

SOCIAL COHESION, GLOBAL GOVERNANCE AND THE FUTURE OF POLITICS

Civil Society in Times of Change: Shrinking, Changing and Expanding Spaces

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Abstract

The roles of civil society organizations (CSOs) have become more complex, especially in the context of changing relationships with nation states and the international community. In some instances, state-civil society relations have worsened, leading some experts and activists to speak of a “shrinking space” for civil society. How widespread is this phenomenon? Are these more isolated occurrences or indeed part of a more general development? How could countries achieve and maintain an enabling environment for civil society to contribute to social cohesion, to enhance political participation and processes, to encourage social innovations, and to serve as a vehicle for philanthropic impulses? Based on quantitative profiling and expert surveys, the brief arrives at initial recommendations on how governments and civil society could find ways to relate to each other in both national and multilateral contexts.

Challenge

Civil society is a highly diverse ensemble of many different organizations that range from small local associations to large international NGOs like Greenpeace, and from social service providers and relief agencies to philanthropic foundations commanding billions of dollars. It is an arena of self-organization of citizens and established interests seeking voice and influence. Located between government or the state and the market, it is, according to Ernest Gellner (1994: 5) that “set of non-governmental institutions, which is strong enough to counter-balance the state, and, whilst not preventing the state from fulfilling its role of keeper of peace and arbitrator between major interests, can, nevertheless, prevent the state from dominating and atomizing the rest of society.” For John Keane (1998: 6), civil society is an “ensemble of legally protected non-governmental institutions that tend to be non-violent, self-organizing, self-reflexive, and permanently in tension with each other and with the state institutions that ‘frame’, constrict and enable their activities.” Taken together, CSOs express the capacity of society for self-organization and the potential for peaceful, though often contested, settlement of diverse private and public interests.

Thus, civil society harbors significant potentials in terms of social innovations, resilience, service-delivery and giving voice to diverse interests and communities otherwise excluded. However, CSOs operating locally, national and across borders have experienced many changes in recent decades. Following a period of rapid growth in both scale and scope after the end of the Cold War, and carried by growing expectations, resources and capacity, the current decade has brought about a more complex, challenging environment (Anheier 2017). There are more frequent indications that the “space” for civil society organizations is shrinking as a result



of increased regulation, greater reporting requirements, but also curtailing CSO activities, and even harassment of staff and threats of violence (Civicus 2018; see ICNL 2018; USAID 2017).

Approach and Findings

To assess the state of civil society across the G20 countries, and, particular, to probe how wide-spread the shrinking of civil society space has become, we used available data from international social sciences projects. They measure the space for civil society organizations over time along three dimensions (Coppedge et al. 2018; see Appendix III for measurement details):

- Control of the formation of civil society: To what extent does the government achieve control over entry and exit by CSOs into public life?
- Control of the operations of civil society: Does the government attempt to repress CSOs?
- Degree of Self-organization and Participation: Which of (the statements below) best describes the involvement of people in CSOs?
 - Most associations are state-sponsored, and although a large number of people may be active in them, their participation is not purely voluntary.
 - Voluntary CSOs exist but few people are active in them.
 - There are many diverse CSOs, but popular involvement is minimal.
 - There are many diverse CSOs and it is considered normal for people to be at least occasionally active in at least one of them.

We made no assumption that only minimal regulations of, and for, civil society would be needed; nor do we advocate regulations that could stifle the potentials of civil society nationally as well as internationally. The purpose here is to show how the space of civil society has changed in the course of the last decade, i.e., from just prior to the global financial crisis of 2008 to 2016. In a second step, we look into the policy context to gauge how countries manage to balance the potential civil society offers with the mandate of government of state and international organizations to serve as keepers of peace and arbiters between major political and economic interests.

The results presented in Appendix I are striking, and several stand out:



- Figures 1-3 do indeed confirm a general, gradual erosion of civil society space: values measuring freedom from government control over the entry or formation or exit or dissolution of CSOs are generally lower in 2016 than they were in 2008, as indicated by the red trend line. The same holds for government repression and self-organization and participation as well. While these values are lower, they are not lower in the sense that they would have dropped suddenly or by much. Nonetheless, the overall trend suggests some gradual erosion rather than dramatic decline.
- Few countries show overall improvements (Figures 4-6), and the great majority reveals a pattern of either stability or decline in some dimension of civil society space. By contrast, in no G20 country did civil society space expand considerable along all three dimensions (even though ceiling effects exist due to measurement), and in several countries did space contract to significant degrees, sometimes at already low levels. Specifically, Argentina and Canada reveal the most positive developments, as do Indonesia (until 2016) and Saudi Arabia, the latter by cautiously opening up a highly restricted civil society space in recent years. Germany, France and UK are more or less stable, while all others (Brazil, India, Mexico, Italy, Japan, Korea, South Africa, India, US) show a slow erosion or contraction in space in at least one dimension. China, Turkey and Russia witness a shrinking space.
- If we differentiate by regime type, Figures 7-9 show a slow erosion of civil society space in democracies and autocracies and a faster erosion in anocracies. In anocracies - regimes that are not fully autocratic, but also not democratic - (see Marshall et al. 2017), we see a faster erosion. This suggests that democracies may at least not actively seek to develop civil society space through reform efforts. Instead, they more or less passively letting civil society space slowly erode either through the impact of other policies (mostly anti-terrorist, anti-corruption, and national security related legislations and measures) or lack of reform. It also suggests that autocracies are the clearest case of a shrinking (e.g., Turkey) and shrunk (e.g., Russia) civil society space, whereas for consolidated democracy, it would be better to speak of a slow process of erosion.

Of course, the relationship between civil society and government is complex and multifaceted. What are the policy rationales why government and CSOs develop some form of relationship? Economic theory offers three answers to this question, each casting CSOs in a different role: substitute and supplement, complement, and adversary (see Steinberg 2006; Anheier 2014, Chapter 8, 16).

The notion that CSOs are supplements and substitutes to government rests on



the public goods and government failure argument first advanced by Weisbrod (1988): they offer a solution to public goods provision in fields where preferences are heterogeneous, allowing government to concentrate on median voter demand. CSOs step in to compensate for governmental undersupply. The theory that CSOs are complements to government was proposed by Salamon (2002), and finds its expression in the third-party government thesis whereby CSOs act as agents in implementing and delivering on public policy. Indeed, we find that service-delivery is a role CSOs assume with state support even in autocracies. CSO weaknesses correspond to strengths of government (public sector revenue to guarantee nonprofit funding and regulatory frameworks to ensure equity; and CSO strengths (being closer to actual needs, more responsive) complement government weaknesses.

The theory that CSOs and governments are adversaries is supported by public goods arguments (see Boris and Steuerle 2006) and social movement theory (Della Porta and Felicetti 2017): if demand is heterogeneous, minority views may not be well reflected in public policy; hence self-organization of minority preferences will rise against majoritarian government. Moreover, organized minorities are more effective in pressing government (social movements, demonstration projects, think tanks) than unorganized protests; however, if CSOs advocate minority positions, the government may in turn try to defend the majority perspective, leading to potential political conflict.

