempts to understand the progression of civil society in post-conflict stages by asking if there are differences in civil society between those countries in which people have only recently stopped fighting, and those that have been rebuilding society for many years. Again, it is logical to assume that the longer a country and its civil society have been out of conflict, the stronger it will be: civil society has had time to rebuild society and itself, repressive laws may have been overturned and the economic, social and political contexts are likely to be stronger. Therefore, it can be hypothesized that there are indeed differences between these stages of conflict-to-sustainable-peace, and that the above assumption holds true: civil society in countries that have been out of conflict for longer periods will be stronger.

This study will examine the above assumptions and hypotheses by taking the following structure: first, a literature review will help define the major terms used in this study and set the stage with what previous studies have already found on the topic. Following this, the methodology and research design for examining civil society along the different stages of the conflict-to-peace continuum will be laid out. This will be followed by analysis of the data and a discussion of the results.

Defining conflict

Since the end of the Second World War, when the global community responded to the Holocaust with a profound 'never again', 317 episodes of armed conflict (1946–2010) have been counted (Center for Systemic Peace, 2010). These episodes include the genocides in the Balkans, Cambodia and Rwanda, the wars in Afghanistan and Iraq, and numerous other intrastate, interstate, civil, ethnic, international and communal conflicts and warfare.

Yet, conflict is a difficult concept to define. It means different things to different people. Simply put, a conflict is an incompatibility between two or more subjects. Examples include political violence, civil war and genocide. Conflicts such as these, between or within states, occur over such diverse issues as land and other resources, ideologies, ethnic differences and power. Yet when are these incompatibilities considered to be conflict in the traditional sense of the word? Is it as soon as the opponents turn to violence? Or before? Does it matter if lives are lost, or is it considered a conflict if people are just injured or property is damaged? How many lives need to be lost to draw the line?

For the purposes of research, the Uppsala Conflict Data Program (UCDP) (2010) defines an armed conflict ('a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, is present') and non-state conflict (when neither party is the government of a state) as having a threshold of twenty-five or more battle-related deaths in one calendar year.[2] Yet a quantitative number of lives lost does not take into account the other casualties of conflict.

In contrast, the Center for Systemic Peace (2010) considers other variables in their categorization of conflict and war. These include: direct and indirect deaths and injuries, sexual crimes and intimidation, population dislocations, damage and distortions to social networks, damage and destruction to the environment and infrastructure, diversion of resources and psychological trauma to individuals and adverse changes. They use these factors to create a 'magnitude of war' scale from 1 (Sporadic or Expressive Political Violence with deaths under two thousand and little population dislocation) to 10 (Extermination and Annihilation, where the goal of total destruction of a social identity (genocide) is more important than the death or dislocation counts).

Both UCDP and Systemic Peace further categorize conflicts according to the major opponents involved in the conflict. Intrastate conflict occurs within one state: either between rival political groups (civil-intrastate); between the state agent and a distinct ethnic group (ethnic-intrastate) (Center for Systemic Peace 2010); between a government and a non-governmental party; or where at least one side receives troops from other governments to fight in the conflict (intrastate with foreign involvement) (Uppsala Conflict Data Program 2010).

International event-interstate armed conflict occurs between two or more states or a distinct polity fighting against colonialism (Center for Systemic Peace 2010). UCDP (2010) defines one-sided violence as the use of armed force against civilians by their government or a formally organized group (but not including extrajudicial killings in custody).

A third perspective focuses on an extreme form of conflict: genocide. Genocide is a conflict where there is intention to 'destroy, in whole or in part, a national, ethnical, racial or religious group' by means including killing or inflicting serious bodily or mental harm to members of the group, preventing the birth of children or purposefully transferring children of the group to another group, or causing 'conditions of life calculated to bring about its physical destruction in whole or in part' (UN General Assembly 1948).

Civil society, conflict and post-conflict society

The relationship between conflict and civil society is complex: the very definition of civil society – a space for individuals or organizations (outside of the state, family and market) working towards a common interest – means it is naturally at the heart of every stage of conflict, peace and post-conflict rebuilding/reconciliation. The common goals of wanting equality, resources or power, or wanting to keep what already exists, lead to civil society engaging before and during conflict as advocates for change and sometimes even as instigators of conflict. A shared interest of wanting to end violence, establish peace and rebuild and heal society continues civil society's presence in post-conflict situations.

Indeed, civil society has a strong and undeniable impact on conflict. It plays these many roles in both destroying and rebuilding, in struggling for *status quo*, and in standing up for change. However, conflict impacts upon civil society just as strongly. Firstly, conflict is a catalyst for the arrival of new CSOs and donor funds (Meyer 2002; McKeon 2005; Dudouet 2007). Moreover, while this increase in numbers may suggest growth, Harpviken and Kjellman (2004: 6) state succinctly: 'In conflict, civil society is simultaneously torn apart while constituting a source of social support.' This is in part because conflict changes the relationship between state, market and civil society: it can diminish the space civil society needs to exist by limiting associational and organizational rights. The level of functioning and characteristics of the state affect how civil society operates, the level of cooperation or adversity with the state, and the principles adhered to. Conflict also physically destroys the very buildings and infrastructures CSOs use to function well.

Furthermore, in times of conflict, especially in failed or weakened states, civil society often 'comes to occupy part of the space normally filled by the functioning state. Yet without the laws and rules governing society, civil society

organizes alternative systems of self-help and tribal justice; informal forms of governance that civil and uncivil society actors alike establish and are shaped by' (Marchetti & Tocci 2009: 203). This situation also frequently results in a market atmosphere where civil society must adapt to working in an illegal economy and sometimes engage in corrupt practices in order to function in a corrupt society.

Likewise, civil society both shapes and is shaped by situations of peace and peacebuilding. Dudouet (2007) suggests that CSOs, in particular those that were founded during the time of conflict as a response to the conflict, shift their focus, mandate and modes of operation throughout the stages of conflict to post-war reconstruction and development. Her two case studies showcased CSOs in Guatemala and South Africa that transformed from informal, underground social movements to structured and professional NGOs. However, she also found a trend of individuals who began in these social movements being 'absorbed by the political sphere' or joining the private sector.

Throughout this tangled web of relationships, civil society plays many roles – roles that both enable conflict and enable peace, sometimes at the same time. Civil society, for instance, can play a role in conflict escalation (Marchetti & Tocci 2009: 208). Perhaps the most obvious example of how this occurs is found within the darker side of civil society: combatant groups, racist and ethnicist organizations promote violence, ethnic cleansing and apartheid systems as means to reach their goals. However, even well-intentioned CSOs can escalate conflict through their actions:

> They can discursively contribute to the securitization of conflict by raising awareness of conditions of latent conflict. They can do so through mass demonstrations, media diffusion, public assemblies and monitoring and denouncing activities (Marchetti & Tocci 2009: 209).

In other words, though raising awareness of and denouncing inequality, abuses and injustices is meaningful and important work, it can escalate conflict by either igniting those perpetrating the injustices to increase their actions to quash the opposition, or, if the goals of the demonstrations and non-violent attempts to change the *status quo* are not sufficiently met, the oppressed may escalate to more violent methods to achieve change. In this way, civil society creates or increases conflict, just as conflict tears civil society apart.

Yet civil society also heals conflict and its destructive impact. Previous literature suggests three main areas of work and activities in which civil society engages in conflict and post-conflict countries. As conduits of change, many CSOs campaign and lobby for better human rights standards, equality, an end to torture, poverty reduction legislation and other such endeavours that help heal the divides that lead to conflict and the impacts thereof (Dudouet 2007: 26). As substitutes for government, CSOs can provide basic needs and other services that the government refuses to or cannot provide. These can include offering

shelter for displaced citizens, providing food and water, setting up education programmes and making available health services (Fischer 2006: 5; Dudouet 2007: 26). And as conflict preventers, peacemakers and peacebuilders, CSOs engage in early warning activities, preventive diplomacy through third-party intervention, facilitation of dialogue workshops and mediation, negotiations (peacemaking), networking and initiatives for cross-cultural understanding and relationship building (Fischer 2006: 5; Dudouet 2007: 28). Indeed, 'strengthening civil society' is established as a key element of many external interventions and missions in post-conflict situations (Fischer 2006: 13–14). (See Box 3.1 for more examples of civil society work in conflict and post-conflict countries.)

Box 3.1: Examples of civil society involvement in conflict and post-conflict work

- Raising public awareness of emerging crises

- Cross-border, inter-religious and ethnic divides reconciliation and appreciation through informal exchanges, dialogue and joint projects

- Creation and promotion of alternative media, war and peace reporting

- Watchdog roles during elections and of state institutions

- Youth and women empowerment (community-based social policy, income generation, education and rights)

- Education reforms and peace education

- Establishing peace cultures: overcoming cultures of war through arts and cultural actions

- Demobilization, disarmament and demilitarization programmes

- Protection, re-integration, support and security for endangered individuals, refugees and returnees

- Human rights monitoring

- Documentation of war crimes, fact-finding and support to identify missing people

- Trauma and psycho-social support for conflict-affected individuals

- Transitional justice and reconciliation initiatives (story-telling, memorials, reparation)

Source: Fischer 2006

Over the past two decades, civil society has increased its engagement in these areas and developed a reputation for doing so to the point where it is largely accepted and encouraged that civil society will be involved. This is in part because, for NGOs in particular, they tend to have reputations as a whole for 'political independence, the flexibility of their mandates, their impartiality and high standards of credibility… Generally, NGOs can do things that governments cannot' (Fischer 2006: 9). However, civil society also faces several criticisms in their roles in conflict and post-conflict countries. It has been argued that CSOs are not really independent but are often state or donor driven; that Western NGOs dominate the field and impose Western ideals and principles that are inappropriate in other countries; and that international organizations meddle in the internal affairs of sovereign states at the behest of external state and non-state actors (Fischer 2006). Moreover, Frerks (2005: 18–24) points out that civil society faces challenges with staying impartial during or after conflict and are often criticized in relation to who they are actually representing (the funders, the state, themselves or the actual intended beneficiaries).

In summary, previous literature shows that civil society serves a plethora of praiseworthy goals in conflict and post-conflict societies. Yet there are flaws in the system, obstacles to effective impact and sustainable change. While these studies have demonstrated how civil society affects conflict and peace and touched on how conflict and the transition to peace impact on civil society, there is little literature on what civil society in conflict and post-conflict countries looks like, how it differs and how it is the same. Therefore, this chapter does not delve further into whether civil society has an impact, or what roles it takes on in various stages of conflict to peace. Instead, it takes an exploratory approach to examine the features, strengths and weaknesses of civil society at different stages from conflict to long-term post-conflict with respect to the five CSI dimensions and their indicators and to uncover what trends are encountered along the five CSI dimensions and indicators between civil society in these different stages from conflict to peace.

Classifying countries along the conflict continuum

Though conflict and peace are not as linearly simplistic as conflict -> post-conflict -> peace, but instead experience flare-ups of violence and conflict and stalemates during peace negotiations and rebuilding (Dudouet 2007: 28), the over-arching goal is as simple as this: to move from conflict to no conflict by building sustainable societies where those threats of flare-ups are gone (sustainable peace). The path then is linear in theory: conflict -> post-conflict -> peace.[3] It can be seen as a continuum, a continuous series of events that develops gradually over time forming a road from conflict to sustainable peace.

Yet, this path sidesteps into stalemates, backtracks into flare-ups, and takes twists and turns along the way, but idealistically there is an end: the cycle stops when sustainable peace is entrenched.

The CSI 2008–2011 data provide an excellent opportunity to delve into how civil society operates throughout this continuum. First, three time intervals were chosen to mark stages along the continuum: In Conflict -> Post-conflict for Ten Years or Less (PC<10) -> Post-conflict for Eleven Years or Longer (PC>11). Two time periods of post-conflict were used in order to determine if there are changes in civil society as time passes from the end of the conflict towards sustainable peace. The intervals – ten years or less and eleven years or more – were chosen to represent 1) a time frame of post-conflict that is still fairly nascent because history has shown that a large portion (50 per cent) of countries that experience war relapse back into violent conflict within five years (Fischer 2006: 442); and 2) a period of post-conflict that has lasted long enough since the end of conflict to provide more time for rebuilding society physically, emotionally and mentally. Therefore, in theory, the further away from the conflict a country and its civil society get, the closer to sustainable peace it is. A fourth category was also developed to recognize that not all countries have been in armed conflict and to determine if there are differences between this group – No Conflict – and the others on the continuum.

Next, in order to operationalize whether a country is in conflict, in post-conflict or not in conflict, three prominent lists of conflicts and genocide by country and year were used: Center for Systemic Peace,[4] Uppsala Conflict Data Program,[5] and Genocide Watch[6], the first two of which were used in the definition of conflict above. The twenty-five countries that completed the CSI 2008–2011 data-gathering at the time this volume was prepared were then categorized into the four groups by searching the lists for the last year each country was considered to have been in a conflict (according to Systemic Peace or UCDP), or in stage 7 or 8 of genocide[7] (according to Genocide Watch). If they were not listed on any of the three lists, the country was classified as No Conflict. The results are displayed in Table 3.1 (the most recent end-date of conflict is listed next to the source that offered the date).

The total range of years of last conflict, 1945–2010, and their assignment to the categories is a result of two main factors: first, the three sources do not have data for conflicts before 1945, which provides the beginning of the range. Second, the CSI data for this phase was gathered during 2008 to 2010, which provides the end of the range of dates. Therefore, the In Conflict group consists of countries that were said by at least one of the three sources to be in conflict during 2008–2010. This does mean that it is possible, for instance, for a country to have been in conflict in 2008, but in post-conflict in 2009 and 2010. However, because the CSI data was gathered during the year(s) they were in conflict, they would still be categorized as In Conflict. The range of dates for the two middle

Table 3.1 Categorization of CSI phase 2008–2011 countries by conflict status

In Conflict (2008–2010)	Post-conflict for 10 Years or Less (1998–2007)	Post-conflict for 11 Years or Longer (1945–1997)	No Conflict (1945–2010)
Georgia G 2010 S 2008 U 2008	**Croatia/** as Yugoslavia G 2001 S 1999 U 1995	**Albania** G— S 1997 U—	**Belarus** G— S— U—
Mexico G 2001 S 2010 U 2005	**Jordan** G— S 1970 U 2005	**Argentina** G 1980 S 1982 U 1982	**Bulgaria** G— S— U—
Philippines G 2010 S 2010 U 2008	**Kosovo/** as Yugoslavia G 2001 S 1999 U—	**Armenia** G— S 1994 U—	**Japan** G— S— U—
Russia G 2010 S 2010 U 2008	**Liberia** G 2003 S 2003 U 2003	**Chile** G 1976 S 1987 U—	**Kazakhstan** G— S— U—
Togo G 2010 S— U 1986		**Italy** G— S 1982 U—	**Uruguay** G— S— U—
Turkey G 2010 S 2010 U 2008		**Nicaragua** G 1989 S 1990 U 1990	
Venezuela G 2010+ S— U 1992		**Slovenia** G— S— U 1991	
		South Korea G— S 1980 U—	
		Zambia G— S 1964 U—	
(7 countries)	(4 countries)	(9 countries)	(5 countries)

Source: G = Genocide Watch (2010), S = Center for Systemic Peace (2010), U= Uppsala Conflict Data Program (2010)

groups is due to the time-frame inherent from the category: Post-conflict for Ten Years or Less has the time-frame of 1998–2007; and Post-conflict for Eleven Years or More has the timeframe from 1945–1997.

Though using these three lists provides a pre-established and accepted measurement of what is conflict, they do bring noticeable flaws. To begin with, as discussed earlier, the definitions of conflict or genocide clearly limit what is then considered a conflict. It is for this reason that three lists were used for this methodology instead of just one: each can help fill the gaps that another may have due to how the source classifies a country as being in conflict. Yet even with three lists, there are apparent limitations. For instance, a country is considered as post-conflict in this chapter solely by the last date they were in conflict. It is inferred that if a country was considered to be in conflict or stage 7 or 8 genocide in one year and then is no longer listed as being party to a conflict in subsequent years, the conflict has deflated enough to be considered post-conflict for either ten years or less or eleven years or more. Further, if a country was never listed as being in conflict or genocide (stage 7 or 8) on either of the three lists then they are categorized as neither conflict nor post-conflict but as having not been in conflict since 1945. Classifying conflict in such strict definitional manners resulted in countries being categorized in unexpected groups.

For example, Belarus, Bulgaria and Uruguay have all been classified in the no conflict category for this study because none of the three sources listed these countries as having conflict or stage 7 or 8 genocide; however, these countries are all either transitioning or have transitioned from a history of human rights abuses (see Olsen *et al*. in Chapter 4). Further, Armenia was classified as post-conflict for eleven years or more because the last year any of the three sources listed it as being in conflict was 1994 for the Nagorno-Karabakh War (Systemic Peace), yet flare-ups of this war have continued into the 2000s (International Crisis Group, 2007).

These instances exemplify how difficult classifying conflict can be, yet the strength of using these lists, and the operationalizations they come with, is the very ability to classify and then search for differences. Using these lists enables comparability with other studies that use these sources and adds reliability to this methodology that re-categorizing based on new, unsubstantiated definitions and markers of conflict could not give.

A further limitation of the analysis is the size of the sample and the resultant groups – because there are only twenty-five countries in the sample used for this volume, there are only four to nine countries in each group. This of course increases the possibility that findings are due to chance. Therefore, when analysing for differences between the dimension and indicator mean scores for these four groups, statistical tests that work well with small sample sizes were used (Kruskal-Wallis and Two-tailed Mann-Whitney tests). Simple averages of scores were also used for analysis.

Comparing civil society in conflict and post-conflict countries: the CSI dimensions

As described in greater detail in Chapter 2 of this volume, the CSI combines data collected through a variety of research instruments and from a diverse range of sources on various aspects related to civil society and the context in which it operates. The result is a profile of civil society in each participating country that comprises the following five dimensions: Civic Engagement, Level of Organization, Practice of Values, Perception of Impact, and External Environment. This section explores the differences that may exist among the groups of countries along the conflict-to-peace continuum in each of the dimensions.

Civic Engagement

Civic Engagement measures the percentage of the population that is actively involved in civil society in a country through membership in or volunteering with a CSO, individual activism and community engagement. The analysis of the scores for this dimension found no statistical differences[8] between the four continuum groups.[9] However, an interesting – but seemingly logical – pattern emerges where formal participation in civil society increases along the continuum from when a country is experiencing violence, to just after the end of the conflict, to the highest participation coming eleven years or more after the conflict ends (see Figure 3.1).[10]

Specifically, In Conflict countries have the lowest civic engagement of the four groups. An average of only 38.2 per cent of the population sample in these countries is involved with civil society activities and groups. This is followed by the No Conflict countries (43.9 per cent), and then the Post-conflict Ten Years or Less group (44.1 per cent). The countries with the highest
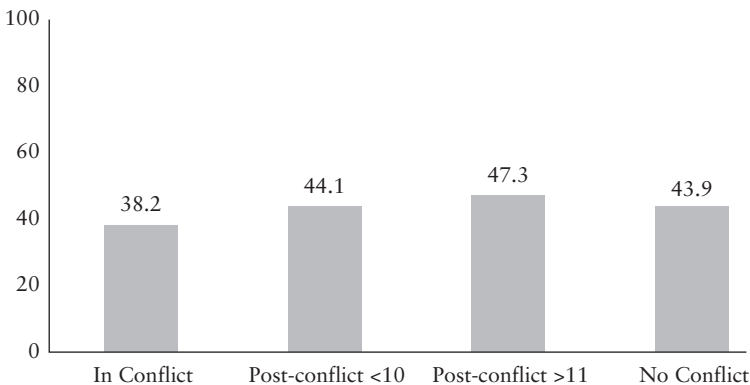

Figure 3.1 Civic Engagement dimension average scores by stage in conflict continuum

level of civic participation are those in the Post-conflict Eleven Years or More group (47.3 per cent).

It is understandable that participation would be lowest in countries in conflict. According to Garcia-Duran (2005: 150 in Dudouet 2007: 24), the violence experienced in conflict creates fear and intimidation in the population and destroys the social fabric of a country. Furthermore, the public sphere becomes physically and politically unsafe for citizens to exercise their rights of expression and association. Such an environment 'results in a paralysis of collective social initiatives' (Pearce 2004: 11 in Dudouet 2007: 24). In addition, restrictive legislations are often imposed during times of conflict that curtail civic participation through loss of freedoms of association, assembly and/or speech (see Chapter 6 for further discussion on this area).

It is then expected that as society rebuilds, as restrictive laws are reduced then abolished, and as time passes from the end of the conflict, civic participation will increase. The pattern that emerged above supports this theory. However, interestingly, the CSI data did not show any statistically significant correlations between Civic Engagement and three of the indicators from the External Environment dimension measuring the legal situation: 1) rule of law and personal freedoms, 2) associational and organizational rights and 3) experience of the legal framework.[11] It should be pointed out again that the small sample size might influence this finding as it is well established (including in many of the previous studies discussed above and within this very volume) that a conflict environment interferes with the lives of citizens and civil society.

A closer look at the indicators that make up the Civic Engagement dimension shows this trend in detail. As illustrated in Figures 3.2 and 3.3,[12] the Kruskal-Wallis tests show that citizen membership and volunteering in both social and political civil society organizations, the extent of individual activism in demonstrations, boycotts and signing petitions and the diversity of membership in both social and political organizations all increase from In Conflict, to Post-conflict Ten Years or Less, to the strongest participation occurring in the Post-conflict Eleven Years or More group.[13]

Interestingly, the countries that did not experience a conflict as defined by the three lists (Systemic Peace, UCDP and Genocide Watch) had an overall lower Civic Engagement dimension score than both post-conflict groups. When analysing the indicators, the No Conflict group also had lower membership in socially-based and politically-based CSOs than the Post-conflict >11 group, lower diversity in social membership and in volunteerism rates in socially-based CSOs than all other groups, lower volunteerism in politically-motivated CSOs and rates of individual activism than both of the post-conflict groups, yet they have the highest rate of diversity in the population that are active members of political organizations.
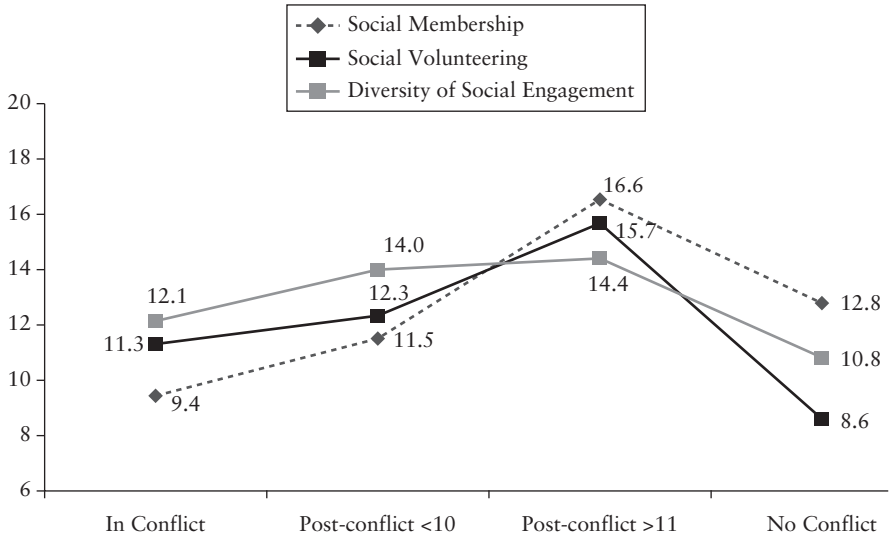
Figure 3.2 Mean ranks of social engagement indicators by stage in conflict continuum
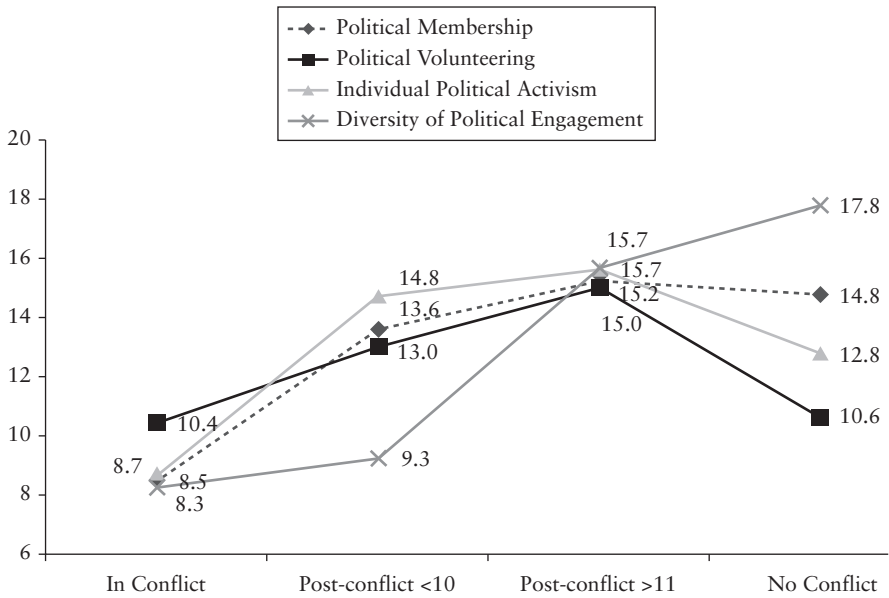

Figure 3.3 Mean ranks of political engagement indicators by stage in conflict continuum

Though much of the trend of low participation can be attributed to the political and social situations in the countries that make up this No Conflict group (Belarus, Bulgaria, Japan, Kazakhstan and Uruguay), the finding is nonetheless surprising and further research is needed to determine why countries that have not experienced wars or genocide in the contemporary period (again, based on the defining criteria used by the three sources) have lower civic participation in certain engagement areas than those countries that have had, or are in, conflict and are rebuilding a damaged society.

Further, as illustrated in both of the figures above, the trend in these engagement indicators shows an incline in citizen participation with civil society through the continuum stages: the lowest levels of engagement are experienced in conflict countries, then climb through Post-conflict <10 and up again for Post-conflict >11 countries, the levels of engagement then declining in the set of countries that have no listed conflicts. The only indicator here that breaks this trend is that for diversity of membership in political organizations. This indicator follows the same pattern for the first three stages but increases again in the no conflict category. In other words, countries that have not experienced conflict tend to have a more inclusive citizenry engaging in political CSOs, including more typically marginalized groups such as women, minorities and rural and remote area dwellers.

Level of Organization

The CSI data examine organizational strength (through indicators such as human, technological and financial resources) and partnerships amongst civil society (international presence, network associations and peer-to-peer communication). According to Frerks (2005: 20), institutional strengthening and partnerships are key elements in resolving 'the weaker aspects of CSO performance' in conflict prevention and peacebuilding. Furthermore, as discussed in the review of previous studies above, conflict destroys much of the physical and psychological infrastructure necessary for civil society to operate more effectively.

Therefore, it is surprising that the overall look at the Level of Organization dimension scores shows almost no differences between the four conflict groups (see Figure 3.4).[14] In fact there are only two scores when rounded to one decimal place – In Conflict and No Conflict both score 55.6, whereas both post-conflict groups score 59.1.

Though it has been said that conflict tears civil society apart, in terms of both infrastructure and relationships (Harpviken & Kjellman 2004: 6) this lack of a strong difference in the Level of Organization scores across the four groups may indicate that either conflict does not do as much damage to CSOs, or that the indicators are low to begin with, or perhaps that conflict tears some aspects apart yet strengthens others. Further research would be needed to determine
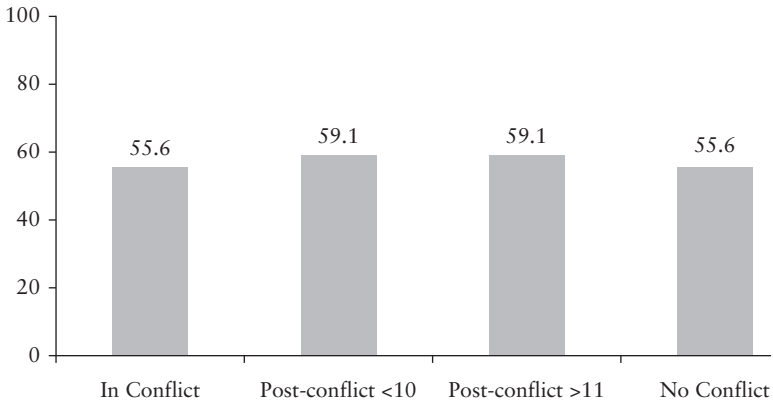
Figure 3.4 Level of Organization dimension average scores by stage in conflict continuum

which, if any, is the case. Understanding what is occurring here could help civil society, its stakeholders and the governments and society it works with to develop actions to further strengthen civil society (and therefore society itself) in conflict and post-conflict situations. For example, if the indicators are low to begin with, this would suggest that more funding is needed across the board to develop the infrastructure, partnerships and stability of civil society, which will then enable civil society to better meet the needs of its beneficiaries. If conflict tears some aspects of civil society apart, but not others, finding out which is which will help pinpoint the strengths (those areas not badly damaged) to utilise and the weaknesses (those areas badly damaged) that need to be built back up.

When examining the underlying Level of Organization indicators, several noteworthy patterns were found. First, regarding partnerships and cooperation between CSOs in these countries, Figure 3.5 shows that the indicators for this dimension do not follow an overall trend as clearly as in the previous dimension. Only the indicator for peer-to-peer communication through exchange of information resembles the previous pattern where there is a steady rise from In Conflict to Post-conflict >11 and then lower values for the No Conflict cases.[15] The other indicators in this grouping present two other formations: the average number of support networks of which CSOs in a country are members rises considerably from In Conflict countries to Post-conflict <10 and then experiences a decline in numbers from Post-conflict <10 to Post-conflict >11 to No Conflict. Compared to the other two indicators, peer-to-peer communication through meetings and international linkages (the ratio of international NGOs present in a country to the number of international NGOs worldwide) drop for Post-conflict <10 countries, then rise a great deal in Post-conflict >11 countries and then drop again to the same level as the No Conflict countries.
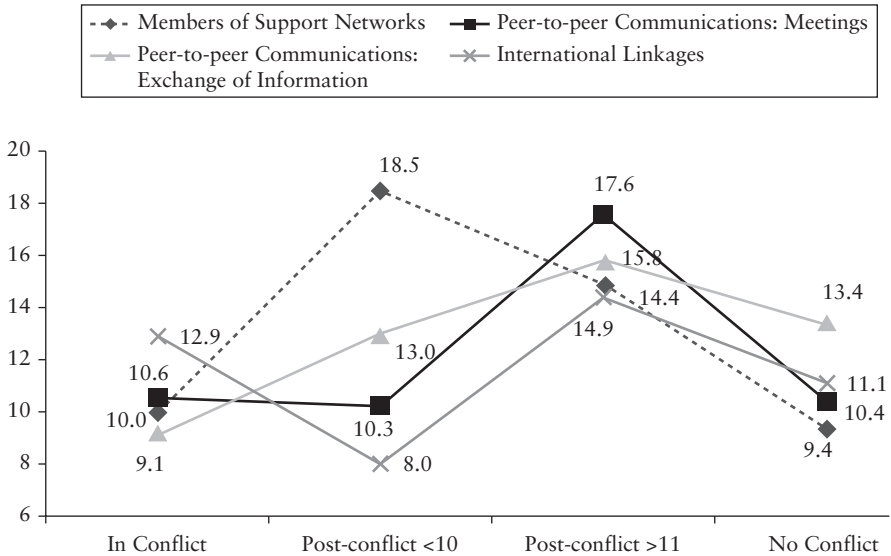
Figure 3.5 Mean ranks for civil society partnership indicators by stage in conflict continuum

Of the four groups, Post-conflict >11 countries have the highest levels of working partnerships, as evidenced by the highest average number of CSOs in a country that met with other organizations to work on similar issues and exchanged information, and the highest ratio average of international NGOs present in the countries to number of international NGOs worldwide. Surprisingly, the No Conflict group had the lowest percentage of CSOs in their countries belonging to support organizations and the second lowest percentage of peer-to-peer communication through meetings.

As for the resources that are available to CSOs for each conflict status, none of the indicators shows increases in resources continuously through the continuum.[16] As shown in Figure 3.6 Both post-conflict groups show more financial stability than In Conflict and No Conflict countries, but Post-conflict >11 is lower than Post-conflict <10 and in fact is almost at the same level as the In Conflict and No Conflict stages. Perhaps most surprising is that sustainable human resources are assessed highest for In Conflict countries and then dip substantially for Post-conflict <10 countries. However, as mentioned in the Civic Engagement dimension, In Conflict countries have the lowest percentage of volunteers than the other groups. As the CSI measures a sustainable human resource base as being where volunteers comprise no more than 25 per cent of a CSO's average total staff (paid and unpaid), it is possible that the lower level of volunteers available to In Conflict countries influences their human resources indicator score. Also surprising is that technological resources in both post-conflict stages are lower than for In Conflict countries.
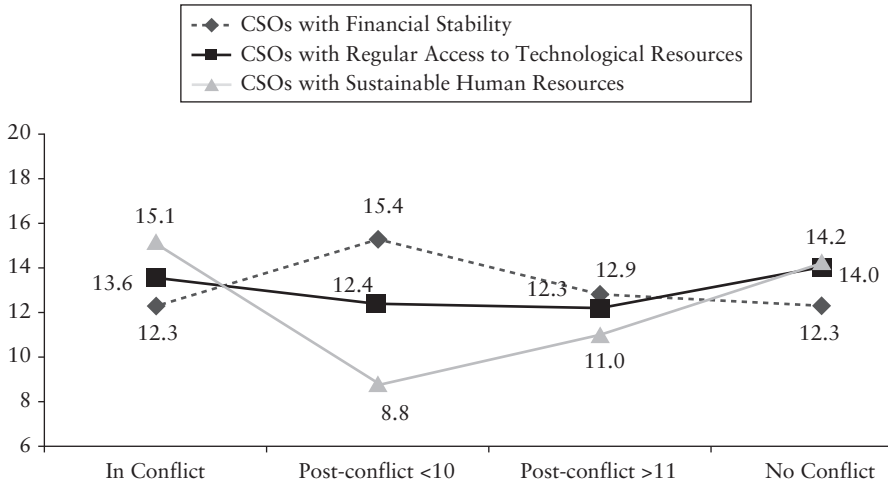
Figure 3.6 Mean ranks for financial stability and infrastructure resources indicators by stage in conflict continuum

In summary, the analysis indicates that each category from conflict through post-conflict has its strengths and weaknesses. In Conflict countries tend to have more access to sustainable resources but have the weakest partnership activities and networking. Post-conflict >11 countries, on the other hand, have the strongest partnerships and networking, which might be evidence of the time needed to (re)develop these relationships, but have lower levels of access to or sustainability of resources. The situation is very mixed for the Post-conflict <10 countries, with the indicators showing a wide dispersion.

Practice of Values

The third dimension, Practice of Values, looks at the values of democracy, non-violence, tolerance and accountability within CSOs to determine whether civil society implements the principles it extols. The data show another remarkable finding (see Figure 3.7): the countries categorized as No Conflict are least likely to have a civil society that practises the values it often preaches (44.0). Further, the pattern of growth from In Conflict to Post-conflict <10, through to Post-conflict >11, was not experienced in this dimension as it was in the first. Instead, countries that have been in post-conflict for ten years or less tend to practise these values more than the other groups (53.0).[17] This is another fertile area for further research to explore these findings in more depth. For instance, future research could delve into whether the hope for rebirth that comes with the end of conflict may be a factor in this pattern. Civil society intent on rebuilding, reconciling and developing a stable peace is presumably likely to practise the very values they are promoting, and that a lack thereof
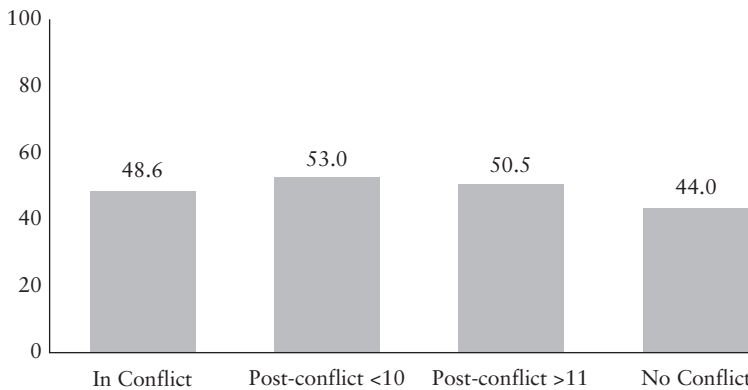
Figure 3.7 Practice of Values dimension average scores by state in conflict continuum

may have been a factor in the conflict in the first place. For example, if a conflict was aimed at bringing democracy to a country, the first ten years of post-conflict might see the strongest and most prolific work from civil society towards building that democracy and ensuring its survival and proper practice (through election monitoring, voter education and the like). While engaging in the promotion of national democracy, civil society may be more apt at practising it within its own walls.

