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Strengthening democratic governance in conflict torn societies: civic organisations, democratic effectiveness and political conflict

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Summary

What is the role of civil society organisations in helping to build more effective democracy in societies which have recently emerged from violent civil conflict? To some extent, the answers depend on how the terms ‘civil society’ and ‘democracy’ are defined. It is argued that comparative analysis is best facilitated by a sociological approach which sees civil society as all those self-consciously organised associational groups which engage in the public realm through their relations with the state, and contestation over societal or political norms. Deeply embedded cultural, ethnic or religious associations cannot therefore be excluded even though their values may in not in themselves be ‘democratic’. Whether their impact on democratic life is positive or negative depends on whether the minimal, procedural aspects of democracy have been constructed in such a way as to encourage coalition building, mediation of conflict and inclusion of diversity. These concepts are applied to the analysis of ethnic civil society organisations in Bosnia and Uganda, both states characterised by politically mobilised cultural nationalisms and institutional designs emphasising decentralisation. But the outcomes in each state are the product of contrasting strategies: in Bosnia, a weak central government and constitutionalised ethnic power sharing has given a damaging degree of autonomy to groups which are capable of threatening the integrity of the state. In Uganda, strong central Presidential power has used decentralisation to fragment sub-national identities and create a politics of competition for Presidential patronage. Neither state can ignore the reality of deeply embedded ‘sub-national’ civil society publics which threaten the putative political community of the state; but Uganda’s strategy is probably more likely to create the institutionalised political community which is the minimum condition necessary for an effective democratic process to operate.

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1 Civic organisations, civil society and democracy

1.1 Introduction

The first half of this paper is an attempt to conceptualise the role which civic organisations and civil society might play in enhancing the quality and effectiveness of democratic institutions. It forms part of a larger comparative research project being conducted at IDS on the ways in which democratic institutions can contribute to conflict resolution in four deeply divided societies which have recently been or are still involved in violent political conflict: Bosnia, Uganda, South Africa and Sri Lanka. The second part of the paper focuses on examples of civil society activity in two of these countries, Bosnia and Uganda, and sketches out an analytical framework for comparing the effects of social and political structures, policies of institutional design and the character of civic organisations on conflict resolution in the two countries.

The main research project began with two main hypotheses: (a) that the effectiveness of democratic institutions in restoring peace and political legitimacy would depend on how and to what extent they incorporated the interests of civil society, and (b) that the composition and character of civil society itself, and the degree to which the civil society organisations (CSOs) which emerge from it are inclusive and broad-based, would have a determining influence on democratic outcomes. In other words, it was suggested that CSOs can have a positive impact on ‘deficits’ in the quality of democracy, particularly in the areas of active citizenship and vertical and horizontal accountability, only if they themselves are democratically inclusive and articulate democratic values (Luckham *et al.* 2000). Nevertheless whether they do in fact have such a positive impact was posed as one of the main empirical research questions.

A further empirical question is whether the reverse is also true – are CSOs based on identity politics, e.g. ethnic or cultural nationalist groups, necessarily negative influences on democracy? Whether or not it is accurate to characterise all such associations as inherently anti-democratic, the answer to this question depends partly on how one defines the nature of democracy and what might be expected from it. If one defines democracy purely in substantive or behavioural terms, then the values of politically active groups are clearly crucial. But if one concentrates on the procedural aspects of democracy then the value orientations or organisational arrangements of the social interests and organisations which constitute the state are not crucial, so long as there is sufficient agreement for conflicting interests to be mediated in an orderly and peaceful manner. A democracy should be able to incorporate and respect diversity – although the limits of that toleration are a matter for continuing debate. In the case of the contribution of democracy to resolving conflict in societies divided by mobilised identity politics, it is clearly argued by Luckham *et al.* (2000) that the first and most basic task is to identify the conditions for realising democracy’s potential as a system for peaceful management of conflict. If the interaction between civil society or societies and the structures of the state produces deeply embedded conflict, then the most that can be expected from democracy is, perhaps, that it provide a structure which can encourage accommodation amongst and inclusion of those conflicting interests, hoping that value change will follow in the long run.

Whether one accepts that civil society can in principle produce both civic and ‘uncivil’ organisations is also dependent on definitional conundrums. Whilst it would be inappropriate here to review the rich and complex history of the concept of civil society in political and social theory since at least the seventeenth century, it is worth reminding ourselves of the contestation which surrounds the term, and of the reasons for its current popularity in the development and democratisation debate.