Young (2000) suggests a triangular model of government - civil society relations of complementarity, substitution, and adversarial. He argues that to varying degrees all three types of relations are present at any one time, but that some assume more importance during some periods than in others. It is the task of policy to balance this triangle.

To probe deeper into these issues, we asked a group of civil society experts (see Appendix III) three questions:

- What are the main challenges for CSOs, both domestically and in terms of cross-border activities, and what opportunities present themselves?
- What are likely trajectories for CSOs over the next five to ten years, especially with changing geo-politics?
- From a policy perspective, what could be the roles of national governments and international organizations in that regard? Are reforms and models of state - civil society relations being discussed?

We also asked if, in the course of the past five years or currently, changes to, or new, laws and regulations have been put in place or are being passed or envisioned



that either facilitate and improve or complicate and worsen the establishment and operations of:

- domestic CSOs;
- international CSO headquartered abroad and working in the country;
- domestic CSOs working internationally.

Table 1 in Appendix II presents a synopsis of answers received along three dimensions: the state of civil society, the implications for its expansions, stability or contraction, and the need for reform and dialogue. While Table 1 offers a rich portrait of the diversity of civil society, its relationships with governments, and its trajectories across G20 countries, there are also four overarching results:

- the general trajectory of a slow erosion in most consolidated democracies is confirmed, as are the developments in anocracies and autocracies, although the expert reviews add important nuances;
- few countries have open, proactive dialogues in place to review civil society – government relations; the most common pattern is the absence of a policy engagement rather than some form of contestation;
- fewer countries still have reform efforts under way, even though a general sense of reform needs prevails among expert opinions;
- most countries seem to do little to stem the erosion, perhaps out of unawareness, lack of civil society activism and organizational a capacity to find a common voice, or the absence of political will on behalf of governments.

More specific results are:

- There are characteristic “pendulum policies” in a number of G20 countries with more pronounced differences between center-right and center-left governments that tend to politicize the relationship with civil society and contribute to inconsistencies over time;
- Several G20 countries have seen the need to respond to the hybridization of CSO, especially around service-provision, and established new forms like social enterprises or public benefit corporations as part of an effort to modernize regulatory frameworks;



- Government bureaucracy is seen as a major stumbling block to more efficient relations, especially in middle-income countries; there is a need to simplify registration processes and reporting requirements in particular; in some countries, registration is also used as a tool to control CSOs and restrict their activities;
- Few countries have umbrella organizations for CSOs, which leads to disjointed civil society voices, and decreases advocacy capacity;
- Some countries establish dedicated government agencies for CSO oversight, control, and also development.

Proposal

The policy challenge is clear: How can the goals, ways and means of governments, and civil society be better coordinated and reconciled? What is the right policy framework to balance their respective interests while realizing the potential of civil society? What rules and regulations, measures and incentives would be required? How can the profoundly adversarial relations be transformed into complementary or supplementary ones?

Civil society, challenged in many ways yet harboring huge potential, finds itself at a crossroads in many G20 countries. Against the backdrop of the erosion of civil society space, it is time to act and chart a way forward. Fifteen years after then Secretary General Kofi Annan initiated the first ever expert panel to examine civil society in a broader, international context (United Nations 2004), it seems urgent to revisit the role of CSOs in a geopolitical environment that has radically changed. There is an urgent need to cut through the cacophony of policies regulating CSOs and find ways to counter-act even reverse the general deterioration of civil society space.

Therefore, we propose an independent high-level Commission, managed and convened by the Global Solutions Council, to examine the often-contradictory policy environments for CSOs, and to review the increasingly complex space civil society encounters domestically as well as internationally. Working closely with, but independently of, the Civil-20 (<http://civil-20.org>) and the Foundations-20 (<http://foundations-20.org>), the Commission is to make concrete proposals for improvements. The charge to the Commission would be to:

- Review the policy environment for CSOs and identify its strengths and weaknesses across the G20 countries;



- Propose model regulations for different legal and political systems, and reflective of levels of economic development;
- Point to areas for legislative reform as to the regulatory and enabling functions of the state;
- Identify best practices in government - civil society as well as business - civil society relations.

The Commission would report to the T20 and G20 meetings in Japan and Saudi Arabia, and present its interim findings at the Global Solutions Summits 2019 and 2020. What is more, it is time to explore the possibility of an independent future observatory of civil society, especially at the international level, perhaps linked to the Civil-20. The process for such an independent commission should be initiated under the Argentine Presidency of the G20, and to be taken up by Japan, as it prepares to take over the Presidency for 2019. At the G20 summit in Japan that year, the Commission is to report to G20 member states.



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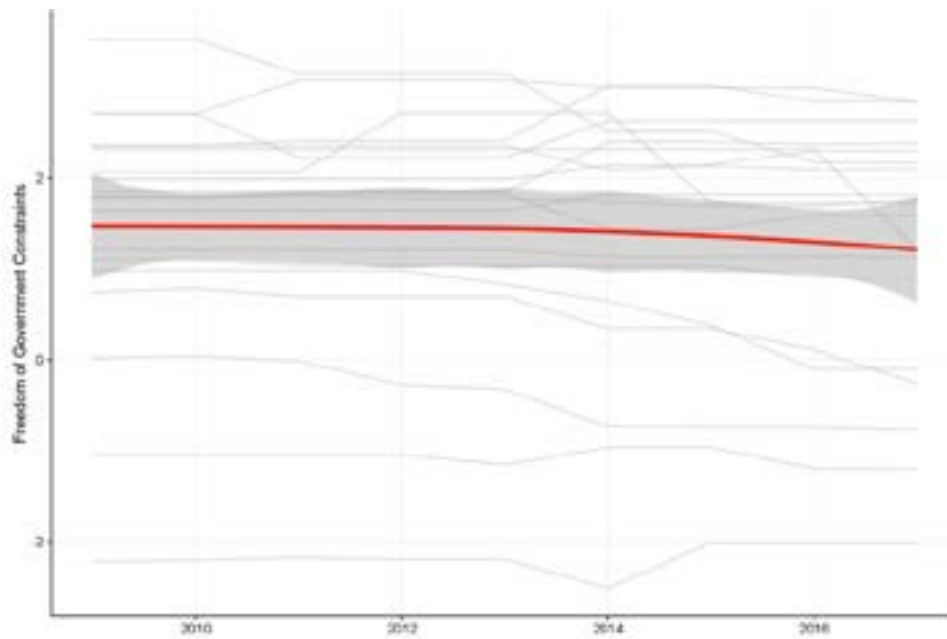


