Cairo Issue Brief

The Centre on Conflict, Development and Peacebuilding (CCDP)

Civil Society in Transition: Facing Current Challenges in Tunisia and Egypt

The wave of popular uprisings that spread across the Middle East and North Africa (MENA) in late 2010 brought together a number of societal actors that have since pushed for a significant transformation of their countries. Civil society movements have been at the forefront of this change. However, they currently struggle to define their role and face many obstacles. This Issue Brief explores ***the challenges faced by Tunisian and Egyptian civil society*** in the ongoing political transitions, namely:

- The **reduction in the influence of civil society** on political transition;
- An **insufficient focus on people's economic and social needs;** and
- The **limited effectiveness of foreign support.**

The Cairo consultation constituted an unprecedented ***forum to tackle the current challenges faced by civil society in Egypt and Tunisia from a comparative perspective.*** As a platform for dialogue, the consultation brought together more than 50 participants, including researchers, activists and politicians from the entire political spectrum in Tunisia and Egypt, as well as both Arab and international donors. The debate addressed the challenges and opportunities that emerged from the recent transition experiences of the two countries, and was informed by insights from countries outside of the MENA region, as well as international experts.

This Issue Brief is one of a series of papers disseminating the results of regional consultations taking place within the framework of a broader project on the "Arab Spring: Challenges during Political Transitions and Comparative Lessons for Civil Societies in the Middle East and North Africa". The project aims to ***strengthen the role and participation of civil society groups*** in the current transitions in the MENA region. The regional consultations have the following objectives:

- Provide a space for dialogue and reflection for civil society;
- Facilitate exchange between civil society groups, politicians, regional and international experts, and donors; and
- Identify comparative lessons from transition processes both in the MENA region and beyond.

The **Cairo consultation** was held in February 2013 in Egypt. It is the outcome of cooperation between the Graduate Institute's Centre on Conflict, Development and Peacebuilding (CCDP), the School of Global Affairs and Public Policy of the American University in Cairo (AUC), and the Geneva Centre for Security Policy (GCSP).

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Background: Tunisia and Egypt

Having played a decisive part in bringing down the old regimes, civil society actors are struggling to define their roles in the current transitions. They are faced with many challenges that prevent them from contributing meaningfully to building a new post-transition society. These challenges were addressed during an earlier regional consultation on 18-20 April 2012 in Amman, Jordan and reported in the Amman Issue Brief. They include: a deep polarization between secular and Islamist civil society groups; tensions between civil society groups and political parties; and an opposition of civil society groups to donor-driven agenda setting.

While the debate in Amman centered on the notion of the 'Arab Spring' and the roles of civil society groups in its revolutionary phases, the debate in Cairo reflected ***a widespread awareness that the Tunisian and Egyptian people are now engaged in a very lengthy process of transition***. Debate focused on the lessons learnt from the contribution (or lack thereof) of civil society to early transitional state building processes, particularly those constitutional and political in nature.

Tunisia and Egypt find themselves in similar phases of transition: both ***ruling parties face a mounting opposition,*** while national political mechanisms are subject to crisis (Tunisia) or are fragile and contested (Egypt). The Tunisian Constituent Assembly elected in October 2011 has not yet finalized the long-awaited constitution. The assassination of prominent leftist opposition leader, Chokri Belaid, on 6 February 2013 catapulted the country into a major political crisis, leading to the resignation of Prime Minister Hamadi Jebali and the formation of a new government. In Egypt, the constitutional process ended with a two-day referendum in December 2012 and the adoption of the new constitution, already contested by the opposition.

Challenges and Opportunities

1) The waning influence of civil society on transition

Challenges

The influence of civil society groups has been in progressive decline since the early revolutionary phases. The Amman consultation revealed that internal divisions within civil society were an instrumental factor in decreasing the influence of civil society actors in negotiations on the new social contract between society and the state. According to the Cairo consultation, a range of internal and external factors have been contributing to the waning influence of civil society on ongoing political processes, namely:

Internal	External
a. Strong divisions within civil society	a. The mounting influence of political parties
b. Weakness of strategic thinking	b. Weak inclusion in existing transition mechanisms
c. A lack of collective action	c. A restrictive regulatory environment

a. Strong divisions within civil society

The civil society sphere is deeply fragmented along various lines: Islamist/secular, urban/rural, elite/grassroots and organized/spontaneous (the latter often related to virtual and social media groups). The Islamist/secular divide, in particular, frames the civil society landscape in both Egypt and Tunisia, while divisions between rural and urban organizations structure the opposition between the capital and peripheral areas. These fault lines can be considered as manifestations of a larger divide between the elites and grassroots movements.

