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Workshop 2 – NGOs as Key Players in National Governance

Introductory Statement
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Leading actors or just 'extras'?: The factors that determine whether NGOs are key players in public policymaking

1. Introduction

My job in this workshop is to give some background on the issues that will determine whether NGOs are key players in national policy making. As the goals of this Forum indicate, we are seeking to understand the trend towards a greater involvement of civil society organisations in democratic policy making and explore the conditions needed to empower NGOs.

These introductory remarks constitute only 20 minutes of a total of five hours of deliberation and will set the parameters for the workshop by exploring two fundamental questions:

1. How do we know whether NGOs are key players?
2. Can we increase the likelihood that NGOs are able to influence?

Note that I am talking primarily about direct participation in the policy process. I will concentrate on the role of NGOs as "players" in a negotiation process focussed on policy and politics at a national level. But keep in mind that NGOs make other indirect contributions to the policy process through the building of social capital and an informed citizenry, as well as through their influence on social discourses and policy-related beliefs.

I am also talking about national politics -- about national umbrella bodies for NGOs, peak organisations or individual NGOs that have a substantial national profile. This presentation might be very different if we were in one of the other workshops that are examining local or international issues.

There is little doubt that in all industrialised and democratic countries there has been a significant increase over the last decades in NGO activity in regard to national policy making. An international comparative project that has documented NGO activity in a wide range of countries has spoken about a "global associational revolution"⁵. One of the results of this revolution has been that -- as the title of this Forum demonstrates -- we no longer talk about *government* but about *governance*. *Participatory governance* implies greater NGO participation in all aspects of government activity and we assume this means greater and more effective participation in policy making to compensate for the "democratic deficit" that is seen to be creating a crisis for democratic governments.

Certainly much of the rhetoric we hear about NGOs suggests that they are key, and effective, participants in policy making. But does the reality match this rhetoric? To try to answer this question, we have to look at NGO participation from a number of angles:

- The different eras of NGO participation.
- The different national models of NGO participation.
- The factors that determine whether NGOs can participate.

These are three ways of viewing the same phenomena of NGO participation and by considering them together we will be in a position to try to answer the two fundamental questions I posed earlier and to make some recommendations.

2. The eras

In Western democracies there has been a quick evolution of the role of NGOs in policy making over the last three decades and we can identify four distinct eras. The dates I have given the eras are approximate, but represent when the ideas have become widely accepted. Note also that the eras overlap to indicate that while a new role was being accepted the earlier role was still very much present.

2.1. Conflict (1970-1985)

As Helmut Anheier indicated in his talk earlier in this conference, the 1970s is the period in which NGO numbers and activity started to increase. There have been NGOs in one format or another since modern industrial society was being formed, but the 1970s saw the rise of new activist organisations in Western democracies as formerly unstructured social movements gave rise to new social movement organisations and NGOs.

While there has been a long tradition of praising the role of associations in democracies since the work of De Tocqueville in that late 18th Century, the more common view in the 1970s was that the political activism by NGOs was superfluous to the democratic process and that these organisations were in conflict with democratic institutions. NGOs were seen as a disturbance to orderly policy making and that their influence was to be resisted (unless of course they were able to mobilise enough support among the citizens through demonstrations and other conflict strategies that their views had to be quickly accommodated).

2.2. Consultation (1980-1995)

By the beginning of the 1980s, the number of NGOs, and their political activism, had reached a critical mass and they could no longer be ignored by governments. In response, there was a move to incorporate the conflict created by the ever-increasing number of NGOs into the formal processes of policy making. Conflict started to give way to consultation and this was the era that saw the expansion of advisory and liaison committees as a way of formalising the relationship between NGOs and policy makers.

Most of these consultation mechanisms still exist and they continue to be controversial. Some NGOs denounce the consultation mechanisms, claiming they are not genuine forums for participation, but act more as marketing exercises that governments use to sell previously determined policies. However, consultation continues to be a central feature of current policy making and service delivery. Consultation processes have become part of the standard operating procedures of government departments and have even become enshrined in legislation.

2.3. Collaboration (1990-2005)

This is the era represented by the rise of New Public Management. The core strategies of public management now include *partnerships, compacts, accords and service agreements*, all of which seek to include NGOs as key collaborators in the delivery of public services. The general discourse is about "governance" and that government should "steer not row".

