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Changing Spaces for Civil Society
A Report on a Workshop at the Zeppelin University Transcultural Leadership Summit 2019

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Introduction

"Look at the subject of civil society from an academic point of view, talk about it, write about it - this is what I want to encourage you to do." These closing remarks from Dr. Rupert Graf Strachwitz summed up the broad and in-depth discussion in his and Dr. Asif Afridi's workshop on the changing space for civil society at the Transcultural Leadership Summit, held on the 14th and 15th of November, 2019 at Zeppelin University in Friedrichshafen.

To be able to dive into the topic of the changing space of civil society, a mutual understanding of civil society, its role and its actual challenges was discussed. A valid definition of a civil society organisation has to be broad enough to encompass the vast variety of different entities acting within civil society, while being precise enough to arrive at valid findings. It also needs to take into account that relevant groups might not even recognise themselves or be recognised by others as civil society organisations due to internal distribution of power within the civil society. A coherent definition was developed by The John Hopkins Comparative Nonprofit Sector Project.[1] Instead of focusing only on the source of financial support, legal status or purpose of an entity, the "structural- operational definition" uses the following five features identified as the basic characteristics of civil society organisation: a formal or informal organisation that is not part of the state apparatus, not profit- distributing, self-governing and volunteer-based.

To be considered an organisation, an entity needs to have a certain structure and regularity. However, in order to expressly encompass both informal as well as formal organisations, no official constitution or registration should be required. Furthermore, civil society organisations must not be part of the state apparatus or government, even though they may receive significant public funding. They should not be profit-distributing, meaning that their purpose is not primarily commercial. If a profit is made, this should be reinvested in the organisation's objectives and not distributed e.g. to managers or stockholders as in for-profit businesses. Civil society organisations are self-governing: they are autonomous in decision-making and have their own internal governance mechanisms as well as binding authorities. Membership or activity is neither compulsory nor legally required but voluntary and bottom-up, and can be

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[1] The John Hopkins Comparative Nonprofit Sector Project, Global Civil Society: An Overview, Lester M. Salamon, S.

Wojciech Sokolowski, Regina List, 2003

considered as a form of self-help. The non-profit constraint as well as the voluntary base make possible a broad understanding of the concept of "public purpose" without forcing it to be specified in the same single way for all countries: basically any purpose a country's citizens would volunteer for without expecting profit in return can be assumed to be a public purpose.

Grey areas will of course always remain and must be openly discussed on the basis of the criteria mentioned above. Religious communities, for example, are finding their way into civil society. However, where state churches remain, e.g. in Great Britain, they are to be considered part of the government, not of civil society. Trade Unions are to be considered civil society organisations by definition, even though their officials often deny it and rather see themselves as an employer-employee counterweight in the private sector. Political parties are another difficult case to classify. At first glance they may appear to be a civil society organisation: they are bottom-up, volunteer-based, non-profit and self-governing. However, as they are so closely connected to the political power game, they would rather see themselves as part of the political framework and state apparatus. Finally, civil society organisations pursue a wide range of different purposes, ranging from service provision and intermediary to community building, public discourse, self-help, personal growth, advocacy and the role of a watch-dog.

New Forms

Within civil society, one may distinguish different kinds of organisations: there are well-established organised ones, like large welfare providers, sports clubs or institutions, and spontaneous ones, like protest and social movements or spontaneous help groups when a natural disaster happens. There are subsidised organisations that are dependent on and tend to be loyal to the state, like public welfare. On the other hand, there are independent organisations such as foundations and movements that may even exit the system and voice their dissent. New organisations, such as Fridays for Future, have been extremely successful in being

independent, loosely organised and mainly connected on a digital level while speaking with one voice and showing a high level of continuity and conveying a sense of belonging.

A careful examination along the above-mentioned criteria is required where new organisational forms are evolving. Political movements like Macron's En Marche in France or the new pan-European party Volt Europa break with traditional organisational and ideological forms of party politics to better fit the times: they work together more digitally, act dynamically, are organised more flexibly and cannot be classified along the traditional political spectrum from left to right. They define themselves as movements that encourage citizens' empowerment and are at the same time legally registered as parties that run for elections. E.g., Volt acts as a participatory, bottom-up movement, as it has built up transnational structures with volunteers all across Europe working for a shared purpose and includes new means of digitisation in their decision-making processes to innovate the way politics are done. However, as En Marche successfully achieved the election of Macron as French president, and Volt had its first MEP elected in May 2019 and is running for elections on all political levels, from European to local, the "party-part" of these new movements seems to be too closely linked to the political sphere for them to be considered civil society organisations – a borderline case.

