CIVIC UPDATE

A Publication of the Citizen Participation Team

DEFENDING SPACE FOR CITZEN PARTICIPATION

The degree of political space that exists in any given context is an important variable when NDI is framing citizen-participation program objectives and approaches. Programs take advantage of existing space and can also help create and enlarge political space. When space is closing or severely limited, NDI often finds itself designing programs that must first work to create some opening for civic activists.

The notion of "space" refers to the avenues and opportunities that exist for citizens to organize, voice their preferences, act individually and collectively, and engage government. To exercise these democratic rights and responsibilities, citizens also need space free from harassment or unreasonable restrictions. The degree of political space can be placed along a continuum from relatively open and inclusive to closed and exclusive.

The degree of political space can also fluctuate. In all democracies, established and emerging alike, political space must be actively demanded and defended by citizens. When citizens are not occupying political space, it will inevitably disap-

pear. Likewise, citizens have an important role to play in helping to establish political space in the first place.

In many countries where NDI works, governments actively seek to limit political space and keep citizens from participating substantively in politics. Governments often restrict space for both international nongovernmental organizations (INGOs), like NDI, and local civic actors. For example, a proposed Russian law sought to prohibit INGOs from legally registering while another law restricts domestic civil society organizations (CSOs) from engaging in any "extreme" political activity. These types of formal, legal restriction are but one tool used to close space essential to democratic activity.

There are also instances where the lack of a legal framework can reinforce the traditional marginalization of women, young people, and minorities. In these cases, existing cultural norms and power relations determine who participates in political life.

This issue of the Civic Update addresses the issue of space and citi-

zen participation, highlighting both the informal and formal mechanisms used to control space, common responses from international and domestic groups to the closing of space, tools and resources available to assess space, and innovative tips from NDI staff working in these challenging environments.

Aaron Azelton
Director
Citizen Participation Programs

Inside this issue:

Legal and Institutional Restrictions of Space

Citizens' ability to actively participate in political life is often hampered by legal and institutional barriers. These formal obstacles to participation include limits on fundamental rights, such as the freedom of assembly and speech, burdensome registration processes, and restrictions on foreign funds and operations. As an international organization working with local partners, NDI

encounters restrictions levied against both international and domestic CSOs when working with civil society.

Many governments restrict the activities of citizen groups. For example, a law currently under consideration in Jordan prohibits domestic CSOs from engaging in any political activity. Similarly, a

2003 Russian law prohibits advocacy of 'extreme' political views. Without a clear, legal definition of 'extreme' views, the government can arbitrarily apply the law at will. In addition, CSOs operating in closed spaces often encounter harassment in the form of sever oversight, discretionary shutdown, and criminal sanctions.

To monitor activities of CSOs, many countries require all civic groups, associations, and networks to register. At times, these registration processes can be burdensome, require large amounts of paper work, and lack transparency. Applications are not reviewed in a set time limit, and applicants are not given an explanation or an appeal process when being denied registration. Ambiguity and a lack of transparency in the process allow governments to hold applications indefinitely and deny them without explanation.

In addition to registration requirements, governments often closely monitor foreign funding and affiliations of domestic CSOs. For example, a law recently proposed in Azerbaijan restricted the amount of foreign funds CSOs could receive to no more than 50 percent of their operating costs. Passage of such a law would force many Azeri organizations to suspend their activities. Similarly in Uzbekistan, the government requires all CSOs to deposit foreign funds into government owned banks so that they can monitor foreign deposits. Passage of this law allowed the government to deny more than 80 percent of foreign grants because it did not approve of proposed activities.

Likewise, limitations placed on the operation of international organizations can curtail their ability to adequately support local groups. Moreover, local groups may run higher risks when they receive support from international organizations. International NGOs may not be able to legally register in some cases. Without a legal presence, foreign NGOs are more vulnerable to arbitrary removal. •

> **Seek Multiple Legal Opinions**
> A Program Officer recommended that staff seek multiple legal opinions when negotiation the registration process. Often programs limit these expenditures because of budget restrictions. Looking back, staff realized that their council did not present all legal options hindering the registration process.