This is generally seen as a neo-liberal or economic rationalist agenda, but in fact it is a result of pressures from all parts of the political spectrum. While the conservatives pushed for privatisation, progressives pushed for community organisations to have a greater role in service delivery in order to provide more responsive services. While the right-wing ideologues attacked "big government" that kept control over large parts of national wealth, the left attacked "universalist government" that was unable to effectively redistribute resources to those most in need or to the full diversity of modern societies.

This new level of close collaboration between government and NGOs in service delivery has two opposing interpretations when discussing the policy process:

One view is that there is more participation by NGOs in policy making. It is argued that if service production is no longer the preserve of government then policy making can't be either and that the level of trust that has been achieved between NGOs and government leads to a greater role for NGOs in developing public policies.

The opposite view is that the conditions put on contracts and other collaborative relationships, mean that NGOs can do little more than follow the decisions made by government. Because NGOs rely so much on government contracts they cannot afford to "bite the hand that feeds them". Also, some commentators argue that as a result of the greater complexity of the work involved in managing NGOs, there is certain "participation fatigue" and that NGO staff no longer have the time and energy to focus on that aspect of their work.

2.4. Citizenship (2000-2015)

There is an emerging tendency in which governments by-pass NGOs as representative of constituencies and seek to get input directly from the citizens themselves. The policy relationships created are directly between government to individual citizens, and NGOs no longer mediate between them. This is heralding a new era of citizenship in which governments increasingly use direct polling and direct democracy techniques such as citizen's juries, peoples' panel, and online voting.

This direct democracy seeks to exploit the possibilities offered by new survey techniques and new technologies, but it is also seen as a way of taking away power from NGOs and is a reflection of the decreasing faith in their capacity to represent citizens' interests. Because of the close relationships created by the collaborations described in the previous section and because of the complexity of the organisations needed to deliver services, many NGOs are increasingly being seen as out of touch with the needs of the broader community and as pursuing only their own commercial benefit and not the wider public interest.

To understand more about this trend, I would recommend that you read the recent OCED Public Management (PUMA) Policy Brief *Engaging Citizens in Policy Making*⁶. You will see that this document is all about direct relations with citizens, while NGOs and other citizen organisations receive little mention.

While the four eras represent different historical periods, elements of the ideas they represent continue to co-exist in current societies and form part of the internal debates within the NGO sector about the impact of consultation mechanisms and contracting on their effective participation in policy making.

These eras represent the evolution over the last decades in Western industrial democracies. In other countries, such as former of Soviet bloc of Eastern Europe, there

has evidently been a different history, but we can still see many elements of these eras being part of the debates in those countries.

3. The "Models"

There are a number of ways in which we can classify NGOs by regions/cultures. Gøsta Esping Andersen spoke of "welfare regimes"⁷, while recent work by Helmut Anheier and Jeremy Kendall use the term "national scripts"⁸. For the purposes of our discussion on NGO participation in national policy making, I would like to offer the following classification of different cultural models:

3.1. Anglo-Industrialised

These are the English-speaking organisations countries – USA, UK, Australia, Canada, and New Zealand. They are the countries that have gone furthest down the path of New Public Management and have created complex commercial relations between governments and NGOs through the contracting out of public services. Many NGOs have become large, bureaucratic organisations that are increasingly seen as distant from their original membership base. Their future is closely tied to the funding they receive from governments that impose strict guidelines, which often specify that such funding can only be used for the delivery of very specific projects or services and cannot be used for general administration or for lobbying.

In these countries, there is also a tendency to increased fragmentation of NGOs, partly as a result of the increased competition for the resources available, but also as a result of an individualist ethos and the availability of new technologies. At times it seems that every activist with a home computer and an extensive e-mail list is starting his or her own organisation.

Effective participation by NGOs in policy making in these countries is increasingly difficult because of the contractual relationship with government, the increasing complexity of the organisations, the reliance on project-based funding and fragmentation.

3.2. Continental Western Europe

In Western European countries, New Public Management has not impacted as strongly, so economic-rationalist models of funding and organisational structures are not as evident. But most importantly for our discussion in this workshop, there is also a long history of vertical integration between social structures through *corporatism, pillarisation, and subsidiarity*. NGOs are closely aligned with political parties, unions, and religious organisations.

