

THE ROLE OF CIVIL SOCIETY ORGANISATIONS IN POLICY MAKING PROCESS IN RWANDA

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ABSTRACT

Involving civil society role-players in the formulation and implementation of public policies has become a major feature of political life worldwide. For academics and donors, civil society could service as an instrument that will make African countries more democratic, transparent and more accountable. This article examines the role Rwandan civil organisations have played to influence public policy in the period following the civil war and the 1994 genocide. The role of civil society was highly critical for peace building, and social and economic reconstruction. The Government of National Unity that came to power in July 1994 sought to democratise the country's politics despite the challenging socio-political environment. Of course, opening up the political space to all segments of the population has been seen as part of the peace and reconciliation process. The article argues that, although civic organisations have attempted, in some cases successfully (e.g. of women organisations), to influence the course of policy options, numerous barriers still impede their effective contribution. They include a society with deep scars left by the war and the genocide of 1994 characterised by mistrust among the population; the culture of a centralised state with a tight policy environment; lack of clear definition of identity of civil society and its role in public policy-making; and problems of resources (human and finances).

INTRODUCTION

This paper is an extract from a masters dissertation completed in 2002 on civic organisations in Rwanda. The purpose of the research was to determine to what extent civil society organisations influence the policy making process in the post genocide Rwanda, as well as to identify the limitations and challenges they face in their policy advocacy and lobbying role. The survey was across a broad range of civic

associations, including women's organisations, labour unions, human rights groups, and developmental non-profit organisations. International NGOs, government authorities were also interviewed to get their thoughts on the capacity of civil society in Rwanda. The study was limited to those civil society organisations that have representation at the national level, i.e. in the capital, Kigali as the focus of the study was on national policies.

Over the past two decades, the concept of civil society has achieved prominence in the social sciences and developmental discourses as citizens' associations and movements from the developing world started putting more pressure on their governments calling for democratic rule. In Africa, too, citizens were mobilized to rid themselves of the military and one-party structures that were beneficial for the development of illegitimate power. These developments signalled the beginning of remarkable shifts in the African political landscape. As a result, many African states have instituted substantive governance reforms allowing citizens to participate in the making of decisions that affect their lives. A rich associational life also emerged. This proliferation of social networks and organisations has been regarded as a dynamic catalyst for the advent of democracy and a crucial safeguard that will make African states more democratic, more transparent and more accountable (Kasfir, 1998:1). In the aftermath of genocide, Rwanda was facing and still faces huge challenges of reconciliation, reconstruction, poverty alleviation, and democratic governance that require all actors of the society to bundle forces. This emphasises the need for a more consensual way of making policies through dialogue with all relevant stakeholders. This article discusses the role of civil society organizations in public policy-making process in Rwanda; the paper also brings to the fore the challenges as well as opportunities for the civil society sector in the area of policy-making.

CIVIL SOCIETY IN THEORY

The concept of civil society as a collective entity, existing independently from the state has been critical to the history of Western political thought. Philosophers such as Hegel, Marx, De Tocqueville, and Habermas interpreted the term of civil society differently and are still relevant in the contemporary rediscovery of civil society. Originally, posited in the eighteenth century as referring to a realm of social mutuality, in the nineteenth century the concept of civil society was used to characterize that aspect of social existence, which existed beyond the realm of the state (Seligman, 1992:3). In *Philosophy of Right*, Hegel considered civil society as a historically produced sphere of ethical life that existed between household and state. For Hegel however, civil society was a self-crippling entity in constant need of state supervision and control (Markovitz, 1998:30). He argues that civil society cannot remain civil unless it is ordered politically, subjected to the higher surveillance of the state (Bratton, 1994:54). After Hegel, the development of the concept of civil society unfolded into three main academic directions: Marxist approach, neo-liberal approach (de Tocqueville), and Habermasian approach (Bratton, 1994:52-59).