Informal Restrictions of Space

Academics and practitioners often cite legal restrictions as a primary barrier to participation. As much as formal restrictions can hinder political participation, informal barriers also limit participation. Legal restrictions of space typically represent larger cleavages and power dynamics in society. By assuming that all citizens are equal and, once space opens, they will be allowed participate, practitioners fail to recognize informal, power-latent restrictions on citizens.

Traditional roles and power structures often "informally" silence marginalized populations, such as women, minorities, youth, or people with disabilities. Bound by traditional roles, these groups lack recognized, acceptable spaces for political engagement. Instead, they must defer their voice to more powerful, educated and/or elite members of society. The challenge in working with local partners in these environments focuses on altering behaviors and creating new mechanisms for inclusion.

Ideally, elected and appointed representatives seek input from all types of citizens and create space and opportunities for them to participate. Of course, this is not always the case, and even if it is possible to identify and help develop committed public officials, there is still the need for citizens to actively claim political space. Working with traditionally marginalized populations to mobilize and voice their preferences can help increase opportunities for their participation in both formal and informal spaces. Organizing and advocacy programs are approaches that can help citizens gain the confidence and skills necessary to challenge traditional power structures eventually leading to effective, sustained participation. •

Assessing Space: Tools and Resources

Taking the time to assess and map the political space is a key aspect of developing effective programs. This allows NDI program staff to better understand the opportunities and limitations that will influence program approaches. NDI has several tools to assess space for citizen participation, starting with local partner consultations and can include more systematic studies utilizing quantitative and qualitative research methods.

Following the recent coup d'état in Guinea, field staff conducted a roundtable with local partners to assess the change in political space. Local partners identified a ban placed on political party activities as an impediment to their ability to work. Listening to local partners' concerns allowed staff to reprogram activities in response to this new environment.

NDI also conducts more rigorous measurements of space using focus groups, surveys, or systematic stakeholder analysis. In East Timor, NDI conducted a comprehensive assessment of Space, Voice, and Accountability to understand the ability of citizens and local government actors to work together in the political process surrounding the delivery of water and sanitation programs. The program conducted focus groups and administered surveys to community members and government officials.

Stakeholder analysis serves as another commonly used method to assess space for citizen participation. Stakeholder analyses identify different stakeholders and map their level of influence, interests and point of view. Many tools can be used to conduct a stakeholder analyses. For example, NDI used a S.W.O.T. (Strengths, Weaknesses, Opportunities, and Threats) Analysis to measure political space for an advocacy program. This analysis allowed local partners to identify different entry points and barriers for political engagement as well as potential allies to create a more robust action plans for their advocacy efforts. •

Questions to Consider
when Assessing Space:
- Does the institutional framework promote, facilitate, or hinder participation of local government, actors, or citizens in the political process?
- Do the informal practices promote, facilitate, or hinder participation of local government, actors, or citizens in the political process?

Although recommended, specialized assessments of space for citizen participation can be costly and time consuming. The following resources provide country specific overviews of civil society capacity when a full assessment may be cost prohibitive.

- Benchmark Democracy Survey (NDI): This guide explains NDI's use of benchmark democracy surveys. (Ask staff for a copy of this publication)

- Civil Society Index (CIVICUS): Assess space for CSOs by looking at the internal make-up of civil society, the values civil society promotes, the political environment, and the effectiveness of civil society. Link: http://www.civicus.org/csi

- Drivers of Changes (DFID): A less structured analysis of political space, Drivers of Change looks at political foundations and medium and short term factors such as institutionalization, accountability, and the financial capacity of governments. Link: http://www.gsdrc.org/go/topic-guides/political-economy-analysis/examples-of-political-economy-analysis

- The Global Barometer Series: This series collects public opinion data on democracy, prosperity, and human security for the Arab, African, Asian, Latin American, and Eurasian regions.