Appendix

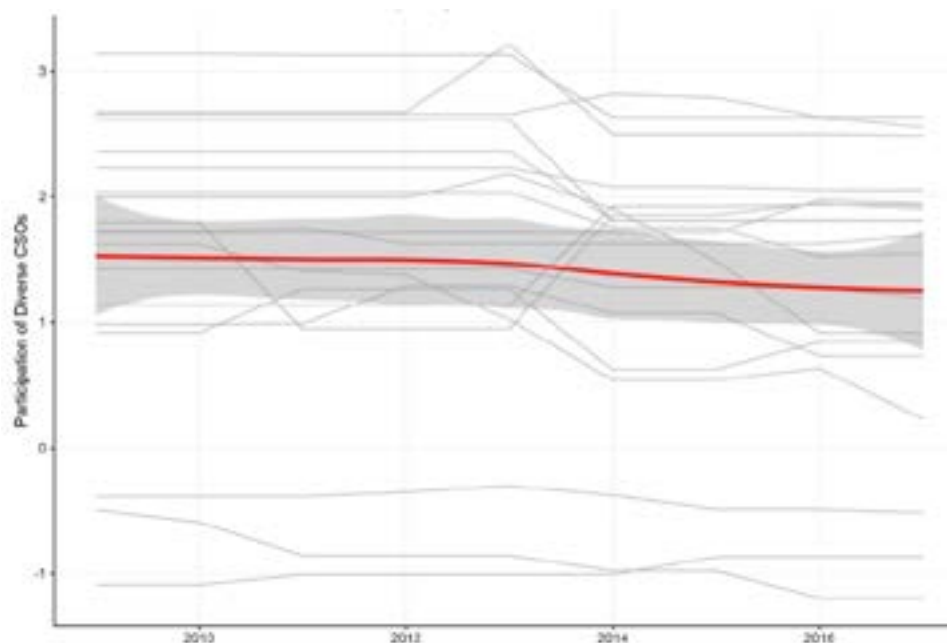
Appendix I: Longitudinal Analysis of Government - CSO Relations 2008-2016 (Figures 1-9)