1.2 Theories of civil society

The revival of the concept of civil society owes much to the dissident opposition movements of the former Communist states of Eastern Europe and the USSR (Walzer 1991). Their pursuit of a realm of freedom outside the control of a totalitarian party and state led them to emphasise the virtues of an autonomous ‘civil society’ which would be ‘non-political’, independent of and separate from the public realm of the state and yet, through free association, able to embody democratic norms and ideals. In the Eastern European context the profound hostility to the state derived in part from its association with foreign domination and it thus became part of the ideology of the pro-democracy movements which became successor regimes after the collapse of Communism (Seligman 1992: 7). Their self-identification as the founders of a new democracy based on the ideals and associations of civil society was in turn accepted by donors, and Western sympathisers. The message then spread rapidly into the discourse surrounding democratisation in the South, principally because parallels could be drawn between the attempt to build democracy in the post-Communist world, and the same process in countries with apparently similar legacies of statist domination by authoritarian, post-colonial states over fragmented, weak and marginalised civil societies.

For these reasons, – even though the social bases and political strength of the dissident movements have proved to be much weaker and more ephemeral than anticipated (Padgett 1999) – one concept of civil society which is very prevalent in the literature seeks to restrict the term to voluntary, non-ascriptive associations organised according to participatory and democratic principles which are independent both of the state and of ‘narrow’ parochial, private or vested interests (Gellner 1994; Hadenius and Ugglå 1995; Diamond *et al.* 1997). Because they cross-cut particular interest groups they can facilitate a social engagement and a renewal of mutuality and social trust which will provide a viable alternative to anomie and social fragmentation on the one hand, and the exclusive, irreconcilable communities of ethnicity or religion on the other. Because they are independent of the state they can also form a ‘Third Sector’ basis for democratic life which will restrain the state’s hierarchical and dominating impulses. In the African context, this view of civil society leads Bayart to argue that civil society is as yet unformed in Africa because civil society is by definition characterised by self-consciousness and a conceptual ability to oppose the state beyond parochial concerns (Bayart 1986). In this formulation, the concept becomes an aspiration, a state of affairs to be worked for rather than an empirical concept (Rieff 1999; Kasfir 1998; Padgett 1999: 5; Chandler 1999).

The 'post-Communist' view of civil society is in effect a reformulation, or reworking in different language, of pluralist theories of democracy derived from the de Tocquevillean tradition. According to this tradition, democracy depends on checking the power of the state by diffusing power and influence amongst a multiplicity of cross-cutting civic organisations (called 'political society' by de Tocqueville) no one of which can dominate and which can prevent the state itself from being captured by a particular class or interest (Rueschmeyer, Stephens and Stephens 1992). Civil society itself legitimates the 'regulative consensus' administered by the state in order to mediate conflict; but it is essential that there be a rich density of voluntary associational life, and that excessive polarisation be avoided through cross-cutting memberships and a citizen culture of social engagement and civic virtue (Dahl 1982). As Kasfir points out, it is probably no accident that current advocacy of this view for the post-Communist world and the South coincides with the agonised debate in American intellectual life over the alleged crisis of declining participation, social fragmentation and lack of civic virtue in the very home of pluralist liberal democracy (Kasfir 1998).

It is argued here, however, that a prescriptive and pluralist concept of civil society is not adequate for comparative, empirical research into the actual outcomes of civil society's organisational activities in countries such as Bosnia and Uganda. More appropriate guidance can be found in the sociological tradition of civil society analysis. Within this tradition, two very broad schools can be identified: on the one hand is that deriving from Hegel through Marx, Gramsci and Habermas, which stresses the contradictions and incompleteness of civil society and its integral or dialectical relation to the state (Calhoun 1997). On the other, is that originating in the Scottish Enlightenment, through Durkheim, Simmel and Parsons which focuses on the individual as both a moral and social being, whose existence can only be understood sociologically but is nevertheless capable of sustaining a reasoned and consensual society based on mutuality and social solidarity – Durkheim's '*conscience collective*' (Seligman 1992: 124). In spite of these differences both schools share a common concern with the idea of how societies resolve and mediate the relation between individual interests and public ethics, the market and collective good; and this is because they recognise that the very problematic emerges with the rise of a market economy – in short, with capitalism and modern social differentiation.

An historical and sociologically based concept of civil society must incorporate, therefore, the following elements:

- the very idea of a realm of social life which is both collective (public) and associational and yet rooted in private interests perceived as separate from the state is based on the division of labour, social differentiation and inequality associated with the emergence of a market economy. The division of labour creates the paradox of a dense plurality of organised interests and classes which are simultaneously conflictual and interdependent.
- This social differentiation in turn produces a multiplicity of possible communities; the historic contrast is between the ascribed communal, familial or political statuses of non-market societies and self-conscious, interest-based association (Crook 1991; Seligman 1992). Such organised interests,

although based on the resources of private wealth, education, and the social consciousness associated with such a system of production and exchange, are not, therefore, confined to those rooted in economic relations (e.g. labour and capital).