- World Governance Assessment (ODI): Assess civil society's participation, fairness, decency, accountability, transparency, and efficiency. Link: http://www.odi.org.uk/projects/00-07-world-governance-assessment

(List adapted from Mapping Political Context: A Toolkit for Civil Society found at http://www.odi.org.uk/resources/download/152.pdf)

Helping Local Groups Use a S.W.O.T Analyses to Assess Space

Identifying key institutions assisting or hindering civil society's work is often the first step to locate openings of space. A Strengths, Weaknesses, Opportunities, and Threats (S.W.O.T.) Analysis is a strategic planning tool that can be used to map political space in NDI program countries and help CSOs spot potential allies and openings as well identifying barriers to participation.
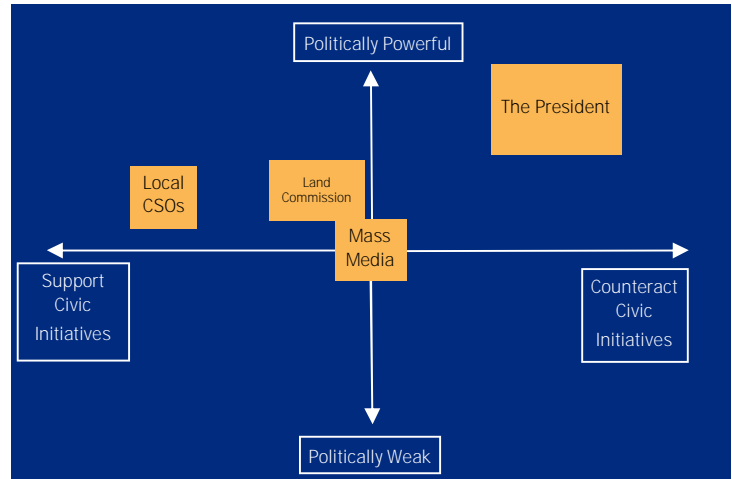
One method of conducting a S.W.O.T. analysis entails gathering local CSO representatives. Once convened, a facilitator passes out large and small pieces of paper. Each participant writes the names of organizations that influence the political system. Organizations with more influence (those with the most "votes") should be placed on larger pieces of paper.

The facilitator, then, draws two intersecting lines on a board: one representing stakeholders' supportiveness of civil society initiatives, and the other representing their degree of political agency. The lines should form 4 quadrants. Each quadrant represents a different degree of political power and support of civil society.

Participants place their pieces of paper representing different stakeholders on the board in their relative position. For example, the land commission might be more supportive of public dialogue than the president but

have less political power. The commission would be placed in the lower in the "political power" quadrant but closer to the "supports civic initiatives" quadrant. (See Image)

Once stakeholders are identified, the facilitator moderates a discussion on how to leverage support from more influential organizations to support civic initiatives. During the process, the group identifies different strengths, weaknesses, opportunities, and threats of each organization. •

Politically Powerful

The President

Local CSOs

Land Commission

Mass Media

Support Civic Initiatives

Counteract Civic Initiatives

Politically Weak

Responding to Political Changes Mid Program

Because of the dynamic political nature of the countries where NDI works, operating environments often change unexpectedly during the course of a program. Existing openings of space may rapidly deteriorate, because of a contested election, military coup d'état, or an economic downturn. This can create uncertainty about how a government will respond to the work of NDI and local partners. Adjusting to political changes during a program's life cycle requires flexibility and continually examining the level and location of political space. NDI's Nicaragua and Guinea programs described below provide examples of how to respond to closing space.

Planning Flexibility in Nicaragua

Leading up to municipal elections in 2008, NDI and its partners witnessed a gradual narrowing of operating space for civil society. The Nicaraguan government accused local partners involved in election observation activities of being politicized and denied credentials, which were granted in previous elections. While partner organizations conducted alternate observation outside the polling stations, observers in many municipalities were denied access to public voting centers altogether and received threats as a result of their demand for transparency. The government also launched an

investigation on several local organizations for "illegal" use of funds, which these organizations denounced as a government campaign against civil society.

Faced with a closing of democratic space, the NDI Nicaragua team created a 'Contingency and Response Plan' outlining restrictions of public space for citizens to engage in political participation and possible scenarios for program activity modifications. The plan identifies

*A group of CSOs hold a national
forum to discuss political and electoral reform.*

indicators of narrowing political space, such as increased harassment of civil society actors or discretionary interpretation of laws, as well as providing revised program activities and objectives based on varying degrees of closing space.

Creating the plan allowed NDI to maintain flexibility in its approach to programming and respond quickly to the needs of civil society partners when the political climate changed and impeded planned program activities.