Further exploration of the indicators in the Practice of Values dimension found a statistically significant difference in levels of perceived intolerance between the four groups.[18] This indicator measures the perceptions held by CSO representatives as to how much weight racist, discriminatory or intolerant civil society groups have within civil society in their country. Countries in conflict are more likely to view the intolerant and racist groups in their countries as having substantially more weight in civil society than in all other stages, especially than in the Post-conflict <10 years and No Conflict stages (these two findings were statistically significant).[19] As might be expected, the data (Figure 3.8) show that as the continuum progresses through time – from conflict through each post-conflict stage – the perceived weight of these groups decreases, with countries that have not experienced conflict having the lowest predominance of these groups.[20]

As mentioned in the previous literature, these 'darker sides' of civil society often play a role in conflict. Such groups incite or practise racism and discrimination, which can lead to violence. Some of these groups advocate for the hindrance or even the destruction of another race, culture or other types of distinguishable groups of people (e.g. groups distinguished by sexuality, religion or gender). Others, such as paramilitary groups, take an active role in the combat, using instigating and retaliatory physical violence to pursue their interests. As the conflict ends and rebuilding and reconciliation progress these groups often either disband as a part of the peace agreement (disarmament,
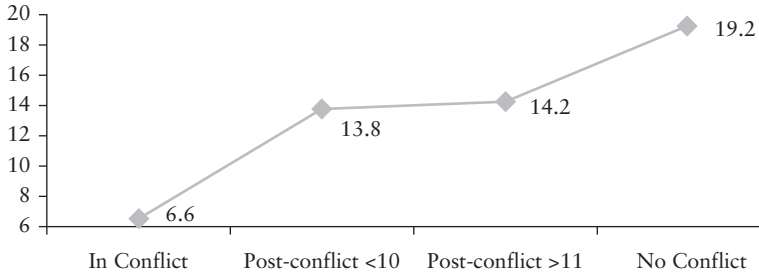
Figure 3.8 Mean rank of perceived weight of intolerant groups by stage in conflict continuum
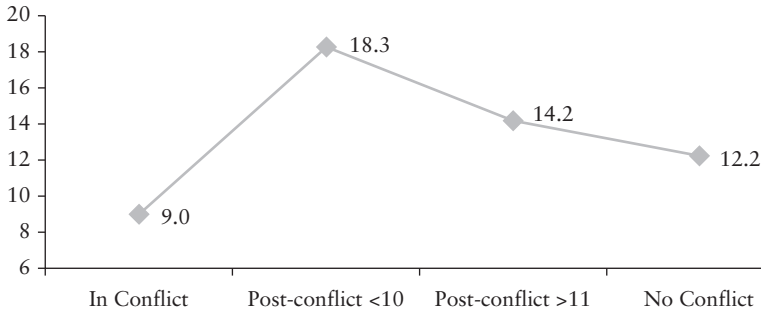
Figure 3.9 Mean rank of perceived promotion of non-violence and peace by stage in conflict continuum

demobilization and reintegration (DDR) practices) or find less violent means to reach their goals. For instance, some become established political parties (e.g. Sinn Fein in Northern Ireland), or are integrated into the national military (e.g. Umkhonto we Sizwe, the former military wing of the ANC, in South Africa) and therefore an overall decrease in their prominence is experienced (the idea of violence in civil society is further examined in Chapter 7).

Another noteworthy finding within this dimension, shown in Figure 3.9, is that CSOs in countries in conflict are the least likely of the four groups to believe that civil society has a role in promoting non-violence and peace.[21] Countries in the Post-conflict <10 Years category had the highest level of perception of civil society having this role. Though the differences are not statistically significant, this is an important finding when observing civil society in different stages of conflict and post-conflict situations.

The reasons for this finding are beyond the scope of this chapter. Further research should be undertaken to uncover why those countries that are perhaps more in need of civil society to assist in peacemaking and non-violence are those which are least likely to see a role and why those which have just come out of conflict are the most likely to perceive it. Potential hypotheses to examine include: 1) civil societies in current conflict situations are working

at the height of the conflict, within the difficulties that conflict creates (the tearing apart of infrastructure and society as explained above), and as such they may have reached the point where it feels like civil society's promotion of peace and non-violence is not working (see also Chapter 5 for more on this notion); 2) the darker side of civil society is so prevalent that there are more CSOs with the view that during conflict the only, best or fastest way to achieve change is through violence than those that believe in the promotion of peace and non-violence; or 3) CSOs are working on the ground during the conflict and therefore see at first hand the struggles, violence and psychology of the conflict (including negative beliefs about the ethnic, economic, social and other differences at the heart of the conflict), and they also see that civil society can only do so much, that the direct actors of the conflict are the ones that must promote non-violence and peace in order for the conflict to truly end. It must also be asked if there is a disconnect between the CSOs' perceptions of this role and the perceptions of citizens, combatants, victims, governments and other stakeholders in the conflict: do they see civil society as having this role and, if so, is there a gap between how others see civil society having a role and how civil society sees its role?

Perception of Impact

This dimension looks at the perception of civil society's impact on social and policy arenas in general and on specific concerns.[22] This dimension also shows a trend of growth from the In Conflict stage to Post-conflict <10 to Post-conflict >11, and indeed the No Conflict countries have the highest Perception of Impact mean score of all the groups (48.4).[23] However, there is very little difference between the four groups (see Figure 3.10). Countries In Conflict have the lowest mean score for the dimension (43.7), followed by the Post-conflict <10 countries (45.1)
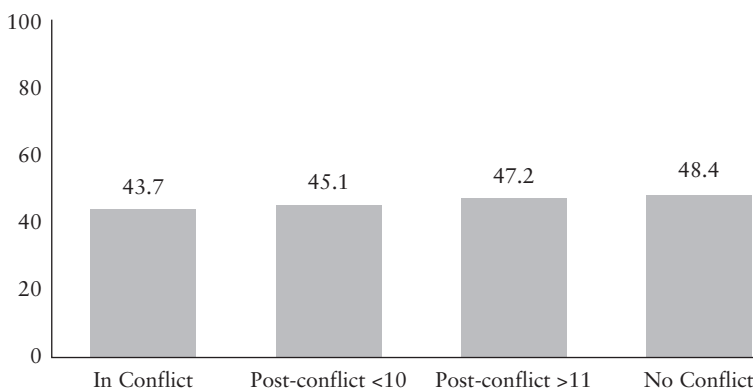

Figure 3.10 Perception of Impact dimension average scores by stage in conflict continuum

and Post-conflict >11 (47.2), indicating that there is progression as rebuilding of society continues through a longer-term timeframe.

However, all of these averages are relatively low, illustrating that, overall, both external stakeholders and civil society personnel are not seeing a strong impact made by civil society's work. Of course, impact is a rather elusive concept to measure. There are immediate, more tangible outputs that can be observed, such as: number of refugees housed, amount of food and other supplies passed out, number of people who participated in peace education classes. However, other effects are less noticeable and/or may take time to demonstrate an impact: did those peace education classes make a difference? Have perspectives of the need for violence changed due to civil society efforts? Nonetheless, ideally, we would hope to see high scores for this dimension across the board, with little difference along the continuum. Seeing such a pattern would indicate that civil society is succeeding in all stages, which in turn would suggest that civil society is responding well and adapting accordingly to the changing circumstances and needs that develop as a country progresses through the years from conflict towards sustainable peace. According to the data, the reality is that key players do not perceive a high impact across the board of the continuum. However, this might be due to the difficulties in measuring impact.

Further investigation into the indicators that make up this dimension found striking patterns between the continuum groups, between the perceptions held by external stakeholders and internal personnel, and by the type of impact (social or policy impact) (see Figure 3.11). To begin with, countries in conflict have the lowest perception of civil society having a strong impact, regardless of topic of impact and whether the views are those of external or internal view-holders. Perception of positive impact then increases in countries that have been out of conflict for ten years or less. This may be attributable to many factors, including the type of work that civil society may focus on in each stage. For instance, rebuilding infrastructure, buildings and communities tends to be more observable activities than behind the scenes peace negotiations. It is also possible that the increase in financial stability in Post-conflict <10 countries that was seen earlier in this chapter may contribute to a more visible and effective civil society. Further research would be needed to establish the correlations and causal mechanisms.

At the stage of Post-conflict for 11 years or more, the levels of perception for social or policy impact vary between external and internal stakeholders: the amount of respondents that viewed an overall strong impact decreased from Post-conflict <10 for external stakeholders, but increased for internal personnel. For the No Conflict countries, the pattern is the most variable – most notable is the leap in perceptions of external stakeholders regarding impact in the policy arena. For the other indicators, this stage tapers down or stays relatively even in comparison to the Post-conflict >11 group. Overall, Figure 3.11 shows that the perception of impact by civil society is stronger
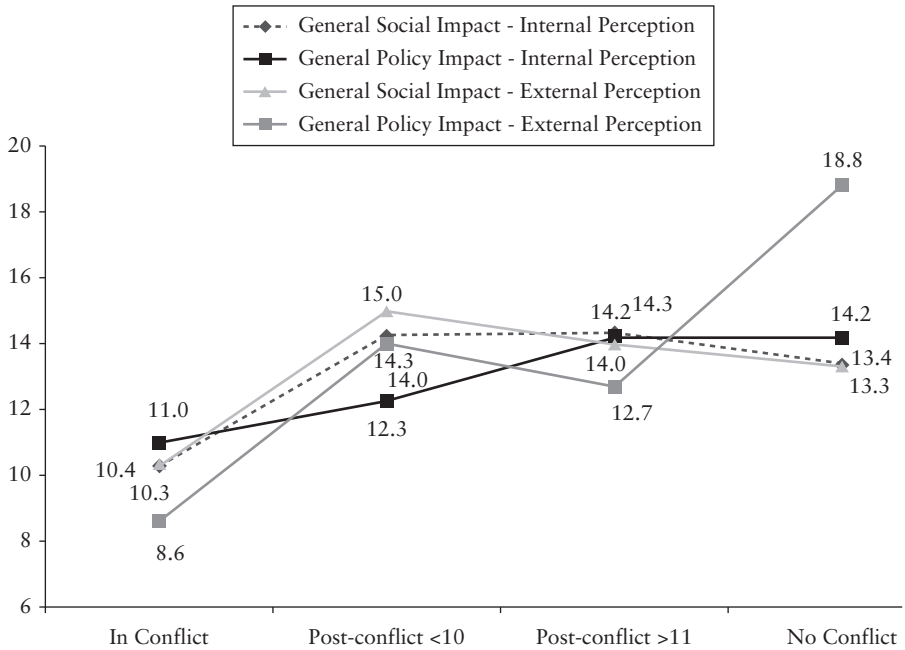
Figure 3.11 Mean ranks of perception of impact indicators by stage in conflict continuum

for countries that have not faced conflict and those in post-conflict situations. Though this is understandable considering the negative elements faced by society in general and civil society in particular in conflict situations (such as concerns for safety and physical and psychological breakdowns in society), this finding suggests the need for civil society in conflict countries to find ways to increase their actual impact and the visibility of those impacts.

External Environment

The final dimension, the External Environment, examines the socio-economic, socio-political and socio-cultural environment in which civil society operates. The CSI makes an assumption that the more functional and supportive the environment, the better civil society can flourish. However, as Marchetti and Tocci (2009) explain, civil society is shaped by the context in which it operates as much as it attempts to shape that context. They argue that civil society is influenced by the strength of the state (civil society may be operating in a failed state, weak state or unrecognized state), the nature of the state (the degree of democracy and rights and freedoms enjoyed in the state), by socio-economic underdevelopment and by the character and role of the international community in the state, all of which are aspects connected with conflict, either
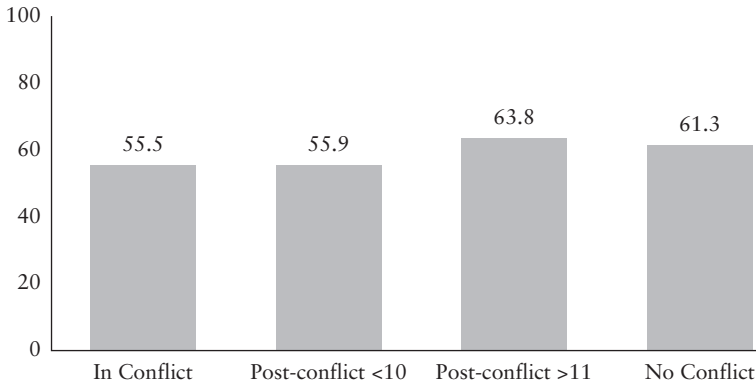
Figure 3.12 External Environment dimension average scores by stage in conflict continuum

as a reason for conflict, or a casualty of conflict. For example, when a state is failed or failing, or in conflict, civil society frequently steps in to provide services normally provided by the state.

Analysis of the CSI data illustrates this connection (see Figure 3.12): countries in conflict have, on average, the weakest external environment (mean score of 55.5), whereas countries in the Post-conflict for Eleven Years or More category have the most favourable environment (63.8).[24] This supports the theory that an external environment is strongly hindered by conflict, but can be rebuilt as time passes.

The indicators that make up this dimension show a more thorough picture of this proposition. As Figure 3.13 reveals, there are various patterns of progression for the indicators along the continuum.[25] For instance, the satisfaction of basic capabilities increases along the continuum from countries in conflict through each post-conflict stage to the highest score for the countries which have not experienced conflict since 1945. The line graph shows that perception of corruption (which has an inverse relationship – the higher the score, the lower the perception of corruption in the country), associational and organizational rights, and state effectiveness all increase as the continuum progresses from In Conflict through to Post-conflict for More Than Eleven Years, yet drop for No Conflict countries. However, the rule of law and personal freedoms are experienced at similar levels for In Conflict and Post-conflict <10 (which is slightly lower) then increase dramatically in the Post-conflict >11 stage.

Interestingly, countries in Post-conflict for Eleven Years or More have the highest scores for all of these indicators except basic capabilities. This would suggest that even though rights and freedoms may be curtailed during conflict, and states may lose their effectiveness, these environmental contexts can be and are strengthened and rebuilt with the passing of time.
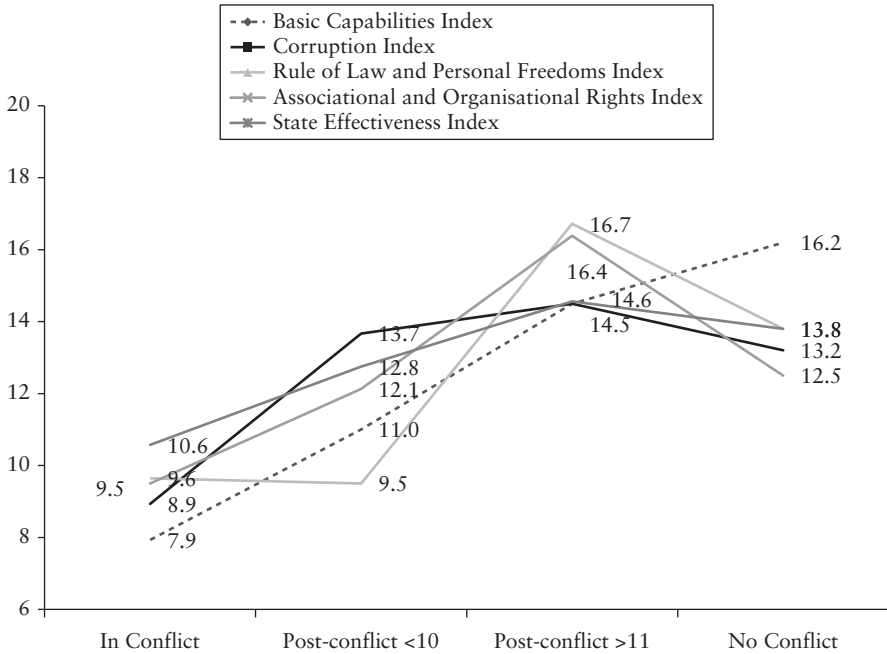
Figure 3.13   Mean ranks for external environment indicators by stage in conflict continuum

Conclusion

As can be seen by the above analysis, civil society appears to experience changes in the CSI dimensions as the continuum progresses from conflict to the goal of sustainable peace. Though the CSI data are not longitudinal and therefore differences in a civil society cannot be tracked in a particular country through the stages of the continuum, the data do show a tendency that civil society grows and strengthens after conflict as countries rebuild and recover. In particular, Civic Engagement, Perception of Impact and the External Environment all increase for the better along the continuum from conflict, to post-conflict for ten years or less, to post-conflict for eleven years or longer. The Level of Organization and Practice of Values also increase from countries in conflict to the post-conflict stages. However, the Level of Organization plateaus between the two post-conflict stages, and post-conflict <10 is the strongest stage for the Practice of Values dimension. Though these patterns of increase from In Conflict to the post-conflict stages are expected due to the destructive nature of conflict for all areas of society, including the physical infrastructure, the social fabric that binds a community, large or small, together, and the mental

and psychological well-being of all walks of life, a number of noteworthy trends were also uncovered.

Perhaps most surprising is that the countries that were classified as having not been in a conflict since 1945 did not follow the expected pattern of the continuum. As they have not been in conflict, it would have been easy to predict these countries as having the strongest civil society. If they have not been at war, then are they not enjoying a sustainable peace? Yet these countries were frequently amongst the lowest scoring groups. They had the second lowest overall average for Civic Engagement, the lowest numbers of volunteers and diversity in civil membership in socially-based CSOs, tied with the In Conflict group for the lowest Level of Organization dimension average score, had the lowest percentage of CSOs belonging to networks, and the lowest peer-to peer communication through meetings. They are also the least likely to have civil society practise the values that it espouses.

 However, as noted, some of the countries that make up this group (Belarus, Bulgaria, Kazakhstan and Uruguay) have struggled in many ways akin to conflict, and thus this grouping is not truly representative of the stable, peaceful countries one might assume to belong in this category. This finding therefore illustrates both the difficulties in defining conflict mentioned earlier and the notion that the absence of conflict does not equal peace. Just because these countries have not experienced war as defined by this research does not mean that they are naturally healthy societies or that civil society will be healthier within them. It also reflects the limitations of the small sample of countries in the CSI 2008–2011 data. Further research would need to take a closer look at whether countries that are more typically considered peaceful do indeed have a stronger civil society.

Also of great interest is the finding that countries in conflict are the least likely to view civil society as having a role in the promotion of non-violence and peace. Considering the vast amounts and types of work that civil society engages in related specifically to promoting peace and non-violence in conflict countries, it would be worthwhile to determine why these countries that are perhaps in most need of this work are less likely to believe there is a role for it.

Countries that have been in a post-conflict status for eleven years or longer appear to have the strongest civil society in many aspects: they enjoy the highest engagement of citizens as members and volunteers of both socially-based and politically-based CSOs, diversity in membership of socially-based CSOs and participation through individual activism. These countries have stronger levels of organization as a whole, and higher peer-to-peer communication through meetings and exchange of information, and more international linkages. They also perceive more positive outcomes for an organization's policy activity. Countries in post-conflict for eleven years or more also have the most favourable external environment as a whole. They function with the highest state effectiveness, enjoy the most associational and organizational rights, and have stronger rule of law and more personal freedoms.

However, as mentioned earlier, the ideal situation (after having no conflict at all) is for civil society to be equally strong through every stage of the continuum from conflict to peace, and in countries where there has not been conflict; for civil society to grow and adapt according to the situation it finds itself in (including impacting on that situation). Therefore, the findings of this exploratory study spark the need for further research as identified in the above discussions in order to discover why these differences in civil society occur. This future research should extend the sample of countries, and should include countries more typically considered not to have a history of conflict or political strife. A useful approach would be the combination of the methodology of this study with that of Dudouet (2007) for a historical-longitudinal examination of civil society in the many countries that have now experienced post-conflict life for a number of years to determine if a country's civil society experiences the same patterns along the continuum of conflict-to-peace that were presented here.

Civil society has a long-standing role throughout conflict and the continuum to sustainable peace. This study has flagged several features experienced by civil society in different stages along that path, of which all involved can take advantage. This in turn will increase civil society development and impact. Civil society can help prevent, end and heal violent conflict. A strong functioning civil society that understands and therefore uses, adapts to, or outright changes the playing field, and is supported by its beneficiaries, governments, donors and other stakeholders can do it faster and better.

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An Exploratory Analysis of
Civil Society and Transitional Justice

Tricia D. Olsen, Leigh A. Payne and Andrew G. Reiter

Introduction

Societies emerging from periods of state repression and armed conflict have pursued a range of processes intended to address past human rights violations. The array of mechanisms available to states are collectively referred to as transitional justice, and include a variety of distinct models: truth commissions, trials and vetting processes intended to hold perpetrators accountable; victim-oriented restorative justice processes, including reparations, monuments and public memory projects; and amnesties that seek to officially recognize but pardon past criminal acts. Despite significant geographic and institutional variations, transitional justice mechanisms share a common set of goals: to avoid 'repeating, re-enacting or reliving past horrors'; deter future violations; and restore the dignity of citizens victimized by atrocity (Bhargava 2000: 54).

Recent efforts under way in Colombia, Indonesia, Liberia and Uganda suggest that transitional justice is not just a mechanism used in past efforts at democratization, but will continue to remain at the forefront of international and domestic policymaking to deal with political violence. In addition, transitional justice does not emerge solely in response to international pressure, but also due to the concerted efforts of civil society. Scholars note that civil society has often played a key role in promoting and supporting transitional justice mechanisms (Backer 2003; Brahm 2007; Crocker 1999; Roht-Arriaza 2002) and contend that the strength of civil society is an important predictor of the success of such efforts (Hayner 2005). In addition, scholars argue that transitional justice mechanisms can contribute to a stronger civil society. The act of officially addressing past human rights violations contributes to deeper democracies with stronger rule of law, and an increased respect for human rights, all of which facilitate the growth of civil society. Yet research on the relationship between civil society and transitional justice is still in its incipient stage; scholars have conducted few empirical analyses to date. This is largely due to the lack of sufficient data on civil society. The new data on civil society collected by the CSI project allow us to begin exploring this important relationship.

This chapter begins with a brief review of the academic literature on the role of civil society in the transitional justice process and the effect of transitional justice mechanisms on civil society. An assumption exists in the transitional justice literature that a stronger civil society should push states towards particular transitional justice choices. In addition, scholarly approaches to transitional justice assume that these mechanisms will strengthen civil society. After presenting those arguments, we assess the plausibility of this relationship using the new CSI data in conjunction with the Transitional Justice Data Base (TJDB). We then summarize our findings and conclude the chapter with an assessment of the implications of these findings and suggestions for future research to unpack the relationship between civil society and transitional justice further.

Transitional justice mechanisms and civil society

Transitional justice can be conceived as the array of processes designed to address past human rights violations. While scholars debate which mechanisms, or combination of mechanisms, work most effectively, they generally concur that transitional justice plays a crucial role in promoting peace, stability, human rights and democracy (Sikkink & Walling 2007; Olsen *et al*. 2010; Wiebelhaus-Brahm 2010; Kim & Sikkink 2010).

Four main theoretical approaches to transitional justice and human rights violations exist in the literature. The first three consider the value of particular transitional justice mechanisms in advancing democracy and human rights. Placing these three approaches on a spectrum of accountability, a 'maximalist' approach advocates the highest level of accountability through human rights trials and perpetrator-focused retributive justice. A 'moderate' approach advances truth commissions as an alternative, victim-oriented restorative justice mechanism focusing on non-judicial processes. A 'minimalist' approach warns against retributive justice, contending that amnesty provides the stability necessary to nurture democracy and human rights regimes. The fourth 'holistic' approach rejects single mechanisms as insufficient to cope with the magnitude of problems new democracies face, and promotes multiple mechanisms used in combination. While these approaches disagree on the mechanism or combination of mechanisms that work most effectively, all agree that transitional justice in some form can aid in strengthening democracy, building rule of law and increasing respect for human rights, all of which, in turn, facilitate the growth of civil society.

In short, when examining countries that have undergone a successful democratic transition, we would expect to see a strong correlation or association between the transitional justice mechanisms a country adopted and the strength of its civil society. In particular, we would expect to see a stronger civil society in those cases in which the government used transitional justice to

address the abuses of the former authoritarian regime. In cases where the new regime was unwilling or unable to engage with the past, we should find weaker democracies and, more specifically, weaker civil society.

A substantial literature also seeks to understand why states make the transitional justice choices that they do. Indeed, scholars have identified a number of key factors that explain transitional justice outcomes, including the severity and nature of past violence, the type of transition to peace, the background of political leaders, the state of the economy, and the presence of international governmental and non-governmental organizations (Olsen *et al*. 2010). Among those factors is the strength of civil society. Civil society, especially in countries that have recently transitioned to democracy, may play an important role in pushing democratic leaders to seek redress for past atrocities. In doing so, civil society can affect transitional justice outcomes through a number of mechanisms. It can serve a public deliberation function and help prioritize the needs of a state after mass atrocity (Crocker 1999). Moreover, civil society groups can aid in mobilizing the broader society to participate in transitional justice efforts (Brahm 2007). Civil society can also act as an interlocutor between those implementing the mechanisms and the masses, providing important local knowledge and context (Roht-Arriaza 2002). Indeed, civil society may likely play a strong role in contexts of low state capacity or where political leaders encourage participation of civil society actors (Backer 2003: 301).[1]

Civil society can also play a more direct role in influencing the design and operation of a variety of transitional justice mechanisms (Duthie 2009), including truth commissions (Hayner 2001; Pajibo 2007), reparations programmes (OUNHRC 2008: 15–16; Roht-Arriaza 2002), prosecutions (Brahm 2007) and institutional reform (Mayer-Rieckh & de Greiff 2007). The literature broadly assumes that civil society will push the state to adopt mechanisms of accountability. The new, democratic state may feel the pressure of an organized civil society to address past atrocities with mechanisms of accountability, such as trials and truth commissions. Mechanisms that absolve past perpetrators, such as amnesties, may prove unacceptable to a strong civil society intent on seeking justice.

Yet civil society is not always active in transitional justice decisions or effective in achieving its goals. Indeed, civil society mobilization may face constraints from the legacy of a repressive rule that restricted political organization. Post-conflict and post-authoritarian states tend to produce weak, disorganized and politically fragmented civil societies, lacking resources and sufficient autonomy to operate effectively (Backer 2003; Brahm 2007; Crocker 1999). CSI data, as illustrated in Chapter 3 of this volume, broadly support these findings as well. Civil society in countries that are ten years (or less) post-conflict tends to be weaker than in countries that experienced conflict over eleven years or more. The kind of transitional justice advocated by civil society may also depend on socio-economic conditions, since socio-economic crisis

tends to be associated with a demand for development-oriented policies over costly trials (Elster 2004).

In summary, the academic literature suggests that a strong, well-connected civil society that is more autonomous from interference from the government will be more effective in pushing for a comprehensive transitional justice agenda in states emerging from periods of human rights violations. Alternatively, state actors may not feel the pressure to remedy past atrocities with mechanisms of accountability when there is no demand for such action. Instead, they may be likely to adopt amnesties to avoid activating potential spoilers intent on disrupting the transition process. In addition, transitional justice choices may also influence civil society.

Though we are unable to assess the causal nature of what may be an endogenous relationship, we are able to explore the existence of such an association. In this study, we will assess this relationship using the existing TJDB and the newly collected CSI data. In particular, we will examine the following set of questions:

- Is a strong civil society associated with transitional justice mechanisms, while a weak civil society is not?

- Is a strong civil society associated with particular types of transitional justice mechanisms over others?

- Does evidence support the claim that transitional justice mechanisms strengthen civil society? If so, which mechanisms correlate with a stronger civil society?

Data and methodology

The TJDB includes data on five transitional justice mechanisms – trials, truth commissions, amnesties, reparations and lustration – for all countries in the world from 1970 to 2007. The beginning of this time frame corresponds roughly to the start of the third wave of democracy, in which transitional justice began to assume a more prominent role in the aftermath of political transitions (Huntington 1991).

We code trials where perpetrators of human rights violations are held criminally accountable in a court of law. To be counted in the dataset, a verdict must conclude the trial. We define truth commissions as newly established, temporary bodies officially sanctioned by the state or an international governmental organization to investigate a pattern of human rights abuses.[2] We include amnesties in our dataset, despite the fact that many prominent transitional justice studies exclude them (e.g. Roht-Arriaza & Mariezcurrena 2006).[3] As Snyder and Vinjamuri (2003) and others confirm, state leaders

consider amnesty a tool for resolving past atrocities. An official declaration of an amnesty by a state serves as a formal acknowledgement of the crimes committed. This public acknowledgement potentially influences societal understanding of past atrocities and legitimizes victims' claims against perpetrators. We code amnesties when a state officially declares that those accused or convicted of human rights violations, whether individuals or groups, will not be prosecuted, further prosecuted, and/or will be pardoned for their crimes and released from prison. Note that our analysis includes amnesties implemented prior to the transition when they continue to protect perpetrators of past human rights violations from prosecution during the democratic period.[4] In our larger data set we include reparations and lustrations with reparations defined as a state's official granting of monetary payments, property, or other forms of restitution or monetary value to victims of past human rights abuses (see De Greiff 2006)[5] and lustration defined as vetting or purging individuals from positions they currently hold and/or banning them from holding specific positions in the future (see Mayer-Rieckh & De Greiff 2007). We constructed the data base by systematically analyzing one primary source: *Keesing's World News Archives*.[6]

When analyzing transitional justice, we focus on a sample of cases that consists of all transitions to democracy between 1970 and 2004. To determine when a transition occurred, we rely on Polity IV's Regime Transition Variable.[7] Polity provides several methods for identifying transitions: a three or more point increase in the democracy (POLITY) score; a move from autocracy (a negative or zero POLITY score) to either a partial democracy (a 1–6 POLITY score) or a full democracy (a 7–10 POLITY score); and particular scores on the regime transition (REGTRANS) variable (i.e. 97 for state transformation or 99 for state creation) when the first year of the new polity is a partial or full democracy and the previous polity was autocratic. With this, our analysis yields ninety-one transitions to democracy in seventy-four countries during this period.

We have faced certain constraints in incorporating the CSI data into our analysis. First, the CSI sample does not yet include all countries of the world, or all transitional countries; the dataset given to authors for the development of this volume includes data on twenty-five countries from 2008 to 2011, eighteen of which transitioned to democracy since 1970 and which are included in the seventy-four cases of our sample. Second, the non-random set of countries does not lend itself to utilizing regression analysis to assess any type of causal relationship between civil society and transitional justice. Third, the CSI data reflect a measure of civil society at one point in time, posing challenges for understanding the degree to which civil society influences transitional justice choices or the impact on civil society of those choices. Nonetheless, the unique data on civil society provided by the CSI allow us to assess, for the first time, the relationship between civil society and transitional justice outlined in the

three sets of questions above. That is, we aim to determine if transitional justice choices are associated with particular types of civil society.

With these data, we can investigate whether there is a difference between sets of countries, as identified by their transitional justice choices. Thus, we are able to use the data to explore the state of civil society today in relation to the transitional justice choices in the transitional countries found in the CSI dataset. To probe the questions listed above, we ask: is there a significant difference between the state of civil society in those countries that pursued transitional justice and those that did not? Does civil society significantly differ in countries that pursued paths utilizing multiple or single mechanisms to address past crimes? In addition, we can delve further into the characteristics of civil society by differentiating between broader civil society and human rights groups in particular. In the next section of this chapter, we first provide basic information about transitional justice choices of the countries in the CSI sample. We then begin to explore the questions mentioned above using the CSI and TJDB datasets.

Transitional justice choices of CSI sample

Of the eighteen countries in the CSI dataset used for this volume that experienced a transition to democracy since 1970, ten adopted some form of transitional justice after their transition. Table 4.1 lists the transitional justice mechanisms they employed. Four countries implemented all three transitional justice mechanisms: Argentina, Chile, South Korea and Uruguay adopted trials, truth commissions and amnesties in varying order. One country, Albania, utilized trials and an amnesty. The Philippines, alternatively, incorporated a truth commission and amnesties. Liberia and Mexico are the only cases that used truth commissions alone. Bulgaria is the only country in the sample that only held prosecutions; Nicaragua granted only amnesties. The remaining eight countries in the CSI sample that experienced a transition did not adopt any transitional justice mechanisms (Armenia, Belarus, Croatia, Georgia, Russia, Slovenia, Turkey and Zambia).

Exploring CSI data for transitional countries

The CSI data used in this analysis come from the Organizational Survey. This survey asks a number of interesting questions about CSOs' interaction with peer institutions, their funding sources and perceptions about the activity and efficacy of civil society more broadly. By exploring these questions, we aim to gain a better understanding of the connectedness, independence and perceived effectiveness of CSOs in general.

Table 4.1 Transitional justice mechanisms in CSI transitional countries

Country and transition year	Trials	Truth commissions	Amnesties
Argentina 1973, 1983	1984–87, 2006	1983–85	1973, 1983, 1986, 1987, 1989, 1990
Chile 1989	1993, 1999	1990–91, 2003–04	1978
South Korea 1988	1996	2000–02	1997
Uruguay 1985	2006–07	1985, 2000–03	1986
Albania 1992, 1997	1992, 1996	—	1997
Philippines 1987	—	1986–87	1987, 1994
Liberia 1997	—	2005–08	—
Mexico 1997	—	2001	—
Bulgaria 1990	1993	—	—
Nicaragua 1990	—	—	1988, 1990
Armenia 1991, 1998	—	—	—
Belarus 1991	—	—	—
Croatia 2000	—	—	—
Georgia 1991	—	—	—
Russia 1992	—	—	—
Slovenia 1991	—	—	—
Turkey 1973, 1983	—	—	—
Zambia 1991	—	—	—

Note: Of the countries that utilized transitional justice mechanisms, Albania and Argentina experienced more than one transition during the period of analysis (1970–2008) as designated by the multiple years listed under the country name. Also, as noted in the data and methodology section, we include amnesties implemented prior to the transition where they still have legal effect in the post-transition period.

We also assess a sub-sector of CSOs and look specifically at human rights organizations/non-governmental organizations (NGOs). Much of the qualitative work on civil society and transitional justice emphasizes the role that human rights organizations, in particular, play in affecting transitional justice outcomes. In addition, a closer look at this sub-sector allows us to assess whether the characteristics that are associated with CSOs hold for human rights organizations/NGOs. Indeed, we would expect to see a stronger relationship for the latter group. It is important to note, however, that the institutions surveyed for the CIVICUS data are not a representative sample of all CSOs in a given country. Another cautionary note is that the surveyed organizations self-identify in a sub-category that includes 'NGOs, civic groups, and human rights organizations', as identified by a survey question (Q2). We also assess the connectedness of civil society, and thus the strength of civil society networks at large, by exploring another question (Q9)[8] which asks whether the CSO in question has held meetings with other organizations working on similar issues in the last three months.

Next, we turn to questions of funding. We examine funding sources to understand the extent to which CSOs have more autonomous (i.e. non-state) and/or multiple sources of funding. The survey asks respondents to provide percentage estimates of their funding sources (Q11), which include funding from the following sources: government, domestic corporate funders, foreign donors, individual donations, membership fees, service fees/sales, and other.[9]

Finally, we also want to explore the perceived effectiveness of civil society across this set of cases. We aim to assess how CSOs view the use of violence by other actors within civil society and the possibilities to redress such violence. In doing so, we are able to assess the extent to which CSOs in general, and human rights organizations in particular, understand their own effectiveness. We utilize a question (Q15a)[10] that asks: 'Are there any forces within civil society that use violence (aggression, hostility, brutality and/or fighting) to express their interests?' We couple it with another question about the prospects for peace building (Q20)[11]: 'How would you assess civil society's current role in promoting non-violence and peace in your country?' Respondents can determine their role to be insignificant, limited, moderate, or significant. Finally, in an attempt to understand potential challenges that CSOs face, we also explore a question that asks about the perceived legal environment in each country (Q36 and Q37). We begin by exploring some of these data below.

Beginning at the most basic level, we want to examine the general make-up of CSOs in the sample of countries. Table 4.2 illustrates the number of respondents included in the survey and the number of organizations that self-reported as being 'NGOs/civic groups/human rights organizations.' Though these data are not a representative sample, we have listed the total number of respondents simply to gain a rough understanding of the distribution of CSO respondents and the subset of organizations that work on human rights issues.

