Civil society as partner in local development: a Bulgarian experience
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Introduction: why civil society?

During the 2004 annual Global Development conference in Delhi, one of the most important round tables discussed the following subject: "Power is leaking out of the nation state. Where is it going?"

This points to the first of two major *reasons* for the increasing significance of civil society. *One* is the weakening of the representative capacity of classic democracy. Under classic representative democracy political parties codify into programmes the various demands of the public; and the state then implements them, through what was understood to be an objective and detached Weberian-style bureaucracy.

This is no longer the case and has not been for sometime. We have seen a movement away from the idea of the "know-all" state. It was realized that the state "did not know best" because, it became clear, it did not have superior expertise, nor – the Weberian detachment necessary for complete impartiality in representation and resource allocation.

But who, then, was to get things done better? By the 1990s it had become clear that, while private initiative does do things better than the state, there are things it cannot do because it is not designed to. Such things include matters of representation, agenda-setting for communities and nations, national goal-formation – i.e. of politics in the Aristotelian sense as "things to do with the common future of the citizens gathered in the *polis*"; of the common good.

Expertise, and the problematic of *representation* we no longer expect to entrust to governments only. The same goes for political parties. The reason that people increasingly think of their future, as citizens, outside the framework of political parties is because the enabling environment of parties has changed – and this has weakened their capacity to collect in themselves all citizenship-related problematics.

And, simply, people no longer trust politicians as they once did. That means they want to participate not only once every four years during elections, but – in between elections as well.

There are vary major things, therefore, that the state, business and political parties are unable to do. If these things are to be done, they must shift to civil society.

People want to be represented, to participate, to get things done for the community outside the usual channels. This is how they come to get things done through the forms and shapes of civil society: of associated citizens working towards a goal larger than their immediate interest.

The *second reason* why civil society is so important is to do with changing collective identities. People and groups of people are evolving new kinds of *identities*: community identity, regional identity, cultural, religious and so forth. These new identities bring forward new agendas. These

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agendas, in turn, are not very well handled by political parties and the state for reasons already outlined.

But the re-definition of identities needs some kind of democratic framework – i.e. a framework of representation, debate, participation and compromise. Without such a framework collective identities may close up, may become fundamentalist and lead to cruelty and poverty – the very things that democracy was designed to prevent.

I.e. the power that is leaking out of the state may go to the bad guys, if it is not captured by the citizens. And this renewed kind of democratic framework can be found partly in representative democracy, but also, increasingly, in civil society.

Democracy cannot function without democrats, and democratic institutions need as their basis the kind of culture that grows out of participation. The values of democracy are the same: representation, dignity, rights, freedom, justice, solidarity. How they are attained and maintained is what is changing.

Civil society after the transition: the case of Bulgaria

The story of the 1990s

There is no better instrument for serving the general good than democratic government. And this is why civil society must partner government at all levels, although by its very nature civic groups are critical of bureaucracies and structures of state power.

Partnership is not something that happens by itself. In our part of the world civil society started up as an opposition to government: first to the communist state, and later – to the early non-communist governments, which had the tendency of very quickly becoming closed, self-serving and corrupt groups.

The initial idea of civic groups was to *control government* – to make sure it serves the common good and not itself; and to represent agendas and communities that remained outside the mainstream. This is where the oppositional element came from and continues to exist as a critical element. But, in a democratic setting, this means debate: people and government talking to each other, rather than being in constant conflict.

So one of the early contributions of NGOs was to set up arenas where people and government talked, rather than shouted. In early 1990, when there was a nationalist protest wave against the ethnic Turks, the institutions of government and politics failed to handle the crisis. They had no culture of negotiation and democratic process. It was NGOs who set up an ad-hoc body called the Committee for National Reconciliation, and convinced all sides to the problem to participate: politicians, government, nationalists, ethnic Turks. The *process of structured debate*, mediated by non-government groups (i.e. they were seen as objective and not party to the conflict), placed the discipline of negotiations over the nationalist-ethnic passions and defused the situation.