A narrow understanding of the notion of civil society further contributes to the fragmentation of the civil society sphere. Participants came to the understanding that consensus on the definition is not necessary; rather, that ***a broader and more inclusive understanding of civil society, encompassing both so-called 'modern' and traditional groups, as well as unions and grassroots organisations, does more justice to the reality on the ground.*** An inclusive notion of civil society may ultimately help temper these fault lines, reduce the politicization of the terms and decrease the polarization of the debate in general.

b. Weakness of strategic thinking

Strategic thinking implies concrete visions on a number of issues related to the building of a new social contract between the state and society. However, in both countries, ***civil society groups rarely exercise strategic thinking.*** The lack of strategic thinking also affects civil society organizations in relation to donors: instead of devising their strategies with respect to local needs, they tend to think in terms of donor requirements.

c. A lack of collective action

The strong fragmentation and internal deficiencies (e.g. lack of understanding of roles and strategic thinking) in civil society groups have undermined opportunities for collective action. In Egypt, civil society groups failed to approach the constitution-making process as a united front, diluting their impact. A lack of failure to express mutual respect and courtesy between different groups further hampered their potential for collective action. As a result, no common strategies for more inclusive decision-making mechanisms are being developed between different civil society groups, greatly reducing their impact on the transition process.

d. The mounting influence of political parties

Since the transition phases have entered a new stage that is focused more on constitutional processes, the ***center of gravity of the debate in both countries has shifted from civil society to political parties.*** This appears to have had adverse effects on the space for and influence of civil society engagement. The shift in debate has also resulted in unclear relationships between civil society and political parties: while some civil society organizations seem closely connected to the political sphere – some even to the point of losing their independence – others exist in an entirely confrontational relationship. Such a blurred divide consequently led to accusations by certain participants affiliated to the ruling party in Tunisia of civil society groups competing for political power.

e. Weak inclusion in existing transition mechanisms

Civil society actors have shown ***a lack of awareness regarding the variety of roles they can adopt in the transition process,*** tending to privilege their watchdog and service delivery functions. They therefore overlook a range of other functions that they could engage in, such as protection, advocacy, providing expertise, civic education, social cohesion or facilitation. In failing to envisage the multiplicity of roles they could adopt, civil society groups demonstrate ***a lack of knowledge about different types of potential inclusion mechanisms in participatory processes.*** The deficiencies of the constitution-making process in Egypt are a strong case in point. Here, the mechanisms designed by the Constituent Assembly did not allow for a broad and systematic participation of civil society groups, which consequently remained outsiders rather than contributing partners to the process.

f. A shifting regulatory environment

New legislation is being introduced, particularly for NGOs, and existing laws and regulations are being renegotiated. This increases uncertainty. The shifting composition and organization of governing authorities means civil society groups are no longer able to identify their representatives in government. Changing administrative requirements for government approval or tax regulations, for example, are being used to restrict the access of civil society groups to funds and, in some cases, have even led to the shutting down of organizations receiving foreign funding. This reinforces the dilemma of civil society organizations caught between the need for foreign funding and the need for independence from donors. The restrictive and shifting regulatory environment has created negative framework conditions for a sustainable influence on the transition process. In Egypt, for example, labor unions struggle for legal recognition and NGOs face growing restrictions regarding access to foreign funding.

Opportunities and Next Steps

The waning influence of civil society on transition points towards a number of opportunities for future action:

a. Fostering dialogue between different groups, particularly Islamist and secular forces, and promoting a broader and more inclusive notion of civil society;
b. Encouraging strategic thinking;
c. Engaging in collective action;
d. Including citizen participation in decision-making processes;
e. Advising on the multiple roles and mechanisms for inclusion of civil society; and
f. Promoting the creation of an appropriate legal framework for civil society organizations.