Everyone knows, or think they know, the affiliation of NGOs. When I worked in Spain I was always surprised that whenever I mentioned an NGO or peak body, almost immediately someone would comment: "...but you know that they are affiliated with ... [a political party]". In Catalonia there are two co-ordinating bodies for Roma organisations: one is seen as controlled by the socialist party, while the other is close to the regional nationalist party.

Effective participation in policy making by NGOs in Western European countries is generally compromised by these affiliations. NGOs become subject to "party discipline" and find it difficult to speak with a separate voice or to have influence that is independent of previously existing interest structures.

3.3. Emerging Democracies and Developing Economies (Aid Receiving Nations)

In the context of this Forum, this classification refers primarily to Eastern Europe, but it also valid for many Latin American and African countries. These countries still have relatively weak economies, so there are only restricted funds available for NGOs from their governments and the population has limited time and income to devote to the voluntary dimension that is a defining feature of NGOs in Western democracies.

The other significant feature of the NGO sector in these countries is the economic impact of foreign donors and the subsequent political and operational consequences that flow from this international funding. NGOs in these countries receive a considerable proportion of their funds from external donors who pay in « hard » currencies, and some NGOs are in a more stable financial situation than the structures of government they deal with. NGOs in these countries are also sometimes seen as anti-government and there is a significant amount of suspicion around what is commonly characterised as foreign influence on internal issues.

NGOs in emerging democracies and developing countries have played a crucial role in building democracy and providing essential services. But unfortunately, because of the significant amount of foreign funding available to NGOs, the "dark side" of the sector has also developed and there are considerable concerns about corruption. We often don't like to admit it, but the reality is that organised crime sometimes uses NGOs to steal foreign donations or to launder illegal income and political parties use them to illegally fund campaign activities.

It is important to acknowledge that NGOs can at times end up being barriers to effective democratic government. In some countries the sector is still on the wrong side of what is often termed the "civil society paradox": a strong democratic civil society needs strong democratic government to function effectively.

Effective participation in policy making by NGOs is often compromised by the weakness of the sector, a lack of legitimation, and a sense that they simply act as a surrogate opposition.

4. The factors that determine participation

Before we can confirm that NGOs do effectively participate the public policy process, we have to examine a range of factors that might determine the possibilities that NGOs can influence. The following table lists the full range of factors that, according to my own research⁹, should be considered.

Table 1:
Factors that Determine NGO Influence in the Policy Process

PRIMARY FACTOR	SUB FACTORS
The Political and Socioeconomic Environment	Political Ideology - Welfare State Ideologies - Strong versus Weak States - Emerging Political Structures Socioeconomic Development Institutional Policy Structures Strength of Political Parties The Repertoire of Actions
The Policy in Question	The Nature of the Policy Conflict - Centrality - Universalism - Temporal complexity - Technicality - Public profile The Phase of the Policy Cycle
The Characteristics of the NGO(s)	The Ideology and Culture of the NGO(s) Organisational Capacity and Resource Mobilisation Membership and Representation The Status of the NGO(s)
The Network of Actors	
Source: Author	

This tables provides a useful framework for an in-depth study of the reality of NGO participation in the policy process. For example, my research demonstrated that the Spanish political environment provided few opportunity structures to the fragmented network of under-resourced NGOs seeking to influence a core economic and social policy such as immigration policy. It was not surprising then to find that a process I studied, which had originally been praised as an example of how NGOs can contribute to policy making, turned out to be a case of one level of government manipulating an

NGO coordinating group to present previously determined policies to another level of government that had a majority from an opposing party.

5. Do they influence?

The truth is that we don't know and we can't truly know if NGOs do in fact influence policy. There is no science that permits us to measure the power of different actors in a political process. It is as though all political actions disappear into the "black box" of back room negotiations and then emerge as policy decisions. We can't peer into this black box and we can only speculate about how decisions were made. Almost everyone involved in a political decision has some interest in misrepresenting how it was made.

I would venture to say -- perhaps I am just being provocative -- that when we are talking about national governance and national-level policies, NGOs may not be key independent players. NGOs are more likely to have influence when dealing with local and certain specific policy issues. At national level, NGOs are not leading policy actors -- they are in fact just extras.