- Civil society is a realm of public or collective activity; even if one allows highly informal kinds of interaction ('street corner' society, neighbourhood relations, (Varshney 1998), it is where individuals pursue group-mediated or defined issues with their own 'publics' or with other groups, whether this be cooperative or conflictual.
- Civil society is structured through its relations with the state – the overarching definer of the public realm and of the boundaries of a particular social formation. (It is worth noting that in Locke's original conception, a civil society was not empirically distinct from the state; it was the set of cooperative social relations which *constituted* the state as a legitimate political authority and political community) (Dunn 1996). Although seemingly separate from the state, civil society interests are engaged in a constant, reciprocal relation with the state over the distribution of power and resources in society. It is for this reason that a distinction can be made between 'society' and 'civil society'; the latter is political in that it is the activities of social groups in their interaction with the state-defined public realm (Scruton 1996). Although an analytical distinction can also be made between 'civil society' and 'the state', their relationship is equally integral. The realm of the state interfaces with civil society at all points where it enforces, upholds or represses particular relationships, through law or through political action (Poggi 1978). It thus permeates the whole of civil society. As Crawford Young argues, 'the very notion of civil society loses its meaning if severed from the state' (Young in Harbeson, Rothchild and Chazan 1994). In other words, state and civil society are inextricably bound together, in a mutual process of structuration and negotiation (Fatton 1995).
- Civil society is a realm of both contestation and the search for agreement, principally because of the inequalities and power differences inherent in society (Marxists would also say, because of the inevitable conflict of class interests in capitalist relations of production) (Cohen 1982). But these contestations are not solely about economic interest; they are also about norms and social meanings (Bratton 1994). In Gramsci's terms, they are about the ways in which a dominant class attempts to reproduce its hegemony through manipulation of cultural identities and ideological world views. The state and its public discourse are important tools in this process, and hence the importance of civil society as a site for both enforcement of hegemony and 'counter-hegemonic struggles'.

An overall definition of civil society would therefore include all those self-conscious associations and organisations representing private interest groups and local, class, religious and intellectual 'publics' which emerge with the rise of a market economy. It thus encompasses but is not confined (as in the Marxist use) to the social relations of particular forms of production and exchange. These groups engage in the political or public realm through their interrelations with the state and their contestation over, or reproduction of, societal norms. Such organisations can be both 'civic' and 'uncivil' in their behaviour and orientation, ranging from parties of both class and mobilised ethnic, cultural or religious communities, to

business associations, trade unions and farmers' movements, local civic groups such as community development associations and specifically 'pro-democracy' organisations concerned with civil rights or political reform. Their character and strength will be determined by their particular economy and society with its specific history and culture and particular degree of differentiation and marketisation. Different societies will therefore have different densities and mixes of CSOs with differing degrees of strength, coherence and fragmentation.

1.3 Civil society organisations and democracy

Given the above sociological /political economy approach to civil society and CSOs, how might one analyse the relation between CSOs and the functioning of a particular set of democratic arrangements?

The basis for civil society

A prerequisite of any analysis is to establish whether the economy and social structure of the society in question does generate the differentiated and embedded social interest groups without which civil society cannot be said to exist (cf Offe 1991). It has been argued that the success of differing democratic strategies adopted by ruling elites (classic liberal pluralist, corporatist, consensual or 'consociational') is a function of the strength and embeddedness of CSOs and the degree of marketisation of the economy, particularly in the post-Communist countries (Padgett 1999). Even given a conducive economic base, is there sufficient 'social capital' to sustain a rich, participative associational order? What of the role of political culture or 'psychological orientations' in developing CSOs?

Inequality and the impact of 'democratic politics'

If a rich civil society gives rise to more participation and representation in the public sphere ('deepening democracy'), how will democratic institutions cope with the inevitably enhanced levels of contestation which come with a more vibrant and inclusive politics? The 'densification' and multiplication of civil society groups reflects not just plural power sources but also inequality. Any democratic system is in permanent tension between the formal equality of the political realm and the actual inequality of society. Yet the mobilisation of CSOs may well increase the power of groups with high status, wealth and cultural access and reinforce polarisation along class, ethnic, racial or gender lines. It is important therefore to distinguish different types of state-civil society relations.

Types of civil society- state relations

Three main kinds of civil society -state relations may be identified, based on the character of the CSOs involved.

- Elite groups (nearly always organised as NGOs) with a 'policy orientation' – i.e. they seek to influence legislation or general policy outcomes. They form part of what might be called the policy elite or 'policy community' of the state, a community which includes the foreign donors as well as

national politicians and officials. Their success depends very much on the balance of internal ‘elite factions’, and regime politics. Once entrenched they can produce anti-democratic outcomes reflecting the concerns of minorities or wealthy vested interests.

