

**Preliminary Observations on  
The Federal Ministry of Capacity Building  
Draft Program Document Entitled  
*Civil Society Organizations Capacity Building Program***

**Introduction**

This document presents the Civil Society Organizations' (CSOs) preliminary observations on the draft document entitled "Civil Society Organizations Capacity Building Program" prepared under the auspices of the Federal Ministry of Capacity Building (MCB).

The limited available time did not allow broad and sufficient level of consultation among CSOs on the draft document. However, all effort has been exerted to solicit as much feedback as possible in formal and informal consultations through the secretariat of CRDA and other networks to seize the opportunity created by this conference to collectively voice our reactions and concerns.

Despite our effort to date, we believe more time is required to ensure broader and more thorough consultation among CSOs and then submit a comprehensive view on the draft document. This is a major initiative being proposed and one potentially having significant impact on the future of civil society in the country and for that reason the process should not be rushed. We therefore request the Ministry to allow more time for comprehensive comment and suggestions from CSOs. Trusting the Ministry will comply with our request, we proceed to give our preliminary observations at this stage.

In this preliminary observation, we seek to be brief and draw the attention of the Ministry and all concerned actors to what we consider are major areas of concern in the overall program design. We strongly believe the issues we raise here deserve serious consideration and hope the Ministry would reflect on the comments of CSOs with the degree of seriousness they deserve.

The government envisioning of CSOs role not only in service delivery but also in terms of strengthening democracy and the decentralization process is a welcome move. We are encouraged to note that the government acknowledges CSOs as legitimate and relevant actors in the development process.

However, we are seriously disturbed and gravely concerned about the proposed imposition of a government-led capacity building program for CSOs and wish to put forward our views and concerns as follows.

## The Proposed Strategy

The overall rationale of the program is stated as being “... to create an enabling institutional environment and build the capacity that is necessary for effective civil society participation in promoting development, reducing poverty and strengthening democracy.”<sup>1</sup>

The proposed strategy for achieving the stated program objective is expressed in three sub-programs:

1. Creating an enabling institutional environment (which envisages a program on legal and regulatory conditions, resource mobilization and facilitating CSOs engagement in public policy processes);
2. Building partnership between government and CSOs (which envisages the establishment of a jointly governed legal body and a trust fund to oversee the program as a whole and to finance the capacity building initiative respectively); and
3. Building the capacity of CSOs (which essentially envisages capacity building within civil society itself by addressing weaknesses in governance, administrative, managerial and technical capacities).

These sub-programs are set out within a framework of four strategic priorities: confidence building, generating new resources, regional diversity, and scaling up. Each of the sub-programs has a series of components under it which need not be retold here. Instead, we will proceed to explain the major areas of concern on the overall program strategy

We broadly welcome the initiative under the first sub-program (creating an enabling environment), albeit we have reservations on some of the components under this sub-program as well. It is encouraging that the government recognizes the lack of an enabling environment for CSOs and makes a commitment to improve the legal and regulatory framework. However, we are perplexed by and opposed to the very notion of a government designed and government-led program of partnership building and capacity building of CSOs (as a sector)<sup>2</sup>. It is an immediate contradiction in terms.

While we agree to the changes required both within government and CSOs, we strongly believe the required change processes must be led and owned by the right and legitimate owners, if we are ever to see the desired changes. However, the overall strategy fails to make a distinction on the respective roles and responsibilities of the government and

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<sup>1</sup> Civil Society Organizations Capacity Building Program Design, Draft Document, Prepared by the Federal Ministry of Capacity Building, May 2004, p 2 – 3. (This objective is derived from the Sustainable Development and Poverty Reduction Program in which CSOs were not allowed adequate and democratic participation.)

<sup>2</sup> The conception of CSOs as a sector implies its understanding as a section of a society which exists alongside the government and the private sector. It is often referred to as the “third sector”. This contrasts with the conception of *Civil Society* as a concept which relates to the notion of “civic public realm” and broadly embraces both the state and civil society organizations (as a sector).

CSOs and as such it essentially imposes a top down government-led change process under all the sub-programs. Once again, while we agree to the change process needed both in government and CSOs, we do not subscribe to the view – indeed we strongly oppose it – that a change process in CSOs can be designed, directed and implemented by any government.

Such a government-led strategy to build the capacity of CSOs is not only unprecedented but also it creates a dangerous possibility of CSOs being co-opted by the government and disconnected from their constituencies. Rather what is needed is a vision of the two sectors working as autonomous partners. We would like to emphasize the following points to substantiate why it is not acceptable and not practical for the government to design and implement such a program of CSOs capacity building beyond its role and responsibility for creating an enabling institutional environment.