Table 4.2 CSO data by country

Country	Total CSO respondents	Percentage (count) of NGOs/ human rights organizations
Albania	90	23.3% (21)
Argentina	212	35.8% (76)
Armenia	113	17.7% (20)
Belarus	122	5.7% (7)
Bulgaria	156	2.6% (4)
Chile	90	36.7% (33)
Croatia	210	10.0% (21)
Georgia	101	30.7% (31)
Liberia	102	21.6% (22)
Mexico	349	2.6% (9)
Nicaragua	141	0.0% (0)
Philippines	109	0.9% (1)
Slovenia	94	5.3% (5)
South Korea	100	30.0% (30)
Turkey	142	25.4% (36)
Uruguay	116	19.8% (23)
Zambia	90	40.0% (36)

Note: Many data points are missing for Russia and thus it is excluded from this analysis.

Characteristics of CSOs and human rights organizations

We are interested in exploring whether the characteristics of CSOs vary across states, according to the transitional justice choices. Exploring the CSOs more carefully will allow us to assess whether there is an association between characteristics of civil society and transitional justice choices. In particular, we assess CSOs' connectedness, autonomy and effectiveness.

The CSI Organizational Survey provides data about the activities of particular CSOs and whether these CSOs interact with other organizations. Such data would provide some insight as to how interconnected civic actors are and whether they engage with one another. The vast majority of institutions in the entire sample – 73 per cent – held meetings with other organizations working on similar issues in the last three months.[12] This number is even higher when calculating the average from the sub-set of human rights organizations. Nearly nine in ten – 88.8 per cent – human rights organizations held meetings with peer institutions in the recent past.

Figure 4.1 breaks down these broad trends by transitional justice choice. Note that the categories used here are the result of the cases included in this dataset: four countries adopted all three mechanisms; two others implemented multiple mechanisms; four employed single mechanisms alone; and eight countries had no transitional justice. Figure 4.1 illustrates that the vast majority of CSOs and human rights organizations work together, regardless of the transitional justice decision. Interestingly, the interconnectedness of CSOs tends to be positively correlated with the transitional justice categories. We observe that those countries with multiple transitional justice mechanisms have more connectedness across CSOs than those that have not adopted any transitional justice mechanisms. Within the human rights sub-sample, however, their activity appears to be at its height in those countries that have not yet adopted transitional justice mechanisms. This finding suggests that human rights organizations are more connected in those countries that have no transitional justice relative to peer organizations in countries that have adopted transitional justice mechanisms, whether single, multiple or all.
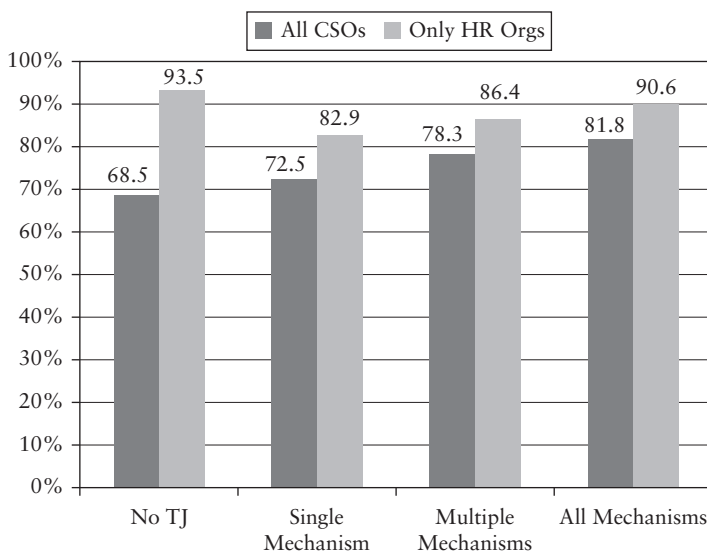

Figure 4.1 **CSOs and human rights organizations that hold meetings (percentage)**[13]
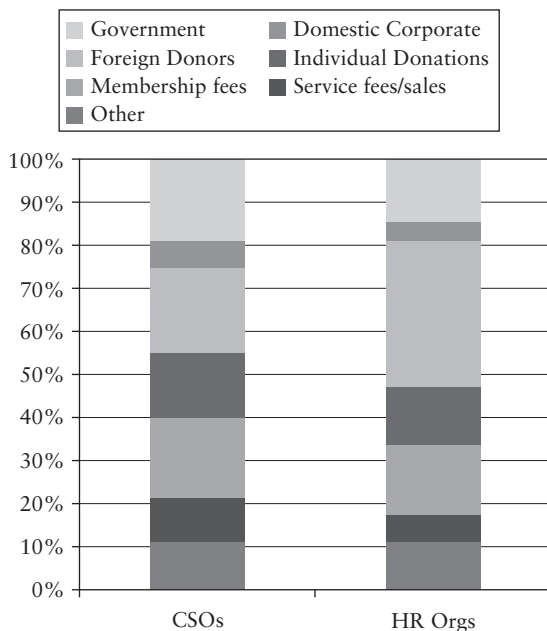
Figure 4.2 Sources of funding in transition countries sub-set (percentage)

The data show that most organizations rely on foreign donors, membership fees, individual donations and government funds. Comparing the broader CSO sector in transition countries with human rights organizations, in particular, we see that CSOs as a whole tend to rely more heavily on government funding, as illustrated in Figure 4.2, than human rights organizations do. Compared to the entire set of respondents, however, human rights organizations receive a larger percentage of their funding from foreign donors. Over three in ten dollars (34.1 per cent of funding) for human rights organizations come from foreign donors whereas only two in ten dollars (20.7 per cent) come from foreign donors for the broader group of CSOs. CSOs in general obtain funding from foreign donors but also receive much of their funding through membership fees, the government and individual donations. Human rights organizations also rely on membership fees and individual donations, but to a lesser extent. As Figure 4.2 illustrates, financing for CSOs, in general, originates from equally diverse sources while financing for human rights organizations is more biased towards one type of income, which might hint at potentially greater influence from foreign donors for those organizations, in particular.

This does suggest that human rights organizations have maintained some autonomy from the state. Though these organizations still use state funding, they draw on other sources equally if not more. Figure 4.3 displays the main funding sources for CSOs by a country's transitional justice choice. In general, financing from the government represents a substantial portion of funding,
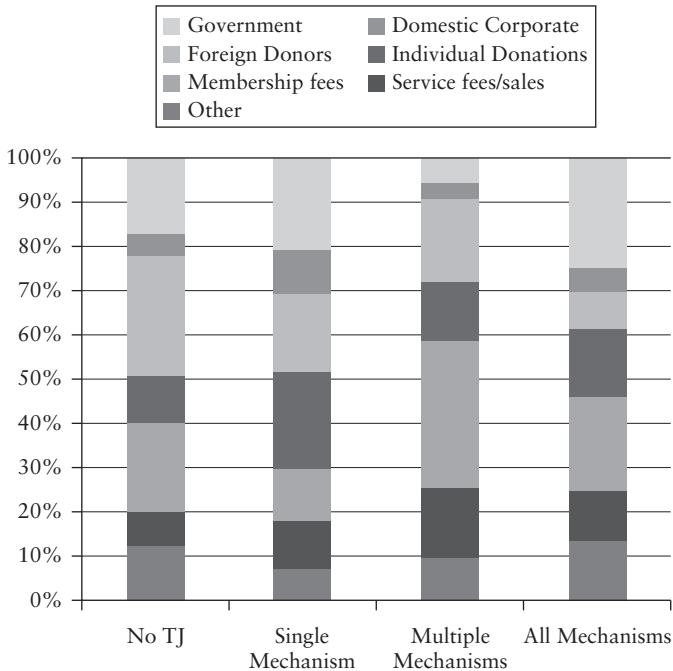
Figure 4.3 CSO funding by transitional justice category (percentage)

except for those countries in the multiple mechanism category. Interestingly, CSOs in countries that have not had transitional justice tend to receive the most funding from foreign donors (29 per cent). Donors may concentrate their resources in countries that have not employed transitional justice in an effort to help them do so. Those countries that have utilized only one mechanism rely primarily on individual donations (26 per cent). Alternatively, countries with multiple mechanisms rely more on membership fees (35 per cent). Those countries that have employed all three transitional justice mechanisms have diverse funding sources, though they rely primarily on funding from government, membership fees and foreign donors. When comparing countries by grouping, those countries that utilized all transitional justice mechanisms illustrate less variance across the funding categories compared to those countries that did not adopt transitional justice or utilized only single or multiple transitional justice mechanisms.

Figure 4.4 illustrates similar data for human rights organizations disaggregated by the transitional justice category. Human rights organizations rely more heavily on foreign donations than the broader CSO sector, except in those cases where all three transitional justice mechanisms were adopted, where funding sources for that category are roughly similar to those presented above. Those human rights organizations working in countries that have not yet adopted transitional justice receive over fifty per cent of their funding from foreign
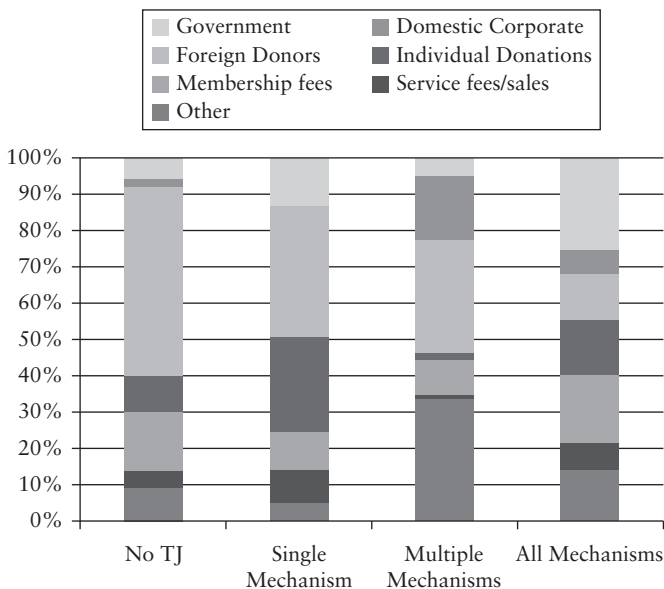
**Figure 4.4 Human rights organization funding by transitional justice category
(percentage)**

donors. Alternatively, these organizations receive very little money from the
government, indicating that these institutions, in terms of funding, are relatively
autonomous from the state. In general, organizations across all categories, save
in those countries that adopted all transitional justice mechanisms, rely heavily
on foreign donations. Human rights organizations in those countries that have
adopted transitional justice mechanisms receive substantially more funding
from the government, though this trend appears only for those countries that
utilized a single mechanism and those that employed all three transitional justice
mechanisms. In those countries that have not adopted transitional justice and
those countries that utilized multiple mechanisms, human rights organizations
receive relatively less funding from the government. This might be indicative of
a new democracy's commitment to securing and institutionalizing respect for
human rights. Like the CSOs above, human rights organizations in countries
that have only utilized a single mechanism also receive substantial funding
(40 per cent) from individual donations. Not surprisingly, membership fees
and service fees represent a small portion of the funding for human rights
organizations compared to the broader CSO sector.

  Turning to CSOs' perceptions of their effectiveness, we assess how they
view their role in promoting non-violence and peace. In both the broader CSO
sample (Figure 4.5) and the human rights organization sub-sample (Figure 4.6),
civil society looks more empowered in those countries that have utilized some
type of transitional justice. Those countries with no transitional justice have

Figure 4.5 Role of civil society in promoting non-violence and peace for CSOs by transitional justice category (percentage)

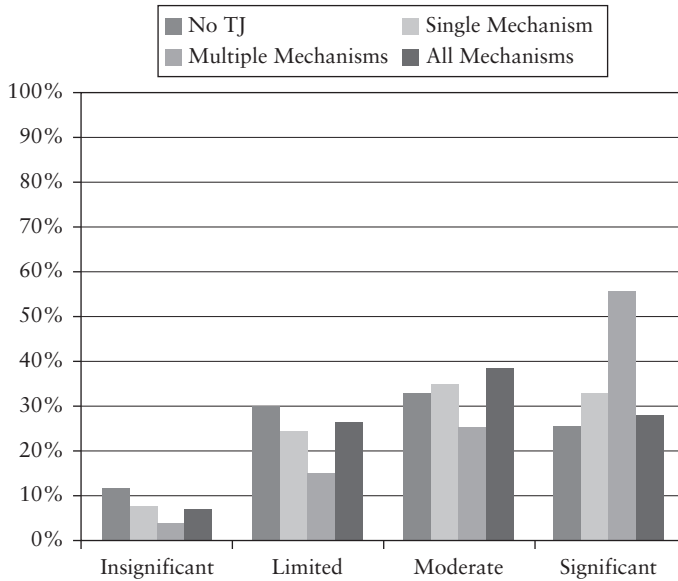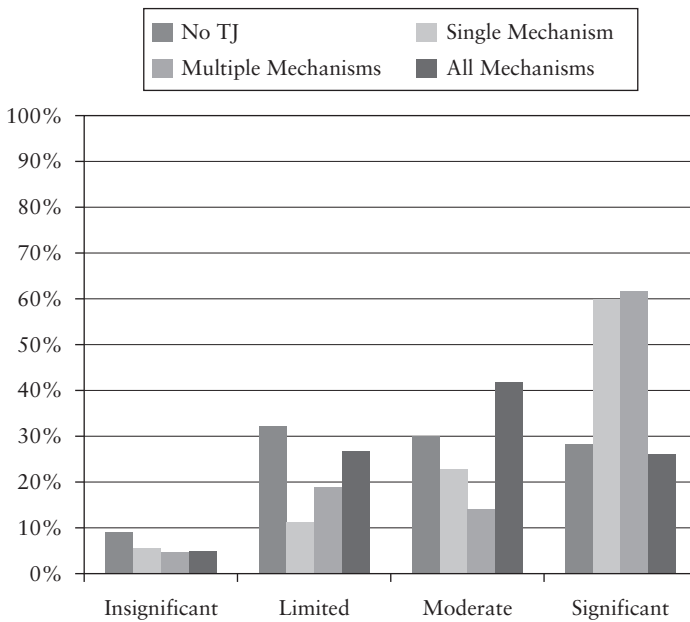
Figure 4.6 Role of civil society in promoting non-violence and peace for human rights organizations by transitional justice category (percentage)

a larger portion of CSOs and human rights organizations that report that the role of civil society in promoting non-violence and peace is either insignificant or limited.

Alternatively, in those countries with transitional justice, a much higher percentage (again, across Figures 4.5 and 4.6) illustrates that respondents feel civil society's role in promoting non-violence and peace in their country has a moderate or significant effect. This is especially true for CSOs in those countries that utilized single or multiple mechanisms (see the positive trend across categories in Figure 4.5 for this sub-group). Given the timing of the data presented here, it is impossible to say whether a strong civil society pushes for transitional justice or if transitional justice creates strong civil society. It is nonetheless remarkable that, even long after transitions, the differences in responses between those countries with and those without transitional justice mechanisms endure.

One particular trend worth noting in Figure 4.6 is that those countries that employed all three mechanisms – trials, truth commissions and amnesties – more frequently reported only a limited or moderate effect of civil society's role in promoting non-violence and peace relative to countries that only adopted single or multiple transitional justice mechanisms. Alternatively, in those countries that only adopted single or multiple mechanisms, the perception that civil society can have a significant effect in promoting non-violence and peace is higher than in those countries that utilized all three mechanisms. Of course, this may be because there is no longer a need for civil society to have a significant effect if concerns about addressing past atrocities have largely been resolved. It may also be because, even when transitional justice mechanisms are adopted, human rights groups feel their needs have not been adequately met.

We also investigated another question in the survey to assess the extent to which respondents feel civil society has an effect on policymaking (Q32).[14] Figure 4.7 illustrates that, overall, CSOs in countries that adopted some form of transitional justice are more likely to assert that civil society has some effect on policymaking. While the majority of respondents in countries without transitional justice said that civil society had only a limited impact or no impact at all, those in the other transitional justice categories stated civil society's impact was either limited, tangible, or high. The largest category in the high impact category were respondents from those countries that employed multiple mechanisms. Within those countries that utilized all three transitional justice mechanisms, the modal category for respondents is that civil society's effect on policymaking is limited.

These trends are somewhat similar in the sub-sample of human rights organizations (see Figure 4.8). Most notably, a majority of respondents in countries that utilized multiple mechanisms are far more likely to answer that civil society has some tangible impact on policymaking, relative to respondents in countries with other transitional justice choices. Likewise, human rights
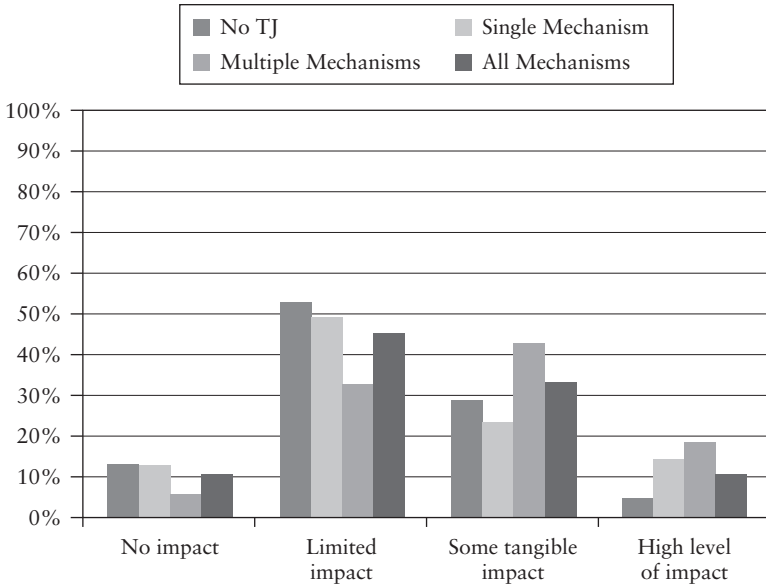
Figure 4.7 Effect of civil society on policymaking for CSOs (percentage)
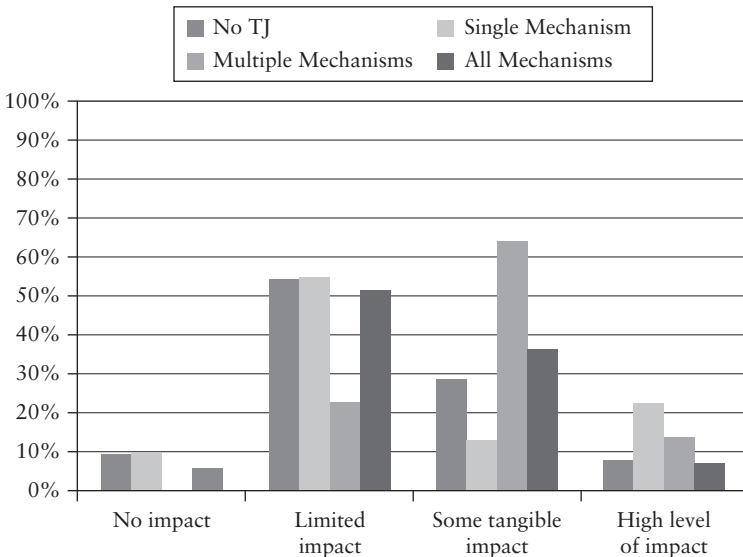
Figure 4.8 Effect of civil society on policymaking for human rights organizations (percentage)

organizations in countries that adopted a single mechanism were more likely than their broader CSO counterparts to report having a high level of impact on policy. The majority of human rights organizations, like CSOs in general, in countries with all three transitional justice mechanisms answered that civil society only has a limited impact on policymaking.

Finally, to gain some understanding of the impediments or challenges civil society faces, we also highlight a question asked about the legal environment in which these organizations work. Across the board, few organizations perceive that the legal environment is fully enabling. Indeed, the sample of CSO respondents appears to be almost split between stating that the legal environment is quite limiting or moderately enabling (Figure 4.9). This is
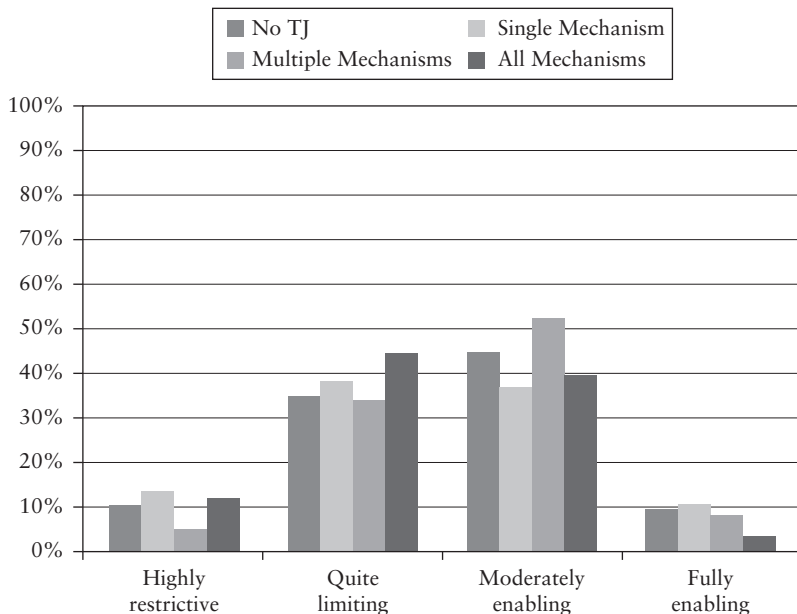
Figure 4.9 Perceptions of legal environment by CSOs (percentage)
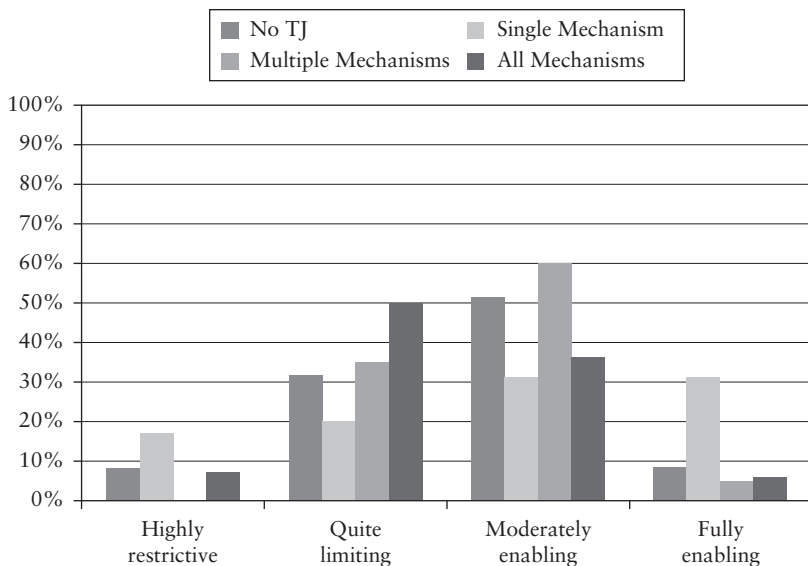
Figure 4.10 Perceptions of legal environment by human rights organizations (percentage)

generally consistent for both CSOs in general and human rights organizations in particular. Figure 4.9 illustrates that more respondents in countries with all three mechanisms perceive the legal environment to be quite limiting; this trend holds for human rights organizations as well (44.5 and 50.3 per cent, respectively). As shown in Figure 4.10, human rights organizations in countries that utilized no transitional justice are, unexpectedly, most likely to respond that the legal environment is moderately enabling (51.7 per cent). Likewise, those countries that only adopted a single mechanism find that the legal environment is either moderately enabling or fully enabling.

Analysis and findings

This preliminary analysis assessed the extent to which civil society in newly-democratized countries that employed transitional justice differs from civil society in those countries that did not. In addition, we also explored if selected civil society measures varied by groups of countries, based on their transitional justice choices. In particular, we assessed whether those countries that utilized all three mechanisms, for example, differed from those that only implemented single mechanisms or no transitional justice at all. Finally, this analysis also assessed whether there were differences between CSOs in general and human rights organizations in particular.

The CSI data allowed us to uncover a number of interesting findings about the relationship between civil society and transitional justice. First, civil society is well-connected across all cases analyzed here. Most organizations reach out to their peer organizations, indicating that there is substantial networking and socializing across civic organizations. This trend is especially evident for human rights organizations, as indicated in Figure 4.1, in those countries with no transitional justice. Human rights organizations appear to have higher connectivity than the broader spectrum of CSOs regardless of a country's transitional justice choice. Human rights organizations are connected across countries, but more so in those cases that have not utilized transitional justice. The overall connectivity of both CSOs and human rights organizations, however, is quite high across cases.

Funding also varies substantially. We found that human rights organizations, in general, rely more heavily on funding from foreign donors, whereas CSOs draw upon this source relatively less. When we break funding sources down by transitional justice mechanisms, some interesting patterns emerge. CSOs in those countries with no transitional justice rely heavily on foreign donors. Funding patterns from government are somewhat consistent, however, for human rights organizations and broader CSOs across cases. Those cases with single or multiple mechanisms receive slightly more government funding than the other categories, but the difference is small. Where all three mechanisms

were used, human rights organizations and CSOs in general use almost equally funding from government. Interestingly, individual donations are highest in countries that have utilized only single mechanisms.

This may mean that human rights organizations – especially in countries with no transitional justice – do have financial autonomy from the government, whether they desire it or not. Wealthy individuals may be providing some funds toward advocating for additional transitional justice mechanisms in those countries that have thus far only utilized a single mechanism. We find no evidence that governments are funding human rights activities post-transition to infringe on their autonomy to challenge the state. Instead, we find that these organizations rely more heavily on funding from foreign donations. Funding from foreign donors may facilitate civil society's work in pushing states to adopt transitional justice mechanisms that hold past perpetrators accountable. While foreign funding could strengthen CSOs' ability to advocate for transitional justice, it may also bring into question the legitimacy or sincerity of those organizations' efforts. CSOs in those countries that have utilized single or multiple transitional justice mechanisms rely almost equally on government and foreign funds. Government leaders may be interested in ensuring past atrocities do not occur again and as such are prepared to fund these organizations. Alternatively, they may view transitional justice as a means by which they can increase their political or economic power or leverage (Subotić 2009). While funding from the state could lower the autonomy human rights organizations or CSOs in general have to challenge the state, the CSI data illustrate that financing from the state only represents about a fifth of CSO and human rights funding.

In terms of perceptions of effectiveness of civil society, trends emerge as well across the transitional justice cases identified here. CSO respondents in countries with no transitional justice reported with greater frequency that the role of civil society in promoting peace and non-violence was either insignificant or limited more so than those CSOs in countries that had utilized transitional justice mechanisms. Such a trend was even more pronounced for the human rights organization sub-set. The perceived effectiveness of civil society in promoting peace and non-violence was more frequently reported to be significant or moderate in those countries that utilized single or multiple mechanisms, even when compared to countries that utilized all three mechanisms.

Such patterns may indicate that failed efforts to address the past or simply ignoring the past results in a civil society that assesses its own effectiveness as quite low. Alternatively, in those cases that have used single or multiple transitional justice mechanisms, respondents are more likely to report that civil society could play a significant role in promoting non-violence and peace. These organizations, having pushed the state to adopt transitional justice mechanisms, may be simply reflecting on their own effectiveness. Or, the adoption of transitional justice mechanisms may also have a positive influence

on civil society more broadly, as individuals have seen organizations engage with one another in an effort to redress past atrocities.

Civil society's perceived effect on policymaking, however, illustrates some interesting patterns. Both CSOs in general and human rights organizations in particular are generally more likely to report that civil society has a limited impact on policymaking. This trend holds when assessing the responses of organizations in countries that have utilized all three transitional justice mechanisms. In countries that adopted multiple mechanisms, however, respondents tend to report that civil society has some tangible impact. Such patterns could be a result of timing. Organizations that aimed to influence policy during the transition period may have been more effective during the transition and now feel that they are limited. Alternatively, human rights organizations in countries that continue to remain active, advocating additional action from the state, might perceive civil society's effectiveness to be somewhat tangible.

Finally, we also aimed to assess some of the challenges CSOs face regarding the legal environment within which they must work. Interestingly, CSOs in general and human rights organizations in particular are more likely to report a moderately enabling legal environment in those countries with no transitional justice. Conversely, we find that these organizations are less satisfied with the legal environment where transitional justice has been adopted. A high percentage of respondents in countries that utilized transitional justice perceive that the legal environment was quite limiting or moderately enabling (44.5 and 39.8 per cent, respectively). This suggests that there may still be a long way to go in terms of strengthening the rule of law in transitioning countries. It may also indicate that there are substantial barriers to CSOs and human rights organizations even where transitional justice has been adopted.[15] Barriers such as cost or capacity could also thwart efforts to push for additional transitional justice. Amnesty arrangements may also frustrate efforts to advocate for additional trials. On the other side, as noted above, many respondents in countries with no transitional justice report the legal environment to be moderately enabling, illustrating that some civil society actors feel more confident about working within the system and are optimistic about what the future may hold.

Conclusion

This paper aimed to identify trends within civil society by combining the CSI and TJDB datasets. In doing so, we highlighted some interesting patterns regarding the connectedness, autonomy and effectiveness of CSOs in general and human rights organizations in particular.

We find that CSOs in countries that have used transitional justice mechanisms are well-connected, have more diversified sources of funding,

and have a more positive perspective on civil society's ability to promote non-violence and peace and to affect policymaking. CSOs in countries that have pursued some type of transitional justice appear to be stronger. In addition, those countries that have not adopted transitional justice mechanisms have a well-connected civil society that relies more heavily on foreign funding. Those CSOs in countries where single or multiple mechanisms were adopted also perceive their ability to promote non-violence and influence policymaking to be relatively high.

We cannot determine with great confidence, however, if these CSOs developed to push for states to adopt transitional justice mechanisms and were strengthened because of those efforts, or if implementing transitional justice resulted in a stronger civil society. Certainly, both processes may be at play. It is not possible to uncover the causal story, however, regarding the relationship between civil society and transitional justice without the availability of more years of civil society measures.

However, the findings are less marked with regard to differences among the countries that have utilized different combinations of transitional justice mechanisms. We were able to analyze four groups of cases: those that employed no mechanisms, single mechanisms, two mechanisms, and all three mechanisms. With regard to the connectedness of human rights organizations, in particular, we find that they are less connected in those countries that utilized one, two, or all three mechanisms than their human rights organization counterparts in countries with no transitional justice. Even so, the figures for each category were quite high. However, all organizations appear to have diversified funding sources, which is broadly indicative of their ability to remain autonomous from the state. Human rights organizations, in particular, relied heavily on foreign donations. The states that adopted some type of transitional justice also provided financing to CSOs in general and the sub-set of human rights organizations.

Some organizations, however, expressed the lack of perceived influence on the state. In particular, those organizations in countries that adopted all transitional justice mechanisms reported having a limited influence. Those CSOs and human rights organizations in countries that employed one or two mechanisms, however, more frequently respond that civil society can have a significant role in promoting peace and non-violence than their counterparts in countries that utilized all three mechanisms. Even so, CSOs and the sub-set of human rights organizations, in general, more frequently note that the legal environment for their operations is quite limited.

In summary, it appears that countries with transitional justice are associated with a stronger civil society. Even so, civil society respondents in all countries recognize the limitations they face. In particular, respondents report being quite concerned about the legal environment and potential barriers they may encounter in this regard.

This analysis highlights how CSOs vary across countries as categorized by their transitional justice choices. In undertaking this categorisation, we can obtain additional insight into the line of inquiry outlined above regarding transitional justice and the role civil society may play in that process. The current literature suggests that transitional justice may induce a stronger civil society. We find here evidence of this correlation.

Even so, there are limitations to this analysis. First, we are unable to assess the causality of these claims. We are only able to identify broad trends. We do not know if human rights organizations push newly democratized countries to employ transitional justice mechanisms. We also do not know whether transitional justice mechanisms generate the stability with which civil society can grow and strengthen. In addition, it is also difficult to generalize beyond this set of country cases.

Additional data are necessary to address the question of the causality of this relationship more rigorously. Indeed, there is much room for additional research as the analysis of civil society in general and civil society with relation to transitional justice in particular continues to build. Expanding the dataset temporally to examine trends over time would be valuable. If CIVICUS, through its CSI project, could continue to collect data in the future, it would be possible to gain a better understanding for how civil society develops over time. Because different mechanisms are implemented in countries over time, and because countries vary considerably in terms of their timing of adopting mechanisms in relation to their transition, there is a need for data that covers a longer period.

Research that focuses specifically on civil society and transitional justice would also be an interesting line of inquiry. Future surveys could ask about the general ability of civil society to hold members of government accountable. In addition, explicit questions concerning transitional justice issues would prove invaluable to future work on this topic. In general, significant research on civil society and transitional justice still needs to be done. While some scholarship has engaged this issue, very little empirical research has explored this significant area of interest to transitional justice scholars and practitioners. The results of this analysis, using the new data, suggest that this is a fruitful avenue for continued research. We encourage scholars to explore the relationship between civil society and transitional justice further through new case study work, as well as quantitative analyses on the CSI data and other relevant datasets.

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Civil Society, Conflict Resolution and Post-conflict Reconstruction in Kosovo and Liberia

David E. Kode

Introduction

The role of civil society in conflict prevention, resolution and post-conflict reconstruction usually takes different forms depending on the actors involved at each stage and the context in which conflict occurs. In the different phases of conflict, civil society can be directly or indirectly involved in peace negotiations to resolve stalemates or be active in post-conflict reconstruction. Second, civil society can be productive in cases where it does not take part directly in negotiations but provides input by using its influence and talking to parties to the conflict which take part in these negotiations. There are also cases where civil society is largely inactive, indicating little or no participation in discussions or processes aimed at either preventing or resolving conflict or in the post-conflict reconstruction process. In most cases, however, civil society at a minimum provides services and aid to those affected by conflict.

In situations of intra-state conflict, international organizations and CSOs often play an ambiguous but critical role in finding lasting solutions, and contribute towards post-conflict reconstruction because governments and armed factions focus more on defeating their opponents by securing military victories and less on the provision of services, which is their responsibility in times of peace. Also, CSOs and international organizations have become significant players in conflict situations because they are generally perceived as neutral actors and therefore assume a prominent role as mediators. In most conflicts, and specifically in the cases of Kosovo and Liberia, which are the focus of this chapter, CSOs acted without the consent of government in providing much needed services to affected communities and, in the case of Liberia, in diplomatic negotiations aimed at ensuring lasting peace.

This chapter explores the participation of civil society in different types of conflict, taking into account the fact that the dynamics of conflict are very different in each context and hence that the actions of civil society are adapted to suit each role. It seeks to examine further if the roles played by civil society

during conflict affect how civil society actors operate and act, or affect the perception of civil society from both governments and citizens during the post-conflict period. This chapter focuses on the differences in the nature of the Kosovo and Liberian conflicts, even though both were intra-state, had ethnic connotations and attracted intervention from the international community.

Based on the different ways in which both conflicts evolved, civil society generally assumed the role of service delivery in the absence of viable governments during these periods, but a major difference between the two cases is that civil society's role in the case of Liberia included participation in different ways in resolving the conflict. The implications of these different roles, coupled with the dynamics of the ethnic and political configuration of the two cases, provide key clues to differences in the role, perception and potential responsibilities of civil society in the post-conflict period. These implications are captured in more detail by using data from the CSI findings in both countries, as seen later below.

The next section of the chapter looks at the role of civil society in different conflict situations more generally. This is followed by a brief description of the armed conflicts in Kosovo and Liberia, including factors and events leading to conflict and its end, and then an examination of the different roles played by Kosovo's and Liberia's civil society during the respective conflicts. After the end of the conflict, civil society appears to have assumed quite different positions and roles in the two countries, as evidenced by the CSI indicator data and other sources. Concluding remarks then highlight what these differences may tell us about what can be expected of civil society in such diverse situations.

The role of civil society in different conflict situations

The term 'civil society' received increased resonance in development discourses in the 1980s and 1990s but remains an ambiguous concept meaning different things to different people based on their perceptions and the historical, cultural and political contexts in which they find themselves. The quest to arrive at an acceptable definition by the CSI implementing partners and the national Advisory Committees in Kosovo and Liberia mirrored the difficulties in deriving a universally accepted definition or understanding of civil society. While various scholars and activists have defined civil society in different ways, the definition of civil society used in the CSI 2008–2011 phase is 'the arena outside the family, the state and the market which is created by individual and collective actions, organizations and institutions to advance shared interests' (Mati, Silva & Anderson 2010: 17).

The ambiguous nature of civil society continues to present evolving definitions of the concept, with a general consensus that collective citizen

action is an integral part of societies in established democracies, emerging democracies, and authoritarian and autocratic regimes. Another apparent point of consensus is that within civil society there are both civil and uncivil elements with different ideologies on attaining objectives and these could be through violent, passive or non-violent means (see Chapter 7 for a more detailed look at violence within civil society).