- Locally organised, grassroots, community based groups (e.g. neighbourhood committees, credit unions, women’s self-help groups). These attempts by poor and disadvantaged groups in society to develop collective representation of their interests – and hence to act in the public realm – evince little interest in abstract ‘policy’ issues or ‘better governance’. They interact with state agencies in very specific, localised ways in order to protect themselves and their livelihoods and to improve their social/economic position. Their tactics are informal, usually non-confrontational and rely on bargaining and self empowerment in relations with officials. They illustrate very vividly the conception of civil society as an integral part of the ‘public realm’ of the state, as in the ‘unequal partnerships’ developed between the police and urban squatters’ security groups. Their relationship in some ways is that of an ‘exchange’ – protection, or withholding of abusive or oppressive behaviour by state officials, in return for ‘services’ or co-production of welfare. But the state retains its power to close down or destroy, and seeks always to maintain their dependence.
- Socially embedded forms of collective action such as the ethnic and business associations, trade unions, churches, farmers’ unions; these often interact with political parties or form the basis of national political campaigns, e.g. on issues of democratisation, constitutional reform or economic rights. They are the best example of the idea of ‘political society’ in action. Given their political bargaining power and resources, they possess the greatest potential for determining democratic governance outcomes; as our case-studies show, however, they may have less interest in ‘democracy’ than in maintaining or creating systems of access to power and economic patronage. Even in the most open and democratic regimes, they can entrench the power of powerful economic classes or social elites. In fact it is often political parties which are crucial in mediating the interests of civil society, creating coalitions or broad-based alliances within which the interests of the poor and disadvantaged can gain an effective voice. Often they are the only forces capable of creating ‘counter-hegemonic’ mobilisations.

Institutional design

In looking at questions of ‘institutional design’ we need therefore to be aware of the different types of civil society action, and of their implications. The interests at play within the public realm require balancing the need to be inclusive, against the harm which extreme or anti-democratic groups can do; and the reproduction of social and economic inequalities may need to be balanced by a state commitment to equity. In other words, forms of inclusivity and power sharing (consociationalism, corporatism, integrative power sharing, federalism and decentralisation) must recognise the Janus-faced character of civil society, and avoid entrenching minority vetoes, or creating political paralysis. And the enhancement of horizontal accountability needs always to ask: to *whom* is the state more accountable?

Mitigating the contradiction between the formal equality of democracy and the potential for entrenchment of inequality which democratic accountability can bring, may require state agencies – or parties/political leaderships – with a commitment and capacity to challenge vested interests, and to enforce redistributive policies. On the positive side, the ‘recognition’ afforded by democracy itself is important in this regard (Ruesh Meyer, Stephens and Stephens 1992)

The context of democratisation

A situation of democratic transition may well interact with the character and structure of civil society. Pacted transitions amongst elites, for instance, profoundly affect the way in which the state deals with the balance of societal interests. In this context, seizure of power by force of arms (Uganda) or by international imposition (as in Bosnia) must count as very particular kinds of circumstance.

2 Civil society, ethnic pluralism and democracy in Uganda and Bosnia

At first glance, Bosnia and Uganda share some important similarities: both are societies divided by multi-polar ethnic and religious differences which are also stratified by uneven development and political access. After a long period during which the potential for conflict was avoided (or suppressed) through a strategy of acculturation to a politically and culturally dominant group these differences became competitively mobilised in quite extreme ways, leading to violent conflict and threats to the territorial integrity of the polity itself. In both cases, these identities have been ideologised by ‘political entrepreneurs’ to the level where they resemble the processes of nationalism; and the triggers were transfers of power or transitions - - in Bosnia’s case, a particularly chaotic and enforced break up of a formerly stable federal one-party state. In the case of Uganda, the colonial transition led to 25 years of instability, multiple failed regime transitions and violent contestation over control of the state by competing elites.

In both societies there has been considerable marketisation over the past century, particularly with the commercialisation of peasant agriculture in Uganda, and ‘islands’ of urbanisation and commercial development in Bosnia. But civil society has been relatively weak and partial in both, due to the impact of Communism in the one, and the actions of a predatory and destructive state in the other. The principal and most embedded manifestations of civil society in each country are in fact the religious, and ethnic or linguistic parties and local community-based organisations.

Most current theories of democracy in such multi-polar and mobilised situations (where no one group can achieve a majority or its dominance be accepted as legitimate) suggest that a basic requirement for any kind of democratic relationship amongst the groups is the creation of a single ‘political community’ (i.e. some minimal consensus on the legitimacy of the polity’s boundaries). Beyond that, there are two basic kinds of strategy: (a) some form of inclusive power-sharing or consociationalism in which CSOs are co-opted into the state in a semi-corporatist way; (b) demobilising the identity-based divisions, through what Young calls the manipulation of the political situational factors -- i.e. the management or transformation of the conditions which support ethnic/religious mobilisations (Young 1976; Horowitz

1985; Lijphart 1984).¹ But in this regard there are important differences between the two states which are likely to impact upon the likelihood of either strategy succeeding.

2.1 The structure of ethnic pluralism

Uganda and Bosnia have very different political geographies and structures of ethnic pluralism; in Uganda, the Constitution now recognises now 55 identifiable ethnic groups. Historically there were 12 pre-colonial states and cultural entities (as recognised by the British during colonial rule) and three principal (but cross-cutting) religious divides -Muslim, Catholic and Protestant. The Baganda people (from the Kingdom of Buganda) who were formerly dominant in political and economic terms, account for around 17 per cent of the population. So no one group can dominate demographically, in situations of open electoral competition. Nevertheless, ethnic groups are on the whole geographically concentrated, each with its own identifiable 'homeland' in spite of migration and the increasingly multi-ethnic character of the capital city and a few big towns.