NGOs play, at best, a supporting role and while they may be a component of the policy process that governments must work with, they are not the central players. To continue the cinema analogy, you can't have a crowd scene without the crowd, but it is the main actors that have the most important roles.

There are many players in the policy process that have greater technical and positional power than NGOs. NGOs may be allowed to participate in the policy processes to be persuaded, educated and provide some legitimation, but they are not a central part of decision making processes.

6. Recommendations

So, given the situation I have outlined in this paper, what are the enabling conditions for the participation of NGOs in democratic governance? How can we create responsive and effective mechanisms for interest articulation and interest aggregation by NGOs?

I have some general recommendations and some specific ones for both NGOs and government.

6.1. In General

There must be a continuous dialogue between the players in the policy process. Too often they work with different understandings and expectations of the policy process and participation mechanisms. Most often it is the NGOs that end up excluded from the policy process as a result of the tensions created by these misunderstandings.

Therefore, to create the conditions for more effective NGO participation all actors in the policy process must work to create:

- common language and principles;
- clear statements of respective roles and responsibilities;
- clarity of goals and expectations;
- agreement on what is to be evaluated;
- agreement on dispute resolution.

6. 2. For NGOs

NGOs have to develop a more sophisticated understanding of their role in policy making in order to improve their performance as policy actors. For example:

- NGOs must understand how they can handle the tension between service delivery and policy advocacy. Often both are not possible, and NGOs are finding that contracting has its prices.
- NGOs should promote collaboration and not domination. There are more NGOs and more competition, but it is important to understand that strength is in numbers. Coalitions and peak bodies should be supported and go-it alone strategies should be resisted.
- NGOs should be political but non-partisan. They should demonstrate a sophisticated understanding of the political system that they are working in. What are the pressure points and how can NGOs exploit them? But any pressure NGOs apply should be independent and non-partisan. While it is important to work with other types of social actors, NGOs should not become too identified with particular political parties, unions or religious groups.
- NGOs should institute codes of ethics, which include statements of what they can do to remain effective representatives of public interests.

6.3. For Governments

Governments must decide how they can legitimately give support to NGOs, but without using this support to excessively control NGO activities or using their funding power to stifle dissent. *Clientalism* -- the term used to describe how some governments support only those NGOs who are most loyal to them -- may produce some desired short-term results, but it can only lead to more cynicism about the work of both government and NGOs and an increase in the democratic deficit.

7. Final Observations

Before finishing these introductory remarks, I would like to make some final observations on the role of NGOs in democratic governance.

7.1. Increased diversity and professionalisation has advantages and disadvantages

There is little doubt that the NGO sectors in all countries are going through a period of expansion with an increase in the number and diversity of organisations and a raising of the professional standards of those who work in them. This should generally be seen as positive and an advantage for the sector. A diverse and professional NGO sector can provide a stronger platform for citizen action and a strong civil society.

At the same time, we keep in mind the negative aspects: there is an increasing fragmentation of the sector that is decreasing the possibility of acting with a unified voice; there is a real danger of falling under the control of governments and other social actors; and many of the services formerly provided by NGOs for free are becoming commercial commodities. In many countries, for example, information and education services that previously were provided for free are now being seen as sources of additional revenue.

7.2. Strengthen trust in government

While the development of NGOs and civil society is seen as an essential element of democracy, we need to keep in mind that NGOs that only serve to criticise democratic institutions, that only act in opposition to elected governments, or that seek to by-pass representative entities can in fact weaken trust in democracies. Earlier we spoke about the civil society paradox -- a strong, democratic civil society needs a strong democratic government -- and we have to avoid falling into the trap of believing that if civil society looks after itself, democratic government will be assured.

7.3. Informed, engaged, belligerence

What is the role of NGOs in governance? I will leave you with my personal philosophy of NGO participation in the policy process. After 20 years of experience in working with NGOs, I believe that they can be most effective if they are informed, engaged ... and a little belligerent.

- Informed because NGOs have to demonstrate that they have the intellectual capital to meaningfully contribute to policy decisions. They must become true authorities in the policy areas they seek to influence.
- Engaged because they have to part of a democratic process. NGOs cannot work effectively from completely outside the system.
- Belligerent because at the same time they must stand by their principles and be prepared to be a little radical. Otherwise it is very easy to be simply ignored and NGOs can find themselves playing the role of mere spectators to a process that proceeds without their intervention.