Later, in the mid-1990s, NGOs mediated between central government and local communities in several acute conflicts, two of which had led to violence between armed police and local citizens. Again, the sides were brought to negotiate and formulate their agendas to each other.

The government realized it was acting not for the common good, but rather – as a bully; and that the communities had legitimate grievances that were not being heard. Later a coalition of NGOs went further and introduced into Bulgaria the institution of Ombudsman – a representative of citizens to government. Piloted by NGOs and municipalities at the local level for three years, then the Ombudsman experience was codified into the Law on the National Ombudsman.

Out of the conflicts of the mid-1990s came the realization that government can not handle everything: it has not the expertise, the corporate culture, the good will, the experience, nor the sensitivity and the openness needed to be able to find representation to all national agendas, communities and groups.

Citizens became aware that they are best represented not through individual effort, or periodic mass protest – but through civic groups and NGOs engaged in dialogue with government at the various levels.

Government realized that it can profit from the situation by two ways: *first*, the structured dialogue with civic groups means that government knows what is going on, and that the citizens become involved in decision-making, which means they are less discontented and less likely to protest or complain; *second*, the government realized that the NGOs have expertise which, if used, can improve the performance of government structures (and help win elections).

NGOs also established their strategic importance by the simple fact that they, and no other organized group of people, came up with the practice of bringing all sides to the problem – all stakeholders – around the table to find a solution. Other actors do this by direct lobbying, focusing on their sector: what they want is to talk to government institutions by themselves, in order to resolve their problem and no other. Such are the employer associations, for example. Unlike this, NGOs realized very early on that whatever the problem, everyone needs to be brought to discuss it, because this achieves several major results:

- brings into the solution all ideas and experiences;
- ensures that everyone feels represented and consulted;
- expands the problem into a larger context;
- ensures further such meetings to address other problems;
- builds trust and the habit of co-operation, i.e. the potential for future achievement;
- and structures the community along lines of democracy and citizenship.

This is why, some years later, the NGOs (with municipalities) became the initiators of the *various forms of policy-making and strategies for development*.

Out of that early period came the structure of the Bulgarian NGO community, which consists of:

1. NGOs that deal with <u>human rights</u> and <u>citizen control</u> over government. These groups monitor the human rights situation, bring problems to the attention of the public and to government and propose solutions. Control over government has increasingly concentrated also in the area of right to information. It was NGOs who started and developed the information legislation and the same NGOs now control its implementation, bring the government to court for failing to provide information and so forth. Increasingly, activities here move to rule of *law* and the fight against *corruption* (eg. Coalition 2000, an NGO federation against corruption).

2. <u>Representation and advocacy</u> NGOs. These are of two main kinds. Some come from a human rights background and have moved from individual rights to representation of vulnerable groups and of under-represented minorities, not only ethnic (we have eg. a powerful cluster of NGOs dealing with the rights of the disabled, such as the Centre for Indpeendent Living). There are many ethnic minority-focused NGOs operating here, such S.E.G.A. association, Access Association, Drom Dromedar (Roma activists), various Turkish Cultural Centres etc. Other representation NGOs, such as ours, come from a background of citizen empowerment and citizen control over government. These NGOs pursue the agendas of vulnerable and under-represented groups, train such groups in skills of self-representation, agenda-making, negotiation, partnership and so on.

3. <u>Policy institutes and think-tanks</u>. These NGOs represent the expertise of civil society. They conduct research, write programmes and present them to government; or work with government departments to implement policies and reforms; or evaluate policies and recommend alternatives. There are also NGOs that work with political parties on political programmes, training in political and communication skills (eg. Centre for Liberal Strategies); but this is a delicate job and not always fulfilling (politicians are not a very good long-term investment, for various reasons).

4. <u>NGOs with regional and international focus</u>. These organizations help involve the public in major processes, such as integration into EU and NATO. They also help government with expertise and monitor progress. For example, the long road of public opinion (and of the state) to the idea of NATO membership was due to a very great extent to the work of the Atlantic Club, a very high-profile NGO led by the current Minister for Foreign Affairs, Mr Solomon Pasi.