2) An insufficient focus on people's economic and social needs

Challenges

Participants expressed concern that ***elite power politics from all sides is increasingly dominating the debate.*** This has resulted in a growing disconnect between the people and not only the ruling Islamist parties, but also opposition groups and organized civil society in both countries. In particular, this disconnect stems from:

a. The strong polarization of political debates, particularly between Islamist and secular forces;
b. The neglect of social and economic issues by power elites; and
c. An overall absence of a substantive issue-based dialogue.

a. The strong polarization of political debates

Tensions between Islamist and secular groups have starkly risen. Each group remains entrenched in its respective position, rendering communication and exchange very difficult. Mutual accusations are expressed on manipulation, the use of violence, a lack of legitimacy, and demonization. ***Neither side has managed to articulate a consistent vision for state-building,*** hindered by ***political polarization*** fuelled by ***the need to secure positions of power.*** Concerns over access to and the consolidation of power divert energies on both sides from more substantive issues regarding the future of both countries.

b. The neglect of social and economic issues by power elites

Political parties and governing authorities ***lack substantive debate over economic and social policies,*** both tending to focus on constitutional processes and mechanisms of power. The lack of experience and preparedness of the two ruling parties in dealing with people's social and economic expectations is highlighted by the neglect of issues relating to social justice.

c. An overall absence of a substantive issue-based dialogue

Strong polarization coupled with the neglect of economic and social issues has resulted in the ***absence of an issue-based dialogue.*** While civil society organizations have acted as a united front for the people against previous regimes, their current focus tends to center on specific issues concerning constitutional processes and state-building. These include freedom of expression, freedom of association, and constitution drafting which, though important, are not necessarily a priority for the people. The strong focus on constitutional and political mechanisms determining access to power has reduced the space to address the issues at the core of people's needs, namely unemployment, poverty, and social justice, amongst others.

Opportunities and Next Steps

The insufficient focus on people's economic and social needs highlights certain priority actions. These include:

a. Continue to facilitate issue-based dialogue between different parties, particularly Islamist and secular groups; and
b. Substantively address economic and social issues;

3) The limited effectiveness of foreign support

Challenges

Support from Western and Arab donors for civil society has limited effectiveness. This is due to the following shortcomings:

a. Weak dialogue between donors and beneficiaries;
b. A lack of dialogue between Arab and Western donors;
c. Short-term funding cycles and a focus on project funding at the expense of organizational development and capacity-building;
d. Bias in favor of already established groups; and
e. Uncertainty in a restrictive regulatory environment.

a. Weak dialogue between donors and beneficiaries

The relationship between donors and beneficiaries is characterized by a weak dialogue culture. Beneficiaries consequently struggle to convey their needs in terms of organizational development, a precondition to improving internal governance and effectiveness.

b. A lack of dialogue between Arab and Western donors

Arab and Western donors are not in dialogue with each other. The weakness of information-sharing mechanisms and the absence of coordination diminish prospects for alignment. Where it exists, ***dialogue is limited, very general and does not focus on concrete solutions, building mutual understanding and entering strategic partnerships.*** Donors also remain divided in their support: Western donors engage almost exclusively with secular groups, while Arab donors focus on Islamist groups. This has fostered polarization and fragmentation.

c. Short-term funding cycles and a focus on project funding at the expense of organizational development and capacity-building

A short-term approach and focus on project funding has led to a neglect of financial support for organizational development. The tendency to prioritize projects over core funding makes sustainable partnerships difficult and significantly hinders the existence of fragile civil society groups.

d. Bias in favor of already-established groups

There is a strong bias in favor of support to already-established groups, which concentrate and attract donor funding at the expense of newly-formed, fledgling groups. The ***risk aversion of donors prevents the promotion of innovative new groups and does not encourage pluralism within civil society.***

e. Uncertainty in a restrictive regulatory environment

Uncertainty in the already restrictive regulatory environment affects donors' capacity for action. This is especially the case in Egypt, where tough debates have been taking place regarding the status of foreign funding for NGOs. The demonization of foreign funding, often perceived as foreign intervention, explains the favoring of tight and state-controlled donor legislation. This creates a structure of disincentives and has led to shortcomings in donor responses, namely risk avoidance and short-term, project-focused funding.