A. Figures 1-3 - G20 as whole

Government Control of CSO in the G20, 2008-2016

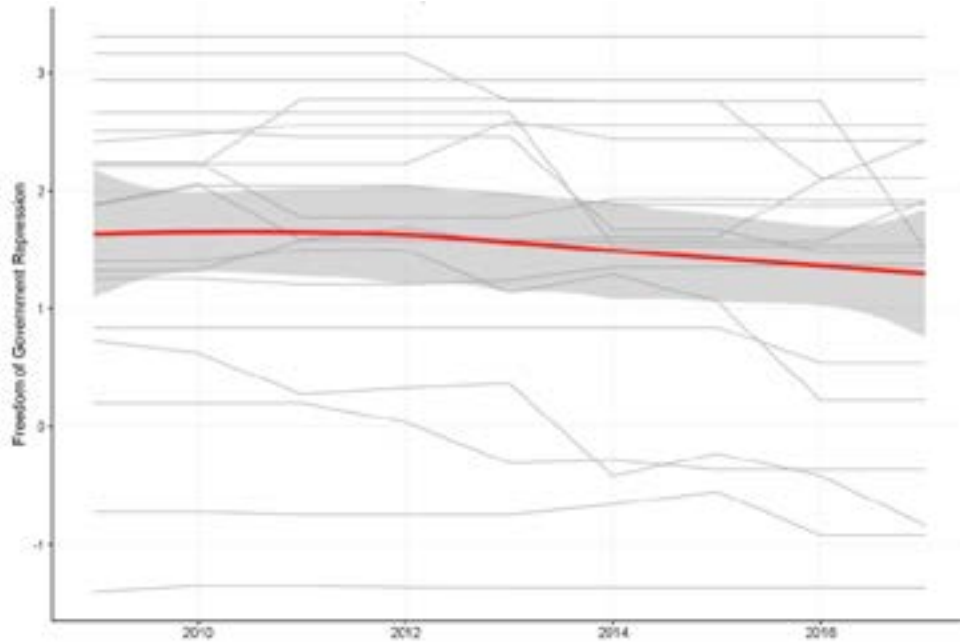


Self-organization through CSOs in the G20, 2008-2016



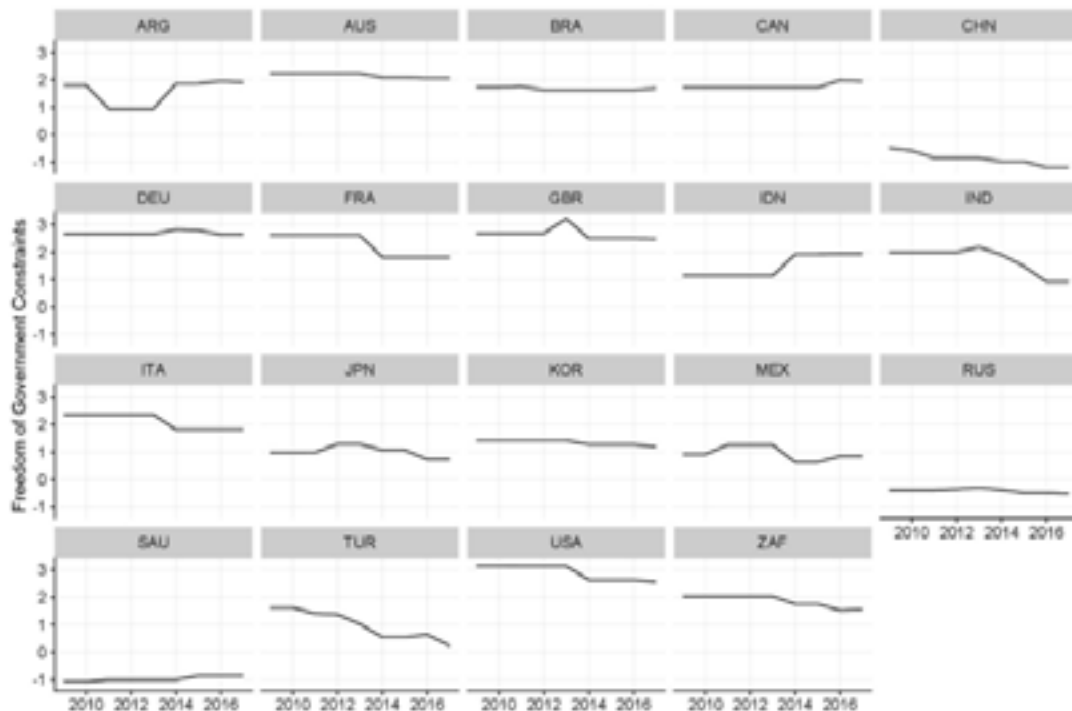


Freedom of Government Repression of CSO in the G20, 2008-2016



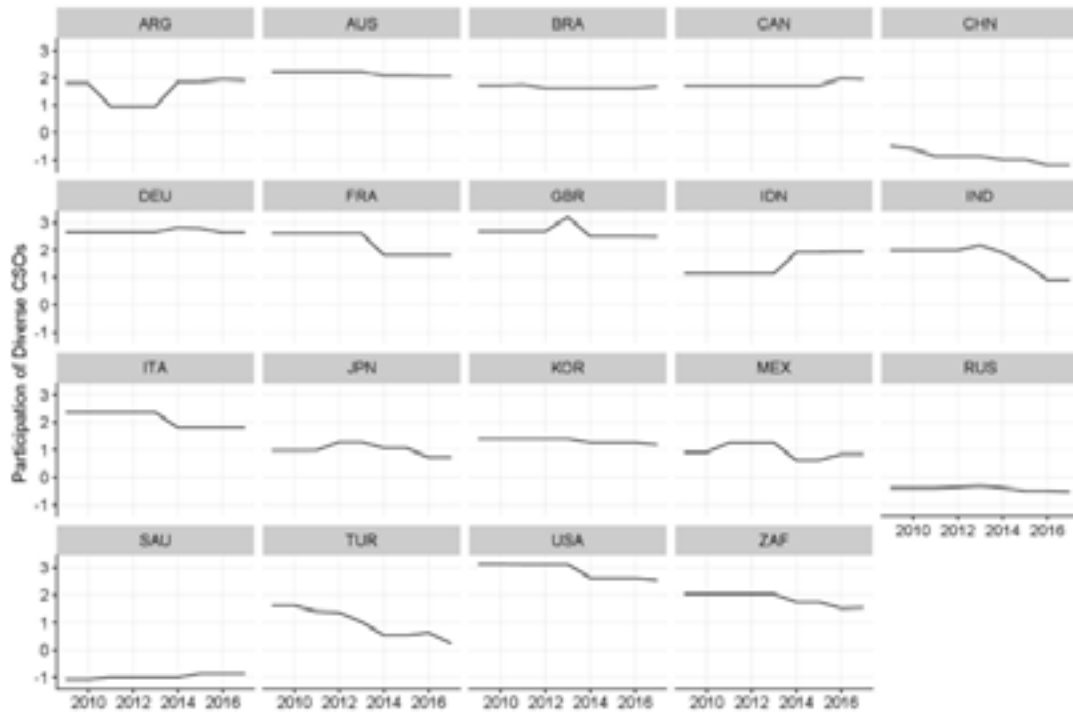
B. Figures 4-6 - by Country

Control: Freedom from Governmental Control for CSO Entry and Exit in the G20, 2008-2016

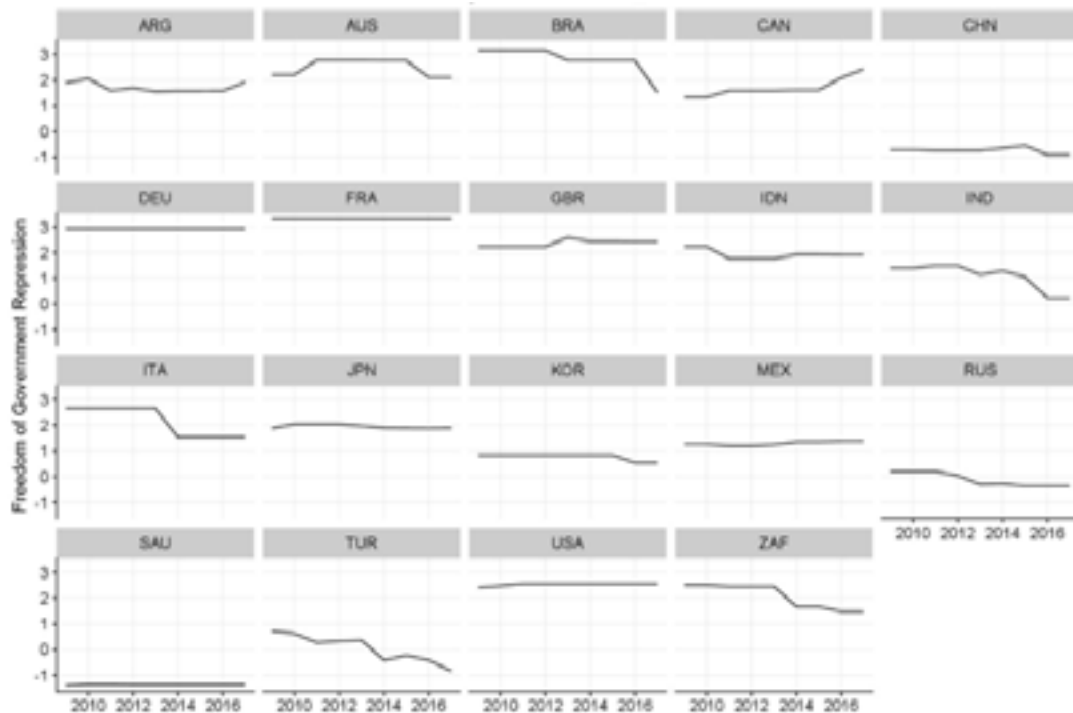




Self-organization through CSOs in the G20, 2008-2016



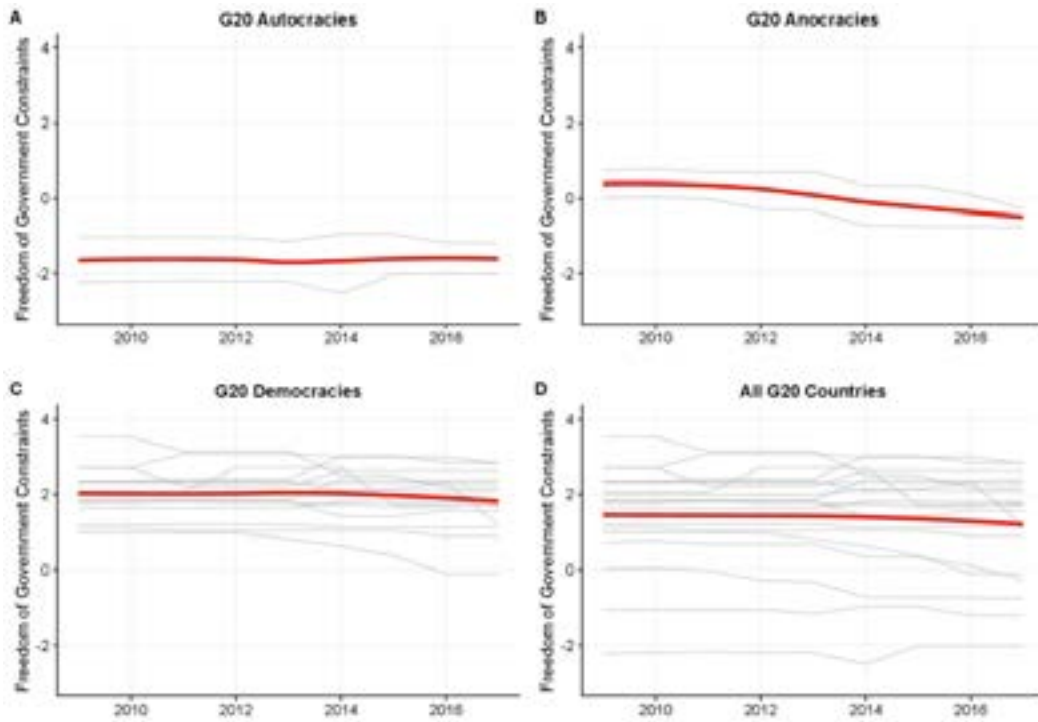
Freedom from Governmental Repression of CSOs in the G20, 2008-2016