In Bosnia, on the other hand, there are only three main mobilised groups – the Serbs, the Croats and the Bosniaks (defined by their Muslim identity), the largest of which (the Bosniaks) could still be outvoted by the other two combined. In the 1990 elections the parties representing these groups gained 84 per cent of the seats – 33.8 per cent for the Muslims, 29.6 per cent for the Serbs and 18.3 per cent for the Croats. In spite of these large blocks, however, each of which forms a majority in their designated Entities of the Croat-Bosniak Federation and the Republika Srpska, and even after the ethnic 'cleansing' and refugee movements of the war period, the different groups still form important minorities in mixed towns and communities across the country. Purely in terms of political logic, a tripartite multi-polar division is much more difficult to manage than one with a greater number of groups – as Nigeria found to its cost in the 1960s.

2.2 Post-war institutional design strategies

Uganda: 'no-party' Presidentialism

In Uganda, the guerilla army which took power in 1986 converted itself into a national 'movement (the National Resistance Movement) which is in effect a single ruling party which does not permit other parties to operate. The strategy adopted by President Museveni has been to force all former party and ethnic elites to compete for Presidential favour, whilst downplaying or denying that there is a politics of ethnic bargaining or balancing in operation. The claim is simply that the NRM represents all groups – the whole nation. In practice the President has constantly shifted his power base amongst these old rivals, so that the composition of in-groups and out-groups changes according to the deals made. Presidential

¹ Luckham *et al.* (2000) recommend a mix which they term 'integrative power sharing' – that is, designing structures for political competition and power sharing which encourage cross-cutting political alliances, without entrenching or 'constitutionalising' the identity based divisions.

power has been consolidated by the recent referendum, which gave the President victory in his campaign for the virtues of 'no party' democracy.

Bosnia: extreme federalism and 'constitutionalised' ethnic power sharing

Bosnian policy stands in total contrast to that of Uganda. The Dayton Peace Agreement created for Bosnia 'probably the most decentralised state in the world' (Carl Bildt quoted in Chandler 1999: 67). The Bosnian central government has very limited powers and functions and the central executive and representative institutions (Presidency, Council of Ministers and bicameral Parliament) are based on formulae of collective rotation and ethnic power sharing of such complexity as to virtually guarantee permanent paralysis and lack of public respect. All residual and effective powers are devolved to the two 'Entities' within the Croat-Bosniak Federation and the Republika Srpska and below them to cantons, cities and municipalities. At every single level down to the municipality formal rules enforce multi-ethnic power sharing and guaranteed places for 'minorities'. There are, however, powerful – some would say irreconcilable – contradictions in the system which may or may not have been intentional. At first sight, the loose federal structure seems designed to facilitate the separatist aspirations of the three 'entities'. But this centrifugal logic is kept in check by countervailing forces from above and below.

At the central or 'national' level, the international administrators of Bosnia (the UN High Representative, the OSCE, the EU and the US Assistant Secretary of State) who are in effect operating like a colonial mandate, pursue an official policy of regarding the main ethnic parties and their supporters as malign impediments to true democratisation and using every resource available to weaken their power. The international policy for 'building' an alternative civil society consists in effect of searching for and funding any group than can plausibly be regarded as non-ethnic, cross-cutting and 'pro-democratic'.

At the local (municipal) level, however, the new structures and policies are designed to protect the rights of minorities within each of the entities dominated by each of the respective main ethno-religious groups. This is both a response to the legacy of 'ethnic cleansing' (an attempt to restore the *status quo ante*) and a recognition of the continued reality of 'mixed' communities throughout each entity. Thus the purpose of the entities – to give each group its own 'place in the sun' where it would not feel threatened – is contradicted by the other need to guarantee minority rights within each of their 'own' areas. The system as a whole entrenches and provides further incentives for the reproduction of the ethnic politics mobilised during the break-up of the Yugoslav Federation.

Decentralisation

In spite of the differences in strategy, both countries have apparently adopted a similar policy of decentralisation as a way of resolving the problem of competitive, ethnic or religious mobilisation of civil society. Democratic decentralisation is commonly advocated as a way of enhancing popular participation, deepening democracy and promoting the responsiveness of government. In principle, it can help to assuage the fears of minorities by giving them a sphere of autonomy; but this likelihood depends upon a number of variables, the two most critical being: (a) the extent to which minorities or other identity

groups are concentrated geographically (Manor 2000); (b) the extent to which the regime can tolerate – or is forced to tolerate – regionalised political power bases. If a regime is nervous about providing an institutional base for sub-national, regional or ethnic political rivals, or even potential separatists (e.g. if the regime depends upon maintaining a fragile coalition of ethnic interests, or is based upon a single dominant but not demographically majoritarian group), then it will often adopt a decentralisation scheme which deliberately fragments potential local power bases into smaller, weaker, non-politically significant units (e.g. the *communes* of Cote d'Ivoire, Crook and Manor 1998). This would seem to apply to both of our cases; but for the reasons noted above, only the Ugandan scheme has fully followed this logic.