Helping Political Parties Expand Space in Guinea

Following the death of Guinean President General Lansana Conté in December 2008, Captain Moussa Dadis Camara took power in a coup d'état. Despite initially claiming a return to civilian rule by 2010, Dadis Camara showed conflicting signals of plans to transition quickly to democratic rule. Dadis Camara dissolved many government institutions and established a ban on political party and trade union activities. Prior to the coup, NDI worked with political parties to adopt a code of conduct, in which 40 parties agreed to advocate for transparent, peaceful elections and increased participation of women and youth candidates. Unsure how the junta would respond to political parties' activities, NDI met with party officials to determine how best to assist Guinean democrats during this period. They decided to co-host the launch of a Code of Conduct Monitoring Committee. To ensure transparency, the Minister of Territorial Administration and Political Affairs, a civilian, was invited. He agreed to attend the launch

and make opening remarks. The minister's presence reassured party leaders and activists hesitant to participate because of the ban and provided them with the confidence needed to pursue activities to expand political space.

Three weeks after the launch, the junta lifted the ban on trade union and political party activities. In its communiqué, the government used the code of conduct as an example of political parties' commitment to engage constructively in the transition process and a contributing factor for lifting the ban.

So far, NDI programming in Guinea has helped parties expand space for political participation despite the December coup. As a non-partisan organization working with all parties in a transparent and open manner, NDI fostered trust between the government and local partners creating new avenues for greater civic and political participation. •

Political parties discuss the launch the Code of Conduct

Sample Contingency and Response Plan:

PROGRAM DESIGN	Closing Democratic Space	Increasing limitations on political activity	Further Restrictions
Challenges to Operating	• Isolated harassment	• Systematic harassment	• Expelled from country • CSOs unable to operate
CSOs' Operations	• Proceed as planned activities as planned	• Advocate internally and internationally	• Seek international for support
NDI's Operations	• Strengthen legal counsel • Monitor Security	• Work with contractors	• Study Missions or Regional programming

Responding to Closing Space

Preemptive challenges to legal restrictions of space prove most effective at keeping space open. CSOs can employ several mechanisms to challenge these barriers utilizing what little space is available. These efforts often require raising awareness and leveraging support from domestic and international communities through advocacy or diplomatic initiatives.

Using awareness raising and advocacy techniques to bring attention to changing amount of political space available is a valuable tool for CSOs facing restrictive laws. These initiatives give local partners both the courage to question traditional power hierarchies and provide them with the skills needed to push for their voices to be heard. Communication and mobilization can be exceptionally difficult and dangerous in closing spaces, though. Using space as safely as possible, CSOs often develop networks or coalitions and capitalize on new media technologies to foster support in these spaces.

Following the adage that there is "safety in numbers," CSOs often create networks as a way to increase their visibility and unite under a common message. Recognizing limitations proposed laws would place on the ability of CSOs to operate independently from government, CSOs in both Jordan and Azerbaijan recently created networks to lobby for legislative amendments. By approaching the legislature together, CSOs demonstrated that there were broad based, systematic objections to the new laws. With increased visibility and unified objection, CSOs were better able to thwart restrictive policies.

New social media tools also offer innovative ways for local organizations to engage citizens motivated to demand change. Recent grassroots movements in Iran, Moldova, and Burma used tools such as Facebook, blogs, and SMS messaging to effectively mobilize internal support for change. In these heavily censored environments, new media tools allowed organizers to relay information about rallies and protests to supporters as well as document abuses for the world.

By documenting abuses for international audiences, movements in Iran and Burma were able to increase international pressure to reopen space. Similarly, international advocacy campaigns such as those used in Darfur and the Democratic Republic of Congo have mounted large-scale international pressure and aid to support efforts to reopen space. Using diplomatic efforts in combination with advocacy campaigns also proves an effective means to raise awareness and institute international pressure to change policy. For example, meetings at embassies or with U.S. State Department officials, NDI often leverages diplomatic channels to raise local partners' concerns in the international arenas.

A more costly and timely activity, but still effective mechanism to amend space is litigation. If the domestic legal system does not allow space, appealing to

Building Networks in Jordan

CSOs often form networks or coalitions to lobby for changes to NGO laws. This allows them to build skills and confidence in shared spaces, In 2006, a coalition of NGOs formed in Jordan to draft a law to replace the outdated 1966 Social Organizations and Associations Law. The 1966 law severely restricted CSO activities and required a difficult registration process. The coalition hoped to replace it with a law informed and designed by CSO experiences.