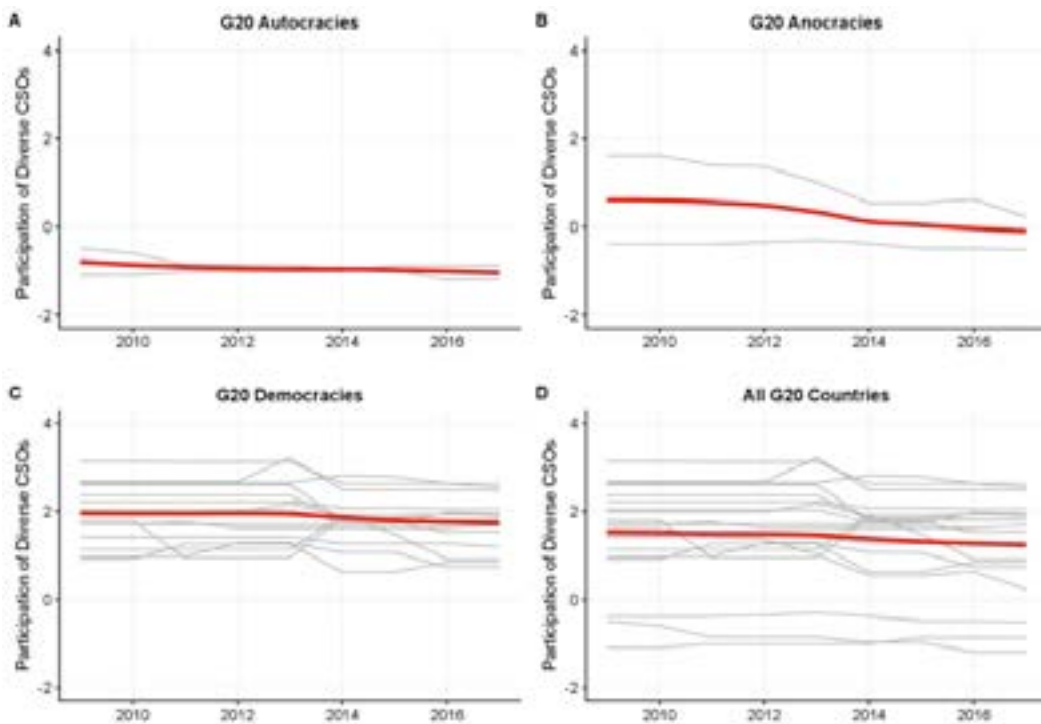


C. Figures 7-9 by Regime type

Freedom from Control

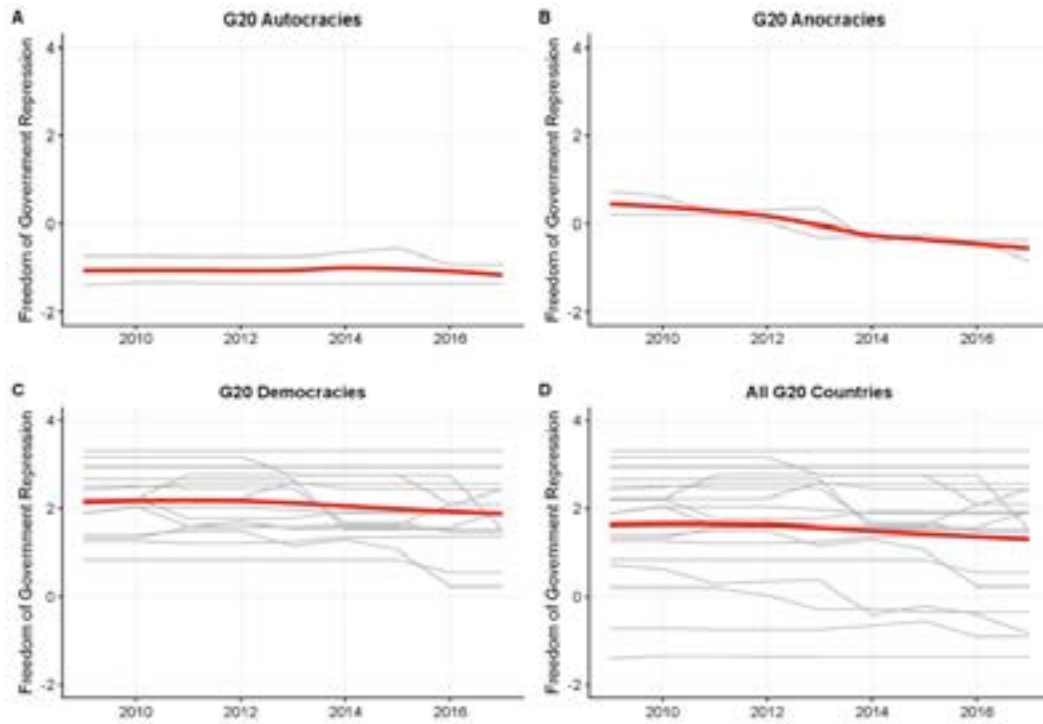


Self-organization through CSO participation





CSO Freedom of Repression





Appendix II: Assessment of Civil Society Status and Trajectory (Table 1)

Table 1. Assessment of Civil Society Status and Trajectory, by Country

Country	CIVIL SOCIETY STATUS			Trajectory	Emerging issues, Reforms needs, Reform agendas, Potential policy models
	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
Argentina	Developing yet unsettled relations with state (“pendulum swings”); lack of representative bodies providing voice for CSOs	New Civil Code unifies legal treatment of CSOs, and lowers demands on small organizations, while actual regulation remains overly complex	Cross-border activities likely to increase; OECD admissions process helpful, and comes with push for greater transparency	Expanding domestically and internationally	Need for cooperation-complementary model based on simpler regulation
Australia	Well-developed, established relations with state that can be strained based on ruling government policy preferences	CSOs seen as service providers, part of quasi-markets; some regulatory issues of CSO advocacy role in context of elections and lobbying	Anti-corruption and anti-terrorism measures plus the economic and political crises weakened democracy domestically and civil society relations internationally; foreign CSOs in Amazon region face great scrutiny and suspicious; some states passed tax laws imposing tax of foreign grants	Stable domestically, but slightly shrinking internationally	Need to decouple policy and politics through nonpartisan commitment to value of CSOs for democracy, while aiming at improved regulation of lobbying, and better self-regulation
Brazil	Well-developed, established relations with state, while at the same time undergoing a period of change and policy review	Political and economic uncertainty plus austerity measures present a challenge to implementing reforms and establishing improved state-CSO relations	Greater control of financial in-flows and out-flows; greater burden (registration, disclosure) on ICISO; declining international aid budget	Stable to mixed internationally; expanding domestically but unevenly	Many reforms yet to be fully implemented and acted upon; reform measures are held back by low governance capacity as well as by weak economic and fragile social conditions.
Canada	Major reform in legal environment for CSOs since 2010 advanced relationship with state, provided	2015 Trudeau mandate to Minister of Finance to modernize governance	Canadian CSOs cannot make grants to non-Canadian CSOs without adequate “direction and	Stable	Need for policy reform seen; better alignments to leverage both state and civil



