The Challenges for Local NGOs in the Globalising Civil Society

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Ladies and Gentlemen,

It is an honour and pleasure to be with you today and to share with such a prominent audience the views and experiences of Oxfam International in the rise of civil society, the challenges it poses and the role of the university in strengthening the civil society building process, I would like to concentrate my contribution on four issues: a) The different vision and role of non-governmental agencies in addressing causes of poverty; b) The rights based approach to poverty eradication; c) Successful civil society building projects and the constraints; d) The role of the university.

Oxfam International is a confederation of eleven non-governmental development agencies, which finances development initiatives in 52 of the poorest countries around the world and engages in strategic development funding partnerships with communal, local and regional Non-Governmental Organisations, whose development and advocacy projects we support and whose cause we try to champion in the North.

Furthermore, the Oxfam affiliate members are active members of the civil society in their home countries, where they run education and awareness raising programmes on global development issues, liase with civil groups and universities, and operate fair trade shops, Because structural change can only come about in the world, if the richer nations develop a compassionate, responsible and sharing attitude, geared towards equity and social justice for all. Building a movement of global citizens, we believe, is an essential prerequisite in eradicating poverty and creating a fairer world. And finally, in the international arena, Oxfam International and its partners engage in advocacy and lobby activities with policy- and decision makers, both in the South and North, to promote more sustainable, people centred development approaches and to have the voices of the people, whose lives will be affected by these decisions, heard. To this effect, Oxfam established a lobby office in Washington to promote ongoing information exchange and dialogue with the international and multilateral institutions that play such an important role in the globalisation process.

Oxfam International's NGO partners are private, non-profit, self-governing organisations that are geared toward improving the quality of life of disadvantaged people. The NGO scene has been growing remarkably in number and variety over the past 25 years. NGOs can be devoted to community mobilisation, delivery of services, research, education, advocacy or, increasingly, in a combination of activities. But it is often their advocacy work that puts them at odds with governments and international institutions. NGOs are at the core of civil societies in many Asian countries, and there, where they are not permitted to exist as such by law, like in China and Burma, their functional equivalents are beginning to emerge.

The recognition of the role of NGOs in development and social justice work has increased enormously over the past decade. This is nicely illustrated yesterday's Japan Times article presenting the new Japanese foreign policy, from the 2000 Diplomatic Blue Book, stressing the importance of forging strategic relationships with NGOs,
"The role played by the civic societies lead by the NGOs is becoming increasingly important in addressing the new challenges of the international community",

The new challenges referred to here are the detrimental aspects of globalisation, advancement of information technology, human security problems (like HIV/AIDS) and peace and security issues (disarmament) in the Asia Pacific region.

OI has been engaged in strengthening civil societies over the past twenty years. It is a vital intervention strategy to achieve its goal: structural poverty eradication and social justice for all. When speaking of civil society, OI refers to all those organisations and networks operating outside the official sphere, including professional associations, trade unions, and charitable groups, political parties, the press, cause-oriented movements, social clubs and NGOs. Working from a rights based approach to development, OI believes that everyone has the fundamental right to have the basic needs fulfilled. In its global strategic plan, Oxfam identifies five core aims, whose fulfilment is key in combating poverty: the right to livelihood, the right to basic education and health, the right to life and security, the right to be heard and the right to equal treatment for women and minorities.

Taking globalisation as a given political reality, it potentially increases the sources of injustice that are beyond the scope of national systems of justice. Today, forces that are geographically and institutionally distant from the scene of the action may influence individuals and communities. Multinational corporations and the Bretton Woods Institutes (World Bank and IMF) have a major impact on the lives of millions, but there are few local or decentralised institutional opportunities for recourse against their actions. The political space for governments is equally affected by international forces, which may have an impact on how governments behave domestically. Globalisation has often induced governments, who are eager to safeguard World Bank loans or large investments by multinational companies, to violate basic freedoms and encroach upon the political space of their own civil societies.