Coordinating the network, a CSO named Partners-Jordan administered questionnaires to CSOs and other stakeholders addressing different definitions of associations, relationships with the government, registration processes, types of funding activities, and tax benefits. Based on responses to the questionnaire, the coalition drafted a law to submit the Ministry of Political Development. Using questionnaires allowed the network to involve a variety of stakeholders and CSOs, leading to a more informed law reflecting CSO activities and experiences.

Although the law proposed by the coalition was later rejected, CSOs utilized space available to draft and lobby for a less restrictive law. They developed the skills necessary to approach the ministry as a unified entity. In response to their efforts, parliament replaced the 1966 law in 2008 with the Law on Societies. While the 2008 law still contains burdensome registration requirements and restrictions on foreign funding, Jordanian civil society continues to use the skills and platform developed by the previous network challenging the law in public hearings and lobbing for amendments. Working together in limited space allowed CSOs to develop the confidence and skills needed to continue to challenge legal restrictions of space. •

(Responding to Closing Space, continued from page 6)
international courts might be an option.

Using a combination of advocacy, diplomacy, and litigation, local partners can raise awareness and gain support needed to challenge legal restrictions of space. Maximizing their limited space, CSOs operating advocacy campaigns in narrow political spaces often form networks or use new media tools to increase visibility and solidify their message. These methods allow movements to leverage space as safely as possible developing support to change policy both domestically and internationally. •

Challenges Facing Iran's Grassroots Movement

The Citizen Participation team recently composed a story for publication on NDI's website on the challenges faxing Iran's grassroots movement. The article describes in further detail many of the themes raised by this issue. We included it below, for those who missed it. The original article can be found at the following link: http://www.ndi.org/node/15671

Social movements are a powerful means for citizens to participate directly in creating positive social change, particularly when formal channels for democratic political participation are not available or do not function. Sustained, successful movements have clear goals, effective leadership and energize people to work together toward a common objective. The Iranian elections – both prior to and in the aftermath – have provided the opportunity for Iranians to build a new durable social movement.

In the days surrounding the June 12 election, there was a surge in political activity among Iranians, who rallied in support of both conservative and reformist candidates. Citizens flooded the streets, airwaves and Internet to express their political views and call for a transparent and fair election. Following the election, an Iranian grassroots movement emerged, capitalizing on the unprecedented pre-election debate and collective discontent with the regime's handling of the election and its aftermath. Mobilized through the Internet, SMS and social networking sites, vast numbers of people took to the streets in protest.

As the election recedes, the grassroots movement now faces building solidarity among disparate civil society activists and social causes, all with their own agendas, under a common banner of change. The long-term success of such movements depends ultimately on civic activists harnessing their energy to define clear goals, enable leaders to emerge and call for a common agenda supported by strategic, unified actions.

Like Iran, citizens in Moldova and Burma have limited ability to participate fully in political processes without fear of oppression. Both countries provide recent examples of how activists similarly maximized small openings in political space to engage citizens and sustain grassroots movements during critical periods of social discontent. In Moldova, civil society activists organized in opposition to electoral fraud in the wake of April's parliamentary elections. While in Burma, the country's 2007 Saffron Revolution took advantage of growing discontent over consumer price hikes to lead economic-driven demonstrations, providing a rarely seen opportunity for citizens to use collective action to air their concerns and grievances.

Taking advantage of new social media tools for strategic action.

Much like Iran in the post-election period, opposition movements in Moldova and Burma effectively used Internet-based tools to organize and mobilize citizens. Natalia Morar, one of the leaders of ThinkMoldova, described the genesis of popular protests as "six people, 10 minutes for brainstorming and decision-making, several hours of disseminating information through networks, Facebook, blogs, SMS and emails. And 15,000 youth came out into the streets!"

In response to the junta's severe restrictions on access to information, pro-democracy Burmese bloggers and digital activists – either located internationally or concentrated on the Thai-Burma border – worked together with internationally-based advocacy organizations to spread information and images of police brutality to the outside world. Though police violence continued, it is widely believed that the posting of images and videos on the Internet led to a more restrained response to the protests.