This structure of the Bulgarian NGO world tells us something very important. *This society has found a way to compensate for the deficits of government and politics by bringing into the process of decision-making additional expertise, good will and the capacity to represent agendas and groups that official structures find difficult to represent and incorporate into thinking and action. This means that the framework of democracy has been widened and the important things happen inside it, rather than outside it.*

This is a critical first stage – the basis of any co-owned policy making for development. Democracy, from this angle, must be secured first, and then comes development.

We also have

5. <u>Single-issue NGOs</u> of the usual type (dealing with some aspect of ecology, a specific vulnerable group, education reform etc). These also, however, increasingly go beyond advocacy and campaigning and become involved in the issues of representation, involvement of citizens, adding fresh expertise and practical knowledge to decision-making. This means that their impact is wider than their subject-matter: by involving citizens and conducting dialogue with government, these NGOs also structure the expanded system of democracy that includes a constantly active civic component.

<u>Into the 21st century</u>

While in the early 1990s NGOs and government were in *confrontation,* and in the mid-1990s they started *talking* to each other (and finding things to do together), by the late 1990s three major new trends emerged.

First was the idea of finding forms *beyond occasional dialogue* – forms of constantly functioning *partnership* between government, NGOs and other significant stakeholders. Municipalities were the first to realize this – because they are closest to the public and feel the pressure of discontent very acutely.

Municipalities went through several stages before publicly recognizing civic groups and NGOs as partners in strategy, policy-making and development. Initially, municipalities (Mayors in particular) welcomed NGOs on an ad-hoc basis because of their expertise and because they realized that NGOs had influence over the sections of the public most likely to be discontented and critical. Later, municipalities (eg. Sofia, Veliko Turnovo, Stara Zagora and many smaller municipalities) embraced the NGO-promoted idea of Ombudsmen, and other mediating organs, because this took some of the pressure off the administration. Municipalities also began partnering NGOs on *projects* intended for outside donors, because the NGOs knew how to write projects and municipalities did not – and because these projects brought in fresh resources beyond the official budget (good for elections). This was good initial practice before moving to policy and development partnerships.

For the same reason (good for elections), municipalities took on some ideas of NGOs for more efficient and friendly administration, such as re-designing the way municipal departments function, providing information services about the municipality, printing explanatory leaflets, setting up front offices in the municipality, moving to a "single-point" service culture.

Later still the more progressive municipalities began introducing new forms of openness: eg. annual reports, at a town meeting, of the Mayor and the Council to a citizen meeting (eg. Sapareva Banya, Sevlievo, Kirkovo); planning the municipal budget in public, at a meeting with citizens and taking into account their desires (eg. Russe); placing information on all municipal debates and decisions on the internet and / or in the local press; getting the local TV and radio media to transmit directly Council meetings; and so on.

Second was the realization (again the municipalities were ahead of central government in this) that NGOs and civic groups can do more than monitor policies and participate in decisions: they have the capacity to be *part of the entire process* of *policy* – from strategy and policy design, to policy implementation and evaluation. Such experiments had been taking place from the early 1990s, initiated by foreign donors, including the SDC. Many experiments were premature and did not survive – the conditions were not right either on the side of the citizens, or on the side of government. But even then, out of the experiment were to emerge new NGOs and civic groups concerned with local and regional policy and development.

Third is the current re-thinking on the part of NGOs, which is more or less the realization that a shift of focus is coming.

- From topics such as participation, citizen control over decisions, transparency, accountability, the battle against corruption and so on we begin to move to the *larger agenda of good governance*, which contains inside it all of these.
- And from topics of crisis-prevention, problem-solving, vulnerability, poverty, employment and so forth we are gradually moving to the realization that all of this is part of a larger agenda called *development* (strategies and policies).