In Uganda, a decentralised, multi-tiered structure of elected councils between the village and district levels was created, originally based on the NRM cadres and called National Resistance Councils. Since 1997, the NRCs have been transformed into more conventional local government authorities (the Local Councils) but their most significant feature remains that only the village councils are directly elected and that there are no political bodies between the indirectly elected District Councils and the national level. The intention is very clear; it is to diffuse and fragment any institutional bases around which ethnic or sub-national political identities could re-form themselves. Even the District boundaries have been demarcated in such a way as to sub-divide traditional ethnic 'political fiefdoms' or kingdom areas. The decentralisation policy is therefore part of a strategy aimed at emphasising national unity and denying the relevance of ethnic and religious identities. Yet the Ugandan situation is one where a centripetal logic of ethnic coalition building through party competition could easily be created, without threatening national unity.

The Bosnian system mixes radical devolution to the main ethnic sub-nationalities through the federal 'entities' (a policy forced on the rump of the Bosnian state by the Dayton Peace Agreement) with formal inclusive power sharing amongst all groups in the local government systems. Thus the Statutes and Rules of Procedure for the municipalities, which are imposed by the Office of the High Representative, include a 'Clause of Fundamental Interest' which in effect gives a veto power to any minority group represented on the council if it thinks that its vital interests in matters of 'culture, education, religion, national monuments or housing' are threatened (OSCE 2000). There is thus a strong incentive for political entrepreneurs at the local level to mobilise the protected categories in order to gain access to local government resources (particularly housing and building contracts). At the same time, as with policy at the national level, international administrators constantly attempt to correct the inevitable outcomes of these manifestations of civil society by using their power to veto candidates, to suspend elected members and to impose 'balanced' administrations regardless of election results (Chandler 1999).

The decentralisation schemes of Bosnia and Uganda each seem to run against the logic of their respective situations. In Bosnia, where most local communities are mixed and decentralisation is not fully appropriate for giving a measure of autonomy to minority ethnic communities, the system gives maximum autonomy to ethnically defined or ethnic majority areas which are capable of threatening the very integrity of the state. In Uganda, where autonomy could be ceded to geographically defined ethnic

homelands, and combined with a policy of encouraging cross-ethnic coalition building, the system deliberately fragments these areas in favour of a policy of non-ethnically based national unity. In each case, the strategy can be explained mainly in terms of the political aims or motives of the governing elite (which in the Bosnian case includes international as well as regional interests).

2.3 The cases: ethnicity, civil society organisation and the politics of decentralisation

The role of civil society organisations, whether ‘civic’ or ‘uncivil’, cannot be divorced from the overwhelming problem of mobilised ethnic and religious identities in both of these countries. And in both cases attempts to deal with this issue have involved a politics of decentralisation, linked with the structure of political institutions at the national level. It is therefore proposed that the role of CSOs be studied in relation to the politics of decentralisation. This will involve both case-studies of how CSOs relate to particular local governmental and political structures and analyses of how these activities articulate with national and intermediate political arenas.

In both countries particular local case studies have already been identified. These can be briefly described before discussing the factors which might be used to analyse the possible outcomes.

In **Uganda**, cultural/community associations in two areas of Uganda, Buganda in the centre, and Ankore in south, have been chosen. These organisations are engaged in the politics of local-central relations in two important ways: first, in representing local interests (as they or their leaders define them) within the realm of the state at a national political level; and secondly, in campaigning for the decentralisation system to allow greater degrees of local autonomy and local cultural expression. In Buganda, the associations are primarily ‘Buganda nationalist’ cultural and political groups, pressing for the full restoration of the Buganda Kingdom as a semi-autonomous entity, perhaps within a revived federal arrangement similar to that of 1962. They are also campaigning for the promotion and purification of Baganda culture, which often takes a chauvinistic form, such as opposition to mixed marriages, hostility to non-Baganda migrants, and demands that land be kept in Baganda hands through prohibition of further sales to non-Baganda. They have strong links with Ganda business and student/intellectual elites in Kampala (who have their own associations, and agitate within the Kampala political arena). There are strong, although increasingly fractious links with the NRM and the inner circles of government, which may turn sour as Museveni draws back from some of the promises he made to Buganda when he took power. The actions of the NRM in allowing ‘partial restoration’ of the Kingdom could be seen as directly responsible for encouraging the emergence of these more militant Baganda nationalist associations, which are classic cases of the connection between nationalist cultural entrepreneurship and the emergence of a local ‘bourgeois’ civil society.