However, it is important to note that civil society is not a normative term. In order for an organisation to be formally considered a civil society organisation, no moral judgement is involved. That said, certain criteria may be considered decisive in evaluating whether a civil society can be considered "good". These criteria may include commitment to an open society, pluralism, respect for others, sincerity and a public purpose. Another crucial factor is an organisation's accountability to funders, to the government, to the people that work for the organisation and to the people the organisation supports the latter two of which should matter the most.

One central question in the civil society discussion is how developments like individualisation in political, cultural or sociological frameworks impact the participation of people in civil society organisations. Individualisation implicates an increasing variety of opportunities for one's professional and private life. Especially the lifestyles of young people are shaped by this phenomenon. Hence, individualisation has an impact on their participation in civil society organisations: Being confronted with a multitude of options to quench their thirst for meaning through engagement in civil society organisations, young people tend to join up spontaneously while leaving the exit-option constantly open. Consequently, it is not surprising that civil society movements like Fridays for Future, which can be joined or left at any time, are highly popular nowadays.

While voluntarism has increased overall during recent years, people nowadays prefer to participate in smaller, newer organisations rather than in larger, established ones that have a long tradition and are sometimes slow to adjust to today's challenges and to new means like digitalisation. A reason for this trend could be individualisation as well: People like to be recognised for their unique, individual personality and aim to have a say in the associations they join. Due to their small size, these needs are more likely to be met in freshly founded organisations.

Civil Society in Politics

According to the definition given above, civil society movements are organised bottom-up and explicitly depend on the participants' self-organisation and engagement. Therefore, founders and members of civil society organisations, unlike political parties for instance, are not bound by rigid rules and statutes in their operations. On the one hand, this conception of engagement in civil society makes possible a broad range of different movements within the civil society landscape and provides an excellent example of inspirational pluralism in a dynamic democracy. On the other hand, this kind of freedom in civil society movements contributes to a huge disparity in size and power between organisations. Especially the financial position of an organisation plays an important role in the distribution of power within the civil society arena: Organisations with access to financial sources due to affluent individuals in the key leading roles of an organisation, for instance, can grow and expand constantly. Hence, some large civil society movements enjoy the privilege of a louder voice in the non-governmental discussion.

Another question concerning civil society organisations is the discussion on how the civil society landscape is to be described: Are the different movements quasi-autonomous mosaic pieces which stand for themselves and ultimately come together to form one picture? Or is civil society a body in which every organisation has its unique function, without which the whole organism is not able to work efficiently? Following the body analogy, one might think of the disparity between the human heart and a small toe; does this suggest that some organisations are more important than others?

Reverting to the normative argument, organisations that support authoritarian, closed society viewpoints must be classified as civil society organisations, based on formal criteria. However, this cannot lead to them being seen as desirable civil society organisations. For if the status of a civil society organisation were evaluated and potentially denied at the very outset, one would lose the ability to pass judgement subsequently. The common purpose for which people come together to form an organisation is not necessarily one that everybody would approve of. Pegida in Germany or the right-wing movements in Spain are popular examples of associations that attempt to exclude minorities. Even if this does not comply with our shared values in the European Union, it is essential to acknowledge the role these movements fulfil in the civil society arena: They create a contrasting counterpart to other organisations and force participants to step out side of the idealistically shaped value-bubbles of their own civil society surroundings. Observing the threats towards their goal of implementing their interpretation of a well-functioning community in society, civil society

organisations have to go beyond the borders of their own organisation in order to minimise the danger of societal damage. Additionally, movements like Pegida demonstrate the importance of people participating in, as well as creating, other organisations with contrasting purposes.

While fostering pluralism cannot be taken as an essential parameter in order to exclude "bad" organisations from civil society, the question is how to deal and communicate with movements that work to oppose pluralism. It is crucial to understand what developments in broader society lead certain individuals to create an organisation such as Pegida. By comprehending the ideas and fears of these people, it is, to a certain extent, easier to communicate between organisations and to find compromise solutions for the felt dissatisfactions in society. Nevertheless, differences in interests and opinions within society will never disappear and will keep making people cling to their identity. There will always be tensions and polarisations between "good" and "bad" organisations.