Out of all this arise various models of *partnerships*, structured around NGOs and authorities (municipalities, but also some Ministries and Parliamentary Commissions), but aiming to include all major players in the community (or the problematic). In Bulgaria it was the NGO impulse that revived interest in public-private partnerships, something that had been discredited in the 1980s by communist imitations of it.

Several kinds of partnerships emerge.

- *There are ad-hoc partnerships*. They are usually to do with specific problem situations (eg. a ramp for the disabled and the infirm at a local hospital), or – with the prospect of producing a project for financing. These projects are usually small-scale, concentrated on a local problem that everyone agrees must be solved. There are also much larger projects under way, mostly centered on development. What usually happens is that NGOs (or independent experts) become aware that funding (increasingly – EU funding) is available for a big initiative. They take it to a municipality with a good track record in the problematic or in dialogue with NGOs. Then other stakeholders come in (local businesses, central authorities etc.) and become partners in the design and then the implementation of the project. Or a municipality seeks out NGO expertise to structure a big project, gets the funding and then implements it in partnership with the NGO and other stakeholders. Such a big, trans-border ecological project is currently under way in the Kardjali municipality.

- *There are large partnerships for development, usually called Development Forums* at the municipal level. Most were started up by foreign donors, eg. the SDC, in the 1990s, but not all. Eg. the Kardjali Regional Development Forum, which included more than half-a-dozen municipalities and the Regional Governor, was started up by Kardjali-based NGOs and with funding from Sofia (Open Society Foundation). What usually happens is that these Forums attempt to attract everyone with an agenda and are structured around sections (or "tables"): eg. small business, leisure industry, young people, education etc. These sections can be in number anything from a handful to dozens, depending on local interest. Such Forums collect all viewpoints and experiences and usually produce specific development ideas which are, sometimes, placed into a larger development strategy. Once produced, these ideas are structured into projects and they begin looking for funding (Sevlievo, Gabrovo). In Russe, for example, such a body, initiated by an NGO-business coalition "Partners for Progress", has produced a very serious 300-page development strategy for Russe. Usually such Forums do not survive the end of the initial funding, but something always remains in place. Eg. in Sevlievo and Gabrovo the Forum turned out to be a useful education tool for citizen participation, it formed habits and mobilized interest which then, after the end of the Forum, became NGOs, new projects, school boards, neighbourhood associations and so on. In some cases Forums end, then new initiatives are started by the same people and, after some years, the local community finds its own best form of participation in development. A nationally famous example is again Russe, where after a decade of experiments the Partners for Progress came into being and not only produced development strategies and initiatives, but also promoted an independent for Mayor (to overcome people's refusal to vote for politicians) and elected that independent as Mayor with the highest voter turnout in the entire country.

- *There are partnerships for representation and participation.* These are various forms of municipal-level Citizen Parliaments (Kirkovo), Youth Parliaments (Sevlievo) and such,

which participate in the work of the municipal Council. The idea here is to engage sections of the community in the process of government: its aims, its process, its results. Such forms of participation also increasingly include vulnerable and under-represented groups such as ethnic minorities; but minorities continue to make an influence above all through direct lobbying to government structures. Representation is ensured by including the agendas of vulnerable groups in policy-making. This in turn requires that: a/ the representatives of the vulnerable groups are members of the group (i.e. not outside do-gooders) and do not at any time lose the group's support; b/ that these representatives have the skills (have been appropriately trained) to perform well, attain results, forward-plan and not lose legitimacy with their constituency. Loss of legitimacy is a constant problem with Roma representation, for example.