In the post-Cold War era the dynamics of conflict seem to have changed as the world witnessed more intra-state conflicts compared to those between countries. The lines between the state and armed forces have become ambiguous, and citizens are not just at the receiving end of the violence but in some cases have become victimizers as well (Van Leeuwen 2009: 30). But the thinking that prevails within the donor community is that in many conflict situations, civil society or, more specifically, NGOs can be trusted collaborators in efforts aimed at resolving conflict, more so than governments, especially those that are involved in the conflict. In cases where governments are complicit in conflict or are unable or unwilling to prevent fighting, there is the urgent need to include civil society in conflict resolution and reconstruction processes. This line of thinking has moved beyond the mere resolution of conflict to include its prevention through the establishment of frameworks aimed at promoting good governance, and this can only work if those who are perceived as being neutral in the conflict take part in peace processes (*Ibid*.: 37).

Over the last two decades, civil society played a multitude of roles in situations of conflict and these roles have been made possible by perceptions that third parties, especially those without an interest or stake in the conflict, complement diplomatic efforts and those of international organizations, humanitarian bodies and regional groups which participate in efforts aimed at preventing conflict and resolving it, and towards post-conflict reconstruction. The effectiveness of early warning systems, and the prevention and resolution of conflicts, usually involves diverse processes and actors. As a result, in conflict situations international agencies and other bilateral donors now provide support to build capacity and financial resources to civil society to assist in resolving conflict and in post-conflict reconstruction processes.

The rest of this section therefore looks at the different roles civil society has been observed or hypothesized to play at different stages of conflict. Firstly, civil society, it has been argued, can be active in advocating for political reforms and an end to the abuse of human rights, as was the case during periods of intense political instability in Lesotho (Mohasi & Shale 2010). In Liberia for example, apart from the role civil society played in the actual resolution of the conflict, NGOs and advocacy groups demonstrated against the war and rejected certain provisions in peace agreements that sought to appease rebel groups by providing a certain quota for their representatives in transition governments.

Secondly, CSOs can also take part in negotiation processes aimed at resolving conflict because of their perceived neutrality and specifically because a great proportion of those affected by conflict are civilians and it is germane for them to have some form of representation in peace processes (Wanis-St. John & Kew 2008). CSOs are not only perceived as 'independent actors' in the conflict resolution processes but in most cases represent some local voices who have first-hand information on the intricacies of the conflict and the parties involved. With peace deals, it is quite essential that agreements move from signatures appended to peace agreements and other documents to include all actors and not just the main protagonists in the implementation of these agreements (Wanis-St. John & Kew 2008: 18).

Thirdly, civil society works to ensure that belligerents seek ways of liaising with each other and, in cases of extreme violence orchestrated by different factions, another role civil society can play is to use its influence over communities for restorative justice. Some scholars have focused on the vital role civil society plays in resolving conflicts that have ethnic variations where any form of peace depends to a certain extent on reconciliation of different ethnic formations involved in the conflict. Foley (2010) argues that there is a tendency for conflict to persist if divisions continue to exist between groups in a community demarcated by ethnicity, creed or affiliations to politics, unless such groups (together with other aspects of civil society and other actors) perceive that they can only co-exist peacefully if they strive for a community that tolerates and respects these differences.

In post-conflict reconstruction processes when peace and reconciliation commissions are viewed as a conduit for healing communities and individuals affected by the conflict, CSOs can serve as the repository for evidence gathered when working with communities during the conflict and through contacts established during conflict (Bloomfield, Barnes & Huyse 2005).

It is not only that civil society takes on different roles in different stages of conflict. Indeed, the roles it can play depend on the nature of the conflict. Roughly, in a war of liberation or defence from outside attack, civil society is rather limited to a role in service delivery and to some extent protection of human rights. Involvement in peace efforts might be construed as betrayal of the national cause or might be significantly more dangerous. On the other hand, in an intra-state or internal conflict, there might be greater opportunity for civil society also to be involved in peacemaking and reconciliation.

It can further be argued that the roles played by civil society and perceptions of its impact during the post-conflict period differ according to the role it was able to play during the conflict. Thus, if CSOs were constructively involved in the peacemaking process, the profile and impact of civil society will likely be more positively perceived. On the other hand, when civil society was involved primarily in service provision, its impact and profile may not be as strong.

To explore this proposition further, this chapter takes the cases of Kosovo and Liberia as illustrations of countries having emerged from two different types of conflict (conflicts of independence and civil war, respectively) and with civil societies with very different profiles. Of course, there are significant differences in a number of other respects (such as ethnic diversity, governance and regional location) but understanding this particular part of the context might better help in understanding what might be expected of civil society, and what might not. Thus, the next two sections focus on factors leading up to armed conflict in the two countries and the role civil society is observed to have played during the conflicts.

Two armed conflicts

An assessment of the contexts within which the conflicts in Kosovo and Liberia evolved shows some interesting dynamics. For Kosovo, it was an armed insurrection against a repressive Serbian state, a struggle to prevent an ethnic cleansing campaign and a quest for self determination and independence. The Kosovo war can better be understood by looking at the ethno-political crisis that engulfed Yugoslavia with Serbia, Croatia, Slovenia, Montenegro, Macedonia and Bosnia Herzegovina emerging as republics and Vojvodina and Kosovo which had autonomy within the Serbian republic (Independent International Commission on Kosovo 2000: 34). It has been concluded that the nature of the Kosovo conflict and the calls for intervention from the international community was in essence a call to prevent an ethnic cleansing campaign or genocide.

For Liberia, the conflict started as an attempt to redress decades of autocratic governance, nepotism, a breakdown of the social contract and the need to change the system. The evolution of the conflict saw a pattern in which rebel groups that started the fighting at different stages as 'united groups' split into different factions, in most cases along ethnic lines, predominantly because leaders of most of these groups each wanted a substantial share of the spoils of war. The effect of this was that fourteen years of Liberia's history was wasted in conflict. Indeed, the war was protracted as several attempts at negotiating peace agreements were unsuccessful because it was difficult for the different factions to accept concessions put forward in proposals aimed at ending the war.

The conflict in Kosovo (1998–1999)

The conflict in Kosovo, which lasted from 1998 to 1999, erupted after a period of neither war nor peace between ethnic Albanians and the Serb leaders of the Yugoslav federation after the autonomy of Kosovo within the federation was

rescinded in 1989, which was followed by years of repression by the Belgrade regime. The movements that emerged in Kosovo in response to this repression, with the Democratic League of Kosovo (DLK) featuring prominently, adopted for the most part a non-aggressive means of dealing with threats from Belgrade and created a parallel system to serve the needs of Albanian Kosovars. The Serbian nationalist project which was run from Belgrade was driven by a policy aimed at subjecting ethnic Albanians forcefully under Serbian authority in a system akin to apartheid. While the repression of ethnic Albanians by the Serbs displayed clear signs that outright conflict was inevitable for much of the 1990s, the non-violent approach adopted by most Kosovan movements is credited to have forestalled the outbreak of overt war until 1998.

The war in Kosovo was eventually triggered by two main factors. First, the Dayton Peace Agreement of November 1995, which brought the conflict in neighbouring Bosnia to an end, failed to sufficiently address the Kosovo question and reduced any hopes nursed by Kosovo movements for a diplomatic solution. Second, by 1997 more radicalized elements within the Albanian communities in Kosovo perceived that the non-violent approach used in their quest for self-determination had not yielded any tangible dividends and thus compelled the militarized Kosovo Liberation Army (KLA) to start using violence as a means to achieve their goals and to attract the attention of the international community. The KLA subsequently used guerrilla tactics, attacking selective areas occupied by Serbian security forces. The response from Slobodan Milosevic, leader of the Serbian regime at the time, was to authorize a gradual 'cleansing' of large sections of the ethnic Albanian populations, setting villages alight in an effort to bring an end to the crisis once and for all (Maliqi 2001).

The Kosovo conflict can be seen as an armed insurrection by the KLA against a Belgrade-backed army and paramilitary forces which adopted a dual strategy of targeting KLA operations and using ethnic cleansing to expel Albanians out of Kosovo. The Serbian army committed huge atrocities, carrying out summary executions and burning the homes of Kosovo Albanians, in the process swelling the number of Albanian refugees who fled to neighbouring countries.

Reports from advocacy groups also indicate that the KLA was guilty as well of perpetrating violence, carrying out arbitrary abductions in Serb communities, and at times against ethnic Romas, prompting large numbers of Serbs to flee Kosovo. In the early part of 1998, the war was fought between the KLA and the Serb-dominated army and police of what was left of the Federal Republic of Yugoslavia, and in March 1999 NATO started its bombing campaign to prevent ethnic cleansing and genocide. The result of the conflict was that about 800,000 Kosovars, mostly of Albanian origin, fled their homes to other countries in the region and beyond, approximately 500,000 were displaced internally and around 10,000 were killed or unaccounted for (La Cava *et al*. 2000: 2). The destruction of Serbian infrastructure, the economic and political costs of the conflict and intense diplomatic negotiations which called for the

UN to take over responsibilities in Kosovo, prompted Milosevic to withdraw Serbian troops from Kosovo. This led to an end in the fighting but left ethnic, social and economic challenges in its aftermath. Until Kosovo's declaration of independence in 2008, the United Nations Mission in Kosovo (UNMIK) and the Provisional Institutions of Self Government (PISG), which were installed in 1999, shared responsibility for decisionmaking, creating a dual system of government.

The conflict in Liberia (1989–1996 and 1999–2003)

Nearly a decade before the outbreak of the civil war, Samuel Doe came to power through a coup in 1980, as the first Liberian president not to come from the country's Americo-Liberian oligarchy. Although Doe's rise to the presidency was initially greeted with enthusiasm in large sections of Liberia, his authoritarian style soon brought increased discontent and led to an attempted coup in 1985 in an effort to unseat him. Doe became increasingly paranoid after 1985 and used brutal means to suppress dissent and any form of opposition.

The Liberian civil war began when Charles Taylor's National Patriotic Front for Liberia (NPFL) launched an attack on Nimba County on 24 December 1989 with the objective of ousting sitting president Doe. When war broke out, the original fighters who quickly heeded Taylor's call were from the Gio and Mano ethnic groups, who had been particular victims of Doe's dictatorial rule, but they were later joined by Liberians from different ethnic groups. Doe, however, continued to receive support from members of his Krahn ethnic group. The civil war that ensued was 'characterised by such violent brutality that the state collapsed and social structures were distorted beyond recognition' (Lyons 1998: 177). The atrocities committed during the conflict by the NPFL and the government's Armed Forces of Liberia (AFL) compelled the Economic Community of West African States (ECOWAS) to intervene, initially using diplomatic means and later through its military arm, ECOMOG.

In the first phase of the conflict that lasted from 1989 to 1996, close to fourteen major peace agreements were signed by the different factions in an effort to bring a lasting solution to the conflict. However, these agreements hardly materialized for a number of reasons. Firstly the main rebel group – the NPLF led by Charles Taylor – was very reluctant to make any concessions because Taylor believed he could achieve military victory if he pressed on since his fighters had taken large sections of the country. Secondly, though the initial key players involved in the conflict were the NPLF and the Armed Forces of Liberia (AFL), and later on ECOMOG, as the conflict progressed different factions emerged from the embryo of the major rebel groups – the Independent National Patriotic Front for Liberia (INPLF) from the NPLF, and ULIMO-K and ULIMO-J from the United Liberation Movement of

Liberia for Democracy (ULIMO). These factions evolved mostly along ethnic lines, were supported by neighbouring countries and increased the number of stakeholders and, by extension, key requests and assurances during peace talks.

Following the Abuja Peace Agreement signed in August 1996, elections were held in July 1997 which were won by Taylor's National Patriotic Party (NPP). Taylor at the time presided over approximately ninety per cent of the country (Agbu 2006: 25). The democratic project envisaged by Liberians and the international community did, however, not materialize following the elections as Taylor sought to consolidate his power by eliminating potential and real opponents. By the year 1999 two new rebel factions – the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) – plunged the country into a further abyss by launching attacks from different regions of the country and moving towards the capital Monrovia.

The brutal nature the war once again assumed compelled regional and continental powers to intervene, eventually finding a diplomatic solution in 2003 when the Comprehensive Peace Agreement (CPA) was signed in Accra, Ghana by the three main belligerents and approximately eighteen political parties (James-Allen, Weah & Goodfriend 2010: 5). The signing of the CPA was preceded by an agreement which saw Taylor exiled to Nigeria to make way for a peaceful transition. This was followed by the creation of the National Transitional Government, which ruled Liberia until elections were held in 2005. By the time the war ended hundreds of thousands of Liberians had been killed and around 750,000 had fled as refugees (Backer & Carroll 2001: 6).

Comparing the conflicts

As shown by these brief summaries, although both conflicts were marked by episodes of extreme violence, significant loss of life, population displacement and destruction, the conflicts in Kosovo and Liberia exhibit quite different characteristics. A few relevant key differences can be highlighted. While the Kosovo war could be characterized as a war of liberation of an ethnic majority repressed by a small minority in power, the Liberian conflicts are more akin to civil war with arms taken up by many parties, albeit also divided largely by ethnic identity, seeking to maintain or gain control of resources and power. In the Kosovo case, there existed a relatively clear demarcation among the fighting parties and the population in general between friend and foe; whereas in the Liberian case, the lines of division did not seem to be so clear-cut.

As posited in this chapter, these distinctions – among other factors – created different challenges and opportunities for civil society action during and after the armed conflict in the two countries.

Civil society and conflict in Kosovo and Liberia

As Dörner and List point out in Chapter 1 and as other authors in this volume have discussed, civil society has been observed or theorized to play a variety of roles in situations of armed conflict, regardless of the type of conflict being discussed. In this section, some of these roles are explored in the specific cases of Kosovo and Liberia.

Civil society and the defence of human rights

In both Kosovo and Liberia, CSOs took an active role in protecting individuals and defending human rights, especially during the armed conflicts. In Kosovo, for example, prominent institutions such as the non-governmental Council for the Defence of Human Rights and Freedoms worked extensively in highlighting instances where citizens were targeted and abused by the Serbian regime and collaborated with key international institutions such as the International Tribunal for the Former Yugoslavia (ICTY) in collecting evidence on human rights abuses and crimes against humanity (Kosovar Civil Society Foundation [KCSF] 2011: 20; Maliqi 2001: 222). In addition, CSOs played an important role in documenting massacres in Drenica, which saw the mass executions of Albanians by Serbian Special Forces, and brought these atrocities to the attention of like-minded organizations in other countries to generate mobilization and solidarity and calls for change.

In Liberia, the Liberian Women Initiative (LWI) played an active role in highlighting the difficulties faced particularly by women and children, the abuse of women and the use of children as child soldiers during the war. Other Liberian organizations focusing on human rights issues, such as the Catholic Justice and Peace Commission (CJPC) and the Centre for Law and Human Rights Education (CLHRE), carried out extensive work in identifying and chronicling the massive abuses meted out to citizens by the belligerents (Backer & Carroll 2001: 8).

Following Taylor's election as Liberia's president in 1997, most groups working on human rights made attempts to take advantage of the democratic space that seemed to have opened up with the overthrow of the autocratic Doe regime, but soon found themselves at loggerheads with the government (*Ibid*.: 6–7). Despite growing restrictions under Taylor's reign, civil society groups working on human rights were instrumental in educating citizens about human rights and providing much needed assistance to those who suffered from abuse during the conflict (*Ibid*.: 8).

Civil society and service delivery during conflict

Again, in both Kosovo and Liberia, CSOs stepped up to provide necessary services to the population during the period of armed conflict. In this instance,

however, Kosovo is a special case because civil society – at least the ethnic Albanian part – stepped in to fill the vacuum ten years before the armed conflict began. After Kosovo's autonomy was revoked in 1989, large sections of the Kosovo Albanian population either boycotted or were prohibited from using public services, and abstained from the governance processes undertaken by the Serbian regime. CSOs therefore took on the responsibility of providing basic services to the population. During the 1990s, a prominent NGO, the Mother Theresa Society (MTS), operated health clinics, engaged thousands of volunteers and provided much needed food and other aid to hundreds of thousands of Kosovars. Many international organizations and networks channelled resources through local NGOs to provide medical assistance, food and clothing to citizens affected by the conflict.

During the period, however, a majority of the NGOs in Kosovo were established along ethnic lines and in most cases limited services to the spheres in which they operated. In general civil society created a parallel system of service provision, with many civil society activities biased towards ethnic Albanian sections of the population.

In Liberia, prior to the armed conflict, participation in civic activities in communities was exceptionally low. However, civic participation blossomed during the conflict with the creation of the NGO Special Emergency Life Food Programme (SELF), which developed activities that encouraged citizens to participate in electing leaders for their communities. SELF was instrumental in channelling much needed aid to those affected by the conflict. As a result of the breakdown in social and economic infrastructures for the most part and the absence of a viable government during the conflict, civil society took on the normal role of the state in providing services to communities. According to the CSI Analytical Country Report for Liberia (AGENDA 2010: 30), during the conflict 'local CSOs were managing entire displaced populations of over 100,000 people and were responsible for distributing food and providing schooling and other vital functions', putting in place structures to achieve these objectives which are still in place in the post-conflict period.

Civil society and peacebuilding

Where the two cases differ significantly in terms of the roles played by civil society is in the involvement of civil society in the resolution of conflict. In Kosovo, once the non-violent civil society efforts to prevent armed conflict were overtaken by violent factions, CSOs do not seem to have played any significant role in moving toward peace – except to the extent that they sought to defend human rights. Furthermore, it does not appear that Kosovo's civil

society was allowed a place at the table or consulted by the belligerent parties or the NATO/UN peacekeeping and administrative bodies.

In Liberia, by contrast, civil society was a leading force in promoting the peace process. Indeed, one could say that the outbreak of conflict in a way opened up new spaces for civil society to evolve. For example, at the outset of efforts aimed at finding a lasting solution to the conflict, the Interfaith Mediation Committee (IFMC), a combination of the Liberian Council of Churches (LCC) and the National Muslim Council of Liberia (NMCL), led attempts to bring the various warring factions together, took the lead in discussions by local, national and regional actors aimed at finding lasting solutions to end the conflict, and provided the guiding framework for some of the peace negotiations (Toure 2002: 10). The religious community, under the tutelage of the LCC and the NMCL, had to realign their responsibilities to encompass the provision of assistance and ensure that citizens in their respective areas were safe (Jusu-Sheriff 2004: 270). The IFMC played a central role in serving as the contact point between the different parties involved in the conflict. Even though the first peace talks faltered because of disagreements between the different factions and the crisis persisted, the key proposals put forward by the IFMC were used as a blueprint by ECOWAS in its subsequent peace negotiations.

The proposals put on the negotiating table by CSOs were preceded and supported by a series of community-led demonstrations held in rural areas with demonstrators calling on factions to end the war, start the process of disarming fighters and hold elections. These demonstrations later coalesced into a movement known as the Civic Disarmament Campaign which persistently called for an end to the fighting and disarming of combatants and for citizens to be involved in governance processes in the country (AGENDA 2010: 15). The IFMC also contributed to conflict resolution by pushing for the disarmament of tens of thousands of combatants and organizing boycotts to protest against what it considered shortcomings with some peace agreements, especially those with provisions which allowed for members of some rebel factions to join the government (Toure 2002: 10).

Other organizations contributed to the peace process in diverse ways at different points in the Liberian conflict. For example, the above-mentioned Liberian Women Initiative (LWI) ensured that female representatives participated at the Accra Clarification Conference, a key peace negotiating forum held in 1994, in spite of initial resistance to the presence of women by warring factions who assumed that women were not directly involved in the conflict. By insisting that women were represented at the conference, the LWI encouraged a degree of consciousness among the belligerents that the aspirations of all parties should be considered and not just those of the warring factions (Jusu-Sheriff 2004: 270).

Civil society and post-conflict reconstruction in Kosovo and Liberia

As we have seen above, the nature of the two conflicts shaped the roles CSOs played during the conflicts and leading up to peace. In a similar way, these factors – among others – have influenced civil society's opportunities and challenges in the post-conflict period.

Reconstruction in Kosovo

The NATO intervention that ended the armed conflict in 1999 was considered to be a turning point for the development of civil society in Kosovo (KCSF 2011: 20). The immediate priority in the post-conflict era in Kosovo was the resettlement and provision of services to approximately 880,000 returning refugees and the rebuilding of economic and social infrastructure destroyed by the war. The post-conflict situation also brought structural challenges because, in addition to the returning Albanian refugees who needed assistance, Serbs who stayed in the province became victims of revenge attacks from sections of the Albanian population. The huge humanitarian and infrastructural needs and the necessity for reconciliation saw a rise in the number of both local and international NGOs to meet these needs.

The increase in the number of local NGOs in particular was made possible with assistance from international donors. Often NGOs were established in response to funding incentives available, with the result that their objectives and activities did not necessarily tally with the needs of local communities. This meant that many initiatives were short-lived. More important still, some donors when providing aid sought to avoid the parallel civil society structures that had existed in the 1990s during the period of repression from the Serbs because they felt that these structures had strong ethnic foundations and some were perceived to have connections with the KLA. In any case MTS continued to provide services to communities, and the Centre for the Defence of Human Rights and Freedom assisted those in need and provided counselling to some suffering from the effects of war (AGENDA 2010). Furthermore, the international NGOs especially made use of the Kosovo Enforcement Force (KFOR) to deliver aid in communities that needed assistance the most.

The CSI Analytical Country Report for Kosovo tells us that although Kosovo's civil society is experiencing many positive developments, huge challenges remain (KCSF 2011). Many parts of civil society continue to depend on international funding for their existence. As new sources of funds emerge, especially from the European Union, the divide grows between large CSOs that have the capacity to handle large grants and smaller CSOs. Connections with local constituencies remain weak, contributing to a continuing low level of public understanding of civil society. Nevertheless, especially with Kosovo's

newly declared independence, CSOs are moving into new areas, e.g. concerning the rule of law and 'watchdog' activities, that portend a promising future.

Reconstruction in Liberia

The period following the end of the conflict in Liberia has been called the 'golden era' in the history of its civil society development (AGENDA 2010: 15). Its beginning was marked by the inclusion of representatives of civil society in the transitional government, as called for in the Comprehensive Peace Agreement (CPA) – a major outcome of the Accra peace process – which prepared the country for elections held in 2005. The inclusion of representatives from civil society in the transitional government meant that civil society representatives (though fewer in number than those from the government and political parties) played a role in the formulation and implementation of policy. This meant that civil society was recognized as a viable player, which enhanced the space for civil society to tussle for positions with political formations.

During the transition period, CSOs continued to provide some services to communities which were beyond the reach of government. In addition, prior to the long anticipated post-conflict elections in 2005, civil society urged the different parties to exercise restraint after campaign pictures of members of several parties were vandalized, and the New African Research and Development Agency (NARDA) worked to ensure that approximately 12,000 people were registered and therefore made eligible to exercise their democratic rights in several regions in Liberia (AGENDA 2010: 27).

Civil society also provided input in the drafting of the Truth and Reconciliation Commission Act, which led to the national assembly's creation of the Truth and Reconciliation Commission mandated to promote and facilitate reconciliation and healing. To enforce this, a coalition of CSOs put together the Transitional Justice Working Group (TJWG) (Atuobi 2010: 14). The TJWG and other civil society groups highlighted proceedings, shortcomings and decisions taken by the commission and made this information available to citizens.

The relationship between civil society and governments fostered during the transition period now manifests itself in the role civil society plays in the reconstruction of Liberia. For example, CSOs were represented in a task force created to identify areas where the United Nations Peace Building Fund, worth about US$15 million, was disbursed to work on initiatives aimed at reducing poverty and contributing to the reconstruction process (Atuobi 2010: 14). Unlike in the past, the current government in Liberia has made provisions for the legal and regulatory protection of civil society and opened up the space for partnerships and dialogue between government and civil society. In spite of these efforts CSOs still find it difficult to access key government documents and face challenges and uncertainties on their funding since a majority of them depend on external donors for funding.

Post-conflict civil society

As shown in this brief summary, the situation of civil society in the two countries once conflict ended shows some similarities, but also significant differences. While civil society in both countries continued to play an active role in providing needed services to communities and rebuilding social infrastructure, with the assistance of international donors, its roles in peacebuilding and especially in engaging with government differ markedly. While civil society in Kosovo remains primarily on the sidelines, Liberia's civil society has often taken or been given seats at the decisionmaking table. In the case of Kosovo, this situation could be attributed at least in part to the lack of opportunity available for civil society to engage with the UN agencies overseeing Kosovo's administration. The declaration of independence in 2008 could well change these circumstances and allow Kosovo's civil society to engage with the now independent government structures. Nevertheless, it is argued here that Liberian civil society's involvement in the peace process is the key factor in its ability to participate more extensively in the governance process.

An assessment of the state of civil society in Kosovo and Liberia using data from CSI indicators

The following section examines the extent to which the two different types of conflict and the diverse roles played by civil society in these situations correspond to selected features of civil society in the post-conflict period. This comparison is based on several indicators and sub-dimensions found in the CSI International Indicator Database for the 2008–2011 phase. In particular, the focus here is on the sub-dimensions and indicators that reflect the impact of civil society as perceived by CSO representatives and external stakeholders and recorded by the respective surveys (see Chapter 2 for more details of the survey methodology). The assumptions here are that the diverse conflict scenarios shaped the roles civil society was able to play during and after the conflict and that this in turn has influenced the impact of civil society actors in the post-conflict period, as perceived by internal and external stakeholders.

Civil society responsiveness: Internal and external perceptions

When looking at the scores for civil society's responsiveness to society's most important social concerns, i.e. whether its priorities and positions mirror those of the population, one can see quite clearly a difference in perceived impact between Kosovo and Liberia. In terms of overall responsiveness, civil society representatives in Kosovo gave civil society a 'significantly low' rating of 26.8 (KCSF 2011: 35), whereas Liberian civil society representatives gave

a comparatively strong rating of 62.7. Only 21.2 per cent of Kosovo's civil society representatives considered civil society to have had some or high impact on its top social concern, economic development, in order to rebuild the nation and reduce poverty, though somewhat more (32.3 per cent) perceived impact on the second social concern, rule of law. By contrast, 67.4 per cent of Liberia's civil society representatives felt that civil society as a whole had some or high impact on developments surrounding the Truth and Reconciliation Commission (TRC), while somewhat fewer (58.0 per cent) reported influence on the Poverty Reduction Strategy (PRS) designed to alleviate poverty.

In the case of Kosovo, external perceptions roughly mirror those of civil society representatives, with an overall rating of 23.8, and similarly low percentages of external stakeholders perceiving some or high impact in economic development (25.0 per cent) and rule of law (22.5 per cent). By contrast again, external perceptions of civil society responsiveness in Liberia are significantly lower than those of actors within civil society, with an overall rating of 37.7 and with only 38.3 per cent impressed with civil society's influence on the TRC and 37 per cent with its involvement in the PRS. The low ratings from external stakeholders can be ascribed to the fact that the actual results from key policy proposals were not reflective of the population's 'expectations', indicating either that more effort from civil society would have improved the results or that, in spite of the attempts by civil society, the results remained minimal (AGENDA 2010: 29). Despite the disparity in internal and external perceptions, the perceived responsiveness of Liberia's civil society in the post-conflict period is rated as significantly stronger than that of Kosovo's civil society.

Social impact: Internal and external perceptions

With regard to social impact, i.e. civil society's perceived impact on society as a whole and in selected social welfare fields, the difference between Kosovo and Liberia is again wide. In Kosovo 43.8 per cent of the civil society representatives felt that civil society as a whole has had at least some impact, especially in education and supporting the poor, compared to 72.9 per cent of Liberian civil society representatives who thought so.

Interestingly, 51.6 per cent of CSOs in Kosovo and 64.0 per cent in Liberia believe that their own organizations have some or high impact on one of the social welfare fields. While the percentage in Liberia is still higher, it should be noted that the Kosovo CSOs believe more strongly in the impact of their own organizations than that of the civil society sector as a whole; the situation is the reverse in Liberia. The reason for the disparity may be because, as highlighted in the Kosovo CSI report, 'when asked about civil society in general, the surveyed CSOs have in mind all of civil society including passive and semi-passive CSOs, while surveyed CSOs, when asked to think about themselves,

were only the active ones' (KCSF 2011: 37). This brings to light the complex dynamics of civil society in the post-conflict era in Kosovo where many CSOs became inactive or were forced to close as funds from donors dwindled. For Liberia, by contrast, the lower score for the impact of individual organizations could point to the potential for higher impact if CSOs were to collaborate more in their activities (AGENDA 2010: 29).

Results from external stakeholders surveyed on this same indicator show that 42.5 per cent in Kosovo (slightly higher than the rating from CSO representatives themselves) believe that civil society has some impact on the social context, while for Liberia the score is 64.7 per cent (somewhat lower than the views of CSO representatives, though still substantial). The high perceptions of impact from external actors in Liberia can be attributed to the fact that prior to the conflict the term civil society was not really ingrained in Liberian society, its effects were barely recognizable and the prevalence of the abuse of human rights then was seen as part of the 'norm' in society by government and citizens alike (AGENDA 2010: 29). Furthermore, civil society during the more than decade-long conflict played a central role in the provision of much needed social services, taking responsibility over the ever growing numbers of refugees and creating structures which have been maintained in the post-conflict era. The impact of civil society in providing services during the conflict, in making contributions aimed at resolving the conflict and in advocating for the exit of then-President Taylor after 1997 can be said to have left an indelible mark on the Liberian social and political spheres. The recognition of the potential role of civil society in Liberia is evidenced in the fact that according to the Liberian CSI report, 'the public believes that once civil society is part of a process, the public interest will be protected and defended [and that] civil society inclusion is sometimes requested from government itself' (AGENDA 2010: 30).

Policy impact

For this indicator, 21.2 per cent of CSOs in Kosovo and 54.4 per cent in Liberia perceive that civil society as a whole has some or high impact on policymaking in the country. In the case of Kosovo, evidence from the CSI Analytical Country Report and selected case studies suggests that the complexity of public policymaking highly limits civil society's participation in the process (KCSF 2011: 36). By contrast, Liberian civil society has been working actively in several sectors, e.g. fighting corruption, developing a national youth policy and promoting female participation, in addition to involvement with the TRC and PRS as mentioned above, and with different actors in the policy community (AGENDA 2010: 29–30).

Remarkably, in the case of both Kosovo and Liberia, external stakeholders perceive civil society's impact on policymaking as a whole more favourably than the CSO representatives do themselves. In Kosovo, 32.5 per cent of

external actors considered civil society to have had some or high impact on policy in general (vs. 21.2 per cent of CSO representatives) and in Liberia 68.6 per cent (vs. 54.4 per cent of CSO representatives) did. In Kosovo, it could be that observers outside civil society simply see civil society's policy efforts in a slightly more positive light, although still quite limited. For Liberia, the perception of high impact by external actors can be attributed to the active presence of civil society across different spectrums of policy and decisionmaking, as noted above.

Conclusion

From the outset, this chapter posited that the nature of a conflict shapes the opportunities available for civil society to play certain types of roles during the period of armed conflict. Furthermore, the roles civil society was able to play during conflict significantly influence its standing and perceived impact during the post-conflict period.

The chapter illustrated this observation by focusing on the cases of Kosovo and Liberia, both of which faced brutal conflict within an approximately five to ten year period prior to the collection of data for the CSI project. As such, both fall within the 'immediate' post-conflict period in which armed battles have died down and rebuilding has begun.

A look at the types of conflict the two countries were engaged in, the roles their respective civil society played during and after conflict and the perceptions of civil society impact during the post-conflict period provides evidence that the observation holds, at least in these two cases. While both were types of intra-state conflict or civil war, the war in Kosovo could also be considered a battle for independence, with lines of demarcation rather clearly drawn between the 'oppressed' Albanian Kosovars and the 'oppressing' Serbs. Even before the outbreak of armed conflict, but also during the brief war, Kosovo's civil society played a strong role in defending human rights, especially of Albanian Kosovars, and in providing services to communities. In the reconstruction period, Kosovo's civil society continued in the service-providing and rebuilding role and has gradually taken on other activities, including promotion of the rule of law. Nevertheless, it is perceived to have quite limited impact on society and policy, which is due in part also to the weakness of sovereign state structures.

Turning to Liberia, the lines of demarcation among the general populace and civil society were not so clearly drawn, and there were multiple factions engaged in the conflict. During the conflict, civil society does not seem to have been forced to choose sides to the extent it was in Kosovo. Instead, while Liberia's CSOs provided necessary basic services to the population and defended human rights as Kosovo's did, they also engaged in promoting peace and proposing solutions to end the fighting. As a result of this constructive

engagement, so it is argued here, civil society in Liberia sees itself and is seen in a more positive light than in Kosovo. Liberia's civil society is perceived to have significantly higher levels of responsiveness to critical social needs and of social and policy impact.

What these initial observations indicate is that the context, in this case the nature of the conflict, in which civil society operates shapes what CSOs can be expected to do. In the context of a war of independence or against repression, it can hardly be expected that CSOs rise above the 'us vs. them' dilemma to encourage warring parties to come to the negotiating table. Conversely, in a situation in which diverse factions are in battle, the likelihood that civil society coalitions such as those in Liberia could come together and promote negotiations appears to be higher.

Furthermore, when civil society has been able to play such a prominent role in bringing about peace, as it did in Liberia, it can rightly be expected to be perceived as having greater policy and social impact in the period after the war. However, when circumstances do not allow such a role and also when state structures and channels are underdeveloped as in Kosovo, expectations of civil society impact in the aftermath of armed conflict cannot be so high.

Here it has to be pointed out that Liberia's civil society is not necessarily 'stronger' than Kosovo's. In fact, along certain CSI dimensions, e.g. the level of organization, Kosovo's civil society scores higher than Liberia's, highlighting the various strengths and weaknesses of the two countries' civil society. Nevertheless, the point here is that expectations of civil society impact following armed conflict need to be set based on an understanding of the nature of the conflict and the roles civil society has been able to play during the conflict.

Finally, it also has to be said that these observations are based on two illustrative cases within the CSI 2008–2011 set of countries. The analysis would certainly be strengthened through examination of civil society in other countries that have recently emerged from armed conflict. In addition, a second look at Kosovo and Liberia in three to five years would help in determining whether the effects in terms of perceived impact change as memories of the conflict become more distant. In any event, the conclusions reached here are intended mainly to offer ideas for inspiring further exploration and especially to urge thoughtful consideration of what can realistically be expected of civil society and its organizations.

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6

The Law, Security and Civil Society Freedoms

Mandeep S. Tiwana and Brett J. Kyle

Introduction

In the past decade, civil society space across the globe has been challenged by pressing concerns about national security. The analysis in this chapter demonstrates that CSOs in the twenty-five countries of the CSI examined for this volume report a range of restrictive legal environments and illegitimate attacks from their local or central governments. International law provides for fundamental freedoms of association, but these guarantees have come under attack. As the data presented in this chapter show, CSOs in both democratic and non-democratic states report notable restrictions on their activities.

This chapter proceeds as follows. First, it outlines recent trends in legal measures related to security and civil society in order to highlight contemporary challenges facing CSOs across the world. Next, the chapter discusses international legal standards meant to safeguard civil society space. Third, drawing on the CSI Organizational Survey, this chapter analyzes CSO responses to questions concerning the legal environment and illegitimate attacks. It then provides evidence from CSI country reports to further illuminate these findings in the descriptive statistics. Finally, the chapter concludes with reflections on the analysis, recommendations for future research and policy recommendations for CSOs.

Overview of recent trends

The relationship between security and civil society freedoms has always been a tenuous one. As a general rule, in times of peace when security concerns are minimal, the law and its application lean towards greater enjoyment of the rights to free expression, association and assembly which together make up core civil society freedoms. Conversely, there is less tolerance for divergent or alternative views during times of war and political and social unrest.

Moreover, civil society's role as a counterbalance to state power and its work in safeguarding minority interests – often in the face of popular opinion – make it particularly vulnerable in comparison to other sectors of society during conflicts. This chapter discusses the impact of heightened security concerns over the last decade that have precipitated what many civil society observers have termed a 'global backlash' against civil society (Howell 2010; Bloodgood & Tremblay-Boire 2010).

CSI findings affirm that CSOs in many countries, particularly those engaged in advocacy and human rights work, face restrictions on their activities through legal measures, as well as through harassment and attacks from central or local governments. Decreasing space for CSOs to operate and fewer opportunities to participate in governance processes are major, particular challenges for CSOs working in situations of conflict (Poskitt & DuFranc 2011).

In these present times, when a large number of states are engaged in the global 'war on terror', the impetus for many of the current negative trends can be traced to former United States President Bush's famous statement to the Joint Session of the United States Congress: 'You are either with us or you are with the terrorists', which set the tone for the implementation of United Nations Security Council Resolution 1,373. This resolution, which was pushed through soon after 11 September 2001, among other things, obliges all UN member states to:

1 Monitor and clamp down on financing for terrorist acts.

2 Refrain from active and passive support for terrorism.

3 Exchange information regarding terrorist activities.

4 Prevent the movement of terrorists or their groups by effective border controls.

5 Increase international cooperation to deny safe haven to anyone indulging in terrorist acts.

Although the original intention behind the resolution was to protect people from acts of terrorism, its impact and unintended consequences have been harmful to civil liberties and human rights. In their zest to protect their security, a number of western democracies have introduced stringent laws which impact negatively on fundamental freedoms. This has seriously eroded such countries' credibility as traditional champions of fundamental freedoms and denied them the legitimacy to pressure authoritarian regimes and undemocratic leaders against silencing civil society voices in their own countries, which has in turn given breathing space to dictators bent on perpetuating their power.