The Ankore groups are also involved in the promotion of cultural nationalism but are divided into two main camps: one pressing for the restoration of the traditional monarchy, in an attempt to regain the same status and privileges as Buganda and to restore the position of a formerly dominant ruling class; the

other, resisting the restoration of the monarchy, and more concerned with promoting the general development of the area and dealing with the destabilising issue of Rwandan refugees and migrants.

The institutional and political context within which these associations are operating has both local and national dimensions. Their attempts to influence the policies of the President and the inner circles of the ruling NRM are very much an exercise in political negotiation, insofar as they have mobilisational capabilities which can offer – or withhold – considerable political support bases to the regime. These could be very important in any further electoral contests, particularly if there is a move to multi-partyism (as yet undecided, pending a referendum). Even if there are not competitive party elections, the mutual exchanges of support for Presidential patronage will continue to be of importance. The capacity of these associations for developing popular support is based on their deep-rootedness in local society, together with considerable resources coming from elites, both business and educational.

The Baganda, for instance, have their own radio and newspapers and are developing their own TV station. At the level of national politics, they have even openly advocated that Ganda target the Army and other key institutions as careers of choice, in order to promote Ganda interests. This is the kind of activity which, if combined with popular mobilisation, arouses fears in the ruling regime of a revival of ethnic conflict in the country which it will not be able to handle.

The impact of the emergence of these kinds of CSOs on the prospects for peaceful conflict-resolution in Uganda seems likely to be negative, unless the regime acknowledges the reality of ethnic and religious mobilised identities, and develops methods for incorporating and mediating the clash of interests which a free political system allows to be expressed. So long as the NRM maintains a system in which very narrow or exclusive ethnic political groups compete for patronage, or can be manipulated or played-off against each other by the central authority, the conflict can only be exacerbated. Unfortunately, Uganda now has a political culture in which violence and armed rebellion have become almost the normal ways of settling disputes. The NRM itself has glorified and romanticised its own armed struggle, giving the impression that any group which wants to be taken seriously will have to present the same kind of threat. The situation does not allow easy resolution, insofar as no group has a majority, and there is no mechanism for constructing a majority coalition except through the actions of the President and the NRM. In this respect, there is a strong argument for creating an electoral system which will utilise the already-mobilised support bases created in civil society to construct broader winning coalitions. The only other outcome might be a consociational system predicated on the willingness of the elites leading ethnic or regionally based CSOs to cooperate together for their own interests.

In **Bosnia**, three municipalities have been selected for study: Tuzla in the north-west, Mostar in Herzegovina and Banja Luka in Republika Srpska. Tuzla is unusual in that it has had a multi-ethnic or ‘non-nationalist’ administration both before and after the war. But it has also been targeted by the OSCE Democratisation Branch which supports numbers of new NGOs there including the Tuzla Citizens Forum and a local UN- funded ‘independent’ (i.e. non-nationalist) radio station. Its CSOs therefore have many important links with Entity and national political levels and with the all-important international

authorities. Mostar, by contrast, is divided between the dominant ethnic parties, is plagued with violence and hostility and a stalled economic recovery. (The vibrancy of local economic life may well be an important factor anyway in the creation of a viable participatory or democratic politics; it is worth noting that Tuzla has always been relatively prosperous, with a developed industrial economy and a strong multi-ethnic professional middle class; it is strategically located between Serbia, Bosnia and what is now Republika Srpska (Chandler 1999: 196). Mostar, too, has been targeted by the international authorities – to the extent that the European Union representatives administering the city (EUAM) ‘re-fixed’ the local elections in 1996 because they had produced the ‘wrong’ result (a Muslim SDA administration) and forced the City Council to elect a Croat as Mayor (Chandler 1999: 80). Mostar’s political life is ‘externalised’ to the extent that it is determined by the conflict not just between the ethnic parties and their local representatives, but between them and the international authorities. The most recent evidence shows a continuation of stalemate and political paralysis within and between the six Mostar municipalities.

In both countries, therefore, the CSOs to be studied are engaged in similar kinds of activities:

- trying to extract resources (jobs, development projects) from both local and supra-local government authorities;
- linking up with international donors in order to fund themselves, their activities and local projects (this is particularly important in Bosnia, less so with the Ugandan cases which are more autonomously rooted);
- working with political elites engaged in party building, and the construction of political machines through capturing patronage resources such as housing, land allocations, jobs, construction contracts and access to educational opportunities.
- competition with other CSOs to exclude them from the political arena;
- in some cases, conflict mediation between rival groups or communities (including ethnic and religious).

2.4 Analysing the impact of CSOs on democracy

Explaining the outcomes of CSO activities in terms of their impact on democratic institutions must of course be rooted in the specificities of each situation, particularly the historical and conjunctural factors facing a regime including the economic situation. A number of more general explanatory factors may nevertheless be suggested upon which some comparisons might be built.