▪ *There are partnerships for development at the level of the central state.* The first levels of government to form partnerships with NGOs were the municipalities, followed later by some of the more progressive Regional Governors (eg. Gabrovo, Lovech, Veliko Turnovo, Kardjali). Then, over the past 3-4 years central government and parliament also became involved. Most Ministers (eg. Economy Minister Ms Shuleva) have formed some kind of network of NGOs with whom they regularly consult on policy and legislation. Most parliamentary Commissions try to consult NGOs on coming legislation or, like Ministers, include NGOs in the design and writing up of the legislation. This parliament even has a separate Civil Society Commission to discuss broad legislative perspectives, or hold debates with NGOs on difficult pieces of legislation. We at the CSP have been part of the writing of the Water Law, the Ombudsman Law and some anti-corruption legislation, and now work with the Civil Society Commission on making a modern drug-related legislation. The NGO Access To Information was a key actor in the law on Access to information. The Institute of Market Economy wrote, with the government, the law on limiting administrative interference in the economy. Environmental and media NGOs are part of the process of ecological and media law-making.

Potential, challenges and risks

There are several already known ways of doing these things which bring success; and there are also risks and deficiencies that we are all aware of.

We now know that success is most likely when the following partners find each other:

- a citizen-friendly municipality, especially - Mayor;
- a donor who is willing to really get to grips with the local situation;
- local NGO leaders (or civic activists) who enjoy a good reputation and have influence;
- local media willing to report on civil society and also to take part in the work as partners with agenda and experience;
- a local business community willing to participate in the common good;
- groups of the public who are capable of constructing their problems into agendas and presenting them;
- the presence of schools / Universities to provide young people as participants;
- strong communities (neighbourhoods) willing to be included into participation, usually – step by step;

- pre-history of civic association (eg. existence of school boards, neighbourhood associations, business associations, even – clubs such as Lion's, Rotary or a local dignitaries club pf some sort);
- an ally of the partnership (a media, a member of parliament, an NGO) at a higher up level (eg. regional centre or the capital Sofia).

Sustainability depends on several factors: visible results which prove that this is the right way to proceed; constant support from at least the significant sections of the community; sustainability of political good will (eg. make sure that change of Mayor does not mean the end to partnership) and of media good will; sustaining the involvement of business (businessmen are very easy to discourage and return to their business); keeping the young involved (otherwise the public-private partnership degenerates into a closed club); keeping the enthusiasm (these things are voluntary and cannot happen if enthusiasm stops); keep winning projects from donors to keep results going; keep trust and climate of openness – not very easy in countries where suspicion and lack of trust is the inherited culture; share experiences with other municipalities and civic groups (this ensures pride of achievement, and this helps keep enthusiasm).

Risks and weaknesses are also – by now – obvious.

- It is possible that *citizens* either do not want to get involved (eg. the region is too prosperous or too poor and people see no reason to do anything), or lose enthusiasm very quickly. This is the case in very poor areas (eg. Venets) and, until recently – of very quickly developing Sevlievo. In most municipalities citizens do not use the new changes in the law (made with participation of NGOs) that enable them to be present – and be heard – at meetings of the Municipal Council.
- Other *stakeholders* (particularly the business and the media) may become disillusioned by the behaviour of the NGO leaders involved; or they may see no concrete result and lose interest or turn against the whole thing. This has happened in major cities such as Burgas and Varna.
- *NGOs* may lack the patience and perseverance, as well as the negotiating skills needed to keep partnering government institutions and: either A/ break the relationship because lose patience, or B/ revert to the earlier type of confrontational and / or simple lobbyist behaviour. Minority activists and ecological NGOs are usually the first to give up on patience. Alternatively, once in the process of partnership some NGO people may come to enjoy their "touch of power" too much and become quasi-bureaucrats or quasi-politicians, and stop representing the energy and freshness of approach of civil society. Something like this has repeatedly been happening in Russe. Losing their independence is a risk for NGOs who partner government at the central level (Cabinet, Parliament).
- *Government* officials are a completely separate and very difficult problematic. Most of the time most of them are suspicious because they feel, quite rightly, that increasing civil society participation means that power is taken away from the administration. Sometimes administrators fear for their jobs (if a small NGO can do what they do, and do it better, why should they have their job?) There are also simple jealousies ("Why they and not we?") that get in the way. This is the case with the Russe development strategy, which was not accepted by the Municipal Council only because it was not entirely originated by it. Only very self-confident and mature official (elected or appointed) realize that getting citizen input improves performance and therefore improves the results of government (and ensures popular support), although taking power away from government.