Notably, the changed global dynamics have had a negative effect on civil society groups and their operating environment. There has been a proliferation of laws and policies to prevent civil society groups from being formed, carrying

out their legitimate activities and accessing resources. Reports abound about intimidation and the impeding of civil society groups from carrying out their work through raids, bureaucratic red tape, bans and arbitrary closures. Jailing of activists, physical attacks, torture and even assassinations have been recorded. A number of studies by different civil society groups, and observations by senior UN officials, help to identify these trends.

On International Human Rights Day in December 2010, the usually reticent UN Secretary General, Ban Ki-Moon, dedicated his message to the courage of human rights defenders who, he said, continue their work despite multiple risks. He also emphasized that states bear the primary responsibility to protect human rights advocates (Ki-Moon 2010). Earlier in September 2010, the UN High Commissioner for Human Rights, Navi Pillay, made an appeal to the UN Human Rights Council to take action to address the trend in restriction on civil society space. 'Special procedures mandate holders, press reports and advocates consistently point out that human rights defenders, journalists and civil society activists in all regions of the world face threats to their lives and security because of their work' (Pillay 2010).

In the atmosphere of growing intolerance for dissenting viewpoints, the persistence of autocratic governments and the reversal of democratization efforts in some states, the most telling observation of the trend to conflate civil society with threats to security comes from the UN Special Rapporteur on Human Rights Defenders, Margaret Sekaggya. In her 2008–2009 report on the security of human rights defenders and various protection measures to guarantee their physical safety, she has identified a number of 'worrying trends'. These include stigmatization of human rights defenders and their growing categorization as 'terrorists', 'enemies of the state' or 'political opponents' by state authorities and state-owned media, which contributes to the perception that defenders are 'legitimate targets for abuse by state and non-state actors' (Sekaggya 2009).

CIVICUS has observed in a report on the clampdown on civil society space in 2009–10 that, 'What began as a knee-jerk reaction to a horrific event in 2001 (9/11), assumed a life of its own by the end of the decade when the full force of the unrelenting onslaught on fundamental freedoms through security and other regulatory measures assumed global prominence' (Tiwana and Belay 2010). These findings are supported by a number of civil society studies. For instance, Human Rights Watch, in its 2010 report, mentioned that the reaction against activists exposing human rights abuses grew particularly intense in 2009 (Human Rights Watch 2010: 1). Freedom House reported that 2009 was the fourth consecutive year in which global freedom suffered a decline – the longest consecutive period of setbacks for civil and political freedoms in the nearly forty-year history of the report (Freedom House 2010). Regional studies and monitoring by the Commonwealth Human Rights Initiative (2009), the East and Horn of Africa Human Rights Defenders Project (2009) and the

Euro-Mediterranean Network (2010) provide additional evidence for this trend of narrowing space.

The International Center for Not-for-Profit Law in its inaugural issue of Global Trends in NGO Law, published in March 2009, points out that 'despite the increasing attention paid to the backlash against civil society and democracy, many governments continue to use the legislative tools at their disposal to control and restrict NGOs. A number of the laws considered or enacted in the past two years have raised serious questions as to their compliance with international norms governing the right to free association as well as the practical obstacles that they raise to NGO operations' (International Center for Not-for-Profit Law 2009).

Despite the negative trends, there have been some positive recent developments at the United Nations which hold promise that the roll-back on civil society space can be reversed. Firstly, as highlighted above, senior UN officials have publicly expressed their unease with these trends. Secondly, the UN Human Rights Council, which replaced the UN Commission on Human Rights, has emerged as an important space for civil society to leverage influence on governments to address their concerns. Thirdly, in September 2010, a landmark resolution on the Freedom of Peaceful Assembly and Association was passed by consensus by the forty-seven members of the United Nations Human Rights Council (2010). The resolution recognizes the role of civil society in the achievement of the aims and principles of the United Nations. It also for the first time creates a Special Rapporteur on the rights to freedom of peaceful assembly and association with an extensive list of responsibilities that include reporting on violations.

To enable a full understanding of the type of violations of civil society freedoms that are taking place at present, it is useful to examine the international legal framework that should guarantee civil society space.

Universal legal standards for the protection of civil society space

The International Bill of Rights safeguards civil society space through broad protections for freedoms of expression, association and assembly, most notably in the International Covenant on Civil and Political Rights (ICCPR) to which all CSI countries – with the exception of Kosovo, which is not yet a UN member – are a party (UN International Covenant on Civil and Political Rights 1966).

Article 19 of the ICCPR guarantees the freedom to hold opinions without interference and to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of one's choice. Article 21 guarantees the freedom of

peaceful assembly. Article 22 guarantees the freedom of association with others including the right to join and form trade unions.

The ICCPR generally discourages the placing of restrictions on the three freedoms. A set of narrow grounds are prescribed for placing restrictions on these freedoms. They include 'national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others'. Restrictions on the freedoms of association and assembly must be through legislation and stand the test of being 'necessary in a democratic society'.

Additional protections for civil society to operate are contained in a host of international legal instruments and principles adopted by the UN and the International Labour Organization. Furthermore, regional and other intergovernmental groupings such as the African Union, the Organization of American States, the League of Arab States, the European Union, the Commonwealth and others have articulated their own standards with regard to civil society. Some of these are legally enforceable while others hold great persuasive value for member states (CIVICUS 2010a).

In 1999, an attempt was made to collate the protections afforded to civil society in various UN documents through the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders 1999). Although not a binding legal instrument, the declaration is a statement of intent by the UN General Assembly to protect the rights of human rights defenders. It contains a comprehensive menu of civil society freedoms. These include the following rights:

1 To seek the protection and realization of human rights at the national and international levels.

2 To conduct human rights work individually and in association with others.

3 To form associations and non-governmental organizations.

4 To meet or assemble peacefully.

5 To seek, obtain, receive and hold information relating to human rights.

6 To develop and discuss new human rights ideas and principles and to advocate their acceptance.

7 To submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may impede the realization of human rights.

8   To make complaints about official policies and acts relating to human rights and to have such complaints reviewed.

9   To offer and provide professionally qualified legal assistance or other advice and assistance in defence of human rights.

10 To attend public hearings, proceedings and trials in order to assess their compliance with national law and international human rights obligations.

11 To have unhindered access to and communication with non-governmental and intergovernmental organizations.

12 To benefit from an effective remedy.

13 To have the lawful exercise of the occupation or profession of human rights defender.

14 To effective protection under national law in reacting against or opposing, through peaceful means, acts or omissions attributable to the state that result in violations of human rights.

15 To solicit, receive and utilize resources for the purpose of protecting human rights (including the receipt of funds from abroad).

Civil society groups themselves have also been engaged in articulating standards to protect their own space. In 2008, the International Center for Not-for-Profit Law (ICNL) and the World Movement for Democracy (WMD) sought to provide greater clarity to international standards regarding the protection of civil society space by developing a set of six principles based on international legal provisions and progressive case law from UN and regional human rights bodies (International Center for Not-for-Profit Law and the World Movement for Democracy 2008). Civil society groups have been advocating with governments across the world for incorporation of these principles into domestic law to safeguard civil society space. They include:

1   The right to entry (which includes the right to form, join and participate in a CSO; to associate informally without the need to obtain legal personality; and the right to seek and obtain legal status).

2   The right to operate free from unwarranted state interference (which includes protection against unwarranted state interference in a CSO's work; intrusion into its internal governance; and violation of privacy).

3   The right to free expression (which includes the right of civil society representatives individually or through their organizations to express themselves freely).

4 The right to communication and cooperation (which includes the right to receive and impart information regardless of frontiers and the right to form and participate in networks and coalitions).

5 The right to seek and secure resources (which includes the right to solicit and receive funding from legal sources domestically and abroad).

6 The state duty to protect: the state has a duty to promote respect for human rights and fundamental freedoms, and the obligation to protect the rights of CSOs. The state's duty is both negative (i.e. to refrain from interference with human rights and fundamental freedoms), and positive (i.e. to ensure respect for human rights and fundamental freedoms). The state duty to protect also applies to certain inter-governmental organizations, including, of course, the United Nations.

The UN Declaration on Human Rights Defenders and the principles developed by ICNL-WMD not only give life to the provisions of the ICCPR on the freedoms of expression, association and assembly; they also provide civil society activists with a comprehensive framework on which to base their demands for adequate operational space, which is particularly contested in conflict situations.

External environment for civil society – law as a tool to restrict civil society space

Having provided an overview of recent trends and universal standards for the protection of civil society space, the main part of this chapter now turns to the question of whether the statement that civil society space is shrinking can be supported by the quantitative and qualitative data gathered using the CSI methodology in the twenty-five countries examined for this volume. The search for quantitative evidence focuses on two questions from the CSI Organizational Survey that are assumed to gauge best whether two principal legal means to limit the work of civil society, i.e. (i) the introduction of laws and bills that negatively impact on the freedoms of expression, association and assembly and (ii) the use of the law to bring criminal sanctions against civil society activists, were broadly used.

With regard to the introduction of laws and bills that negatively impact on the freedoms of expression, association and assembly, data from the CSI 2008–2011 Organizational Survey indicate that 47 per cent of respondents believe that their country's regulations and laws for civil society are at least 'quite limiting'. Eleven per cent of the respondents had a perception of extremely high levels of restrictions being placed on civil society. Particularly high percentages of organizations reported a restrictive ('quite limiting' or 'highly restrictive')
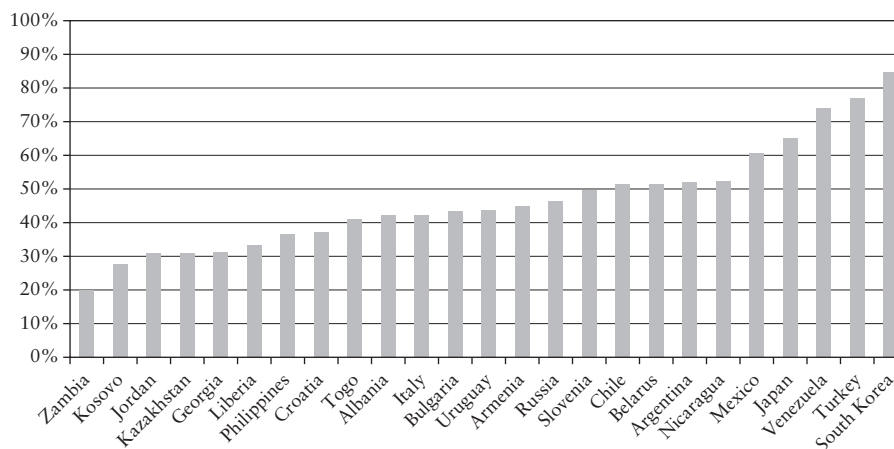
Figure 6.1 Percentage of organizations reporting restrictive legal environment by country

legal environment in Japan (65 per cent), Venezuela (74 per cent), Turkey (77 per cent) and South Korea (84 per cent). Figure 6.1 charts the percentages of organizations in each of the twenty-five countries in the dataset drawn on for this volume of the CSI answering that regulations and laws for civil society are either 'highly restrictive' or 'quite limiting'.[1]

The data demonstrate that there is variation in the perception of the legal environment in which civil society operates across the CSI countries. Nevertheless, it is clear that substantial percentages of CSOs in all countries feel that they are operating in the face of laws and regulations that limit civil society space in one way or another.

Human rights defenders may be especially vulnerable to restrictions and limitations. In countries where groups identifying as NGOs, civic groups and human rights organizations feel more limited than non-human rights groups, the state may be acting selectively against these groups in order to avoid accountability for human rights violations in general. Figure 6.2 illustrates the responses of these organizations alone. In many cases, such as Turkey and South Korea, the percentage of groups identifying as 'NGOs, civic groups and human rights organizations' that indicate an unfavourable legal environment matches closely the perception reported by all organizations. Eighty-four per cent of all South Korean CSOs indicated restrictive or limiting laws, while eighty-six per cent of human rights organizations in the country reported the same. Human rights groups in Turkey also reported only slightly higher rates of perceived restrictions than did all the CSOs in the country – 81 per cent versus 77 per cent. Other countries' human rights organizations, however, reported dealing with unfavourable laws at a substantially higher rate than the national average for CSOs. Most notably, the legal environment was considered restrictive in
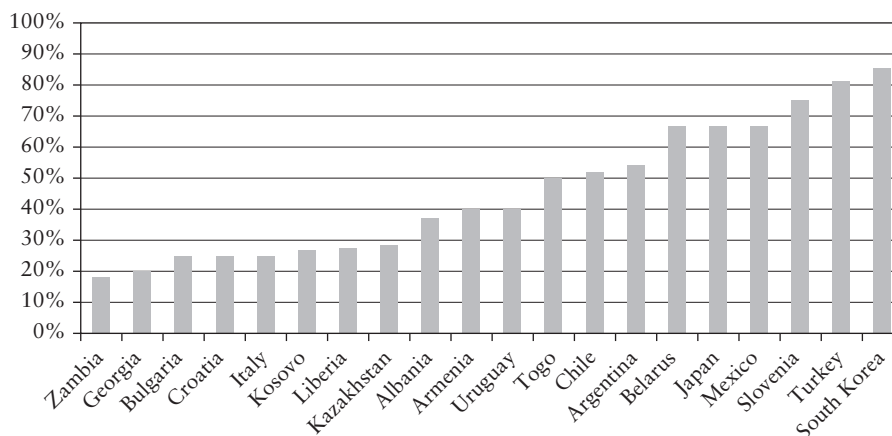
Figure 6.2 Percentage of NGOs, civic groups, and human rights organizations reporting restrictive legal environment by country
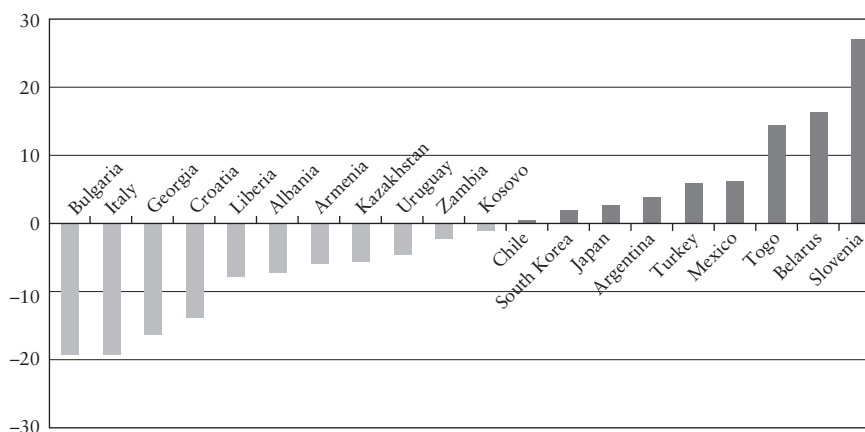

Figure 6.3 Percentage difference between NGOs, civic groups and human rights organizations and all other organizations reporting restrictive legal environment by country

Belarus and Slovenia by human rights groups at the rate of 15 to 20 per cent more than non-human rights groups, suggesting that human rights defenders in these countries face especially difficult conditions, even in comparison to other CSOs.

It does not seem to be universally true that human rights organizations perceive the legal framework to be more restrictive than other groups, however. In states such as Bulgaria and Italy, the average negative response among human rights groups is considerably lower than that from non-human rights groups. Figure 6.3 illustrates the difference in perception among these different types of groups in the CSI countries.[2]
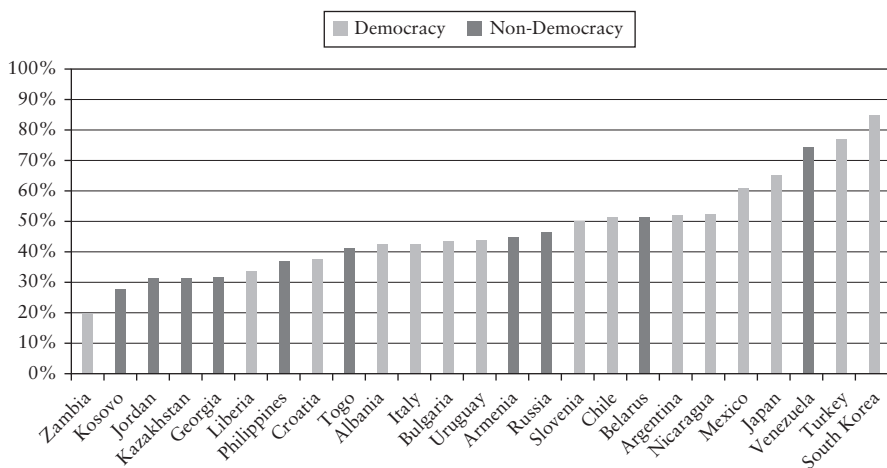
Figure 6.4 Percentage of all organizations reporting restrictive legal environment by country and regime type

While non-democratic states might be expected to clamp down on civil society space more readily than open, democratic states, in fact the variation in legal environment transcends regime type. Figure 6.4 presents the same data as Figure 6.1, but differentiates between the countries that are considered by Freedom House to be electoral democracies and those that are not. Freedom House defines the following countries in this book's dataset as electoral democracies: Albania, Argentina, Bulgaria, Chile, Croatia, Italy, Japan, Liberia, Mexico, Nicaragua, Slovenia, South Korea, Turkey, Uruguay and Zambia; the following are defined as not being electoral democracies: Armenia, Belarus, Georgia, Jordan, Kazakhstan, Kosovo, Philippines, Russia, Togo and Venezuela (Freedom House 2010). As Figure 6.4 shows, non-democratic states are distributed across the range of responses. Different regime types do not cluster in any noticeable manner or illustrate a clear, consistent association with particular levels of restrictions in civil society. Democratic countries such as South Korea, Turkey and Japan are widely perceived by the CSOs polled to have restrictive legal environments, while non-democracies such as Kosovo, Jordan, Kazakhstan and Georgia have much lower levels. However, other non-democracies such as Belarus and Venezuela are more consistent with hypothetical expectations, whereby CSOs perceive restrictions at high rates. Thus, the picture painted by the quantitative data merits further investigation in order to better explain the situation on the ground in each state.

The legal restrictions facing CSOs are multi-faceted, as limitations have been placed on civil society through laws and bills pertaining to counter-terrorism, NGO regulation, international cooperation and the media. Analyses of law and policy impacting on civil society freedoms reveal that in many instances,

although the restrictions were sought to be justified in the name of protecting security or national interests, in reality their intent appeared to be curtailing civil society space.

In Zambia, the new Non-Government Organization (NGO) law introduced in August 2009 undermined the independence of CSOs by vesting a government-dominated NGO registration board with far-reaching powers. These include: (i) the power to approve the area of work of NGOs, which could allow the government to determine their thematic and geographic areas of functioning and exercise control over their affairs; (ii) the power to provide policy guidelines to harmonize the activities of NGOs with the national development plan, which could effectively co-opt NGOs into assisting in the fulfilment of the political priorities of the government; and (iii) the power to advise on strategies for efficient planning and coordination of activities of NGOs, which could effectively treat NGOs as government subsidiaries as opposed to independent entities free to formulate and execute their action plans in line with identified priorities.

This potential high level of co-option and potential corresponding fear of official sanction may explain the hesitancy of Zambian CSOs to report an unfavourable environment. The NGO Law and the long-standing Societies Act give the state significant potential power over civil society groups, including the ability to 'cancel the registration of any society' (Zambia Council for Social Development 2011). Other public security legislation makes the police responsible for regulating public gatherings, allowing them to limit freedom of assembly and association in the name of public order. Laws in Zambia also prevent CSOs from accepting funding from foreign sources without the written consent of the president. This provision interferes with funding opportunities and technical assistance that might otherwise be available to civil society in Zambia.

In December 2010, President Hugo Chavez of Venezuela urged the National Assembly to adopt a 'severe law' to effectively block foreign funding for a wide range of NGOs which, in his opinion, were ideologically opposed to official policies and could destabilize the government. Venezuela's International Cooperation Bill, under consideration by the National Assembly at the time of writing, would require CSOs to seek additional permission from the authorities to obtain funds from abroad. It would also significantly reinforce the scope for executive control over CSOs by creating an Agency for International Cooperation with wide-ranging powers to control the receipt and disbursement of international funds. In essence, the bill seeks to deny CSOs critical of official policies access to much needed funds from abroad (CIVICUS 2011).

In addition to these measures, Venezuela has widened the scope of libel laws and increased the punishment for libel, with the effect of intimidating political opponents and generally inhibiting free speech. The erosion of horizontal accountability, the checks and balances necessary to maintain separation of

powers among branches of government (O'Donnell 1994), has increasingly given President Chavez the ability to use other instruments of the state, including the judiciary, to impede opposition. According to the 2008–2011 CSI country report for Venezuela, 'Organizations are disqualified and threatened, aiming at minimising their impact by promoting self-censorship. The criminalisation of protests shows a triangle formed by the Attorney General, the Courts and security forces to judicially intimidate demonstrators' (SINERGIA 2011). CSOs do not operate in a favourable environment here, as they were clear to report in the CSI survey. It is striking that, as in Jordan and Nicaragua, none of the groups surveyed in Venezuela identify themselves as NGOs, civic groups and human rights organizations. One can interpret this situation as suggesting that in these countries the more critical organizations have been silenced or are forced to operate under a different label.

In Nicaragua, the leftist government, fearing that the ideological challenge posed to it by civil society was a security risk, sought to place restrictions on foreign organizations' involvement and influence in or financing of what they believed to be activities of a 'partisan political nature'. Additionally, the authorities put together onerous rules on international cooperation for CSOs which created a web of bureaucratic red tape requiring multiple permissions from ministries and government departments, which has most probably had the effect of impeding vocal civil society groups from engaging in partnerships with foreign organizations. Although not officially enacted, officials who met with a CIVICUS fact-finding team that visited the country in January 2010 stated that provisions of the manual were being implemented.

In Belarus, authorities continued to employ a novel way to criminalize the work of civil society organizations through Article 193.1 of the criminal code. This provision prescribes imprisonment from six months to two years for participation in the activities of an unregistered political party, foundation, civil or religious organization. A number of CSOs involved in the protection and promotion of human rights have been denied registration by the authorities, thereby making their legitimate activities illegal. For instance, on 28 May 2009, Nasha Viasna, a human rights group, was denied registration for the third time by the Ministry of Justice. On 9 April 2009, the Belarusian Assembly of Pro-Democratic NGOs was denied registration for the second time. Other organizations that have been refused registration are the civil liberties group Berascejskaya Viasna, the youth group MODES, the cultural group Spadchyna, the Party of Freedom and Progress, the Belarusian Christian Democracy Party, the Belarusian Party of the Working People and the Youth Christian Social Union, all of which are active proponents of civil and political freedoms (CIVICUS 2009a).

In Jordan, the gradual opening up of the political environment in the 1990s created a favourable environment for CSOs which was later endangered by the presumed threat of terrorism. Anti-terror laws have been used to restrict free speech and the freedom of assembly. 'The adoption of hundreds of temporary

laws under the pretext of confronting terrorism and Islamic extremism' has eroded civil society space and allowed security forces to exercise far-reaching control over the public sphere (Al Urdun Al Jadid Research Center 2011). The Anti-Terrorism Act of 2006 gives the state the power to arrest citizens and detain them for thirty days without trial. As with Zambia, Jordan clearly has a legal framework unfavourable to civil society, yet the percentage of CSOs reporting that they perceive their nation's laws and regulations to be limiting is relatively low. The uncertainty of the political environment may be responsible for this apparently paradoxical finding; it may be that it is mostly those organizations that support the official line that have been able to survive the turbulent political situation.

Preceding this current trend, national security concerns have been used in South Korea for decades to regulate civil society space and place limits on the national discourse. The formal state of war that persists between North and South Korea gives the country clear motivation for maintaining particular security measures, but the National Security Law that was enacted more than fifty years ago 'has been widely misused to detain people who posed no threat to security' and to persecute citizens who 'pose a threat to established political views' (Jo, Joo & Lee 2006). Thus, despite South Korea's credentials as an economically successful country, CSOs are inclined to report that laws and regulations are restrictive, giving it the highest percentage of CSOs offering a negative assessment (84 per cent) in the twenty-five country CSI dataset for this volume.

Similarly, in Kosovo, persistent security threats, in the form of inter-ethnic tensions, produce a political and legal environment in which public security can be used to justify interference in civil society space. The 2008 constitution formalizes this dynamic between the two issues, and in particular, 'freedom of assembly has occasionally been restricted for security reasons' (Kosovar Civil Society Foundation 2011). Nevertheless, there have been successes in safeguarding civil society space. A proposed NGO Law, which would have restricted the not-for-profit sector, was defeated in 2010 through lobbying and advocacy efforts.

Finally, in Kazakhstan, authorities require that CSOs publish a report on their activities and present it to state officials on an annual basis. This kind of monitoring from the state clearly interferes with a group's ability to freely express its views, as it implies making a CSO's funding and indeed existence contingent on keeping on the right side of the authorities (Public Policy Research Center 2011). Acts such as these lend credence to the perception that the Kazakh government has deliberately sought to amplify threats from religious radical groups as a way of silencing political opposition and maintaining its hold on power (Oliker 2007).

On the second matter, regarding the use of criminal sanctions against civil society activists, CIVICUS' ongoing monitoring reveals that a number of civil
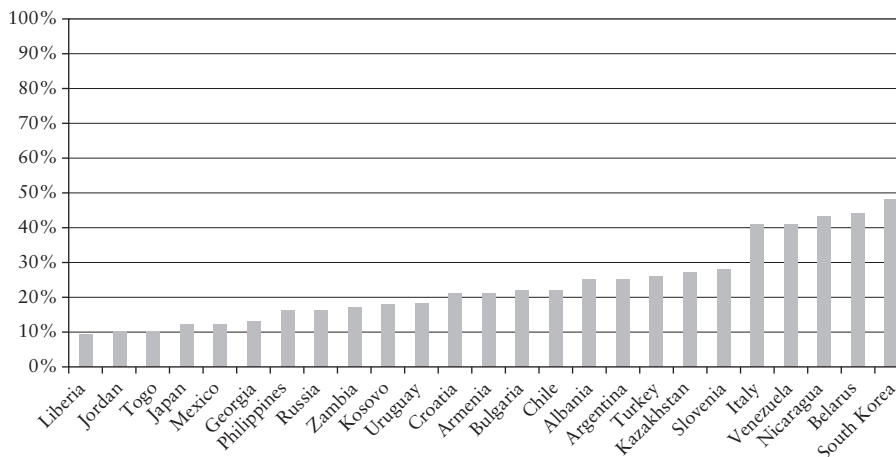
Figure 6.5 Percentage of all organizations reporting illegitimate restriction or attack by country

society activists were imprisoned on the basis of seemingly politically motivated prosecutions and flawed trials to prevent them from continuing their work to highlight human rights violations. A common occurrence has been the labelling of the detained activists as supporters or members of terrorist or rebel groups, although in some cases legal sanctions have been brought against them through regular provisions of criminal law rather than terrorism-related laws. Evidently, many detained activists have been denied basic due process rights and subjected to abuse by the detaining authorities.

Notably, data from the CSI Organizational Survey reveals that 21 per cent of the respondents stated that their organization had faced illegitimate restrictions or attacks by either local or central government. The responses from South Korea (48 per cent), Belarus (44 per cent), Nicaragua (43 per cent), Venezuela (41 per cent) and Italy (41 per cent), with many other states in the 20–30 per cent range, reflect that illegitimate restrictions or attacks by the authorities appear to be a method of controlling activities of some CSOs (Figure 6.5). Thus, not only do CSOs in many countries face legal frameworks that hamper their operations, but also they experience attacks from the state that go beyond the measures of law.

As with the reports on CSO representatives' perceptions of laws and regulations, it is instructive to consider the particular conditions confronting NGOs, civic groups and human rights organizations. Figures 6.6 and 6.7 demonstrate that these organizations may face a different constellation of issues in their work. While countries such as Belarus have consistently high rates of CSOs – both human rights related and not – reporting attacks, states such as Albania, Bulgaria and Mexico are different. In these countries, reporting of illegal attacks is 20 to 30 per cent higher amongst NGOs, civic groups and human rights organizations as compared to other CSOs, suggesting that human rights defenders are in particularly grave danger in these countries.
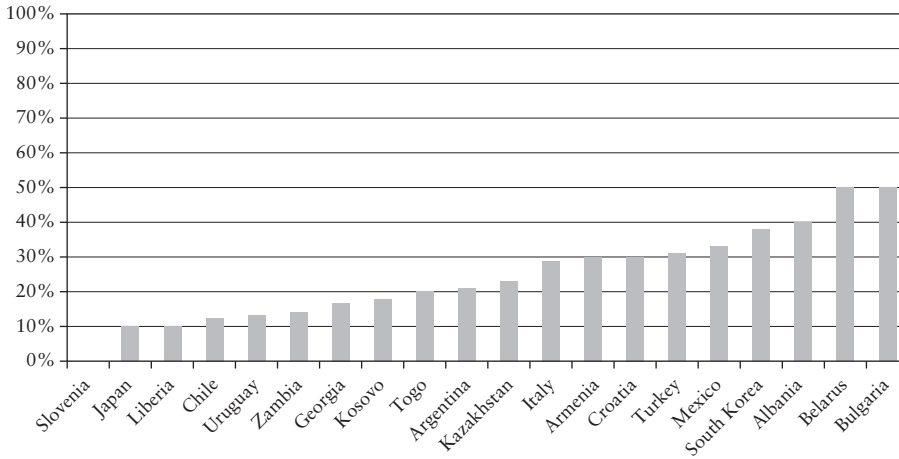
Figure 6.6   Percentage of NGOs, civic groups and human rights organizations reporting illegitimate restriction or attack by country
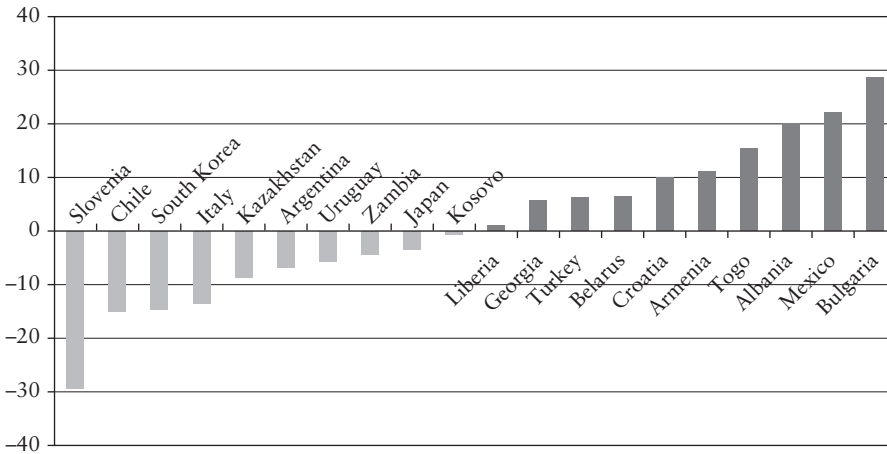
Figure 6.7   Percentage difference between NGOs, civic groups and human rights organizations and all other organizations reporting illegitimate restriction or attack by country

Once again, the division of regime type does not seem to display especially notable patterns or consistent associations between attacks on civil society and one form of government across the country cases (Figure 6.8). Rather, some democracies and non-democracies at the high end of the spectrum have roughly similar levels of CSO response to the question of whether or not they have experienced attacks. Further, non-democracies are scattered across the range of countries, once more troubling the notion that regime type alone can explain the patterns of state behaviour or CSO perceptions, and suggesting that international civil society needs to scrutinize the behaviours of
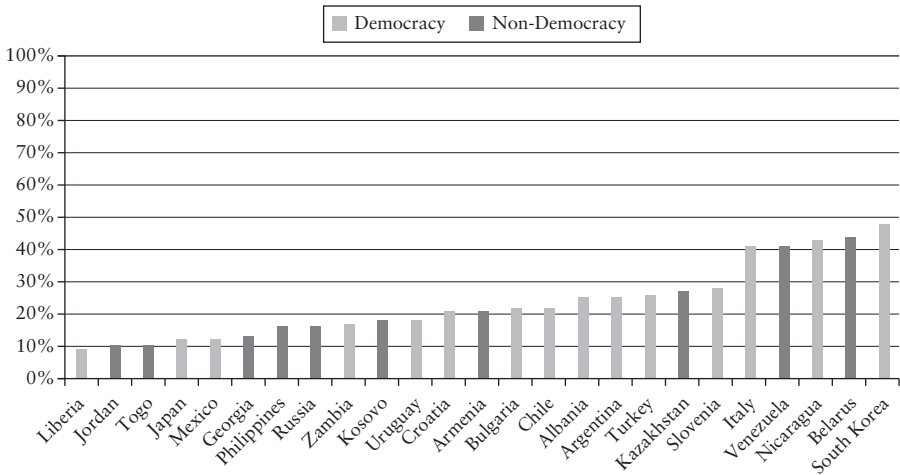
Figure 6.8 Percentage of all organizations reporting illegitimate restriction or attack by country and regime type
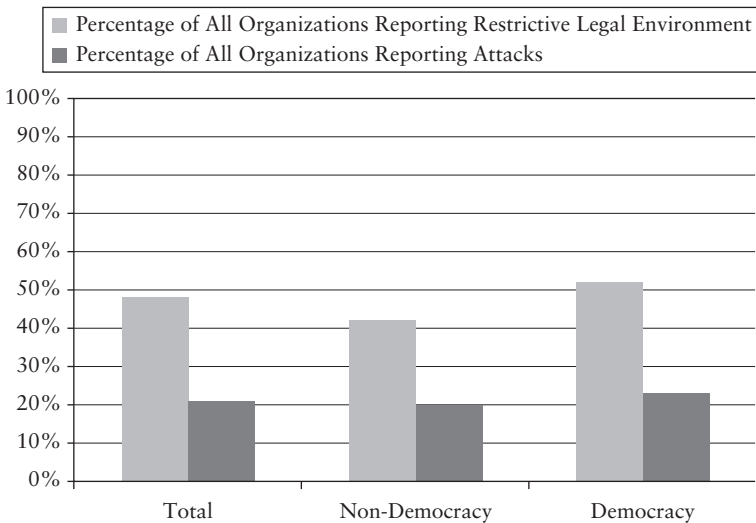

Figure 6.9 Percentage of all organizations reporting restrictive legal environments and attack by country and regime type

recognized democracies as well as non-democracies. In the aggregate, CSOs under democratic and non-democratic governments responded with similar frequency that they had been the victims of attack. Figure 6.9 illustrates this point. The comparison between perception of regulation and experience with attacks reveals that CSOs in electoral democracies report more restrictive laws and regulations than those in the states considered non-democracies.

Additionally, CIVICUS' monitoring of individual cases in some CSI countries affirms the use of the law as a tool to persecute vocal civil society activists. Following are some examples.

In the Philippines, where civil society groups are involved in highlighting abuses by government forces in counter-insurgency operations against leftist guerrillas and Islamist militants, a group of forty-three community health workers and medical practitioners (popularly known as the 'Morong 43') were detained in February 2010 when they were arrested during a training exercise on medical practices. Security forces entered their training premises on the basis of a defective search warrant and accused them of being in possession of weapons and explosives, which is inconsistent with their peaceful work as community activists. It was only after sustained pressure from within and outside the Philippines that the authorities agreed to release the Morong 43 after the lapse of a considerable period of time in December 2010 (CIVICUS 2010b).

In April 2010, the offices of the Socio-Ecological Union (SEU), an environmental NGO based in Samara, Russia, were raided by the police in connection with alleged criminal charges of extremism against Sergey Simak, the Co-Chair of the organization. Staff from the regional branches of the Department for Economic Crimes and the Centre for the Combat of Extremism seized his computer and documents, which are alleged to have been used for criminal purposes. Police sources stated that the motivation for the case arose from protests over the felling of trees (CIVICUS 2010c).

In Azerbaijan, two pro-democracy bloggers were sentenced to prison terms of two and two and a half years, ostensibly on charges of indulging in hooliganism for allegedly getting into a brawl at a restaurant. The two had fallen foul of the authorities after they posted a satirical video on the internet. Although they were finally released from prison, the fact that they could be treated in a cavalier manner by the authorities remains a key point of concern (Allnut 2010).

