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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.