- *Funding* is an increasing problem not only in terms of financing projects, but also in terms of politics and philosophy. The Bulgarian government at various levels (including municipality) is still not willing to finance NGO work. Other local finance is very uncertain, given the lack of a "giving culture", and businesses alone are not able to provide long-term funding (they prefer to fund charitable causes case-by-case, eg. orphanages). This makes NGO-initiated partnerships continue to be heavily dependent on non-Bulgarian funding. Here NGOs and other groups face the following problems: A/ foreign donors are pulling out, because they expect (reasonably) that after more than a decade of civil society activities local funding should have appeared; B/ with accession to EU approaching, the EU is closing civil society-aimed programmes (which supported NGOs) and is aiming all funding at the government, which the EU assumes is now democratic, open and will involve (and fund) NGOs. This is not happening. The government funds those NGOs (think tanks) that it sees as having uniquely valuable (by the government) expertise; the government has evolved no interest in funding civil society and sees no need to do so, although it consumes the results of NGO civil society work; C/ at the same time, were NGOs to begin getting significant money from the government, this may lead them to compromise their independence (eg. to serve the government's propaganda purposes); or lose legitimacy with the public (who may decide that these NGOs are government-controlled); and yet, while dependent on foreign funding, NGOs run the risk of being accused by the public and the media as servants of foreign interest – or be envied for the "easy money" they make. In both cases NGOs lose the power to attract support and, therefore – to be meaningful partners for development and any other sort of policy.

The future

In order to underpin both democracy and development, civil society-government partnerships, particularly at the local level (where they are in any case mostly concentrated) need the following enabling conditions:

- Very significant administrative and budgetary *de-centralisation* that moves real power and funds to municipalities and therefore – to the communities people identify with and want to be involved in developing. All governments since 1992 have been promising this; nothing has been done.
- Objective *evaluation* of the experience to date, mapping out the risks and weaknesses, disseminating best practices and sustainable models. Formation of a nucleus (network) of civic groups and activists devoted to development partnerships. Such a network is needed to keep momentum and overcome the periods of loss of interest and enthusiasm.
- *NGOs* should critically re-think their experience and formulate clearly their role and contribution in the partnership. NGOs should particularly find ways to deal with the tendency of their leaders to become a closed elitist club, or to begin imitating the worst aspects of administrators and politicians that they come into contact with during the various partnerships.
- *Public education*. This cannot be done on an ad-hoc basis, as it has been since 1990. Reform of the structure and content of the education system is needed in order to prepare the young for active citizenship. All governments since 1992 have been promising this; nothing has been done; the World Bank has recently declared education reform (which it attempted to part-fund) a failure in this country. Reform of education should be complemented by sustained *training* for the major actors (officials, NGOs, business,

media) in the skills and proficiencies needed to maintain effective and sustained partnerships for development.

- *Reform of the administration* so as to change significantly the prevailing administrative and government culture: from the position "we know best, we are strongest and can make everybody obey" to an open, service-orientated and customer-friendly culture of partnership and synergy.

- *Funding* should be determined and sustained. It should be composed of government and of outside sources (in order to avoid suspicions of NGO subservience to a single donor). A significant re-thinking (above all by the EU, but also by other international donors) is needed: a movement away from the idea that civil society is a stop-gap in early democracy (i.e. until democratic institutions are embedded), later to be neglected, to a profound understanding that civil society is only now beginning. An understanding that civil society will be an increasingly important actor, both politically (a guarantor of democratic culture) and functionally (as the originator of fresh ideas, experience, expertise and representation). More progressively-minded *international donors* should, apart from financing projects, begin to influence international institutions politically: i.e. help them understand that empowerment of civil society is not dangerous (at a recent OSCE meeting the Chair of the European parliament called civic participation in policy "semi-anarchical stuff"), and that it is a very important value added to development, the general well-being and the common good.