In Kazakhstan, human rights defender, Yvgeny Zhovtis was handed a four year sentence in an accident case following a trial riddled with multiple infirmities. These included: (i) failure to inform Mr Zhovtis promptly and in detail that he was being considered a suspect; (ii) denial by the court of the accused person's right to examine and challenge the forensic evidence presented at trial; (iii) denial of adequate time to prepare a defence (the defence attorneys of Mr Zhovtis were only given forty minutes by the court to prepare their closing statements, which cannot be considered adequate time in light of the seriousness of the charges); and (iv) return of a guilty verdict against Mr Zhovtis with a lengthy-typed judgment only fifteen minutes after the adjournment of the trial. This raises the question of whether the court had enough time to reflect upon the rationale for the decision after the conclusion of the trial (CIVICUS 2009b).

Two Greenpeace activists in Japan, Junichi Sato and Toru Suzuki, were handed one year suspended sentences in September 2010 for their role in carrying out a public interest investigation into corruption in the Japanese whaling industry. Despite their uncovering of embezzlement, smuggling and

illegal trading at the expense of Japanese taxpayers, the court chose to convict them. They were accused of trespassing and stealing a box of whale meat to film its contents as part of their public interest investigation into Japan's whaling programme. The box was handed over to the police before it was reported lost. They were also subjected to a twenty-six day detention that the UN Working Group on Arbitrary Detention described as a breach of their human rights and politically motivated, along with a lengthy two-year prosecution (CIVICUS 2008).

Conclusions and recommendations

Responses from CSOs in the CSI regarding national legal environments illustrate the sometimes contentious relationship between states and civil society. State legal regulations provide the framework in which CSOs operate and, as the CSI attests, some states have an enabling framework while others limit civil society space. As demonstrated above, there is a wide range of responses from CSOs in different countries regarding the legal framework in which they operate, from states in which fewer than 20 per cent of CSOs report a restrictive legal environment to those where more than 70 per cent of CSOs feel that the legal environment is restrictive. A slightly smaller range exists for organizations reporting attack by local or central government, from less than 10 per cent to almost 50 per cent. Neither the legal environment nor attacks by the government are easily explained by regime type. Organizations in electoral democracies and non-electoral democracies among the twenty-five CSI countries considered in this volume report levels across the range of responses, without notable clustering of one type of regime or patterns of behaviour.

In order to better understand why regime type is not a good predictor of organizations' responses, future research should explore alternate explanations for the range of perceptions reported in the CSI. Further research in this area can shed light on the relationship between government institutions and CSO perceptions. In addition, the differences between the rates at which organizations report a restrictive legal environment and the rates of illegitimate attacks in all countries merit additional inquiry. From the CSI data, there does not appear to be a consistent relationship between the two measures. Restrictive laws and attacks from government forces might be expected to be used in concert in those countries seeking to clamp down on civil society space, but that pattern does not appear. Equally, an inverse relationship between the two measures is not borne out in the data. A state that has weakened civil society through the law may not need to resort to force, but this also is not uniformly found in the data. Finally, future research on civil society space must consider the interaction of CSOs across national borders.

While the CSI evaluates the state of civil society at the country level, transnational linkages affect the ability of CSOs to operate and to support one another across political boundaries. The passing of the landmark resolution on the Freedom of Peaceful Assembly and Association, discussed above, came about through the involvement of a number of multi-national civil society actors and governments working together. It underscores both the value and power of international solidarity in protecting civil society space. Another CSI indicator – on the international connections of CSOs – scores consistently low, at only 15 per cent across twenty-four countries.[3] It could be that deficiencies in international connections are making it easier for national governments to define unopposed their domestic civil society parameters. One follow-up this suggests for agencies concerned with domestic civil society space is to support and strengthen transnational civil society connections, to encourage international solidarity and enhanced ability to monitor abuses.

From a practitioner's perspective, variation in civil society space from one state to the next presents an opportunity for groups in different parts of the world to take advantage of the wisdom gained from divergent experiences in new ways. Contemporary challenges may force a re-thinking of the traditional understanding of how CSOs interact with each other. Where security legislation has freshly encroached upon civil society space in highly stable electoral democracies, civil society in these countries could perhaps consider studying and learning from the survival tactics of their peers in non-electoral democracies who likely have considerable experience in negotiating turbulent political waters.

Additionally, to counter the tightening of civil society space, CSOs should re-think the old division between human rights organizations and service delivery groups, given the potential differences in perceptions between human rights organizations and other CSOs explored above. A number of groups traditionally viewed as development or service delivery organizations have now had to incorporate human rights and advocacy into their work. CSOs have affirmed this through the 'Istanbul Principles' on CSO Development Effectiveness developed after extensive consultations by civil society groups across the globe (Open Forum for CSO Development Effectiveness 2010). The first principle for effective development is titled: 'Respect and Promote Human Rights and Social Justice'. Thus, the convergence of missions among groups that previously identified themselves in different terms may actually present another opportunity for the strengthening of civil society as CSOs from different segments of civil society increasingly work together toward a unified set of goals.

Lastly, there is the need to clearly articulate, through international law, the extent of freedoms of expression, association and assembly. As a legally binding international instrument and as international customary law, the ICCPR needs to go much further than providing broad protections for civil society against

state power. It is therefore imperative that the General Comments made by the Human Rights Committee – the body of experts tasked with overseeing the implementation of the ICCPR – elaborate in detail the full scope of these freedoms in line with the provisions contained in the UN Declaration on Human Rights Defenders and the principles developed by civil society for their own protection, even in the face of justifications for civil society restriction drawn from narratives of conflict and insecurity. So far this has not happened to the extent required in the case of the freedoms of association and peaceful assembly.

Notably, negative trends on restrictions on civil society have been widely acknowledged and roundly criticized at multiple forums, including the United Nations. With the information and recommendations presented here, civil society, cutting across borders, has the opportunity and evidence for solidarity, mutual support and self defence.

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7

Violence in Civil Society

Insights from the CSI databases

Anaël Labigne and Anne Nassauer[1]

Introduction

Even though no society, region or culture is free of violence (Imbusch 2002), violence is rarely used by civil society actors, as several empirical studies point out (Tilly & Tarrow 2007; Fillieule & Jobard 1998; Collins 2008). Nevertheless, violence emerges in civil society from time to time. This chapter addresses the role of violence in civil society based on the insights from different CSI countries by asking in which ways civil society actors make use of violence. The aim of the chapter is to analyze and categorize empirical examples of violence in civil society, in order to see in which ways the uses of violence and civil society groups themselves differ. This will lead us to a discussion of the concept of violence and of the value-related dimension of civil society more generally.

Using the two existing CSI datasets from the 2003–2006 and 2008–2011 phases of the project, including both quantitative and qualitative data, we seek to find out more about how violence emerges in civil society, what groups use violence and what differences are visible in the way that violence is used by civil society actors. Narrowing down the analysis with the help of concrete examples will help us not only to obtain a fundamental understanding of how and why violence appears within civil society, but to advance the conceptual clarification. This research interest relates to the broader themes which an empirical and comparative project such as the CSI has to discuss: asking what civil society looks like, and whether civil society is a society that is civil is tantamount to asking in what context it is not. Therefore, a first crucial step is to conceptualize and illustrate the phenomenon of violence in civil society.

The chapter proceeds as follows: first, relevant concepts and categories will be discussed as well as their implications for the analysis and for comparisons of civil society actions. We argue that it is crucial to differentiate between civil society groups in order to understand violence occurring in this arena. Moreover, we underline the usefulness of a narrow concept of violence, as empirical examples of the CSI database show that the instances of violence

used by civil society can hardly be subsumed under one label. Second, we will draw on the CSI quantitative and qualitative data to examine the perceived prevalence of violence within civil society. In this inductive process, examples taken from the CSI Analytical Country Reports will allow us to establish three categories of violence used by civil society actors to structure the different forms of and reasons for violence systematically: reformist violence, demarcation violence and non-political violence. In the last part of this chapter, we will analyze the different forms of violence and state implications for further research.[2]

Concepts and categories

The terms civil society and violence are used to describe very different research objects and are usually not used in combination. Civil society is a commonly used concept, which is however diversely defined in the social sciences.[3] Since a remarkable number of different kinds of violence exist (Collins 2008: 463), violence is a very diffuse and complex phenomenon. Thus, this section aims to clarify the two concepts. We will first specify the definition of civil society with reference to the CSI and subsequently discuss the concept of violence in more depth.

For the purpose of the CSI research, CIVICUS provided a working definition of civil society. This definition changed slightly between the two phases of survey and field research, from 'the arena in society between the state, market and family where citizens advance their common interests' to 'the arena – outside of the family, the state, and the market – which is created by individual and collective actions, organizations and institutions to advance shared interests' (Mati, Silva and Anderson 2010: 17). This change is said to have the aim of emphasizing the role of the actors in creating a space for civil society, which is often assumed to already exist, but which 'does not exist on its own' (*Ibid*.: 19). Obviously this working definition has fuzzy boundaries and needs to prove its value through the empirical research process. The strength of this working concept is that the collected CSI data are rich and diverse. Different actors with different goals are surveyed and it is not decided *ex ante* which actors and groups are surveyed and which ones are not. In other words, this working concept of civil society is general enough to capture complexity and paradoxes, as the aspect of violence in civil society shows.

Turning to the definition of violence in civil society, we will limit ourselves to physical violence. This form of violence might be incited or encouraged by perceived structural or symbolic violence. However, we claim that physical violence is particularly interesting as it more strongly contradicts usual civil behaviour than other forms of violence. Moreover, we assume the inhibition threshold for using physical violence to be higher than the inhibition threshold

for using other forms of violence, such as psychological violence. The CSI defines violence as 'damage to property or personal violence'. Yet, we further specify violence as an action demolishing or destroying objects or causing physical injury or death to another person. We will not include examples like graffiti spraying or street blockades, mentioned in some CSI country reports in the context of violent action, but only actual damage of objects. While we include violence against persons as well as violence against objects, we nevertheless assume that the inhibition threshold to use violence against persons and the harm done by this sort of violence is much higher.

According to Imbusch (2002) different types and dimensions of violence can be classified. Types – i.e. the forms of appearance of violence – can be individual, collective or state violence. As dimensions of violence we can differentiate between metaphorical violence (no real execution of violence, but a vivid description of a phenomenon), direct physical violence (which we refer to in this chapter), institutional violence (such as enduring power relations), structural violence (e.g. suppression or poverty), cultural violence (the cultural and not clearly visible aspects of structural violence, e.g. language, ideology or narratives that justify structural violence), symbolic violence (violence in language and symbols that helps to mask existing power relations, e.g. gender) and ritualized violence (e.g. boxing). We contend that Imbusch's insights on these dimensions and types relevant for violence in civil society can be combined into one model illustrated in Figure 7.1.[4] As violence as a concept tends to be used for very different social phenomena, this classification allows us to specify further the forms of violence used by civil society and to establish
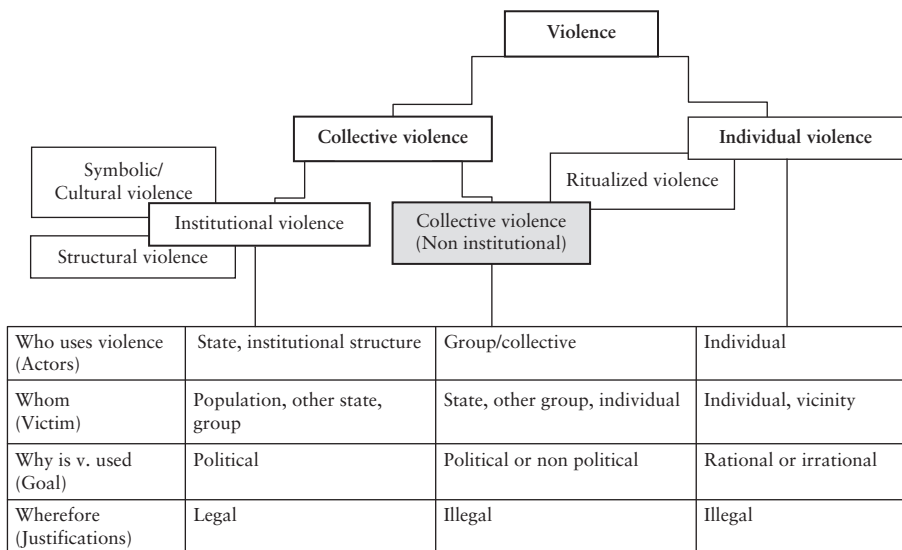

	State, institutional structure	Group/collective	Individual
Who uses violence (Actors)	State, institutional structure	Group/collective	Individual
Whom (Victim)	Population, other state, group	State, other group, individual	Individual, vicinity
Why is v. used (Goal)	Political	Political or non political	Rational or irrational
Wherefore (Justifications)	Legal	Illegal	Illegal

Figure 7.1 Types and dimensions of violence[5]

categories of civil society groups using violence. Since we aim to place violence in civil society in the broader context of analyzing violence, we include all types of violence mentioned by Imbusch in the figure to give a comprehensive overview of different forms of violence (for a detailed discussion of types and dimensions, see Imbusch 2002). In the next section, we will then discuss how violence in civil society can be conceptualized and differentiated further.

Figure 7.1 shows that two forms of collective violence must be distinguished for our purpose, namely institutional violence and non-institutional violence. The latter category refers to violence used by civil society actors, but often occurs in the interplay with institutional violence, normally carried out by state actors. Violence by civil society groups is hence included in the highlighted box 'collective violence, non-institutional'. While the use of force by the state is generally considered legitimate to protect the general public interest and to maintain internal and external security (Grimm 2002: 1,298), use of violence by non-state actors is defined as illegitimate and therefore punished by the state (Hellmann 1998). Both collective non-institutional violence and state violence are always public in some way (Heitmeyer & Hagan 2002). This chapter therefore analyzes violence in civil society, i.e. 'collective violence, non-institutional', which is carried out by a group, pursuing political or non-political goals, directed towards the state, another group or an individual, and generally defined as illegal in the given legal environment.[6]

Collective violence of civil society actors

The CSI

The data we use to analyze violence in civil society and to build the three categories of collective physical violence are drawn from the two main phases of CSI research. From 2003 to 2006 and from 2008 to 2011, research teams based in each participating country, coordinated by CIVICUS, undertook an assessment of their civil society, including quantitative and qualitative analysis of perceptions of the use of violence by civil society groups, as articulated, in some countries, through media reviews and interviews with a variety of stakeholders. While the first CSI phase used four dimensions to map civil society (Structure, Environment, Impact and Values), the methodology used for the 2008–2011 phase examines Civic Engagement, Level of Organization, Practice of Values, Perceived Impact and the External Environment, as discussed in Chapter 2. The values dimension used in the 2003–2006 phase and the practice of values dimension used in the 2008–2011 phase are investigated for both datasets. Within this category we evaluate the indicator of perceived non-violence from the 2008–2011 Organizational Survey. We use the country reports from the first phase where the local research teams answered the following question

(indicator 3.4.1 in the 2003–2006 phase): How widespread is the use of violent means (such as damage to property or personal violence) among civil society actors to express their interests in the public sphere?

Hence, our investigation builds on an inductive approach from empirical evidence to theory frames. Based on the data, a conceptual discussion of violence and its relevance for civil society research is made.

Violence in civil society

Two questions from the 2008–2011 CSI Organizational Survey are particularly relevant to our research questions: (1) Are there any forces within civil society that use violence (aggression, hostility, brutality and/or fighting) to express their interests?; (2) If yes, how would the respondent describe the forces within civil society that use violence (aggression, hostility, brutality and/or fighting) to express their interests? Are they: significant mass-based groups, isolated groups regularly using violence, isolated groups occasionally resorting to violence, or is the use of violence by civil society groups extremely rare?

The first finding based on the 2008–2011 phase of the CSI[7] is that the phenomenon of violence in civil society is an ambiguous issue, as shown by the respondent pattern: out of 4,117 interviewees in the Organizational Surveys conducted in the twenty-five countries examined for this volume, 79 per cent answered the question about whether there are any forces within civil society that use violence (aggression, hostility and/or fighting) to express their interests. Out of those, 62 per cent answered that there were such forces, and 31 per cent that there were not, while 7 per cent answered 'don't know'. Hence this is not a clear-cut issue.

Furthermore, within individual countries there is also a lot of disagreement on that single question.[8] Interestingly, exceptions are found in some of the Latin American cases – Argentina, Chile, Mexico and Venezuela – where about 90 per cent of the Organizational Survey interviewees agree that there are forces within civil society that use violence.[9] Otherwise, much heterogeneity is found.[10]

The meanings associated with the term 'civil society' seem to be diverse at the respondents' level; therefore, as the term itself is part of the question posed, we find ambiguity in the response pattern. The response patterns of the survey at the individual country level indicate that there is – as measured by a single question – no clear agreement as to whether there are forces within civil society that use violence to express their interests. One possibility is that respondents who do not think there are such forces have the more professionalized, service-providing NGO type in mind, while others responding that there are violent forces may associate the diversity of movements struggling for recognition with the notion of 'civil society'; however there was no scope to further explore this during the interviews.

Additionally, one has to consider that this survey took place in different countries and the respondents work in very different organizational contexts. The largest group of respondents was formed by people working in NGOs, civic groups, human rights organizations, health groups and social service providers, who together form about 30 per cent of the sample. The rest of the interviewees worked in diverse organizations, which ranged from village committees and religious groups to labour unions and others. This is another potential reason for the heterogeneity found in the response patterns investigated below.

What can be said is that throughout all these different national, regional and organizational settings, groups within civil society are perceived at least to a certain extent to use a range of means of action, including violent ones. When those who answered that violence within civil society exists were asked further how to describe violent forces (see Figure 7.2), more respondents chose the category that these are 'isolated groups occasionally resorting to violence' than any other.

The distribution shown in Figure 7.2 varies across the respondent's organizational working background. Further analysis reveals groups with observable differences from the reported averages. These are respondents from the broader NGO sector, from political parties, youth groups, and traders' associations, who state more often than others that the use of violence is extremely rare, and those from ethnic-based community groups, who perceive violence in civil society more often than the average, and see it as caused by significant mass-based groups.[11] In that sense, the data indicate that the organizational field the respondents work in indeed matters for their perception of violence in civil society.[12]
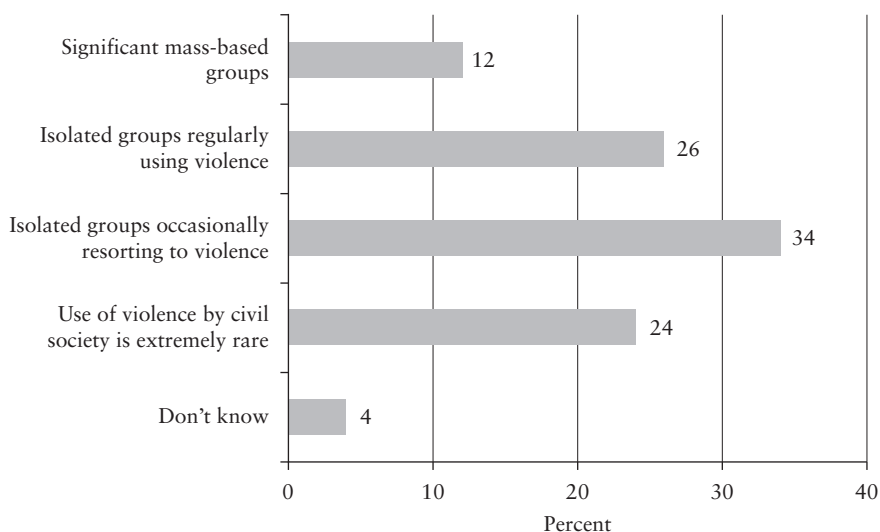

Figure 7.2 Perceived violence in civil society according to CSI Organizational Survey

However, the focus of this chapter is not to analyze factors to explain this variation statistically, but to ask what empirical reality is to be found behind these statements. Therefore we aim at a conceptual clarification of violence in civil society with reference to empirical examples available within the country reports from the 2003–2006 and 2008–2011 phases of the CSI.

Three categories of violence

After clustering the data from the CSI country reports, we detected three categories of non-institutional violence that we propose to exemplify, illustrate and analyze: reformist violence, demarcation violence and non-political violence.

Non-institutional violence, one of the two forms of collective violence presented in Figure 7.1, includes violence by civil society actors. The examples of civil society groups captured in the CSI database coincide with all of the attributes shown in Figure 7.1 except one: 'why it is used', i.e. the actual goals a group aims to achieve through its actions, and not the group's motives to act or to use violence. Therefore, we have developed categories based on this distinguishing attribute. This does not mean that we claim that the goals of a certain group automatically tell us something about the actual reasons why the group uses violence. Explanations and justifications by groups themselves or by observers, as well as scientific explanations of this phenomenon, are broad. Nevertheless, a distinction of groups by their goals is a first step in categorizing and analyzing differences in violence used by civil society.

Figure 7.3 illustrates the categories we developed, extending the 'collective violence (non-institutional)' box from Figure 7.1.

Reformist violence

Violence in the first category is used by groups such as social movements with reformative goals (Tilly & Tarrow 2007). These groups do not usually plan
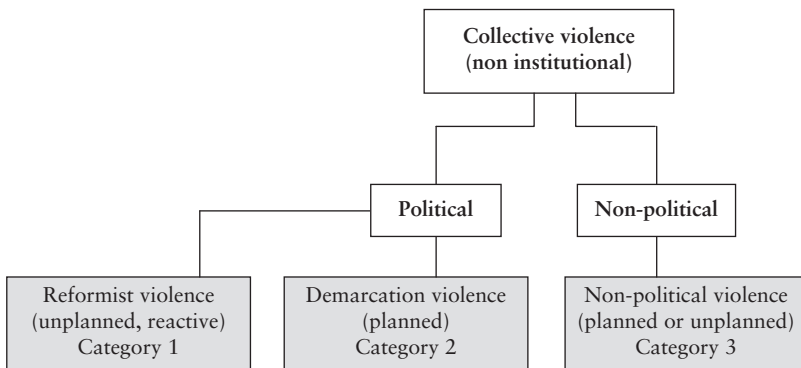

Figure 7.3 Three categories of violence in civil society

to use violence, and violence is usually used in self-defence, due to perceived danger to body and freedom, or as a sort of last resort. The aim of the actors involved in violence is to change and reform society. Violence is generally not perceived as a way of achieving this goal, but rather as a seldom occurring by-product of interaction with state forces or other groups (Tilly & Tarrow 2007; Fillieule & Jobard 1998; Stott & Reicher 1998; Marx 1972). Thus violence in this category is reactive, collective and public in some way (Imbusch 2002: 44).

Like the other two categories, the 'reformist violence' category is built on the CSI country reports from the two phases. The country report on Bolivia for example shows protests taking the form of road blocks and marches leading to public disorder on the country's main road network (Center for Peasant Research and Development 2006). In the case of Bolivia, these political actions are generally peaceful unless the police intervene to use violence to disperse crowds and restore public order. Another example is violence at street demonstrations organized by anti-globalization groups in Chile. University students, unions, indigenous associations and political parties were involved in these demonstrations, and some protests were reported to have resorted to violent actions, with road blocks, broken billboards on the streets and physical aggression towards the police (Fundación Soles 2006).

A further example of this type of violence can be found in the Hong Kong report which mentions 'indigenous' groups, namely descendents of the Chinese community who had been living in Hong Kong well before the arrival of the British colonialists. On several occasions in the 1990s, violence by indigenous groups flared up during their otherwise peaceful campaigns against proposed legislation that threatened their traditional privileges (Hong Kong Special Administrative Region Civil Society Index Research Team 2006).

Although civil society actions in Mongolia have generally been peaceful, the researchers report a trend of escalating violence as citizens begin to use violence as a sort of 'last resort' (Center for Citizens' Alliance 2005). For example in the context of workers' riots, members of the AriunSubarga movement were reported to have protested violently against the Mongol Gazar mining company's camp and to have broken windows of their bulldozers by throwing stones. The group has reformative goals, since working conditions are at the heart of the conflict.

Another prime example is reported for Vietnam where the fight against land speculation led to protests from those who lost their land or felt under-compensated. The research team reported one of the better-known cases which took place in December 2004 when 400 people clashed with security guards at an opening ceremony for a new golf course built with foreign funds in a province near Hanoi. The protesters were dissatisfied with the compensation they had received for the expropriated land (Vietnam Institute of Development Studies 2006).

Opposition organizations were also mentioned in the Nicaraguan report, as resorting to traditional forms of complaints such as road blockages when

the means of dialogue have been exhausted. Student groups from national universities were reported to use violence in this context, for example, in their protests against the restrictions set by Sandinista student leaders on the electoral competition of new groups. Again, infrequent incidents of violence were reported to occur due to the clash between the party in power and protests of opposing groups (Nicaraguan Network for Democracy and Local Development 2011).

Demarcation violence

The second category focuses on civil society groups which pursue what we refer to as demarcation goals. In this category, violence is used for political purposes that are more radical than those expressed by the group above. In such cases, violence is often perceived to be caused by 'us-them' boundaries, created by narratives based upon race, religion, ethnicity or sexual orientation (see *inter alia* Rydgren 2007; Lamont & Molnár 2002). These symbolic boundaries positively evaluate one's own group in contrast to 'the other', to differentiate oneself and create a shared group identity (Lamont & Molnár 2002). Stereotyping 'the other' by stressing the boundaries between the groups, as well as analogisms and specific narratives, can contribute to the escalation of ethnic conflict (see Rydgren 2007; Lamont & Molnár 2002). The radical change pursued by civil society groups in this category is the main point of distinction from the first category. Violence used by these groups is planned rather than reactive, mostly public or semi-public, and has a political motivation of fighting against the state or against another social group.

The research team for Azerbaijan mentioned the mainly ethno-separatist movements and organizations such as Sadval and some radical religious groupings, in particular armed Vahhabits groups that resort to violent means (International Centre for Social Research 2007). As Valiyev (2005) argues, continuing poverty, as well as a high number of refugees within the country, created a ground for radical organizations to recruit members and enhanced the likelihood of finding sympathizers within a variety of groups which were unsatisfied with the status quo.

The most illustrative example for demarcation violence mentioned in the Serbian country report was the Obraz, a fascist organization, which started off as an openly anti-Semitic movement (Byford 2002: 44). Here the narrative of race and ethnicity seems to be the central one (Research and Analytical Center ARGUMENT 2006).

The Indian CSI report also included examples of demarcation violence with reference to radical groups like the Naxalite groups and militant Maoist groups. They are reported to be driven by radical ideologies with the goal of overthrowing the political system, for which they justify violent means (Centre for Youth and Social Development 2006).

Comparable groups exist in Indonesia. Its country report mentioned community groups, such as the Front Pembela Islam, which is reported to have a paramilitary wing called Laskar Pembela Islam (YAPPIKA, Indonesian Civil Society Alliance for Democracy 2006). Again, this chapter does not analyze to a full extent the justifications for the use of violent means, which are complex and beyond the scope of this chapter. For this case, the discussion would need to include this organization's critique and accusation that the Indonesian police service does not uphold laws on gambling and prostitution. Here, as in the country reports mentioned before, other civil society groups firmly reject and denounce the use of violence by such radical groups (Suryaningati *et al.* 2003).

Non-political violence

The third category refers to violence which is not politically motivated. It might be related to criminal action, such as mafia or gang activities, but it also includes hooliganism. Groups belonging to these categories can be part of an underground economy, as in the case of mafia groups, or they can have loose ties to groups with political aims, as some hooligan groups do. However, the groups in this category cannot be said to be in the position of promoting political claims, in the course of which violence occasionally emerges (as in the first category), or to using violence as a strategy for a radical political change (as in the second category). Violence in this category can be planned or unplanned, be used against groups or individuals, and has a much stronger connotation of a direct advantage deriving for the group.

Whether or not this third category can actually be located within civil society opens up a wide discussion depending on the underlying civil society concept applied. Rather than discussing in abstract terms what groups should rightly be considered under the umbrella term of civil society, we will in the following see the extent to which the use of violence described in this third category differs from the other two categories.

Which social action constitutes a political act and which social action does not is always contested. Examples of this third category of violence are less frequent in the CSI reports. Violence based on individualistic pragmatism and profit-making through illegal action, as for example within drug rings, is indeed not the main focus of the CSI research. Organized prostitution and the trafficking of women as well as related violence amongst criminal groups are mentioned only in few country reports. However, hooligan groups, street gangs and mafia groups are mentioned more often as examples of violence in civil society. By taking a closer look at this third category of violence, we will illustrate what constitutes the essential aspects of this type of collective violence.

In the 2003–2006 CSI country reports for Cyprus (South) (Intercollege and the Management Centre of the Mediterranean 2005), Greece (Access2democracy 2006), and Uruguay (Institute for Communication and Development 2006),

research teams felt that football violence was significant enough to be mentioned in their reports. Another example of non-political violence is crime committed by organized gangs in rural areas, as reported in the Chinese survey or those reported in the 2011 Mexican report with reference to organized drug trafficking. Following the general trend outlined above, the Mexican report also stated that CSO representatives considered the violent forces within civil society to be isolated groups that use violence occasionally. However, only 12.9 per cent of those surveyed stated that the use of violence by civil society groups was extremely unusual. The national research team concluded that these data reflected the growing perception of insecurity experienced in Mexico, which has become stronger in recent years. They noted that while there are several causes for this phenomenon, insecurity is frequently associated with the existence of organized crime groups, mainly linked to drug trafficking, and they argued 'that these groups should not be deemed part of civil society, since they are clearly organizations immersed in illegal acts' and that their presence does indeed impact the perception of violence in Mexican society (Mexican Centre for Philanthropy, Citizens' Initiative for the Promotion of a Culture of Dialogue and Social Administration and Cooperation 2011).

Some hooligan groups are loosely connected to political parties, or promote vague political claims. In Montenegro, the most vivid example refers to the criminal act of football fans named 'Barbarians'. According to reports, on 19 November 2004, part of this group tried to attack a spokesperson from the homosexual community of Serbia (Center for Development of Non-governmental Organisations 2006). Gangs of sports supporters such as Los de Abajos (The Underdogs), and La Garra Blanca (White Claw) known in Chile are also connected to political groups. The gang Los de Abajos was born in the Pinochet dictatorship and promotes left-wing political ideas (Fundación Soles 2006). While in some groups political ideas go along with hooligan groups or gangs, the main aim of their actions is usually not a political change or reform (see Buford 1993), and thus we consider them to be non-political rather than reformist.

Understanding violence in civil society

Now that we have established three analytical categories of violence used in civil society, we will be able to address the following questions: To what extent do civil society groups use violence? If and how does violence in civil society differ? Can the third category of non-political violence in practice be accommodated within the underlying conceptualization of civil society? What are the causes for violence in civil society? And what can we conclude from the empirical examples of violence used by civil society actors and by the categories established on this basis?

With regard to the first question, it should be emphasized again that violence in civil society is rare. Furthermore, it should be noted that for the purposes of this analysis, this chapter refers to physical violence against objects as well as to physical violence against persons, even with the proviso that they are neither equally harmful, nor equally normatively charged. However, showing which groups use physical violence against persons or objects and in which contexts also helps us identify the different forms of violence used by different civil society groups.

Several CSI country reports state that violence in civil society is not an issue in their context. All sixteen CSI country reports that included concrete examples of violence show that, when violence is used by civil society actors, it is more commonly used against objects than against persons.

Secondly, violence in civil society, as conceptualized by the CSI methodology, differs significantly. The groups in the reformist violence category tend to use violence against objects rather than against persons.[13] The groups in the other two categories use violence against both objects and persons. In the reformist violence category, violence against persons mainly emerges in interactions with state forces, since these groups have political claims that address their political system or parts of the system. Violence in the demarcation violence category can address the state, but it also addresses other collective actors that have a certain societal function or position more frequently than groups in the first category. Violence used by groups in the non-political violence category mainly addresses non-state actors, such as other non-political groups or individuals.

Third, we argue that the category of non-political violence can hardly be considered a part of civil society. Additionally, as discussed below, the demarcation violence category is also inherently contested, depending on the underlying conceptualization of civil society. From the first phase on, CSI methodologists stated explicitly 'that civil society includes both civil as well as uncivil, peaceful as well as violent actors; the CSI does not exclude any form of collective citizen action on the basis of its uncivil content. On the contrary, it seeks to reflect the (potentially uncivil) reality of civil society, rather than an ideal version of what we want civil society to look like' (CIVICUS 2006: 1). This is emphasized to the same extent for the second CSI phase. The CSI builds on a normative-free and functional definition of civil society (Mati, Silva & Anderson 2010: 20). On the one hand, this broad definition of civil society enables an analysis such as this one at hand and proves to be an explicit choice given CIVICUS's aim in the CSI of collecting all kinds of information relevant to policy. On the other hand, we have highlighted cases in which uncivil means group together to uncivil ends, which are problematic to include under the umbrella term of civil society. When thinking about these difficult cases, the categories of reformist, demarcation and non-political violence are thought of as a tool for analytical differentiation. At the same time, when we speak about violence, we must question the usefulness of including in the analysis civil society groups that do not pursue some political goal.

Fourth, research results on the causes of violence are diverse and controversial. In this chapter the discussion on the general causes of violence is not elaborated in detail, but an analysis of the different forms of violence existing in civil society gives some insight into why violence emerges in civil society and impetus for further analysis. Violence in all three categories is *inter alia* considered to be caused by struggles over social ranks (Gould 2003), by narratives creating religious, ethnic or racial 'us and them' boundaries (Rydgren 2007; Lamont & Molnár 2002), by psychological discontent, such as that arising from relative deprivation, or structural factors (Gurr 1972; Graham & Gurr 1969). Further, resource mobilization and the political opportunity structure are assumed to offer causes for violent action (Tilly & Tarrow 2007; McAdam, Tilly & Tarrow 2001), as well as specific emotional sequences (Collins 2008; Klusemann 2009). We assume micro-interaction sequences to be of crucial importance for causing the unplanned forms of reformist violence emerging within some social movement actions of the first category (Nassauer 2010a). This means that even if violence is not *a priori* intended in social movements, it can emerge due to specific interaction sequences, which allow for actors to overcome their inhibition threshold for violence. Actors interpret their situation and the actions of the other in a specific, often threatening, way and therefore use violence (for a detailed discussion see Nassauer 2010b). In the third category established here, by definition of the category, the profit-making or gain aspect is more important in causing violence, since no public achievement for society is claimed by these groups.

Conclusion

In this chapter we categorized forms of violence in civil society in order to approach the phenomenon of violence in civil society from a new angle. By establishing three categories of violence in civil society, this chapter has shown that civil society as reflected by the CSI methodology includes a very broad sphere of actors, which can hardly be labelled as acting in one 'arena'. By referring to reformist, demarcation and non-political violence, the use of violence reported within the CSI countries can be better understood and differentiated.

Violence used by civil society actors is very diverse. We argued that it is not proven that actors which fall into the third category, of employing non-political violence, should be included in the general definition of civil society. Additionally, it is useful to carefully distinguish between violence against objects and violence against persons, since damaging a store window and committing a lethal attack on a person have very different consequences and thus offer very different dimensions of being 'uncivil'.

With reference to specific cases, we aimed to show that the complex discussion about an empirical mapping of violence in civil society is fruitful.[14]

Providing the necessary empirical material for these discussions is a unique contribution of the CSI network.

If violence in civil society occurs at all, we argue that the classical form of civil society is represented within the reformist violence category, which mainly refers to social movements having reformative goals. These groups are indeed peaceful to a large degree, and we can assume that they often have a high inhibition threshold to use violence and thus only do so after specific interaction sequences with state forces (see Nassauer 2010a). In general, civil society uses civil means to express their claims. It takes a lot for violence to emerge (Collins 2008). By showing what violence used by civil society groups looks like, we saw how civil society groups differ: from generally peaceful social justice groups, to revolutionary paramilitary wings.

We put these categories up for further discussion and suggest that further research on their differences and similarities is needed. Additionally, further research on the normative aspects of civil society, which were mostly left out in this chapter, are important fields of future empirical investigation. Examples of the demarcation violence category, such as the violence used by the Serbian fascist group Obraz, made the potential and case-specific problems of a broad and very inclusive civil society definition more explicit: strongly hierarchical organized groups with quite fixed goals are far from the typical civic ideals of democracy and tolerance.[15]

The analytical and basic categories of reformist, demarcation and non-political violence established and exemplified in this article contribute to a differentiated analysis of violence in civil society, especially for research projects such as the CSI, which maps and measures phenomena inherently prone to contextual diversity. For future phases of the CSI, it should be considered whether these categories might be helpful to research violence in civil society. For future country reports and case descriptions, this would, for example, imply a challenge not only to describe the actions of violent groups, but also to investigate and try to better understand the goals of any group within the larger civil society arena using such drastic means as violence.

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8

Conclusion

What can we now say about civil society, conflict and violence?