NGOs have begun to fill some of the widening institutional and geographical gaps for people and communities who want to exercise their guaranteed rights. Over the past two decades, NGOs have contributed to international and national discourse on issues of global scope, such as poverty, gender equality, peace, environmentally sustainable development and human rights. NGOs have actively influenced the formulation of the CEDAW (the convention on the elimination of all forms of discrimination against women) in 1979 and the1989 Convention on the Rights of the Child. Furthermore, NGOs proposed new institutional arrangements to shape UN responses to human rights abuses, like the working groups on Arbitrary Detention and the establishment of Special Rapporteurs. More recently, NGOs have taken up similar functions with respect to other international organisations. Like the creation of the World Bank inspection panel in 1993. Or the ongoing uphill battle by the Women Caucus on Violence against Women in War situations, that lobbies hard and seemingly successful to get eight severe forms of systematic, wide spread, sexual harassment officially recognised as crimes against humanity for the International Criminal Court to be.

Most of the NGOs no longer work alone, but rather in networks that transfer information and other resources across borders. As the NGO networking is increasing, the advocacy work of NGOs intensifies and becomes an increasingly important articulation of a global human rights enforcement voice. Old distinctions in operational vs advocacy ngo's or single-issue based groups are fading and modern information technology speeds up the alliance building and facilitates inclusion of much wider groups of concerned individuals, who advocate their concerns in the North.

I was asked to share with you some of our civil society strengthening successful stories and some constraints which we face in achieving our mission.

a. Rise of civil society in Vietnam: social justice through legal aid and awareness
In Vietnam six Oxfam co-operate with the government, community and university groups to develop alternative poverty eradication approaches, to mediate the negative impact of more

liberalised economic policies on the poorest in the society. As the civil society is still in its infancy stage, it is hard for marginalised groups to stand up and to request equal access or advocate for protection, when losing their land or jobs, even if the national law would rule in their favour. International Law Reform programmes, implemented by multi and bilateral agencies, focussed largely on drafting and modernising laws, but not so much on the law enforcement and awareness on the ground, as this was perceived to be politically too sensitive. Hence, two years ago, the OI engaged in a partnership with the Ministry of Justice to set up autonomous provincial legal aid and awareness raising centres, which provide special attention to poor women and ethnic minorities, being hardest hit by the political changes in society. It was a pilot project and not without risk, but it worked out remarkably well and has meanwhile received the blessing of the Prime Minister and has been extended to 55 provinces. In the international conference in Hanoi two weeks ago four bilateral donors and the UNDP joined the programmes for the next phase.

b.   Rise of civil society in Indonesia: role of NGOs in the process of political reform
Another encouraging experience can be related from Indonesia. For many years under the Suharto regime, various Oxfam partners were unofficially "blacklisted", because they questioned preferential treatments, human rights abuses and corruption practises of the authorities. Nevertheless, the NGOs continued to play a major role in livelihood provision, environmental protection, women's equal rights movement and human rights monitoring. When the political spectrum changed dramatically in 1998, the Indonesian NGOs were invited to join the political vacuum and emerged as a new thinktank that tries to contribute to the yet fragile process of reformasi and democratisation. They set up nation wide voter education programmes in the first multi party election in 30 years, they took part in independent official inquiry committees investigation the May Jakarta riots and the recent violence in Timor. They participate in law reform committees, eg. most recently in drafting a law to set up truth and reconciliation commission and lead a participatory policy formulation process in 24 cities around the country, to formulate development scenario's for Indonesia in 2020, based on the experiences in South Africa.

But we face many challenges in our work as well. I would like to highlight three

a. The role of NGOs in society: the basic service providers of the future?
In places where NGOs have been successful in extending their role in social services provision, a new dilemma has emerged. Increasingly, the development philosophy takes hold that promotes minimising the state intervention and transfer of traditional government services (eg, in education, health, or income generation) to private organisations. This often goes hand in hand with a drive to homogenise (and depolitise) Government - NGO relationships. As NGO have a more organic relationship at community level, they seem the most appropriate service delivery partners and are invited more and more by multilateral organisations to implement these programmes. While NGOs have welcomed this support, because it allows them to tap in increasing flows of official donor money, it creates a serious problem for NGOs at the same time. Their organisational structures do not fit the new large scale requirements, their accountability systems are not matching either and they might end up in difficult political situations with both governments and the populations they serve.