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	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
Canada	access to public funding, brought higher scrutiny in procurement procedures and overall reporting, including tax exemptions	governance of CSO, with formation of federal task force, as current framework seen as outdated and overly restrictive; Senate decided to do own review of charity law	control,” for which only larger CSOs have resources to comply with; concerns of future of NAFTA and spill-over into US politics into Canadian debates	Stable	society assets while keeping independence both domestically and Internationally; need for stronger formal CSO representation at national level to complement provincial level; attempts to modernize CSO governance and regulation, openness for reform
China	2016 Charity Law provides more enabling environment, but increases regulatory burden; major push for government contracting to CSOs as service providers; national security-related laws (Counter-espionage Law (2014), National Security Law (2015), Counter-terrorism Law (2015), Cybersecurity Law (2017) significantly enhance state's power over civil society, restricting space for CSOs, esp. rights-based activism and advocacy	Fast-changing regulatory environment under state tutelage; lack of organizational resources and capacity-building; inability of CSOs to effectively respond to critical social issues or individual citizens due to controlled political space	More cross-border international; no specific legislation for domestic CSOs for working abroad and no restrictions on using domestic funds for activities abroad, at the same time more conflicts between government and international NGOs; Overseas NGO Law (2016), clearly shaped by national security concerns	Stable for domestic CSOs working abroad; expanding for domestic CSOs providing services in China; restrictive for ISCOs operating in China, and for domestic advocacy CSOs	Need for new model for clear and comprehensive relationship between commissioning government and increasing number of service-providing CSOs; Need for “government-platform-society,” based on new communication technologies to allow for more diverse voices; Need to review domestic - international interface as international CSOs face increasing limitations, and domestic CSOs working abroad few.
France	Well-developed, established relations between strong, centralized state and dynamic,	Cuts in public budgets affect many CSO operations; reforms under way and being	Overall favorable conditions for cross border CSOs activities; some concerns about effects of	Expanding domestically as well as internationally	Active government policy advances reform agenda with supply side tools (grants



Country	CIVIL SOCIETY STATUS			Trajectory	Emerging issues, Reforms needs, Reform agendas, Potential policy models
	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
France	growing CSO sector	implemented including the 2014 Law on Social and Solidarity Economy; openness for reform	anti-terrorist and anti-corruption legislation		& subsidies, contracts, loans & loan guarantees, tax exemptions & tax credit), demand side tools (vouchers) and improved public regulation to encourage civil society, the social economy and philanthropy
Germany	Well-developed, established relations between public sector and CSOs in the context of a decentralized state, with extensive system of cooperation in service delivery, and active civic life	Commercialization of service delivery system; Access to capital market and long-term planning hindered by tax exempt status, minor improvements in regulatory environments; lack of reforms	Overall favorable conditions for cross border CSOs activities, some concerns about effects of anti-terrorist and anti-corruption legislation (2017 Money Laundering Law); some pushback for German CSOs working in autocracies and anocracies	Stable domestically and internationally	Need for basic review of framework (legal form and tax exemption), access to and modes of financing (less bureaucracy, availability of seed money and loans), both for domestic and international levels; low propensity for actual reforms could threaten future relations
India	Dynamic, diverse and long-standing CSO tradition, with legal framework dating back to colonial era, and broad definitions of legal entities; growing collaborations between governments and private business in social development agendas reduces CSO scope; increasing focus on terrorism prevention and national security	New laws proposed by central government on orders of supreme court to favor light regulation of CSOs	2010 Foreign Contributions Regulation Act established high regulatory requirements for CSOS involved in political activities to receive foreign funding; Increased reporting requirement for ICSOs	Shrinking for ICSOs, stable for domestic CSOs	While the domestic environment for CSOs is stable, even slightly improving, it is becoming more complex as far as international activities are concerned; need for consultation seems high, a response is the multi-stakeholder platform "Forum for India Development Cooperation" to focus on south-south cooperation



Country	CIVIL SOCIETY STATUS			Trajectory	Emerging issues, Reforms needs, Reform agendas, Potential policy models
	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
Indonesia	After authoritarian government in the 1980s, when the CSOs were highly controlled, the legal environment opened up and improved but remains unsettled and volatile	Complex legal framework for CSOs remains, despite new Law No. 17 in 2013, which remains contested: President Joko Widodo signed emergency regulation which gives government power to disband societal organizations without court process if organizations threatens unity of country	ICSOs need written agreement with Indonesian government; otherwise, the same rules and regulations as to domestic CSOs apply, in addition ICOS are prohibited from intelligence gathering, political activities, raising funds from the Indonesian society, and using government facilities.	Uneven but generally shrinking for both domestic and international CSOs	Need for broad dialogue as current situation puts CSOs at mercy of government; there is strong opposition to opening up space for CSOs for fear of radical ideological movements
Italy	Well-developed, established relations between state and CSOs sector; lingering impact of austerity policies and high dependency of CSOs on public funds	Regulatory complexity and high levels of bureaucratic burden remain; at the same time new laws enable some CSOs, e.g.: Legislative Decree 155/2006 on social enterprises, Law 221/2012 on CSO start-ups access to capital markets, Law 208/2015 on benefit companies	Overall favorable conditions for cross border CSOs activities, some concerns about effects of anti-terrorist and anti-corruption legislation	Stable internationally, slightly expanding domestically	Need to re-evaluate government-CSO relationship to innovate social and political life; need to cast CSOs in innovative rather than service-provider roles primarily; better implementation needed
Japan	Gradual growth of CSO sector overall in recent decades as part of a move away from a statist model with high regulation and extensive control	Continued fragmentation of regulatory environment; hybridization due to lack of overarching model; social enterprises growing rapidly	Overall gradually more favorable conditions for cross border CSOs activities, some concerns about effects of anti-terrorist and anti-corruption legislation; CSOS to mediate in tense relations among North Asian states	Expanding domestically and internationally	Many reform efforts under ways but in a cautious, stepwise fashion without overarching concept as to the role of CSOs in society; despite ODA cuts, Japanese CSO more active abroad
Mexico	Legal framework generally considered	Barriers that inhibit the operations	Overall favorable conditions for cross border	Stable but with contradictory swings towards	Need to address the hiatus between laws and