***Independence and Autonomy of the CSOs Sector:*** One of the most important defining features of CSOs is their independence and autonomy. It emanates from their nature as part of independent associational life of citizens which is outside of government domain. The autonomy of the sector is so much at the heart of the social unit that without its autonomy the identity of the sector would be so changed that it would be a different and less effective social unit. The proposed program strategy having to do with the relationship between the government and CSOs generally blurs this distinction between the two sectors and undercuts the autonomy of CSOs.

The dangers to CSOs of any form of government intervention, whether directly or by proxy (in the form of partnership programs as envisaged by the draft program document, for example) are many and serious. CSOs cannot risk any infringement of their freedom of choice, of activity and initiative. The proposed type of intervention is likely to compromise their independence and integrity, and as a result it erodes the credibility they enjoy vis-à-vis their members, constituents, stakeholders or the general public. Any funds accepted with strings attached in the form of internal reforms, restructuring, etc. will be construed by the public as an erosion of their autonomy.

We wish to explicitly state that the government should refrain from any such intervention and the task of capacity building for CSOs should be left to the legitimate owners, CSOs themselves. CSOs need to own and implement their own capacity building program in the way they have been doing so far. The role for government is one of creating the legal and institutional environment in which CSOs can freely grow and be able to strengthen themselves as autonomous social units of citizens.

***CSOs role as an alternative to government:*** It is both the nature and role of a vibrant and healthy civil society that elements of the sector must be able to question, challenge and critically contest certain policies of the government. Indeed, if the power of government is ever to be checked, the diverse interests of citizens including those that

peacefully oppose various government policies and practices must be publicly expressed through CSOs which are aggregations of those interests.<sup>3</sup>

This should not be misconstrued as depicting the state and CSOs as two polarized and antagonistic sectors. That is not our statement here today nor our views of CSO/government relationship. We fully realize that the two sectors, including the private sector, are interdependent and constitute one whole in a democratic, rule-based, equitable and just society. We also realize that co-operation with government is as essential to a healthy civil society as the right to take opposite positions on certain policy matters. However, the proposed program strategy having to do with the relations between the government and CSOs is more likely to facilitate government co-opting CSOs than two autonomous sectors working in collaboration and partnership.

CSOs have a role as an alternative to government in a variety of services such as health, education, public safety and social services. There is not such thing as a monopoly on worthwhile ideas and approaches to national development in a democratic society and CSOs in Ethiopia have demonstrated expertise in designing such innovative approaches.

Civil society acts to strengthen democracy, among other things, by containing the power of the state through public scrutiny; creating ways of articulating, aggregating and representing interests outside of political parties and governments; and questioning and reforming existing democratic institutions and procedures.<sup>4</sup>

The proposed program strategy fails to recognize such a nature and role of CSOs and generally assumes their role as only one of implementing and monitoring the government development program.

***Where is the capacity to build the capacity of CSOs?*** There are also practical reasons why the capacity building of CSOs should inevitably be left to CSOs themselves. The experience, the knowledge and the potential for this task reside not in government bureaucracies but with in the CSOs community itself. It has amassed a wealth of learning and solid experience on institutional growth and development which has even informed the ongoing public sector reform program.

CSOs in Ethiopia are evolving and reforming themselves independently. These changes and internal reforms are a response to: a) the demands of their work and responsibilities, b) the changing needs of the people they work with, their constituencies or stakeholders, and c) the dictates of internal democracy and accountability. In other words, institutional changes and reforms are internally driven, and any intervention to change this process, particularly through the instrumentality of external funding is unacceptable.

Evidence of internally driven changes and developments within the civil society is the emergence of a variety of CSOs consortia and the adoption of the code of conduct. The

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<sup>3</sup> Robert O. Bothwell "Indicators of a Healthy Civil Society" in John Burbidge (ed) "*Beyond Prince and Merchant: Citizen Participation and the Rise of Civil Society*" PACT publications, New York, 1977.

<sup>4</sup> Larry Diamond, "Towards Democratic Consolidation", *Journal of Democracy* Volume 5, Number 3, 1994 (as cited by Goran Hyden in "Building Civil Society at the turn of the Millennium" *ibid* 3.

draft program does not acknowledge such worthwhile developments within the civil society sector. The draft program document also fails to recognize existing capacity building programs of CSOs and does not show how the proposed program can be coordinated with existing efforts to bring a synergy to it.

Lack of capacity with in the government needs no laboring here. We wish to see the government focusing its limited resources and energy to build its own capacity and taking all necessary measures to create an enabling environment for other actors in the society. This goes for all sections of the society that are outside of the government domain and cry for a supportive environment and a level playing field. The capacity building initiative of the public sector has already emerged as an enormous and demanding task. Is it realistic that the government aspires to undertake the capacity building of CSOs?