OI advocates governments to re-assess the role of the state in providing the basic social services and to live up to agreements made in Social Summit in Copenhagen in 1995, when governments pledged to spend at least twenty percent of the national budgets on health and education. Oxfam and its partners promote different strategies to this effect. E.g. the global campaign on the debt issue advocates reducing debt payments by developing countries under the condition that these nations apply the freed-up funds to step up their effort in education for all. Another global initiative is the Social Watch report, an annual "shadow analysis" to the UN Human Development Report, in which Oxfam partners in 16 countries monitor the performance of their governments and other actors in providing basic services and protection to their citizens.

b. The restriction of the political space of NGOs to work.

In order for NGOs to perform well, three fundamental freedoms need to be guaranteed by the State. These three are the Freedom of Association (the right to organise), the Freedom of Assembly (the right to meet and organise rallies and community events) and the Freedom of Speech (the right to share your ideas freely). The approach of governments, in dealing with the increasing influence of NGOs, tends to have a domestic focus. While NGOs need to persuade governments to do the right thing, like establishing an independent judiciary, secure budgets for social services, enforce labour laws and uphold environmental standards, governments need to determine the space they allow for civil society. In many countries this results in heated debates on desired forms of regulation. In the past few years new restrictive NGO laws have been passed in Albania, Egypt, Pakistan, Uganda, and Brazil.

International Organisations also contribute to the debate on the desired space for NGOs. The Draft World Bank Handbook on NGO Laws and regulations exemplifies the confusion that has arisen over the attempts to define the NGO role in global governance. Since 1996 the WB is drafting a handbook meant to support and strengthening Government - NGO relationship through appropriate NGO law. But NGOs have severely criticised the World Bank for promoting excessive regulatory control and intrusion in the Freedom of Association that can easily be misused by governments to curtail civil society and question the WB's mandate to engage in such a branch alien activity.

c. The need to increase the quality and accountability of NGO work
While playing an increasingly prominent role in development work and promoting the transparency and accountability of governments and international institutions, the NGOs themselves, often need to improve the long term quality of their work, given their activist origins, and increase their own accountability to the people they serve in the society. More and more NGOs are trying to be more transparent and live by code of conduct. Oxfam NGO partners now involve communities in evaluation exercises and are experimenting with "social self audits" of their own organisations and OI is in process of establishing an "ombudsman" to handle complaints. Moreover, OI invests a lot of energy and funds in training and capacity building of its partner organisations, and universities could play a very important, independent role here too.

In this respect, I think academic institutions can contribute in four major ways:

1. Facilitate good information gathering, analysis and provision to wide audiences.
A good example could be our collaboration with the Fudan University in Shanghai. The Fudan Law School and Women Development Centre undertook on our request a comprehensive research into national provincial and municipal labour laws protecting the rights of women. This resulted in the publication of a handbook, which is currently used by the Labour Ministry and the Fudan law students, who now run a telephone counselling line for demobilised (retrenched) women workers from state enterprises (as over 80% of the retrenched staff is female).

2. Research and documentation of successful, alternative, innovative approach to development,
Because of the activist nature of most NGO workers, little time and energy is put into reflection and linking and learning with other, and to document their experiences. A good example is the collaboration between the University of Chiang Mai (Thailand) and the ethnic minority NGOs in the Golden Triangle, to study comparative customary and national law with the goal to find peaceful solutions to land and environmental perservation conflicts.

3. To provide an independent bridge function, between local activists and official decision makers. Making each party better understand the others' position and find joint solutions.

4. And last but not least, the university's educational core business is the most crucial element in promoting "global citizenship", in the training of young, professional and responsible cadre that values social justice for all and tolerates and respects dissenting voices and ideas.

-Thank you for your attention-

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