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	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
Mexico	favorable and enabling for CSOs, esp. the 2004 Federal Law for the Promotion of the Activities of CSOs; in practice, complex and contradictory environment prevails; growing concern about erosion of rule of law; increased crime and violence against activists in name of national security	and financial sustainability of CSOs remain; several reforms and new laws been put in place to give more legal certainty and expand the range of CSO tax exempt activities; other laws and regulations increase reporting (Anti-Money Laundering Law, Transparency and Access to Public Information Law)	CSOs activities, some concerns about effects of anti-terrorist, antidrug, and anti-corruption legislation, few Mexica CSOs operate abroad	expansion and contraction	regulations on the one hand, and the practices on the ground; Need to harmonize state and Federal law, and improve tax treatment of CSOs
Russia	Restricted environment for CSOs generally; declining number of registered domestic and international CSOs; unclear role of CSOs	Complex registration and reporting requirements; unfavorable tax treatment; some state-CSO cooperation in terms of service delivery	According Federal Law 129-FZ, foreign CSOs can be declared as undesirable if activities threaten constitutional order, national defense or state security, limitations to financial activities	Shrinking, and basically only tolerated as service providers and extended arm of the state	Need for a major review of state - CSO relations to create more enabling environment at least in the field of service delivery to reduce multiple regulations, esp. at local levels
Saudi Arabia	CSOs truly local in terms of funding, programs and activities, no international funding and very limited work internationally; growing role in service delivery	Despite improvements (2015 law regulating CSOs), there are still multiple regulatory agencies involved in establishing, monitoring CSOs; lack of umbrella organizations; highly individualized field	Foreign CSOs are prohibited from opening branches in Saudi Arabia or to provide funding for local CSOs; strict financial restrictions adopted after 9/11; Saudi CSOs cannot fund projects abroad unless they have foreign branches or are registered	Domestically cautious expansion, little change internationally	New strategy needed for activating civic engagement and grow civil society in the context of political and social change
South Africa	Legal framework for establishment and operations of CSOs generally enabling; After Apartheid,	2012 Non-profit Organisations Law further improved CSO environment and established The South African	Registration of foreign CSOs compulsory considering the risk of money laundering and	More or less stable	Proactive policy stance towards CSOs; Need to review relationship between



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	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
South Africa	CSOs played critical role in reconciliation, improving participation, providing services, and acting as watchdog over the ruling ANC	Non-profit Organisations Regulatory Authority responsible for e.g. monitor registration and use of public funding, ensure accountability; capacity of state agencies and departments to ensure speedy registration and effective implementation still limited	financing of terrorist activities	More or less stable	domestic and foreign CSOs, esp. large foundations; decrease in funding from abroad challenges resource base of advocacy CSOs
South Korea	After two decades of more supportive relations between government and CSOs, more unfavorable policy attitudes prevail; continued uncertainty about role of CSOs in Korean society	CSOs need government permission to start new initiatives; change of Individual Income Tax Law decreased donations; new transparency measures meant greater burden due to inefficient services; limitations to, and strict regulation of, fundraising-activities	Few Korean ISCOs exist; ICSOs follow the same regulations as for domestic CSOs, but face strict controls over fund-raising and donations	Slight declines domestically and internationally	Need for legal reforms seen, with two different, partially contradictory bills proposed: one advances the establishment of government committee with jurisdiction over CSOs to unify registration process and regulations for more CSO autonomy, flexibility; the other bill focused on preventing misuse, tightening control on finance
Turkey	Rise of authoritarian regime since 2013, with consolidation of centralized government power and erosion of fundamental rights and freedoms for sake of national security and unity, and public	Closure of organizations, arrest of activists; implementation of legislation against money laundering and terrorism; greater control of existing CSOs, with blocking of websites and social media outlets; some CSOs become more resilient,	Rise of cross-border activities due to refugee crisis; ICSOs start facing constraints; Changes in priorities of donor organization to avoid political backlash; new alliances among CSOs and donor organization towards more flexibility in	Dramatic shrinking in recent years	What is the role of CSOs under autocratic regimes other than service provision? Continued political uncertainty in region could provide opening for CSOs to to build stronger ties with constituencies



Country	CIVIL SOCIETY STATUS			Trajectory	Emerging issues, Reforms needs, Reform agendas, Potential policy models
	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
Turkey	order	finding new ways to work under repression	supporting cross border activities bypassing government		constituencies abroad
United Kingdom	Stable democracy with vibrant domestic and international CS sector; active governmental and sector reform agenda	Legal measures which potentially restrict domestic advocacy work (e.g. Lobbying Act 2014, counter terror measures); new public management approaches put pressures on service-providing CSOs; erosion in trust and legitimacy of CSOs through aggressive fundraising, incompetence, high CEO salaries; introduction of Social Value Act and new legal forms e.g. Community Interest Company; government supports new forms of finance, e.g. Social Investment Strategy	Overall favorable conditions for cross border CSOs activities, some concerns about effects of anti-terrorist and anti-corruption legislation; need for UK and other western governments to set highest standard of policy and practice in interaction with CSOs	More or less stable, with some signs of erosion and expansion	Need to remove legislation and contractual arrangements that discourage or limit advocacy and campaigning Need to ameliorate effects of new public management approaches on CSOs' identity and autonomy; need for understanding of mutual responsibilities and respect of state and CSOs; Implications of Brexit remain unclear and bring uncertainties (e.g., loss of EU funds)
United States	Vibrant and highly developed civil society in a threatened democracy facing many challenges but also opportunities for renewal	Politicization through increased involvement in partisan politics makes CSO less independent (Citizens United vs. Federal Election Commission (2010), Speechnow.org v. FEC (2010); under-enforcement of tax law by Internal Revenue Services in relation to tax-exempt organizations;	Overall conducive environment for nonprofits headquartered abroad and working in the US; stricter implementation of the Foreign Agents Registration Act; sanctions: in some cases, CSOs require license from Office of Foreign Asset Control to operate in certain countries; access to financial	More or less stable, with some signs of erosion and expansion	Need to remove legislation and contractual arrangements that discourage or limit advocacy and campaigning Need to ameliorate effects of new public management approaches on CSOs' identity and autonomy; need for understanding of mutual responsibilities and respect of state and CSOs;



Country	CIVIL SOCIETY STATUS			Trajectory	Emerging issues, Reforms needs, Reform agendas, Potential policy models
	Overall characteristic	Main domestic issues, developments	Main international issues, developments	Implications for civil society space	
United States	Vibrant and highly developed civil society in a threatened democracy facing many challenges but also opportunities for renewal	Tax Reform 2017 can lead to drop in donations; Right to Assemble threatened: since Nov. 2016, over 50 laws in 28 states and Federal Level restrict right to assemble or protest	institutions: banks disengage due to stricter enforcement of money-laundering, sanctions and terrorist financing laws; Financial Action Task Force (removed label of nonprofit organizations as particularly vulnerable to terrorist abuse; ICSOs must certify to not perform or promote abortion to receive any U.S. funds, and must ensure compliance of sub-recipients		Implications of Brexit remain unclear and bring uncertainties (e.g., loss of EU funds)

CSO = civil society organization
ICSO= international civil society organization

Appendix III: Data Sources and Experts Consulted

Data Sources

Data Sources:

VDem Project (Version 8): <https://www.v-dem.net/en/data/data-version-8/>

Variables:

- v2cseeorgs (CSO entry and exit)
- v2csprtcpt (CSO participation)
- v2csreprss (CSO repression)

Specifically:

Control: CSO entry and exit



Question: To what extent does the government achieve control over entry and exit by civil society organizations (CSOs) into public life?

Responses:

0. Monopolistic control. The government exercises an explicit monopoly over CSOs. The only organizations allowed to engage in political activity such as endorsing parties or politicians, sponsoring public issues forums, organizing rallies or demonstrations, engaging in strikes, or publicly commenting on public officials and policies are government-sponsored organizations. The government actively represses those who attempt to defy its monopoly on political activity.