Regina A. List and Wolfgang Dörner

Introduction

One of the key aims of the CSI project is to create a knowledge base and increased momentum for civil society strengthening initiatives. As Michael Hoelscher and Thomas Laux reported in their chapter on the CSI methodology, the research component of the project provides an essential input for assessing the strengths and weaknesses of civil society in a range of countries in a comparative way. The research and consultation exercise thus informs the action component for strengthening civil society locally. Our goal in this volume, then, has been to examine comparatively the research results assembled through the CSI process and ask what they can tell us about the links between civil society, conflict and violence and, hence, what implications these links might have for further research and analysis.

Bringing their knowledge and experience from disciplines ranging from political science to peace studies and law, the contributors to the volume have looked at civil society, conflict and violence through a variety of lenses. They have taken the various components of the CSI data as a basis and often combined them with other sources of information. Now, at the end of the exploration, what can we say about possible links between civil society, conflict and violence? What are we unable to say and what questions do these analyses leave open? What other issues have not been or could still be explored with the CSI data?

What can we say? What have we learned?

Michael Hoelscher and Thomas Laux's chapter sets the stage for the following analyses by describing in greater detail the CSI methodology and the data sources resulting from its implementation. They highlighted the tension between the desire for cross-national comparability, which depends on a

rigorous application of the methodology, and the objective of making both the methodology and the research results adaptable and useful to the local context. While noting a number of areas in which this tension still needs to be resolved, they present a convincing argument on the advantages of the CSI methodology, which has produced a rich source of data for comparative analyses of civil society, both relating to conflict and violence and to topics well beyond the purposes of this volume.

The analyses which have been collected here have a focus on diverse aspects of conflict and violence. Each observes from its own unique perspective details of the broader picture of the dynamics which may lead to an outbreak of violence or the prevention of the use of violence and discusses aspects regarding the capacities of actors, questions of legitimacy and the opportunities which appear viable to civil society actors. At face value, most of the contributions focus on past episodes of violence. However, they also have relevance to the efforts undertaken to prevent actors from using violence to settle conflicts.

In her broad exploration of the full set of these CSI dimensions and selected indicators, Tracy Anderson discovered an apparent trajectory of relatively distinct civil society profiles along the continuum from countries in the midst of armed conflict to those in a post-conflict situation. In particular, the dimensions of Civic Engagement, Level of Organization and External Environment are more positive for each group of countries and civil society, moving from situations of conflict, to post-conflict for ten years or less, to post-conflict for eleven years or longer. Furthermore, the Perception of Impact held by internal and external stakeholders also see increases from countries in conflict to those out of conflict for eleven years or more; however, countries that have only been in post-conflict status for ten years or less tend to have a slightly lower rate of Perception of Impact than countries in the midst of conflict.

Perhaps the most noteworthy differences between the clusters of countries touch upon the Practice of Values within civil society. The low scores in countries in the midst of conflict might be intuitively understandable. Representatives from CSOs might evaluate organized groups as less tolerant and might see few possibilities for promoting non-violence and democracy in a hostile environment or, depending on the type of conflict, engagement for peace and reconciliation might be easily interpreted as betrayal of the cause against the common enemy. However, shifting attention to the countries that have more recently emerged from conflict, the relatively higher measures for the practice of values within civil society hint at the significant potential civil society demonstrates in the phase of rebuilding society.

Taking the value dimension into consideration is also important because the increasing presence of CSOs and civic engagement alone might not guarantee positive effects *per se*. A growing number of citizens coming together in associations and organizations might just as well hint at a retreat of citizens into the niches of small, parochial associations. It is the combination of higher

rates of civic activism with the encouraging scores regarding the practice of values that support the assumption of a positive contribution to peacebuilding on civil society's part.

The combination of the diverse dimensions of civil society and the tendency of increasing scores to go alongside growing time since episodes of armed conflict seems to support assumptions which are not expressed directly but which lie at the basis of Anderson's analysis: in situations of armed conflict, civil society has lower capacities to negotiate diverse interests. Non-state actors do however retain capacities to organize and to coordinate among themselves. These developments are assumed to be crucial for reinforcing a stable, peaceful co-existence.

Admittedly, though, with Anderson's analysis we are looking at profiles of a group of countries at a set of distinct stages, rather than at individual countries over time passing through all these stages, and cannot say definitively that the trajectory would hold in any given country. However, the overall trend is quite clear and therefore merits further examination using time series data and more detailed unpacking of the differences among countries within the various groups. Should the trend be validated in several countries over time, the finding will provide civil society and potential donors with clues as to what can be reasonably expected of civil society at the various stages of armed conflict and what actions might be taken to promote further strengthening.

Using a different lens, different country groupings and a subset of indicators, Tricia Olsen, Leigh Payne and Andrew Reiter found a relationship between the strength of civil society and the application of transitional justice mechanisms. More specifically, by combining the Transitional Justice Database and the CSI data, they discovered that CSOs in countries that have used transitional justice mechanisms are well-connected, have more diversified sources of funding and have a more positive perspective on civil society's ability to promote non-violence and peace and to affect policymaking. In summary, civil society in countries that have pursued transitional justice appears to be stronger than in countries that have not. Unfortunately, the data do not allow us to determine with confidence the direction of the relationship; that is, was a stronger civil society able to press for transitional justice mechanisms, or is civil society stronger as a result of the application of such mechanisms?

Olsen and her colleagues correctly urge caution in assuming that the mere existence of a strong civil society necessarily leads to adoption of transitional justice mechanisms. Indeed, given the complexity of such transitions, the relationship may well play in both directions and the choice of different types of mechanisms could be seen as the outcome of the interplay between civil society and the political system, as well as a reflection of their relative capacities.

The establishment of transitional justice mechanisms can be seen as the outcome of this interplay between the capacities of civil society actors on the one side and the capacities of (freshly) established governmental institutions on the other. Institutionalized transitional justice mechanisms openly document the

compromises that have been struck between diverse forces of society. As Olsen and her co-authors propose in their conclusions, the cause-effect relationship will not be running in one direction only. Accordingly, the strength of civil society might influence the decisions as to how comprehensive a transitional justice mechanism is – but this choice can also be assumed to have effects on the future development and the strength of civil society to come.

This perspective of a circular or perhaps spiral process helps to refine questions about the capacities and legitimate channels for claim-making. The capacities of civil society actors in a moment of transition co-determine the establishment of legitimate institutions, of which the transitional justice mechanisms are one, possibly crucial, materialization. It shows how the interplay between state and non-state actors is structured and the quality of the connection between the political system and the society at large. At the same time, these interactions between civil society and the state at a crucial point in a country's history lay the foundations for future relationships between civil society and the political system. The way in which the political system deals with past atrocities and thus with the reconciliation of different factions within society may determine to what extent the needed legitimacy for the political system is generated.

In his contribution, David Kode explored possible reasons for differences in selected indicators of civil society in two post-conflict contexts. Using the cases of Kosovo and Liberia as illustrations, Kode points at different types of conflicts which open up different possibilities and roles for civil society. While in general CSOs are likely to take up the roles of basic service delivery and defence of human rights, the nature of the conflict determines the other roles CSOs might play. It makes a difference whether the conflict is a struggle for independence with a clear division between friends and enemies and whether the conflict involves several parties in a violent competition for hegemony with less clear-cut divisions among them. The first situation has a tendency to force civil society actors to take sides and thus limit their possibilities of action, while the latter scenario allows civil society to engage more easily and take an impartial position, enabling their role in mediation and support for negotiations.

The kinds of roles which civil society can play during conflict, and eventually the contributions it can make to peace processes, are assumed to at least contribute to, and perhaps determine substantially, the position of civil society in a post-conflict setting. Kode illustrates this with CSI indicators that measure the impact of CSOs as perceived both by CSO representatives themselves and by external stakeholders. Overall, civil society's impact is perceived to be much higher in Liberia than in Kosovo. In Kode's interpretation, this is connected to the fact that, in Liberia, civil society had the opportunity to play an active part in settling the conflict and its role here is recognized. Liberia's civil society thus gained a positive image, and its perceived legitimacy and involvement in the emerging political system endows the system itself with greater legitimacy.

Obviously, more factors are likely to be involved and each case has its unique conditions. For example, in the situation of Kosovo, the literal lack of a government as a counterpart for claim-making and the prominent presence of international bodies, interfering comparatively strongly both with internal affairs and the development of civil society, complicates the picture, having made it more difficult for an organic relationship between the state and civil society to emerge.

However, the main line of Kode's thoughts is promising as it elaborates on the constraints for civil society, looking beyond the questions of legal environment and of controls by the authorities that are held to limit or enable civil society. His chapter hints at the specific contexts and recent occurrences which are important for the standing and recognition of civil society actors. As a consequence it leads to the conclusion that civil society does not always operate in the same way and it cannot contribute to the functioning of a political system in the same way. The expectations about its potential as well as measures to support its activities need to be adjusted according to recent historical developments which have assigned to civil society a particular position in the political system in particular contexts. Accordingly, more investigation and evidence is needed in order to be able to generalize beyond these two illustrative cases. Further exploration into the link between types of conflicts and the shape of post-conflict civil society would benefit from a broader selection of cases, refining the characteristics of diverse conflicts and possibly adding different types of conflicts.

With their analysis, Mandeep Tiwana and Brett Kyle shift the focus to the state's side of the interplay between CSOs and governmental agencies. They look at two specific indicators of the external environment for civil society that assess perceptions of the legal framework for CSOs. They connect the comparison across countries with examples of situations in which alleged 'national security threats' arise from existing or perceived potential conflict or risk to government and examine the extent to which real and perceived threats are used or misused as a reason for enacting tougher restrictions on the operations of CSOs. In doing so, they detected a wide range of perceptions from CSOs regarding the extent of restrictions in the legal and regulatory framework in which they operate. Despite the apparent logic of the hypothesis that the legal environment would be less favourable in less democratic regimes, the differences in perception are not easily explained by examining the country's regime type. By delving into the Analytical Country Reports prepared by the national research teams and bringing in experiences from advocacy work, the authors find some support for the contention that the rhetoric of national security is sometimes misused by political leadership, even in democratic regimes, as a reason to pass laws and other regulations that restrict rather than enable civil society's effective operation.

Their analysis shows how state actors in democratic as well as non-democratic regimes reduce the opportunity structures for the expression of claims which are emerging from society, justifying these limitations by citing

the need to protect citizens and secure the functioning of the political system. The measures for defending the political system against certain groups in society might be necessary under some circumstances but they also can have negative effects for legitimacy, especially in democratic systems, when hindering the process of negotiating between claims and perspectives and thus the development of broader public support for the institutions of governance.

Thus, with their study the authors hint at the challenges that exist, especially for established democracies. Reichardt (2006),[1] for example, points to a paradox of democracy: higher degrees of freedom of expression and assembly do not automatically translate into broader compromises, more support for the political system and a more stable and legitimate governance. Instead, political freedoms also open up the possibilities for intolerant, undemocratic or polarizing currents within societies. The challenge of balancing the safeguarding of space for interest expression with the control of modes of claim-making might be greater for democracies than for more authoritarian regimes. Interacting in an open system requires higher capacities on both sides of the relationship: on the side of the state's agents, the capacity to police the arena, offer enabling structures for effective civil society participation and defend it from takeover by undemocratic forces and, on the side of civil society, the capacity to negotiate peacefully and demonstrate responsibility.

Further analysis of the relationship between CSO perceptions, actual laws and the implementation of laws is required to determine the circumstances under which such abuse takes place so that greater attention can be drawn to the situation and action taken.

Anaël Labigne and Anne Nassauer turn the attention back to the side of civil society. Similar to Tiwana and Kyle, they focus on a single indicator and set of Organizational Survey questions, using examples provided in the Analytical Country Reports from the recent and previous phases to examine more closely the phenomenon of violence within civil society. Not surprisingly, they found that violence in civil society is indeed rare. However, they also suggest that when violence occurs it differs, particularly in terms of the target of violence (objects vs. persons) and the goal of its use (claim-making vs. demarcation vs. gain).

Thus they contribute to elaborating on the fine line between not prescribed, but still tolerated means of interest expression by organized civil society, which they classify as reformist violence, and the type of claim-making which uses illegal means to challenge the political system or the existence of other groups within civil society, which they label demarcation violence. With their analysis they elaborate on the distinction between illegal and illegitimate use of violence, the latter being determined by what the involved actors consider to be the acceptable rules, rightly reinforced by legitimate rulers. Finally, they point to a third type of violence, i.e. non-political, which does not aim to promote political claims or alternative ways of co-existence, but is oriented rather toward personal gain.

By dissecting the various types of violence, they raise the question of whether the CSI's functional definition of civil society might be too broad in that it appears to allow the inclusion of non-political types of collective violence that serve only the purpose of individual gain. They propose that a definition should indeed be limited to 'civil' types of actions to better understand the phenomenon of the rare use of violence to achieve civil society goals.

What questions do these chapters leave open?

The contributions to this volume are exploratory, examining the quantitative and qualitative data assembled through the CSI process along with additional material to determine some of the kinds of relationships that exist between civil society, conflict and violence. In most cases, though general trends or relationships were indeed observed or established, the authors could not definitively assess the causality of the relationship or needed additional data.

The analyses in this volume, undertaken from a variety of perspectives, point to several possible directions for further research related to these topics and recommendations for the next stages of the CSI project. One of the main issues is the need for time-series data and a broader range of countries to validate trends observed by the authors. Unfortunately, as shown in Appendix 1, not all countries have participated in more than one phase of the CSI and the changes made in the methodology impede a straightforward comparison of the quantitative results. In particular, measures of civil society strength over time in the participating countries would contribute to substantiating whether there exists in reality a specific civil society profile at different stages of the conflict-to-sustained-peace continuum, as posited in Anderson's chapter. In-depth analysis of the developments and recent histories in selected countries would also contribute to this. In addition, the relationship between civil society strength and the choice or use of transitional justice mechanisms observed by Olsen, Reiter and Payne can best be examined using data covering a longer period, since different mechanisms are implemented in different countries over time and countries vary considerably in terms of the timing of adopting mechanisms in relation to their transition. An alternative or complement to this approach would be to increase the number of cases, thus allowing for more sophisticated model-building and statistical analyses and for more reliable and generalizable results.

Extending Kode's case study of the role of civil society to a wider range of types of armed conflict and countries would help in understanding the extent to which the role played during conflict and peacebuilding influences the standing and impact of civil society once the conflict has ended. Time series data would also be useful here.

More in-depth examination of qualitative data and legal analyses would likely help us to better understand the reasons behind observed differences between perceptions of a country's legal and regulatory environment and the actual laws and regulations enacted. This type of analysis might also shed more light on the relationship, or lack of relationship, between the level of restrictiveness of the legal environment and attacks on civil society, and a country's governance regime (democratic vs. non-democratic). What might lead a democratic regime to enact tough restrictions on civil society activities (at least as perceived by CSOs)? At what point and for what reason does a regime go over the line in the fine balance between restrictions designed to enhance accountability, transparency and coordination, and those that constitute an overly burdensome or repressive method of control of civil society activity?

In the discussion of their findings, Labigne and Nassauer turn to the working definition of the CSI methodology. They suggest that their categories might be helpful in researching violence in civil society and determining whether non-political violence should be excluded. For future country reports and case descriptions this would, for example, require not only that the action of violent groups be described, but also that efforts are made to better understand the goals of those groups within the larger civil society arena using such drastic means.

In short, future analyses can be both broadened and deepened with additional data – along the lines of those assembled through the CSI process – on civil society in a more numerous set of countries and over a longer period of time. In addition, greater use could be made of the wealth of qualitative background information, especially the case studies and other materials used in compiling the Analytical Country Reports, to more fully interpret the quantitative results.

Other issues to explore with the CSI data

This volume is the first effort, as part of an anticipated series of volumes, to comparatively analyze the rich material that has been collected during the 2008–2011 phase through the comprehensive CSI methodology. It asks what the data, both quantitative and qualitative, can say and support cross-nationally regarding the dynamics and interactions of civil society during or after situations of armed conflict, regarding responses to security threats and the use of violence within civil society. The authors of this volume have approached the topic from diverse perspectives, but one could readily imagine a broad range of other intriguing links between civil society, conflict and violence to explore with the data.

For example, conflict within society does not necessarily lead to the use of violence or the taking up of arms. While several of the chapters have analyzed civil society's strength and role during and after armed conflict of various types,

another avenue of exploration is civil society's potential roles in preventing (or contributing to) escalation to armed conflict or preventing re-escalation of tensions once arms have been laid down. From a research perspective, time series data would be required to compare the situation in individual countries before, during and after armed conflict has occurred. Eventually, this topic could be addressed using time series data from countries in which the CSI methodology has been implemented over multiple phases. However, the CSI data that currently exist, including materials that do not appear in the International Indicator Database, could also be blended with data from other sources to examine how conflict has been dealt with in society, thus yielding insights to inform approaches in pre-conflict situations.

An alternative to time series data, which as noted above exist only for a limited number of countries and may not be directly comparable, is to develop models building on clusters of cases. This is the approach that Anderson takes in her chapter, assuming a potentially typical trajectory of countries moving from the situation marked by armed conflict to stable systems that have no recently recorded conflict. Because of space constraints, her analysis remains rather general and looks primarily at the five dimensions of the dataset at the most aggregated level, plus a small selection of indicators. The 'continuum to peace' model could be further developed through an in-depth examination of individual indicators, for example, on the perception of violence or intolerance within civil society, to understand if there are common civil society roles and shapes at different stages of conflict or post-conflict. Furthermore, with an expanded set of cases, it might also be possible to refine the phases and observe the development of civil society after conflict in more detail.

The clustering of countries, a technique also applied in Olsen, Payne and Reiter's chapter, allows for the singling out and examining of the effects of specific factors that might be related to indicators related to perceived violence within civil society or the importance assigned to the promotion of non-violent and democratic behaviour. For example, countries could be grouped together which share characteristics such as the level of homogeneity or heterogeneity, operationalized through the number of ethnic groups, minorities or languages present within the territory, or the distribution of wealth amongst the national population or across regions. Thus the CSI data could form the basis for comparative studies of countries with various levels of ethnic, religious or regional diversity. This could contribute to a discussion of whether more heterogeneous societies would be more prone to conflict within society, or whether some countries have established mechanisms and institutions for effectively mediating between diverse groups. Does civil society have a different profile in more or less diverse societies? Is it stronger or weaker? Does it help create bridging social capital between diverse groups, or does civil society form along identity lines? Do values such as the perceptions of violence within civil society, intolerance and the weight of intolerant groups, i.e. the potential for conflict, vary by the extent of diversity in different societies?

The grouping of cases could also conceivably be based on information contained in other types of outputs from the CSI implementation. For example, one could more closely examine the respondents to the Organizational Surveys conducted by the national partners to determine their main focus of activity, and thus create clusters of countries in which service delivery organizations or recreational associations are predominant and those in which advocacy, environmental and human rights groups are comparatively stronger. Similarly, the characteristics of those chosen to be interviewed for the External Perceptions Survey could indicate the significance the national partners place on different points of reference. In this way patterns might become discernable. For example, it could be observed whether countries with higher shares of advocacy, environmental or ethnicity-based groups demonstrate systematically higher scores of perceived violence in civil society, or whether a stronger presence of service delivery organizations within civil society corresponds to certain stages following an armed conflict. Such background analysis could help overcome possible inconsistencies in sampling strategies and thus the generalizability of results, and allow for more reliable testing of hypotheses such as whether certain CSO landscapes or profiles of external stakeholder groups coincide with perceptions regarding violence.

Many possible relationships between indicators contained in the various datasets are imaginable and worthy of further exploration. For example, is the lack of perceived impact associated with the perception of the extent to which civil society actors are more prone to resort to violence? Is the depth of civic engagement (the degree to which people are members of or volunteer in more than one organization) or the extent to which CSOs cooperate with each other and actively maintain civil society networks related to the perception of violence within civil society?

The contributions to this volume draw primarily on three of the outputs of the CSI methodology, namely the International Indicator Database, the Organizational Survey and the Analytical Country Reports. Future research could integrate additional resources generated through the CSI, especially the External Perceptions Survey, the Population Survey, the case studies (many of which exist as unpublished drafts) and the Policy Action Briefs, and thus make fuller use of the wealth of information for a truly mixed-method design. For example, in some cases, the discussions about the definition of civil society held among experts in the early stages of the implementation process to validate and adapt the CSI's functional definition, and the social forces analyses that describe the position of civil society in the overall national context and the power relations within civil society and between civil society and other sectors, could enhance the interpretation of the quantitative results. The combination of qualitative and quantitative elements of the research offers a vast potential.

Many of the indicators could be more closely examined through their juxtaposition with information sources beyond the CSI. For example, it is

likely that the perceptions of violence within civil society and of the presence of intolerant groups do not accurately measure the actual situation, but rather the salience of the issue in the given context. The scores for these items are often higher in countries which have recently emerged from episodes of violent conflicts than in those countries which have experienced extended peaceful periods. Setting the values against more objective measures of presence and intensity of violent occurrences might elaborate on the function of civil society as a sensor or whistleblower.

As can be seen from these few suggestions, there remains a broad set of questions relating to the link between civil society, conflict and violence that can be explored using the CSI data. To that end, CIVICUS will be making the indicator database available on its website, and will be updating the database as additional countries complete the process, as well as responding to requests by further researchers. We are looking forward to seeing what else can be discovered.

Appendix 1

List of countries and regions that produced outputs from different CSI phases (including expected outputs from 2008–2011 phase)

Country	CSI pilot phase	CSI full phase 1 (2003–2006)	African regional phase (2008–2011)	CSI full phase 2 (2008–2011)
Albania				X
Argentina		X		X
Armenia		X		X
Azerbaijan		X		
Belarus	X			X
Bolivia		X		
Bulgaria		X		X
Burkina Faso		X		
Canada	X			
Chile		X*		X
China		X		
Croatia	X	X		X
Cyprus (North)		X		X
Cyprus (South)		X		X
Czech Republic		X		
Ecuador		X		
Egypt		X		
Estonia	X			
Fiji Islands		X		
Georgia		X*		X
Germany		X		
Ghana		X		X
Greece		X*		
Guatemala		X		
Guinea			X	
Honduras		X		

Table (*Continued*)

Country	CSI pilot phase	CSI full phase 1 (2003–2006)	African regional phase (2008–2011)	CSI full phase 2 (2008–2011)
Hong Kong		X		
Orissa (India)		X		
Indonesia	X	X		
Italy		X		X
Jamaica		X		
Japan				X
Jordan				X
Kazakhstan				X
Kosovo				X
Lebanon		X		
Liberia				X
Macedonia		X		X
Madagascar				X
Malta				X
Mexico	X	X		X
Mongolia		X		
Montenegro		X*		
Morocco				X
Mozambique		X		
Nepal		X		
The Netherlands		X*		
New Zealand	X			
Nicaragua				X
Nigeria		X		
Northern Ireland		X		
Pakistan	X			
Philippines				X
Poland		X		
Romania	X	X		
Russia		X*		X
Rwanda			X	
Scotland		X		

Table (*Continued*)

Country	CSI pilot phase	CSI full phase 1 (2003–2006)	African regional phase (2008–2011)	CSI full phase 2 (2008–2011)
Senegal			X	
Serbia		X		X
Sierra Leone		X		
Slovenia		X		X
South Africa	X			
South Korea		X		X
Taiwan		X*		
Togo		X*		X
Turkey		X		X
Uganda		X		X
Ukraine	X	X		
Uruguay	X	X		X
Venezuela				X
Vietnam		X		
Wales	X	X*		
Zambia				X

*These countries implemented the CSI Shortened Assessment Tool in the 2003–2006 phase. The shortened tool was a downsized version of the original CSI methodology and was implemented in countries with a high level of 'secondary information on civil society or [where] resource mobilization for primary research proves to be difficult' (Heinrich & Malena 2008: 4).

In the 2008–2011 phase, some countries produced Analytical Country Reports only and some countries produced quantitative data sets only. The countries that produced Analytical Country Reports at the time of writing, including the countries in the African regional phase that followed the earlier CSI methodology, were: Albania, Argentina, Armenia, Bulgaria, Chile, Croatia, Cyprus (Greek Cypriot Community and Turkish Cypriot Community), Georgia, Guinea, Italy, Japan, Jordan, Kazakhstan, Kosovo, Liberia, Macedonia, Mexico, Morocco, Nicaragua, Philippines, Russia, Rwanda, Senegal, Slovenia, Tanzania, Turkey, Uruguay, Venezuela and Zambia, with Madagascar, Malta and Uganda in progress at the time of writing.

Countries that produced quantitative data by the time of the development of this volume, which therefore form the quantitative data set for this volume's analysis, were Albania, Argentina, Armenia, Belarus, Bulgaria, Chile, Croatia, Georgia, Italy, Japan, Jordan, Kazakhstan, Kosovo, Liberia, Mexico,

Nicaragua, the Philippines, Russia, Slovenia, South Korea, Togo, Turkey, Uruguay, Venezuela and Zambia. Subsequent to the analysis for this volume, quantitative data were also finalised from Cyprus (Greek Cypriot Community and Turkish Cypriot Community), Ghana, Macedonia, Morocco and Serbia, with Madagascar, Malta and Uganda in progress at the time of writing.

Reference

Heinrich, V. F., and Malena, C. (2008), 'How to Assess the State of Civil Society Around the World? A Description and Preliminary Review of the CIVICUS Civil Society Index's Conceptual Framework and Research Methodology', in V. F. Heinrich & L. Fioramonti (eds.), *CIVICUS Global Survey of the State of Civil Society, Volume 2: Comparative Perspectives*, Bloomfield: Kumarian Press.

Appendix 2

Sample sizes per country

	Country	Population Survey	Data source for the population survey (with respective sample sizes in parenthesis)	Organizational Survey	External Perceptions Survey
1	Albania	1,100	CSI Pop	90	32
2	Argentina	2,282	WVS 2000 (1,002) and WVS 2005 (1,280)	212	73
3	Armenia	1,674	CSI Pop	113	63
4	Belarus	1,101	CSI Pop	122	48
5	Bulgaria	2,717	CSI Pop (1,217) and EVS 2008 (1,500)	156	35
6	Chile	1,000	WVS 2005	90	40
7	Croatia	1,525	EVS 2008	210	63
8	Georgia	2,700	CSI Pop (1,200) and EVS 2008 (1,500)	101	30
9	Italy	3,012	WVS 2005 (1,012) and EVS 1999 (2,000)	90	30
10	Japan	2,458	WVS 2005 (1,096) and WVS 2000 (1,362)	85	27
11	Jordan	2,423	WVS 2005 (1,200) and WVS 2000 (1,223)	121	50
12	Kazakhstan	542	CSI Pop	170	41
13	Kosovo	1,296	CSI Pop	99	40
14	Liberia	1,843	CSI Pop	102	52
15	Mexico	1,200	CSI Pop	349	47
16	Nicaragua	630	CSI Pop	141	31
17	Philippines	2,400	CSI Pop (1,200) and WVS 2000 (1,200)	109	53
18	Russia	2,000	CSI Pop	1,002	136
19	Slovenia	2,043	WVS 2005 (1,037) and EVS 1999 (1,006)	94	30
20	South Korea	2,400	WVS 2005 (1,200) and WVS 2000 (1,200)	100	30

(*Continued*)

Table (*Continued*)

	Country	Population Survey	Data source for the population survey (with respective sample sizes in parenthesis)	Organizational Survey	External Perceptions Survey
21	Togo	1,100	CSI Pop	100	50
22	Turkey	2,552	WVS 2005 (1,346) and EVS 1999 (1,206)	142	38
23	Uruguay	1,121	CSI Pop	116	31
24	Venezuela	1,000	CSI Pop	113	43
25	Zambia	3,501	CSI Pop	90	45
	Total	45,620	21,725 generated by national partners and 23,895 from other sources	4,117	1,158
	Average sample sizes	1,825		165	45

Note: This table applies to the twenty-five country dataset used for analysis in this volume and does not include countries which completed their datasets subsequently: Cyprus (Greek Cypriot Community and Turkish Cypriot Community), Ghana, Macedonia, Morocco and Serbia; and Madagascar, Malta and Uganda, which were in progress at the time of writing.

Data sources for the CSI Population Survey:

- CSI Pop = CSI Population Survey.

- EVS 1999 = EVS (2006): European Values Study 1999, 3rd Wave, Integrated Dataset. GESIS Data Archive, Cologne, Germany, ZA3811 Data File Version 2.0.0 (May 2006), doi:10.4232/1.3811.

- EVS 2008 = EVS (2010): European Values Study 2008, 4th wave, Integrated Dataset. GESIS Data Archive, Cologne, Germany, ZA4800 Data File Version 2.0.0 (2010-11-30), doi:10.4232/1.10188.

- WVS 2000 = WORLD VALUES SURVEY 2000 OFFICIAL DATA FILE v.20090914 World Values Survey Association (http://www.worldvaluessurvey.org) Aggregate File Producer: ASEP/JDS, Madrid.

- WVS 2005 = WORLD VALUES SURVEY 2005 OFFICIAL DATA FILE v.20090901, 2009. World Values Survey Association (http://www.worldvaluessurvey.org). Aggregate File Producer: ASEP/JDS, Madrid.

Appendix 3

CSI International Indicator Database: dimensions, sub-dimensions, indicators, sources and description

Sub-dimension	Indicator	Name	Source	Description
1) Dimension: Civic Engagement				
1.1		Extent of socially-based engagement		
	1.1.1	Social membership 1	Population Survey	Active members of social organizations (such as church or religious organizations, sport or recreational organizations, art, cultural, or educational organizations, consumer organizations)
	1.1.2	Social volunteering 1	Population Survey	Percentage of the population that does voluntary work for at least one social organization (as defined above)
	1.1.3	Community engagement 1	Population Survey	Percentage of the population that engages several times a year in social activities with other people at sports clubs or voluntary/service organizations

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
1.2		Depth of socially-based engagement		
	1.2.1	Social membership 2	Population Survey	Percentage of active members that are active in more than one social organization
	1.2.2	Social volunteering 2	Population Survey	Percentage of active volunteers that do voluntary work for more than one social organization
	1.2.3	Community engagement 2	Population Survey	Percentage of people that reported engaging in social activities with other people who engage at least once a month with others at sports clubs or voluntary/ service organizations
1.3		Diversity of socially-based engagement		
	1.3.1	Diversity of socially-based engagement	Population Survey	Representation of disadvantaged social groups (e.g. women, indigenous people or low income groups) as members of social groups or organizations, compared to their share in the population overall
1.4		Extent of political engagement		

	1.4.1	Political membership 1	Population Survey	Percentage of the population that are active members of politically-oriented organizations (such as labour unions, political parties, environmental organizations, professional associations, humanitarian or charitable organizations and NGOs)
	1.4.2	Political volunteering 1	Population Survey	Percentage of the population that does voluntary work for at least one politically-oriented organization (as defined above)
	1.4.3	Individual activism 1	Population Survey	Percentage of the population that has undertaken political activism in the past five years (such as signing a petition, joining in boycotts, attending peaceful demonstrations)
1.5		Depth of political engagement		
	1.5.1	Political membership 2	Population Survey	Percentage of active members that are active in more than one politically-oriented organization
	1.5.2	Political volunteering 2	Population Survey	Percentage of active volunteers that do voluntary work for more than one politically-oriented organization

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
	1.5.3	Individual activism 2	Population Survey	Percentage of people that reported undertaking political activism in the past five years who engage in more than one type of individual activism of political orientation
1.6		Diversity of political engagement		
	1.6.1	Diversity of political engagement	Population Survey	Representation of disadvantaged social groups (e.g. women, indigenous people or low income groups) as members of politically-oriented groups or oragnizations, compared to their share in the population overall
2) Dimension: Level of Organization				
2.1		Internal governance		
	2.1.1	Management	Organizational Survey	Percentage of organizations that have a board of directors or a formal steering committee
2.2		Infrastructure		
	2.2.1	Support organizations	Organizational Survey	Percentage of organizations that are formal members of any federation, umbrella group or support network

2.3		Sectoral communication		
	2.3.1	Peer-to-peer communication 1	Organizational Survey	Percentage of organizations that have recently (within the past three months) held meetings with other organizations working on similar issues
	2.3.2	Peer-to-peer communication 2	Organizational Survey	Percentage of organizations that have recently (within the past three months) exchanged information (e.g. documents, reports, data) with another organization
2.4		Human resources		
	2.4.1	Sustainability of human resources	Organizational Survey	Percentage of organizations with sustainable human resource base (defined as volunteers composing 25% or less of the organization's staff base)
2.5		Financial and technological resources		
	2.5.1	Financial sustainability	Organizational Survey	Percentage of organizations with a stable financial resource base (defined as the percentage of respondents who perceived that their organization's expenses had decreased and revenues had stayed the same or increased, or their expenses had stayed the same and their revenues had increased between two years.