A more important task to undertake for the government would be recognition that it itself should be the starting point. This should be expressed not by a mere enactment of more laws, albeit democratic laws are essential, but much more in the sense of a genuine commitment for the practical implementation of laws, changing attitudes and genuinely taking the civil society sector as a partner in development.

The authors of the draft program design may seek to argue on the basis of the carefully chosen words in the document which on the face of them may seem to suggest that what is being proposed is for CSOs to build their own capacity. However, the overall intent of the program and the mind set behind it can hardly be disguised because to our utter surprise, the program document clearly states "...Ethiopia is ... unique in having a government program dedicated to building the capacity of civil society ..."<sup>5</sup>

It is true the proposed government strategy is *unique* in this regard. Probably there has not been such an overture by any government to so patently co-opt CSOs. Other than priding itself for being *unique*, the document no where makes a justification for this unprecedented government intervention into the affairs of CSOs.

Therefore, we reiterate, the role and responsibility for the government is taking all necessary measures to reverse its overwhelmingly hegemonic tendencies and improve the legal and institutional environment in a manner that allows the free growth of CSOs and enables the sector to build itself and enhance its contribution in the overall development process.

## **The Way Forward**

A good deal of research was commissioned on the subject of the strategic constraints facing CSOs in Ethiopia. The core findings of most studies can be categorized under the following two inter-related areas of concern:

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<sup>5</sup> Civil Society Organizations Capacity Building Program Design, Draft Document, Prepared by the Federal Ministry of Capacity Building , May 2004, p 11.

1. **Lack of an enabling environment:** It refers to the overall legal, institutional, political and economic environment in which CSOs are formed and operate. A recent study about CSOs/NGOs in Ethiopia has found that “the top down, hierarchical, intransigent approach adopted by the government to all sectors of the society is almost universally regarded as one of the greatest factors limiting the growth of civil society as a sector... .”<sup>6</sup>
2. **Institutional Capacity:** It refers not only to the governance, managerial and technical capacity but also the over-reliance on external funding and inability to mobilize resources locally, lack of appropriate mechanisms for accountability and sustainability.

These strategic constraints imply the need for a change process at different levels: a change within the government, a change within CSOs and a change in the relationship between the two. The need for these change processes at different levels is clearly recognized by the draft program document. A sound strategy that can effectively guide the required change processes is one which entrusts the task to its legitimate owner. Put in other words, the strategy needs to take into account the respective roles and responsibilities for the government and CSOs to bring about the required changes at the different levels. Therefore, we submit that the program strategy needs to be revised in terms of delineating the respective roles and responsibilities of the government and CSOs. Accordingly, we wish to put forward the following guiding principles as recommendations on the way forward.

- Both the government and CSOs should take the responsibility for the changes required within themselves and both should take a joint responsibility for the changes required in their relationship. Put in other words, the government should be entrusted with a responsibility for sub-program 1 (creating an enabling environment), CSOs should be entrusted with a responsibility for sub-program 3 (capacity building of CSOs) and both the government and CSOs should take a joint responsibility for sub-program 2 (building partnership between government and CSOs). However, the components of the sub-programs need to be jointly revisited and agreed upon by both parties;
- The partnership to be built between the two sectors should be based on each side taking responsibility and making a commitment for the changes required within itself;
- Government should demonstrate its commitment by taking the lead in improving the legal environment. The fundamental founding block of an enabling environment and the foundation for mutual confidence is a democratic legal and regulatory framework that is in harmony with constitutional and international standards. The government must demonstrate its commitment by the enactment of

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<sup>6</sup> A Kaplan and S Davidoff, “A commissioned study into the relationship between NGOs and civil society in Ethiopia: with specific reference to CRDA as umbrella body.” (March 2004).

an enabling legislation that facilitates the work of citizens and their organizations;  
and

- Government should further demonstrate its commitment to respect the independence of CSOs by lifting all forms of interference and refraining from imposing new ones.

We wish to conclude by quoting a valuable remark by Goran Hyden who is renowned for his many years of study on the subject of civil society:

“... civil society will never become a global reality without networking and exchange of ideas. Local perceptions of what is right and wrong or how to do things must be allowed a voice and be listened to by others before they are dismissed. Civil society is not built by ignoring others or by shouting them down. It comes about through tolerance and the readiness to dialogue with others. This is how the social capital that helps develop countries is being formed.”<sup>7</sup>

We are encouraged by the initiative for this forum and we have a great deal of anticipation that the Ministry values the exchange of ideas we are making, our voices will be listened, we will not be ignored, the government commits and demonstrates readiness to dialogue and change and our role in the designing of this proposed program will go beyond a mere consultation to a joint planning and implementation. For us, this is the foundation for mutual trust and confidence and the basis for partnership between government and CSOs.

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<sup>7</sup> Goran Hyden, “Building Civil Society at the turn of the Millennium” *ibid* 3.