- Perhaps the most crucial factor in determining the strength and potential of any CSO is its degree of embeddedness in society. It is this which gives it a ‘constituency’ and autonomy in society, regardless of whether its orientation and membership is judged to be civic or uncivil, exclusive or broad. An embedded CSO creates a ‘moral community, which in many countries but particularly in Uganda and to some extent Bosnia, relates to a ‘second public’ which is quite localised and distinct from the formal state structure (Luckham *et al.* 2000). Any realistic political strategy must work with the

society as it is, without denying that political action can change or manage the structures of social mobilisation.

- Whether a political community has been created is critical in determining the effectiveness of democratic procedures in mediating the conflicts and inequalities of civil society (Luckham *et al.* 2000). Political community is, in effect, about the institutionalisation over time of ways of working together within a bounded political unit. Even if CSOs are not democratically organised or do not fully articulate democratic values, agreement on the rules of the game may be sufficient to underpin ‘democracy as process’, particularly in deeply divided, post conflict societies. Measured by this standard, the relationship between CSOs and the state in Bosnia does not look promising.
- The character of the particular regime itself determines the kind of politics or political relationships which are ‘feasible’ and productive. As in Uganda, the concern of the NRM to build a broad power base determined its willingness to coopt and favour particular ‘new’ CSOs such as women’s groups, and also its way of interacting with cultural or ethnic CSOs.
- The different strategies pursued by CSOs - negotiation, cooperation, confrontation - depend on the degree of interpenetration between the state and the CSO. The relationship with the state varies according to the types of CSO noted earlier: elite/interest group ‘policy community’ insiders, community groups, and socially embedded forms of collective action or association. Thus class and status dimensions are important in understanding modes of mobilisation or expression; elite/urban groups may have more success and pursue different strategies compared to community-based, rural, poor marginal groups. Critically, the reactions of the state are frequently determined by these class dimensions. CSOs might also be categorised by their organisational attributes, which undoubtedly play a role in determining their effectiveness and impact.
- ‘Autonomy’ is less important than the resources a CSO can bring to bear – *either* political/social support (degree of embeddedness) which can be used as a bargaining counter, *OR* external resources, e.g. leverage from donor support may constrain the way an issue is approached, but provide considerable leverage. External (donor) support is not always a negative factor; in both these countries in particular there is a ‘three way’ relationship between donors, CSOs and the national government in which different alliances are appropriate at different points.

3 Democracy as a system for conflict management

In the final analysis, the research has to answer the question, how does civil society activity generally contribute to the effectiveness of democratic structures? How such effectiveness can be measured is a general methodological issue beyond the scope of this paper, which must be addressed by the project’s overall research design. Nevertheless, it is argued here that both ‘civic’ and ‘uncivil (ethnic/nationalist) groups as defined in the original brief *can* contribute to the construction of a peaceful political order, provided the structures of conflict mediation and interest balancing are appropriate. Even the most ethnically divided society can be ‘managed’ if the logic of political competition is structured in such a way

as to be centripetal and coalitional rather than destructive and exclusionary. In this sense, a procedural vision of democracy may be the most that can be realistically expected, in the short term.

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Democracy is promising because the principles, institutions, and rules associated with democratic practice seek to manage inevitable social conflicts in deeply divided and less conflicted societies alike. Democracy provides predictable procedures in which collective decisions can be taken without the risk that losing a political battle will mean grave misfortune, imprisonment, or even loss of life. Democracy as a system of political decision making is in many ways a system of conflict management in which the outcomes are unknown but the fundamental rules of the game provide a safe arena in which to compete. Additional insights into democracy and conflict management are offered by Beyond Intractability project participants. Democratic governance is the bedrock of the OSCE's system of values and standards. It is a system of government where institutions function according to democratic processes and norms, both internally and in their interaction with other institutions. ODHR designs and implements programmes to assist participating States to improve laws, institutions and democratic processes, with a focus on strengthening parliaments and ensuring a pluralist political party system. The Office assists participating States in regulating political party financing in line with OSCE commitments, and in increasing the capacity of parliaments to carry out their legislative, representative and oversight functions. Democratic governance is the bedrock of the OSCE's system of values and standards. strengthening democratic institutions and participation, and/or approaching accountability and representation with a responsiveness lens. Major D&G programming areas include

From June to October 2019, eight organizations who work on democracy and governance in fragile places convened to identify innovative practices and supportive policy changes needed to address these obstacles (Table 1). Collectively, we work in 129 countries and in 54 of the 58 countries on the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD/DAC) list of FCV.

DEMOCRATIC GOVERNANCE IN IRAQ?By late November 2003, LGP ceased using muhktars as intermediaries and instituted broader and more transparent caucus procedures to select council members-both for existing and newly formed councils, including secret ballots, which increased the councils' legitimacy. By then, as a result of having established a presence in 17 of Iraq's 18 governorates and having built up teams of Iraqi staff, LGP had a sufficient level of local knowledge and credibility to work directly with local people.