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
	2.5.2	Technological resources	Organizational Survey	Percentage of organizations that have regular access to technologies such as computers, telephones, email and fax machines
2.6		International linkages		
	2.6.1	International linkages	Union of International Associations (Database)	International non-governmental organizations (INGOs) present in the country as a ratio to the total number of known INGOs in the database
3) Dimension: Practice of Values				
3.1		Democratic decision-making governance		
	3.1.1	Decision-making	Organizational Survey	Percentage of organizations that practice democratic decisionmaking internally, i.e. decisions are made by elected leader or board, or staff, or members
3.2		Labour regulations		
	3.2.1	Equal opportunities	Organizational Survey	Percentage of organizations that have written policies in place regarding equal opportunity and/ or equal pay for equal work for women

	3.2.2	Members of labour unions	Organizational Survey	Percentage of paid staff within organizations that are members of labour unions
	3.2.3	Labour rights trainings	Organizational Survey	Percentage of organizations that conduct specific training on labour rights for new staff members
	3.2.4	Publicly available policy for labour standards	Organizational Survey	Percentage of organizations that have a publicly available policy for labour standards
3.3		Code of conduct and transparency		
	3.3.1	Publicly available code of conduct	Organizational Survey	Percentage of organizations that have a publicly available code of conduct for their staff
	3.3.2	Transparency	Organizational Survey	Percentage of organizations that make their financial information publicly available
3.4		Environmental standards		
	3.4.1	Environmental standards	Organizational Survey	Percentage of organizations that have a publicly available policy for environmental standards
3.5		Perception of values in civil society as a whole		

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
	3.5.1	Perceived non-violence	Organizational Survey	Perceived level of use of violence by civil society groups
	3.5.2	Perceived internal democracy	Organizational Survey	Civil society's perceived role in promoting democratic decision-making
	3.5.3	Perceived levels of corruption	Organizational Survey	Perceived level of corrupt practices within civil society
	3.5.4	Perceived intolerance	Organizational Survey	Perceived level of racist and discriminatory forces within civil society
	3.5.5	Perceived weight of intolerant groups	Organizational Survey	Perceived isolation and willingness to denounce violent practices and groups within civil society
	3.5.6	Perceived promotion on non-violence and peace	Organizational Survey	Civil society's perceived role in promoting non-violence and peace
4) Dimension: Perception of Impact				
4.1		Responsiveness (internal perception)		
	4.1.1	Impact on social concern 1	Organizational Survey	Perceived effectiveness of civil society response to the most important social concern in the country as shown by the WVS, assessed by CSO representatives

	4.1.2	Impact on social concern 2	Organizational Survey	Perceived effectiveness of civil society response to the second most important social concern in the country as shown by the WVS, assessed by CSO representatives
4.2		Social impact (internal perception)		
	4.2.1	General social impact	Organizational Survey	Perceived social impact of the sector as a whole on the two social fields identified as most important, assessed by CSO representatives
	4.2.2	Social impact of own organization	Organizational Survey	Self perception of the social impact of the CSO representative's own organization
4.3		Policy impact (internal perception)		
	4.3.1	General policy impact	Organizational Survey	Perceived policy impact of the sector as a whole, assessed by CSO representatives
	4.3.2	Policy activity of own organization	Organizational Survey	Self perception of the level of attempts to undertake policy advocacy of the CSO representative's own organization
	4.3.3	Policy impact of own organization	Organizational Survey	Self perception of the success of attempts to undertake policy activity of the CSO representative's own organization

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
4.4		Responsiveness (external perception)		
	4.4.1	Impact on social concern 1	External Perceptions Survey	Perceived effectiveness of civil society response to the most important social concern in the country as shown by the WVS, assessed by external stakeholders
	4.4.2	Impact on social concern 2	External Perceptions Survey	Perceived effectiveness of civil society response to the second most important social concern in the country as shown by the WVS, assessed by external stakeholders
4.5		Social impact (external perception)		
	4.5.1	Social impact selected concerns	External Perceptions Survey	Perceived impact on key social concerns, assessed by external stakeholders
	4.5.2	Social impact general	External Perceptions Survey	Perceived social impact of the sector as a whole, assessed by external stakeholders

4.6		Policy impact (external perception)		
	4.6.1	Policy impact specific fields 1–3	External Perceptions Survey	Perceived impact on key policy areas, assessed by external stakeholders
	4.6.2	Policy impact general	External Perceptions Survey	Perceived policy impact of the sector as a whole, assessed by external stakeholders
4.7		Impact of civil society on attitudes		
	4.7.1	Difference in trust between civil society members and non-members	Population Survey	The extent to which being active in civil society goes with increased levels of interpersonal trust
	4.7.2	Difference in tolerance levels between civil society members and non-members	Population Survey	The extent to which being active in civil society goes with increased levels of tolerance
	4.7.3	Difference in public spiritedness between civil society members and non-members	Population Survey	The extent to which being active in civil society goes with increased levels of public spiritedness
	4.7.4	Trust in civil society	Population Survey	Levels of public trust in civil society

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
5) Dimension: External Environment				
5.1		Socio-economic context		
	5.1.1	Basic Capabilities Index	Social Watch	The BCI is the simple average (mean) of three criteria: the percentage of children who reach fifth grade at school, the percentage of children who survive until at least their fifth year and the percentage of births attended by health professionals; it has a possible range of 0–100, where higher values indicate higher levels of human capabilities
	5.1.2	Corruption	Transparency International (Corruption Perception Index)	Perception of corruption levels in the public sector
	5.1.3	Inequality	World Bank, National Statistics Bureau (Gini Coefficient)	Income inequality assessed on a 0–100 scale (reversed for CSI, such that 0 equals perfect income inequality and 100 perfect income equality)
	5.1.4	Economic context	World Bank Development Indicators	Ratio of external debt to GNI as a measure of macro-economic health

5.2		Socio-political context		
	5.2.1	Political rights and freedoms	Freedom House	Freedom House's Index of Political Rights, looking at election processes, political freedoms and participation (the 40-point scale is used, recalculated as a 0–100 scale)
	5.2.2	Rule of law and personal freedoms	Freedom House	Three of the four indicators which form the Freedom House Index of Civil Liberties: • Rule of law • Personal autonomy and individual rights • Freedom of expression and belief
	5.2.3	Associational and organizational rights	Freedom House	One of the four indicators which form the Freedom House Index of Civil Liberties: • Freedom of associational and organizational rights
	5.2.4	Experience of legal framework	Organizational survey	CSO representatives' subjective experience of legal regulations for CSOs and level of government attacks on CSOs
	5.2.5	State effectiveness	World Bank Governance Dataset: World Governance Survey	The extent to which the state is understood to be able to carry out its core functions

(*Continued*)

Table (*Continued*)

Sub-dimension	Indicator	Name	Source	Description
5.3		Socio-cultural context		
	5.3.1	Trust	Population Survey	Level of interpersonal trust
	5.3.2	Tolerance	Population Survey	Level of tolerance for distinct social groups
	5.3.3	Public spiritedness	Population Survey	Level of condemnation of anti-social behaviours

Appendix 4

CSI International Indicator Database: overview of the scores for main dimensions and sub-dimensions

25 country dataset used in this volume:

Dimensions and Sub-dimensions	Albania	Argentina	Armenia	Belarus	Bulgaria	Chile	Croatia	Georgia	Italy
1	47.6	38.8	37.4	43.6	39.6	47.3	39.4	17.6	48.3
1.1	22.0	25.0	1.9	19.5	15.9	44.1	14.8	4.6	30.3
1.2	29.5	37.9	31.3	33.2	29.9	34.2	25.6	17.8	41.4
1.3	91.7	59.3	70.1	82.3	69.7	89.9	79.9	35.8	79.5
1.4	27.3	16.4	12.0	16.4	17.4	18.6	19.3	6.1	30.1
1.5	35.1	27.1	25.8	20.9	32.3	25.7	18.2	13.0	33.0
1.6	80.0	67.2	73.5	87.8	72.4	71.3	78.9	28.5	75.2
2	57.9	52.6	54.9	50.0	56.1	52.3	60.0	64.5	63.2
2.1	85.2	92.9	91.1	82.8	93.5	81.2	95.2	94.1	83.3
2.2	72.7	46.5	39.1	53.3	54.9	44.3	75.7	69.3	71.1
2.3	87.6	76.8	67.5	77.1	71.1	79.7	82.3	83.7	84.5
2.4	16.1	8.6	19.1	8.3	30.6	14.1	6.6	43.0	20.5
2.5	79.7	69.9	80.6	72.2	69.7	79.1	84.5	91.1	80.9
2.6	6.0	20.8	31.9	6.1	16.8	15.7	15.7	6.1	40.8
3	60.7	39.6	51.1	46.0	45.0	42.6	41.1	63.7	45.8
3.1	52.9	74.8	62.8	78.7	71.7	69.7	63.3	82.2	82.2
3.2	53.1	23.1	41.9	27.6	27.1	22.0	26.6	31.5	26.6
3.3	71.8	44.2	62.1	38.6	54.3	42.6	46.2	87.7	54.8
3.4	57.1	13.1	29.2	23.0	20.6	31.0	13.4	80.2	28.1
3.5	68.8	42.6	59.4	62.2	51.4	47.9	56.2	37.0	37.5
4	50.2	47.6	32.8	41.5	43.6	46.4	41.4	30.2	42.1
4.1	50.9	41.9	37.1	41.0	29.6	47.2	43.2	33.0	39.0
4.2	79.9	62.6	42.5	62.3	67.8	67.2	75.2	49.5	58.8
4.3	59.3	50.8	25.5	29.1	43.5	31.7	38.4	40.7	41.8
4.4	45.2	45.6	23.5	43.0	35.6	45.0	34.9	20.3	43.4
4.5	50.3	50.3	47.6	57.0	71.7	72.3	62.4	25.0	61.2
4.6	53.2	53.2	38.0	42.1	48.6	47.8	28.6	23.3	31.0
4.7	12.5	10.5	15.2	16.3	8.5	13.4	7.3	19.7	19.6
5	59.8	64.4	54.1	47.4	61.3	69.6	61.9	56.6	71.8
5.1	68.1	56.5	65.1	67.0	55.3	68.4	54.1	66.5	70.5
5.2	59.7	71.1	46.8	22.6	70.5	81.8	73.1	50.6	77.7
5. 3	51.6	65.7	50.4	52.6	58.2	58.5	58.6	52.7	67.1

(Continued)

Table (*Continued*)

Dimensions and Sub-dimensions	Japan	Jordan	Kazakhstan	Kosovo	Liberia	Mexico	Nicaragua	Philippines
1	44.5	36.8	47.2	44.0	55.6	44.7	53.0	54.7
1.1	27.7	9.3	28.0	21.6	66.0	32.7	32.8	47.6
1.2	33.9	32.6	53.7	40.5	53.6	35.7	45.9	43.7
1.3	78.6	85.6	70.6	80.9	85.2	86.9	95.1	95.7
1.4	22.0	6.5	18.2	21.6	33.0	17.7	25.6	21.5
1.5	18.4	27.1	39.9	32.5	31.6	14.6	28.0	32.2
1.6	86.3	59.8	72.9	67.1	63.9	80.7	90.7	87.7
2	62.3	55.3	48.4	58.9	50.5	45.9	57.2	57.9
2.1	95.3	95.8	73.0	89.9	86.9	72.0	92.9	94.4
2.2	35.4	80.2	50.9	69.7	58.3	41.1	76.6	63.3
2.3	82.9	59.4	70.1	88.4	68.5	63.9	82.6	67.3
2.4	44.0	9.1	14.4	18.3	28.3	12.4	11.3	38.9
2.5	90.0	78.8	77.7	87.4	58.6	65.9	74.5	69.3
2.6	36.4	8.3	4.4	.	2.7	20.3	5.5	14.5
3	41.3	57.2	47.5	59.4	54.1	50.6	61.5	48.7
3.1	55.4	84.9	65.9	61.6	53.0	44.5	53.6	69.7
3.2	28.4	40.7	35.9	42.3	48.1	45.1	64.5	28.2
3.3	61.0	72.9	55.8	74.2	51.3	64.7	63.9	45.7
3.4	11.8	36.4	21.5	57.7	55.6	50.4	69.5	30.8
3.5	49.8	51.2	58.4	61.4	62.3	48.5	56.2	69.1
4	55.2	47.0	40.0	31.8	53.4	45.4	59.8	62.8
4.1	72.8	45.7	50.5	26.8	62.7	71.7	69.5	62.0
4.2	70.4	63.3	52.3	47.6	68.8	60.8	82.1	78.5
4.3	46.9	19.3	28.6	39.4	39.1	28.0	54.4	55.0
4.4	44.5	51.5	52.7	23.8	37.7	34.1	70.0	73.0
4.5	76.9	75.6	53.3	41.5	68.6	58.9	72.6	83.0
4.6	54.9	52.0	30.1	31.7	75.0	46.8	56.7	66.6
4.7	20.0	21.3	12.8	12.0	21.9	17.5	13.3	21.4
5	75.8	55.3	46.5	51.3	52.5	65.6	52.7	53.0
5.1	82.4	64.8	46.5	.	44.4	66.7	48.4	53.5
5.2	79.2	51.2	39.1	46.6	57.1	67.4	54.2	62.0
5.3	65.9	49.9	53.9	56.1	55.9	62.8	55.6	43.7

Dimensions and Sub-dimensions	Russia	Slovenia	South Korea	Togo	Turkey	Uruguay	Venezuela	Zambia
1	33.7	46.5	44.4	47.5	31.0	44.8	37.5	60.8
1.1	13.9	33.9	39.7	51.4	6.2	24.0	24.4	66.6
1.2	35.9	38.5	34.1	33.9	41.1	40.1	37.8	47.9
1.3	81.3	81.0	76.0	89.4	63.9	86.1	59.9	95.7
1.4	6.8	20.7	21.2	27.5	7.0	13.9	16.6	28.7
1.5	8.6	26.6	30.8	21.7	23.5	21.8	24.8	36.3
1.6	55.8	78.0	64.6	61.0	44.4	82.6	61.7	89.5
2	51.4	60.2	64.8	58.1	54.6	59.5	56.6	58.3
2.1	87.4	96.8	94.0	87.0	95.1	90.4	84.7	88.9
2.2	32.2	69.2	76.8	73.0	41.1	71.3	67.6	72.7
2.3	54.8	80.2	91.8	72.6	79.2	85.3	84.0	89.4
2.4	27.3	12.5	19.0	33.0	8.0	24.1	22.9	30.7
2.5	83.1	85.5	89.7	78.5	85.3	74.9	67.4	62.0
2.6	23.4	16.9	17.2	4.6	18.8	10.9	13.3	6.4
3	39.8	42.3	54.3	51.0	48.9	43.0	37.8	59.3
3.1	61.2	61.3	69.7	55.0	94.4	42.1	51.4	73.3
3.2	45.3	25.3	44.6	45.8	34.1	34.2	24.8	34.3
3.3	34.1	49.8	64.5	70.6	50.5	42.5	38.0	81.2
3.4	18.1	27.1	36.8	46.0	30.3	40.0	29.0	35.7
3.5	40.2	47.9	55.8	37.5	35.6	56.0	45.8	71.8
4	34.4	31.9	46.2	45.7	39.2	59.8	46.5	60.3
4.1	35.2	23.1	36.3	49.5	38.7	78.1	42.4	72.6
4.2	54.2	60.5	63.4	64.3	51.3	74.9	73.2	69.9
4.3	42.8	35.5	56.2	35.5	32.2	47.3	42.9	53.7
4.4	36.2	18.4	34.5	47.0	41.0	54.2	51.2	71.9
4.5	36.1	50.0	63.6	62.6	44.8	78.1	67.9	67.5
4.6	31.9	28.4	52.7	46.6	50.2	70.0	27.5	69.6
4.7	4.6	7.4	17.0	14.4	16.4	16.2	20.7	17.2
5	53.3	72.0	67.6	42.6	57.5	72.8	54.5	57.1
5.1	62.6	79.3	74.6	39.3	64.0	66.5	61.7	55.6
5.2	39.7	77.5	73.9	35.1	59.0	84.2	43.7	60.8
5.3	57.6	59.3	54.3	53.4	49.4	67.7	58.1	54.9

Countries subsequently added to the dataset:

Dimensions and Sub-dimensions	Cyprus GCC*	Cyprus TCC*	Ghana	Macedonia	Morocco	Serbia
1	43.6	43.6	52.8	45.0	39.9	42.8
1.1	24.1	21.1	78.0	25.3	23.3	24.0
1.2	30.4	70.4	36.5	27.1	40.0	33.9
1.3	77.2	34.3	88.0	77.5	87.3	87.4
1.4	23.5	21.1	21.9	30.8	13.8	19.3
1.5	23.8	62.5	28.1	22.1	18.5	24.7
1.6	82.5	51.9	64.6	87.2	56.3	67.2
2	59.8	50.5	62.1	59.8	50.5	59.2
2.1	98.9	96.6	100.0	88.1	100.0	90.3
2.2	80.7	37.9	81.8	67.5	50.7	79.6
2.3	77.4	74.3	76.5	92.5	64.3	86.6
2.4	16.5	8.3	17.6	21.0	8.3	12.2
2.5	74.8	75.6	88.3	83.7	70.3	81.7
2.6	10.6	10.6	8.3	6.2	9.6	4.7
3	46.1	50.9	55.4	57.7	59.2	44.6
3.1	92.9	43.2	26.7	76.4	87.7	55.9
3.2	28.4	38.4	45.5	37.3	40.5	26.3
3.3	44.1	76.3	82.8	81.9	55.3	54.3
3.4	22.2	45.5	46.0	40.5	49.8	31.2
3.5	43.1	51.1	75.7	52.6	62.9	55.3
4	53.3	49.8	68.7	45.7	61.8	38.8
4.1	51.6	57.1	75.8	54.1	78.3	45.2
4.2	78.0	72.3	88.6	42.9	75.2	37.0
4.3	48.6	42.6	51.1	51.6	65.0	37.2
4.4	45.7	56.9	65.0	45.8	66.4	55.0
4.5	76.9	73.4	84.1	60.4	64.0	38.3
4.6	52.2	30.4	77.3	55.5	67.6	37.1
4.7	20.2	16.2	39.4	9.4	16.4	21.7
5	77.1	70.3	63.5	56.5	57.0	52.3
5.1	81.6	81.6	58.6	61.0	61.9	32.9
5.2	91.0	78.0	79.7	59.0	51.4	65.5
5.3	58.7	51.5	52.1	49.6	57.8	58.4

* There are two datasets from Cyprus, for the Greek Cypriot Community (GCC) and Turkish Cypriot Community (TCC).

At the time of writing, data were also expected for Madagascar, Malta and Uganda.

Appendix 5

List of available Analytical Country Reports (ACRs) from CSI full phase 2 (2008–2011) and African regional phase (2008–2011)

Country	Coordinating organization	Year	Title
Albania	Institute for Democracy and Mediation	2010	Civil Society Index for Albania: In Search of Citizens and Impact
Argentina	GADIS (Grupo de Análisis y Desarrollo Institucional y Social) / UCA (Pontificia Universidad Católica Argentina)	2011	Civil Society in Argentina at the Bicentennial
Armenia	Counterpart International	2010	Armenian Civil Society: from Transition to Consolidation
Bulgaria	Open Society Institute - Sofia	2011	Civil Society in Bulgaria: Citizen Actions without Engagement
Chile	Fundación Soles	2011	Deepening Democracy: Civil Society in Chile
Croatia	CERANEO – Centre for Development of Nonprofit Organizations	2011	Building Identity: Future Challenges for CSOs as Professionals in the Societal Arena
Cyprus	The Management Centre of the Mediterranean/ The NGO Support Centre	2011	An Assessment of Civil Society in Cyprus – A Map for the Future 2011
Georgia	Caucasus Institute for Peace, Democracy and Development (CIPDD)	2011	An Assessment of Georgian Civil Society

(*Continued*)

Table (*Continued*)

Country	Coordinating organization	Year	Title
Guinea	National Council for Guinean Civil Society Organisations (CNOSCG – Conseil National des Organisations de la Societe Civile Guineenne)	2011	Guinean Civil Society: Between Activity and Impact
Italy	Cittadinanzattiva (Active Citizenship) / FONDACA (Active Citizenship Foundation)	2011	Italian Civil Society: Facing New Challenges
Japan	Centre for Nonprofit Research and Information, Osaka School of International Public Policy, Osaka University	2011	Japanese Civil Society at a Crossroad
Jordan	Al Urdun Al Jadid Research Centre	2011	The Contemporary Jordanian Civil Society: Characteristics, Challenges and Tasks
Kazakhstan	Public Policy Research Centre	2011	Civil Society Index in Kazakhstan: Strengthening Civil Society
Kosovo	Kosovar Civil Society Foundation	2011	Better Governance for a Greater Impact: A Call for Citizens
Liberia	AGENDA	2011	Beyond Numbers: An Assessment of the Liberian Civil Society: A Report on the Civil Society Index 2010
Macedonia	Macedonian Center for International Cooperation	2011	Civic Engagement – Long Road to Go

Mexico	Mexican Centre for Philanthropy (Cemefi)/ Citizens' Initiative for the Promotion of Culture of Dialogue (ICPCD)	2011	A Snapshot of Civil Society in Mexico
Morocco	L'Espace Associatif	2011	Civil Society Index for Morocco: Analytical Country Report: International Version
Nicaragua	Red Nicaraguènse por la Democracia y el Desarrollo Local (RNDDL) (Nicaraguan Network for Democracy and Local Development)	2011	Civil Society Index for Nicaragua: Restrictions and the Politicisation of Civic Space: Challenges for Civil Society in Nicaragua
Philippines	Caucus of Development NGO Networks (CODE – NGO)	2011	Civil Society Index Philippines: An Assessment of Philippine Civil Society
Russia	Centre for Study of Civil Society and the Non-Profit Sector	2011	Civil Society in Modernising Russia
Rwanda	Conseil de Concertation des Organisations d'Appui aux Initiatives de Base (CCOAIB)	2011	The State of Civil Society in Rwanda in National Development
Senegal	Forum Civil	2011	Engaging Together for Real Change
Slovenia	Social Protection Institute of the Republic of Slovenia	2011	Towards Maturity: Challenges for Slovenian Civil Society
Tanzania	Concern for Development Initiatives in Africa (ForDIA)	2011	Civil Society Index (CSI) Project: Tanzania Country Report 2011
Turkey	Third Sector Foundation of Turkey (TÜSEV)	2011	Civil Society in Turkey: at a Turning Point

(*Continued*)

Table (*Continued*)

Country	Coordinating organization	Year	Title
Uruguay	Institute for Communication and Development	2010	From Project Implementation to Influencing Policies: Challenges of Civil Society in Uruguay
Venezuela	Sinergia	2011	Coding and Decoding Civil Society: CIVICUS Civil Society Index for Venezuela 2009–2010
Zambia	Zambia Council for Social Development	2011	The Status of Civil Society in Zambia: Challenges and Future Prospects

At the time of writing, reports from Madagascar, Malta and Uganda were also expected.

All ACRs can be found on the CSI website (http://www.civicus.org/csi/csi-publications), along with the overview reports *Bridging the Gaps: Citizens, Organisations and Dissociation* and *Cutting the Diamonds,* in addition to a number of Policy Action Briefs and case studies.

Notes

Chapter 1 Civil society, conflict and violence: An introduction

1   Citation from CIVICUS's mission statement accessible on the CIVICUS website: www.civicus.org [accessed 7 July 2011]

2   This part of the research process realizes an interesting point, which Katz highlighted in his discussion of the CSI methodology (Katz 2006). The comparative research undertaken within the CSI project does not treat the differences between local concepts of civil society as a problem of measurement, but takes the issue up as an essential part of the research design.

3   The distinction between structural and cultural aspects of civil society is laid out by Heinrich in the discussion of the CSI methodology at the end of the first phase of implementations, but is equally applicable to the structure of indicators in the most recent phase (Heinrich 2005: 220 ff).

4   In Tilly and Tarrow's model (2007), claim-making and the regime's response escalate into a lethal conflict when at least one side of the relationship regularly uses organized armed force either for claim-making (political actors/civil society) or for controlling claim-making (governments).

5   This volume and thus the introduction focus on civil society, the constellation of actors within civil society and their capacities in relation to conflict and violence. Of course there are many more factors that have an effect on the development of conflicts, for example, the exposure to violent episodes in the recent history of a country or the presence and easy availability of arms. Tilly and Tarrow label these as non-motivational factors (Tilly & Tarrow 2007: 137). But these topics lie beyond the scope of this publication.

Chapter 2 Measuring civil society globally with the CSI

1   A good overview of the approach and its implementation is given in Mati, Silva & Anderson (2010).

2   This approach does not exclude 'uncivil' civil society (e.g. violent forms of protest or phenomena such as the KuKluxKlan) from the outset and is therefore much more comprehensive and normatively neutral than many other approaches. In a second step, however, these phenomena are assessed with regard to 'normative judgments as to what the defining features of civil society are, what functions civil society should serve, what values it should embrace' (Heinrich 2004: 13).

3   Other well-known efforts in this direction are the Johns Hopkins Comparative Nonprofit Sector Project – see Salamon, Sokolowski and Associates (2004), Salamon, Sokolowski and List (2003), Anheier and Salamon (1998); the related Global Civil Society Index; the World Bank ARVIN (association, resources, voice, information and negotiation) Framework; and the NGO Sustainability Index by USAID. The Global Civil Society Yearbook (Kumar, *et al.* 2009; Albrow, Anheier, Glasius & Price 2008; Anheier, Albrow & Kaldor 2006) also has a data appendix, which collects information from different sources and on different levels. Generic empirical material is also available from various sources (see part 3 of this chapter for some examples).

4   The Johns Hopkins Comparative Nonprofit Sector Project is probably the best assessment of the latter by far.

5   The extent of participation assesses the share of people within each country who are engaged in some form of civil society activity, in a broad sense. The depth of participation measures how much engagement these active people exhibit, for example, through multiple engagements. The diversity of participation looks at the extent to which society as a whole is represented within civil society (e.g. inclusion of marginalized and minority groups).

6   Information on the WVS can be found at http://www.worldvaluessurvey.org.

7   Reasons for this include the fact that in some countries the relevant questions were dropped from the WVS or different answer categories were used.

8   The syntax for this procedure is centrally provided by CIVICUS.

9   Country reports in English and other languages and many other papers connected to the CSI are available from CIVICUS's website http://www.civicus.org/news-and-resources/reports-and-publications [accessed 25 July 2011]. Country partners additionally publish and disseminate their results in various forms, and many of these are also available for download from the partners' websites, in a variety of languages.

10 See *Bridging the Gaps: Citizens, Organisations and Dissociation*, an overview of the key CSI findings, and *Cutting the Diamonds*, an analysis of the CSI quantitative data, both published by CIVICUS, 2011.

11 Bulgaria, Georgia and the Philippines did their own Population Survey, but did not include all questions. Missing items were filled up with data from other international surveys.

12 In this respect countries using data from existing sources (WVS, EVS) have a slight advantage, as documentation for these surveys is provided.

13 But see Hoelscher and Fioramonti (2011), who try to establish the factor structure of the dimensions through Confirmatory Factor Analysis (CFA).

14 The paper is available on CIVICUS's website.

15 It might be interesting to explore different kinds of standardization of the data and their impact on the results for the international comparisons.

16 However, see the methods chapters in the Global Civil Society Yearbooks (Anheier & Katz 2005, 2006, 2009; Anheier, Katz & Lam 2008).

Chapter 3   Exploring civil society in conflict and post-conflict countries: A continuum to peace

1   This chapter only briefly considers this darker side of civil society and its level of influence in conflict and post-conflict societies. Labigne and Nassauer provide a more detailed examination of violence in civil society in Chapter 7.

2   The intensity of the conflict is labelled as either minor – when a minimum of twenty-five battle related deaths but no more than 1,000 occur in one calendar year; or as war, when 1,000 or more battle-related deaths occur in that calendar year (Uppsala Conflict Data Program 2010).

3   Of course, a pre-conflict stage also exists, as conflict does not arise out of nothing. There are early warnings that are flagged, and civil society exists in this stage as well. However, this chapter is only focussed on the conflict and post-conflict stages.

4   The Center for Systemic Peace (2010) lists episodes of major political violence between 1946 and 2010.

5 Uppsala Conflict Data Program (2010) lists wars and conflicts between 1975 and 2008.

6 Genocide Watch (2010) has ranked countries according to Stanton's (2010) stage of genocide that they are in or have been in between 1945 and 2010.

7 According to Stanton (2010), there are eight stages of genocide: 1) Classification for groups of people into us vs. them; 2) Symbolizations attached to the groups (e.g. yellow stars for Jewish people during Nazi rule); 3) Dehumanization of the group; 4) Organization of plans and forces for genocidal acts; 5) Polarization of the groups (usually through propaganda and laws); 6) Preparation by separating the targeted group out, drawing up death lists, forced deportation to camps, etc.); 7) Extermination through mass killing; and finally 8) Denial and covering up the acts (mass graves, blaming the victims, blocking investigations).

8 Significance was set at a 95% confidence interval for all tests (p = 0.05) unless otherwise noted, meaning results where p = ≤.05 have only a 5% or less likelihood of occurring due to chance.

9 The result of the Kruskal-Wallis test is: H(3) = 3.13, p = .37.

10 All figures supplied by the author.

11 The results of the Kendall's tau_b tests are as follows:
Civic Engagement and Rule of Law and Personal Freedoms: r(23) = .12, p = .40;
Associational and Organizational Rights and Civic Engagement: r(23) = .18, p = .22;
Experience of Legal Framework and Civic Engagement: r(23) = .11, p = .46.
Significance was set at the .01 level as is common for the two-tailed test.

12 Please note that all of the graphs through out this chapter that illustrate indicators are based on the ranks of the mean scores used for the Kruskal-Wallis tests. Therefore the numbers presented within the graphs are not the mean CSI scores for the indicators but the mean ranks.

13 The results of the Kruskal-Wallis tests are:
Social Membership: H(3) = 3.92, p =.27;
Social Volunteering: H(3)= 3.54, p = .32;
Political Membership: H(3) = 3.77, p = .29;
Political Volunteering: H(3) = 2.10, p = .55;
Individual Activism: H(3) = 3.79, p = .29;
Diversity in Social Organizations: H(3) = .96, p = .81;
Diversity in Political Organizations: H(3) = 7.22, p = .07.

14 Kruskal-Wallis tests were used for the dimension analyses. No significant differences were found. Level of Organization: H(3) = 2.29, p = .51.

15 The results of the Kruskal-Wallis tests for these indicators are:
Members of Support Networks: H(3) = 5.19, p =.16;
Peer-to-peer Communications – Meetings: H(3) = 5.39, p = .15;
Peer-to-peer Communications – Exchange of Information: H(3) = 3.22, p = .36;
International Linkages: H(3) = 2.12, p = .55.

16 The results of the Kruskal-Wallis tests for these indicators are:
Sustainability of Human Resources: H(3) = 2.75, p =.43;
Financial Sustainability: H(3) = .53, p = .91;
Technological Resources: H(3) = .25, p = .97.

17 The differences between the group mean scores were not statistically significant:
Kruskal-Wallis test: Practice of Values: H(3) = 2.75, p = .43.

18 Kruskal-Wallis test: Practice of Values: H(3) = 9.12, p = .03.

19 The results of the Mann-Whitney tests are (Significance was set at the .01 level as is common for the two-tailed test):
In Conflict/PC<10: U = 1.00, Z = –2.46, p = .01;
In Conflict/PC>11: U = 17.00, Z = –1.54, p = .13;
In Conflict/ No Conflict: U = .00, Z = –2.85, p = .004;
PC<10/PC>11: U = 15.00, Z = –.46, p = .463;
PC<10/No Conflict: U = 3.00, Z = –1.72, p = .09;
PC>11/No Conflict: U = 16.00, Z = –.87, p = .39.

20 Please note that this indicator is measured by CSI as the higher the score, the less weight the intolerant groups have in civil society, in order to fit the needs for plotting the CSI Diamond where the higher the score, the more favourable the situation. Therefore, while the figure shows the in conflict group as having the lowest score, this means the intolerant groups have the highest weight, meaning they are more prominent in these conflict societies.

21 The results of the Kruskal-Wallis tests for this indicator are: Perception of Role in Promoting Peace and Non-violence: H(3) = 4.41, p =.22.

22 The indicators were rated by CSOs and external stakeholders. See Chapter 2 for more details on the CSI methodology.

23 The differences between the group mean scores were not statistically significant: Kruskal-Wallis: Perception of Impact: H(3) = .83, p = .84.

24 The results of the Kruskal-Wallis test found no significant differences between the means: External Environment: H(3) = 3.90, p = .27.

25 The results of the Kruskal-Wallis tests for these indicators are: Basic Capabilities Index: H(3) = 5.16, p =.16; Corruption: H(3) = 2.64, p = .45; Associational and Organisational Rights: H(3) = 3.63, p = .31; Rule of Law and Personal Freedoms: H(3) = 4.74, p = .19; Political Rights and Freedoms: H(3) = 5.03, p = .17; State Effectiveness: H(3) = 1.23, p = .75.

Chapter 4 An exploratory analysis of civil society and transitional justice

1 Backer identifies six primary functions for civil society: data collection and monitoring; representation and advocacy; collaboration, facilitation and consultation; service delivery and intervention; acknowledgement and compensation; parallel or substitute authority.

2 We exclude non-state, independent projects that investigate and uncover the truth about past violations since they do not represent official decisions on behalf of state actors. Future research could expand the dataset and catalogue these efforts.

3 The distinction between an amnesty and a pardon is analytically meaningless; we use amnesty to refer to both actions.

4 Amnesties adopted during the authoritarian period generally provide immunity for members of the outgoing regime. We include these mechanisms only when the new, democratic regime actively recognizes the amnesty as legally valid: where the democratic government, in other words, does not adopt a new amnesty law but instead validates the authoritarian regime's amnesty law.

5 We exclude reparations paid by non-state agents who may choose to compensate individuals on their own. Many companies, for example, have since paid reparations to victims of slave labour practices during Nazi Germany; such acts are not included here.

6 Keesing's World News Archives includes Keesing's Contemporary Archives (1931–1987) and Keesing's Record of World Events (1987–present). A team of

researchers closely analyzed 24,599 pages (from page 23,733 to page 48,332) of Keesing's archive, a catalogue of world events, for information on transitional justice mechanisms. Keesing's provides the coverage, geographically and temporally, necessary to develop a cross-national dataset of transitional justice over a period of nearly four decades. Utilizing news sources from around the world, including newspapers and wire services, and government reports, Keesing's provides an unparalleled source of unbiased summaries of world events. Finally, Keesing's focuses its coverage on political, social and economic events and is a respected, reliable source for this type of data, making it an ideal source for information on transitional justice mechanisms.

7 Monty Marshall & Keith Jaggers, *Polity IV Project: Political Regime Characteristics and Transitions 1800-2004*, available at http://www.systemicpeace.org/polity/polity4.htm [Accessed 4 July 2011].

8 The information gained from this question is used to calculate indicator 2.3.1 of the CSI International Indicator Database.

9 We exclude Nicaragua from this analysis, since data were collected using a different scale than the rest of the sample.

10 The information gained from this question is used to calculate the indicator 3.5.1 of the CSI International Indicator Database.

11 The information gained from this question is used to calculate the indicator 3.5.6 of the CSI International Indicator Database.

12 These figures, in particular, may suggest issues with the voluntary nature of the survey instrument. Those institutions that are more likely to answer a survey may also be more likely to reach out to other CSOs.

13 All figures supplied by authors.

14 The information gained from this question is used to calculate the indicator 4.3.1 of the CSI International Indicator Database.

15 For purposes of comparison, in the remainder of the sample, 30.8 percent perceive the legal environment to be quite limiting while 51.9 percent report it to be moderately enabling. In addition, 12.0 percent report the legal environment to be highly restrictive while 5.4 percent of respondents perceive the legal environment to be fully enabling, which shows a tendency in the opposite direction of countries that transitioned to democracy during this period.

Chapter 6 The law, security and civil society freedoms

1 The figures reflected in the data include only those organizations that gave a substantive answer – one of four highly restrictive, quite limiting, moderately enabling or fully enabling – to the question of perception of the legal environment regulating civil society. In order not to give either a positive or negative value to a 'don't know' response, the overall count used to calculate the negative percentage responses in the figures excludes the survey respondents who indicated that they did not know what the nature of the legal environment was.

2 Russia is excluded from Figures 6.2 and 6.3 because there were no data on organizational type collected. Three of the CSI countries in the dataset used for this volume – Jordan, Nicaragua and Venezuela – are not represented in any of these figures because none of the CSOs identified themselves as human rights groups. A further country, the Philippines, is also omitted because it had only one CSO identifying as a human rights organization. The group of 'NGOs, civic groups and human rights organizations' was also quite small in Belarus (7 out of 122),

Bulgaria (4 out of 154), Italy (8 out of 90), Mexico (9 out of 349) and Slovenia (5 out of 90).

3 There were no data available in this indicator for Kosovo.

Chapter 7 Violence in civil society: Insights from the CSI Databases

1 We would like to thank Klaus Eder, Johannes Becke, Nicolas Legewie and Diane Vaughan's Sociology colloquia at Columbia University as well as the editors for helpful comments on earlier versions of this chapter.

2 In this chapter the complex discussion on the general causes of violence is not elaborated in detail, but an analysis of the different existing forms of violence in civil society gives some outlook on why violence emerges in civil society and provides input for further analysis.

3 For important theoretically oriented work on civil society conceptualizations, see Cohen & Arato (1994) and Alexander (2006). Detailed accounts are provided in length and depth. They range from civil society as a social space outside state or corporate control where people engage in something approximating free association among equals, to arguments about civil spheres in which the feeling of obligation to a community of others is part of the fundamental cultural structure.

4 Metaphorical violence is not included in the figure, as the term does not concern the real execution of violence, but a vivid description of a phenomenon (see Imbusch 2002: 38).

5 Imbusch (2002) mentions seven attributes for these types of violence: who the actors are, what happens when violence is used, how violence is carried out, who the victim is, why violence is used, what violence is used for and what justifications are given. We limited the figure to four attributes, as only these attributes are relevant to study violence in civil society.

6 Here, 'legality' refers to the governance regime the CSO acts in and therefore to national law. We do not address the discussion about the meaning of legality in the post-national global landscape here. See Krisch (2010) for such a discussion.

7 The underlying Organizational Survey is based on interviews conducted with CSO representatives in 25 countries by the time of preparation of this book (Albania, Argentina, Armenia, Belarus, Bulgaria, Chile, Croatia, Georgia, Italy, Japan, Jordan, Kazakhstan, Kosovo, Liberia, Mexico, Nicaragua, Philippines, Russia, Slovenia, South Korea, Togo, Turkey, Uruguay, Venezuela and Zambia), where national coalitions for a common survey were established. In these countries CSOs ranging from religious groups to human rights organizations and sports associations were surveyed in significant numbers, the minimum being 85 organizations for the Japanese case. For this chapter the lack of representativeness of this sample does not cause a problem, as we aim to illustrate the need for conceptual clarification of violence in civil society.

8 In the Italian and Russian survey all of the respondents answered the follow-up question.

9 The findings need more detailed investigation to fully explain the extreme response pattern. For example the Venezuelan Analytical Country Report, 2011, elaborates on two blocs of Venezuelan civil society, one in favour of the revolutionary project and one against. Strong poles are a possible explanation for a particularly high perception of violence (SINERGIA 2010). However, the question of whether strong polarization really is a peculiarity of Latin American civil society beyond Venezuela cannot be investigated in depth here.

10 In the Organizational Surveys for Croatia, Georgia, Jordan, Slovenia and South Korea about 50 per cent of the respondents stated that there are forces using violence in civil society, whereas the other half answered to the contrary.

11 Note that the number of respondents in the category of 'ethnic-based community group' is very small ($n = 62$).

12 The interpretation is based on the contingency table: distribution of answers to that question by respondent's organizational background.

13 Additionally, we find differences within the first category of reformist violence, when we compare the claims of the groups; the country reports show that left-wing social movement groups, if they use violence, mainly do so against objects associated with, or due to interactions with, state forces. According to the cases of violence mentioned in the country reports, we can furthermore assume that in contrast civil society groups which are located rather on the right side of the political spectrum or fascist groups tend to attack persons more often. This is a further example of the diversity of violence within civil society.

14 For recent examples of a more fundamental discussion of the relationship between means and ends in civil society see Anheier (2007: 10–13), Munck (2006: 326) or Taylor (2004: 3–10).

15 For the most systematic treatment about social science research on civic ideals see Alexander (2006). For a more focused and recent literature review about studies on 'uncivil society' see Glasius (2010).

Chapter 8 Conclusion

1 Reichardt, S. (2006), 'Civility, Violence and Civil Society', in Keane, J. (Ed.), *Civil Society: Berlin Perspectives*, Oxford, New York: Berghahn Books, pp. 148.

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Figures in **bold**; tables in *italics*