In Iran, in the weeks immediately following the election, the movement used new technologies to inform those inside Iran about rallies and protests, document abuses by the basij and other government forces and inform the world of what was happening in the increasingly closed country. Iranian activists' use of new media to mobilize sup-

porters, as well as peaceful acts of civil disobedience, has thus far sustained the grassroots movement in the face of increasing regime violence. However, these tools must ultimately be accompanied by the emergence of a unified leadership and clearly defined objectives that articulate the movement's vision for "change."

Defining Clear Goals.

Collective action is most successful when there are clearly defined goals and objectives. The unity this common agenda creates helps fuel momentum behind demands for action and change. In Moldova, protesters, led by several youth-oriented NGOs, domestic election monitoring groups and human rights activists, united in their efforts to demand a recount to resolve questions of electoral fraud. The unrelenting focus on a specific demand, ultimately led the Moldovan president to call for a recount.

In 2007, the Burmese government began lifting subsidies on key consumer staples, prompting activists to speak out against the regime's economic policies. Rumblings of dissatisfaction began in local markets, but as the impact of fuel price hikes hit larger sectors of the population, more people began to speak out. By protesting economic policy, instead of voicing discontent with the government more broadly, opposition activists united Burmese citizens around an issue that affects everyone, regardless of their political leanings.

Unlike Moldova and Burma, the grassroots movement in Iran lacks clearly defined demands. Although united in opposition to the government's administration of the election and violent response to post-election protests, some demonstrators appear to want democratic reform while others may prefer a return to the fundamentals of the Islamic revolution. Recently, former president Ali Akbar Hashemi Rafsanjani called upon the government to resolve the public's doubts about the election, but did not specify how. Mohammad Khatami, also a former president, proposed a referendum, but it is unclear what question he envisions the referendum would pose. Without clearly defined demands that galvanize the range of Iranians who form the grassroots movement, it may risk ultimately running out of steam.

The importance of unity among leaders.

Moldovan youth's widespread disillusionment with government actions united them after the parliamentary elections, causing many to take to the streets when youth-led NGOs ThinkMoldova and HydePark used social networks to send out a call to protest. However, it was the leadership of opposition parties that was instrumental in guiding demonstrators, reducing violence and identifying a common goal, ultimately leading to the investigation of election fraud. Similarly, the 2007 uprising in Burma took on a new dimension when 10,000 Buddhist monks joined students and opposition political activists to protest deteriorating economic conditions. While early protesters set the agenda against government economic policies, the monks' involvement helped bring together Burma's ethnically diverse people to demand that the government manage the country's economy in a more equitable and just manner. Many see the monks as key "unifiers" that kept political space open long enough to garner intense international attention.

Currently, Mir-Hossein Mousavi, Mehdi Karroubi, Khatami and Rafsanjani are the dominate voices of the Iranian grassroots movement. However, none of them has articulated a clear vision or defined the short- and long-term objectives of the movement. Further, it is uncertain whether they are in agreement on the way forward or if they represent the totality of those engaged in street-level civil disobedience. While Iran has so successfully used new media to mobilize the grassroots, one of the benefits of new media tools – that they are essentially "flat" and remove the necessity for hierarchies to facilitate mass action – can also impose new challenges to the emergence of essential leadership. This may prove to be the case in Iran. As a result, some of the groups that have participated in the collective movement may naturally return to their individual causes. Those seeking broader democratic change must work in concert to accomplish their goals. •

Thousands of mourners gather July 30 at Tehran's Behesht Zahra cemetery. Photo Courtesy of Flickr User faramarz.

Additional Reading

Interested in learning more about Space and Citizen Participation? In addition to conversations with NDI staff, these sources served as inspiration for this issue of the Civic Update. If you need assistance locating a resource, please do not hesitate to contact the Citizen Participation Team.

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Team Update

Gretchen Reinemeyer joined the Citizen Participation Team as the new project assistant last May. She is currently working on her Master's in Anthropology at George Mason University where her thesis will focus on civic engagement of migrant communities. She earned her B.A. at Washington University in St. Louis where she worked and studied abroad in Germany, England, and Haiti. Since graduation she has worked on youth civic engagement programs as an AmeriCorps volunteer in Seattle and as an intern with the Migration Policy Institute and Urban Institute. She also worked as an Assistant Registrar with the Arlington County Voter Registration office leading up to the 2008 November Election.

Comments or Questions?
Please send any comments or questions to our Citizen Participation Team.

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FOR INTERNATIONAL AFFAIRS

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