1. Substantial control. The government licenses all CSOs and uses political criteria to bar organizations that are likely to oppose the government. There are at least some citizen-based organizations that play a limited role in politics independent of the government. The government actively represses those who attempt to flout its political criteria and bars them from any political activity.

2. Moderate control. Whether the government ban on independent CSOs is partial or full, some prohibited organizations manage to play an active political role. Despite its ban on organizations of this sort, the government does not or cannot repress them, due to either its weakness or political expedience.

3. Minimal control. Whether or not the government licenses CSOs, there exist constitutional provisions that allow the government to ban organizations or movements that have a history of anti-democratic action in the past (e.g. the banning of neo-fascist or communist organizations in the Federal Republic of Germany). Such banning takes place under strict rule of law and conditions of judicial independence.

4. Unconstrained. Whether or not the government licenses CSOs, the government does not impede their formation and operation unless they are engaged in activities to violently overthrow the government.

Scale: Ordinal, converted to interval by the measurement model.

Data release: 1-8.

Cross-coder aggregation: Bayesian item response theory measurement model (see V-Dem Methodology).

Citation: Bernhard et al. (2015, V-Dem Working Paper Series 2015:13); Pemstein et



al. (2018, V-Dem Working Paper Series 2018:21); V-Dem Codebook (see suggested citation at the top of this document).

CSO repression

Question: Does the government attempt to repress civil society organizations (CSOs)?

Responses:

- 0.** Severely. The government violently and actively pursues all real and even some imagined members of CSOs. They seek not only to deter the activity of such groups but to effectively liquidate them. Examples include Stalinist Russia, Nazi Germany, and Maoist China.
- 1.** Substantially. In addition to the kinds of harassment outlined in responses 2 and 3 below, the government also arrests, tries, and imprisons leaders of and participants in oppositional CSOs who have acted lawfully. Other sanctions include disruption of public gatherings and violent sanctions of activists (beatings, threats to families, destruction of valuable property). Examples include Mugabe's Zimbabwe, Poland under Martial Law, Serbia under Milosevic.
- 2.** Moderately. In addition to material sanctions outlined in response 3 below, the government also engages in minor legal harassment (detentions, short-term incarceration) to dissuade CSOs from acting or expressing themselves. The government may also restrict the scope of their actions through measures that restrict association of civil society organizations with each other or political parties, bar civil society organizations from taking certain actions, or block international contacts. Examples include post-Martial Law Poland, Brazil in the early 1980s, the late Franco period in Spain.
- 3.** Weakly. The government uses material sanctions (fines, firings, denial of social services) to deter oppositional CSOs from acting or expressing themselves. They may also use burdensome registration or incorporation procedures to slow the formation of new civil society organizations and sidetrack them from engagement. The government may also organize Government Organized Movements or NGOs (GONGOs) to crowd out independent organizations. One example would be Singapore in the post-Yew phase or Putin's Russia.
- 4.** No. Civil society organizations are free to organize, associate, strike, express themselves, and to criticize the government without fear of government sanctions or harassment.



Scale: Ordinal, converted to interval by the measurement model.

Notes: For reasons of consistency, as of December 2014, responses to this question are reversed so that the least democratic response is "0" and the most democratic is "4".

Data release: 1-8.

Cross-coder aggregation: Bayesian item response theory measurement model (see V-Dem Methodology).

Citation: Bernhard et al. (2015, V-Dem Working Paper Series 2015:13); Pemstein et al. (2018, V-Dem Working Paper Series 2018:21); V-Dem Codebook (see suggested citation at the top of this document).

CSO self-organization and participation

Question: Which of these best describes the involvement of people in civil society organizations (CSOs)?

Responses:

- 0.** Most associations are state-sponsored, and although a large number of people may be active in them, their participation is not purely voluntary.
- 1.** Voluntary CSOs exist but few people are active in them.
- 2.** There are many diverse CSOs, but popular involvement is minimal.
- 3.** There are many diverse CSOs and it is considered normal for people to be at least occasionally active in at least one of them.

Scale: Ordinal, converted to interval by the measurement model.

Data release: 1-8.

Cross-coder aggregation: Bayesian item response theory measurement model (see V-Dem Methodology).

Citation: Bernhard et al. (2015, V-Dem Working Paper Series 2015:13); Pemstein et al. (2018, V-Dem Working Paper Series 2018:21); V-Dem Codebook (see suggested citation at the top of this document).



Polity IV project (2016): <http://www.systemicpeace.org/inscrdata.html>

Variable:

polity2

Following the Polity Project, we converted policy scores into regime categories. G20 countries with a polity score between -10 and -6 were coded as “autocracies”, countries with a polity score between -5 and +5 as “anocracies”, and countries with a polity score between +6 and +10 as “democracies” (see <http://www.systemicpeace.org/polityproject.html>).

Civil Society Experts Consulted

Ileri Ablanedo Terrazas	Independent Consultant
Edith Archambault	University of Paris 1 Pantheon-Sorbonne (emeritus)
Jo Barraket	Centre for Social Impact Swinburne
Terrance S. Carter	Carters Professional Corporation
Noshir Dadrawala	Centre for Advancement of Philanthropy
Masayuki Deguchi	Graduate University for Advanced Studies(SOKENDAI)
Philippe-Henri Dutheil	Ernst & Young
Peter Elson	University of Victoria
William Gumedede	Wits School of Governance
David Hammack	Case Western Reserve University
Jeremy Kendall	University of Kent
Moritz Koch	Heidelberg University
Leilah Landim	Federal University of Rio de Janeiro
Liu Qiu Shi	Tsinghua University
Mauro Magatti	Università Cattolica del S.Cuore
Natasha Matic	King Khalid Foundation
Myles McGregor-Lowndes	Queensland University of Technology (emeritus)
Irina Mersiyanova	National Research University Higher School of Economics
Alejandro Natal	Universidad Autónoma Metropolitana Lerma
Eryanto Nugroho	Indonesian Centre for Law and Policy Studies
Tae-Kyu Park	Yonsei University (emeritus)
Enrique Peruzzotti	Universidad Torcuato Di Tella
Jonathan Roberts	London School of Economics and Political Science
Nicholas Robinson	International Center for Not-for-Profit Law (ICNL)
Renzo Rossi	Università Cattolica del Sacro Cuore
Shawn Shieh	China Labour Bulletin (CLB)
Stephen R. Smith	American Political Science Association
Hannah Surmatz	European Foundation Centre
Judith Symonds	Sciences Po
Eduardo Szazi	Curitiba - PR
Rajesh Tandon	Participatory Research in Asia (PRIA)
Volker Then	Heidelberg University
Andrés Thompson	Center for the Study of State and Society (CEDES)
Ignacio Uresandi	Universidad Argentina de la Empresa (UADE)
Liana Varon	TUSEV - Third Sector Foundation of Turkey
Wang Ming	Tsinghua University
Karl Wilding	NCVO (The National Council for Voluntary Organisations)
Ricardo G. Wyngaard	Ricardo Wyngaard Attorneys
Naoto Yamauchi	University of Osaka
Annette Zimmer	University Münster

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