Opportunities and Next Steps

Opportunities exist, however. These include:

a. Strengthening exchange between donors and beneficiaries, improving feedback from the latter so their needs and capacities can be better addressed;
b. Encouraging dialogue between Arab and Western donors;
c. Expanding short-term project funding; adapting a long-term strategic partnership approach with a focus on capacity-building and organizational development;
d. Promoting and encouraging the emergence of new civil society groups; and
e. Lobbying for the creation of an appropriate legal framework for civil society organizations.

Conclusions: Towards all-inclusive dialogues

So far, civil society in Tunisia and Egypt has failed to contribute to the transition process in a significant way. The space for civil society is shrinking in favor of competing political parties. In order to regain influence on the transition process, civil society in both countries should push for ***all-inclusive dialogues on the future of the state, economy and society that does justice to the people's needs.***

Civil society groups should act on a number of factors in order to have an impact on key processes building the new social contract between the state and society. This action should involve understanding, acknowledging and facilitating the multiplicity of roles civil society can and should adopt; fostering comprehensive inclusion mechanisms and strategic thinking; and improving capacity-building and collective action. Civil society groups should also engage in building connections and issue-based dialogue in order to re-install people's needs at the heart of the debate. These processes should aim to temper the existing polarization and politicization of the debates taking place between Islamist and secular groups.

Mobilizing these processes in Tunisian and Egyptian civil society would help to address the root causes of the growing disconnect between the elites and the wider population. The creation of space for a variety of dialogues would foster exchange between all stakeholders, including various polarized groups and regional and international donors.

Participating Organizations

Al-Jazeera Centre for Studies, *Qatar*
American University of Cairo, *Egypt*
Arab Human Rights Fund, *Lebanon*
Association Tunisienne des Femmes Démocrates, *Tunisia*
Center for Trade Unions and Workers Services, *Egypt*
Cairo University, *Egypt*
Centre on Conflict, Development and Peacebuilding, The Graduate Institute, *Switzerland*
Coalition of Revolution's Youth and al-Tayyar al-Masri Party, *Egypt*
Democracy Reporting, *Egypt*
Egyptian Federation of Independent Trade Unions, *Egypt*
Embassy of Switzerland, *Egypt*
Ennahda Party, *Tunisia*
European University Institute, *Italy*
Ford Foundation, *Egypt*
Friedrich-Ebert-Stiftung, *Egypt*
Geneva Centre for Security Policy, *Switzerland*
Ikhwanweb Corp., *Egypt*
International Development Consultation, *Jordan*
International Labour Organization, *Egypt*
International Trade Union Confederation, *Jordan*
Javeriana University, *Colombia*
National Centre for Sociological Research, *Egypt*
National Observatory for Elections, *Tunisia*
New School University, *USA*
New York University, *USA*
Norwegian Peacebuilding Resource Centre, *Norway*
Peacenexus, *Switzerland*
Social Contract Center, *Egypt*
Tunisian Institutional Reform, *Tunisia*
Union Générale des Etudiants Tunisiens, *Tunisia*
Université de Montréal, *Canada*
US Agency for International Development, Egypt Youth Bureau of Ennahda Movement, *Tunisia*

The Centre on Conflict, Development and Peacebuilding (CCDP) is the Graduate Institute's focal point for research in the areas of conflict analysis, peacebuilding, and the complex relationships between security and development. Its research projects focus on the factors and actors that are implicated in the production and reproduction of violence within and between societies and states, as well as on policies and practices to reduce violence and insecurity and enhance development and peacebuilding initiatives at the international, state, and local levels.

The Cairo Issue Brief is an output of the CCDP project *Arab Spring: Challenges during Political transitions and Comparative Lessons for Civil Societies in the Middle East and North Africa,* coordinated by Dr Thania Paffenholz.

For more information, please visit http://graduateinstitute.ch/ccdp/ccdp-research/ projects/ current-projects/arabspring.html.

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