However, communication between organisations is lacking these days: As participants in the workshop pointed out in the discussion, the modern tendency toward fragmentation in the civil society landscape, combined with the trend toward a decreasing attractiveness of liberal democracy in the European Union and elsewhere, is an alarming development. This phenomenon raises the question whether we will experience an even further fragmentation in the future, which might ultimately result in a shrinking civil society landscape. On the other hand, the changing understanding of common democratic values, as mentioned in several discussions during the Transcultural Leadership Summit, might just be another example of the self-regulation and adaptive dynamics of civil society over the course of history: Changing societal conditions or political frameworks can form the basis for the development of new interests and therefore new movements in the civil society landscape. Even though it is hard to sufficiently assess consequences for the future, one can look back into history and acknowledge that the civil society arena is

capable of adjusting to several cultural, social and political contexts. As Asif Afridi pointed out, where there is societal cohabitation, there is civil society.

Changing Spaces

In the light of these developments, some people might assume that not having a European *demos* is the best insurance for the European Union to maintain stability. This assumption is based on lack of trust in a European *demos* and its civil society, believing that they would do away with the EU's structures if they had the opportunity. This assumption is incorrect, since a European *demos* already exists. Increasingly people choose the society and community they want to live in and engage with. Therefore, it does not matter where participants in civil society organisations originally come from, but whether they engage in a common goal. Cross-border organisations and movements like Pulse of Europe or Volt Europa underpin this assumption by actively shaping the European public sphere and society. Moreover, when EU citizens travel outside of Europe, they are increasingly identified as Europeans and not primarily as citizens of, for example Liechtenstein or Lithuania. Together with a shared sense of European identity, these facts together constitute a valid European *demos*. This trend is not limited to the EU region.

A key part of the discussion about civil society organisations is mutual mistrust between government and civil society organisation leaders. This topic was particularly relevant for the workshop, since the summit in Friedrichshafen was oriented around the topic of leadership. A trend toward mistrust of civil society organisation leadership and action may be observed in several parts of the world. In countries such as Brazil, China, Poland, Turkey, and Hungary, governments and parts of society are critical of civil society organisation engagement and seek to minimise or influence it.

In order to better understand this decline of trust, it makes sense to distinguish among civil society organisations as regards their different kinds of roles and functions within

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society. Depending on these roles and functions, there are varying issues of trust and different levels of hostility towards civil society organisations. A civil society organisation that operates as a service provider will encounter less hostility than one which engages in human rights activism and exercises criticism of the government or private parties. However, civil society organisations which engage in human rights activism fulfill a unique role that is distinct from that of government or business entities. "Anybody" can run a hospital (i. e. government or business entities) but it takes a special kind of mindset to become a human rights activist. The question of trust and mistrust in civil society organisations is also tied to the question of their funding. Financial dependency may translate into political loyalty. Therefore, transparency about sources of funding is key in order for civil society organisations to gain trust among communities. This means that a pro-active effort, diligence and communication are required in civil society organisations, when it comes to in- and outgoing cash flows and liabilities.

Another prominent topic within the discourse on civil society organisations is gender equality. Recently, a court in Germany ruled that civil society organisations which only accept members of one sex may not benefit from tax exemptions for charitable organisations, unless they have reasonable grounds which justify the discrimination. Prior to this ruling, US law adopted a similar rule. As a result, e.g. a female choir may exclude men and vice versa; however, a masonic lodge may not exclude women. This restriction has sparked a lively public debate, in which such tax rules are being contested but also draw wide support. Critical voices argue that civil society organisations should enjoy unmitigated freedom to settle their own internal affairs and to create themselves according to their own ideas and values. Moreover, they argue that the just-mentioned rules create undue complexity, because of the difficulty in distinguishing reasonable grounds for discrimination from unreasonable ones. Proponents of the rules make the point that gender equality constitutes an indispensable value, which

trumps the freedom of association. While the legal discussion is gradually being settled (so far in favour of gender equality), the political debate remains heated.

Another topic surrounding civil society organisation engagement is activism from within diaspora groups. Civil society organisations formed by diaspora groups are often good examples of institutions with close bonds to their communities and a high level of trust in leadership. They can be very diverse in their structures and methods, reflecting the differences in demographic diversity within diaspora communities. Due to these traits, more research on the roles and structures of diaspora civil society organisations could be fruitful, as it might yield insights into transferable strategies for successful civil society organisation engagement.

Conclusion

All in all, the workshop brought up a string of stimulating ideas and observations. One of the key findings was that in the multi-faceted crisis of democracy, of the EU and the media, the changing space of civil society is not only a shrinking space. Civil society is dynamic and innovative, while facing repression and changing frameworks. What is essential is to remain aware of its relevance and of what it can or cannot achieve. The diversity and seriousness of the debate reflected the multitude of opinions and perspectives on civil society organisations in our societies. This could be a starting point for new debates, thoughts and actions regarding civil society organisations and will help navigate their changing space in this new decade.

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