Marx's view of a social system is based on the dichotomy of the state and market. Influenced by Hegel, Marx saw civil society as the historical product of evolution of property relations under capitalism (Bratton, 1994:54). Civil society was described as

an economic sphere, bounded by historical and material conditions and characterized by the domination of bourgeois, where economic activities to pursue individuals' self-interest occurred (Keane, 1988). In contrast, for De Tocqueville, in his essay *Democracy in America* (1840), voluntary associations were necessary for successful alternatives for common good problems and curbing unbridled political power. Although, according to De Tocqueville, civil society apart from the state was an essential condition of democracy, he cautioned that civil associations always depend for survival and co-ordination upon a centralized state (Keane, 1988:50).

Following De Tocqueville, Habermasian tradition argues that civil society indicates an arena of association where emphasis is put on choosing those with whom one wants to associate and choosing the terms on which associations are formed (Fine, 1997:12). Within civil society, political initiatives arise on a voluntary basis, either because actors perceive a material advantage or because they are motivated by commitment to an ethical or political value. However, within the state, political action is motivated by means of command backed by the implicit sanction of violence (Bratton, 1994:58). Civil society as used in this discussion is in line with the Habermasian tradition and follows the conceptual structure provided by Cohen and Arato (1992) based on the separation of political society, civil society and market. Civil society refers to that sphere of social interaction between economy and state, composed above all, of the intimate sphere (especially the family); the sphere of associations (especially voluntary associations); social movements; and forms of public communication (Cohen and Arato, 1992: ix). Civil society is the sphere in which social movements become organized. The organizations of civil society, which represent many diverse and sometimes contradictory social interests, are shaped to fit their social base, constituency, thematic orientations, and types of activities (e.g. environment, gender, human rights, youth, disabled, minority). They include, *inter alia*, church related groups, trade unions, cooperatives, community-based organisations, youth groups, women's associations and academic institutions.

ROLE OF CIVIL SOCIETY ORGANISATIONS

The role of civil society organisations (CSO) in public policy varies greatly depending on their political contexts. Civil society, in a democratic government, is a channel through which citizens participate in making and implementing public decisions; in identifying, prioritising and resolving public problems, and in allocating and managing public resources. People become more involved in agenda setting, and policy implementation through various voluntary associations, which contribute to the sustaining of democracy and fosters economic growth (Putnam, 1993). In non-democratic and transitional states, the civil society sector plays a significant role in lobbying and pressuring governments for democratising politics and to complement policy changes (Bratton, 1994; Cohen and Rogers 1995; Kasfir, 1998). In Africa and countries in transition, civil society organisations have been involved in various political activities ranging from public voter education and monitoring elections; protesting what they consider unjust or unwise policies; protecting citizens from actions of repressive regimes; and opposing or

even overthrowing regimes (such as recently seen in Ukraine). Manor (1999: 8-11) argues that civil society contributes to better governance. Manor groups the role of CSOs in this regard into four categories, namely public policy and decision making; enhancing state performance; transparency and information; and social justice and the rule of law.

Firstly, civic associations, such as women's organisations, bring together people from different ethnic and cultural backgrounds through toleration, respect, trust, and credible commitment for the advancement of a common agenda (for instance women empowerment). They try to influence policy reforms through dialogue, advocacy and persuasion. Thus, civil society organizations possess the ability to mobilize the public to participate more fully in decision-making processes and the management of public affairs. Secondly, civil organizations can improve transparency and increase the availability of information about the making and implementation of government policy by disseminating information within civil society. This is important in promoting accountability because citizens are aware of the pledges made by their governments, and can be in position to demand service delivery. This suggests a more activist role for civil society, in which civic role-players back up information and dissemination activities through mobilization and public advocacy work. Thirdly, civil society organizations can contribute to the quality and effectiveness of public services and expenditures by working directly with government in shaping, financing and delivering public services in a variety of ways. These can take the form of state-civil society partnerships in which civil society organizations work closely with state institutions in designing public policies, service delivery and monitoring. This practice of partnerships and compromise lays the foundations for an effective government and rapid economic growth (Putnam, 1993). Fourth, CSOs in particular, human rights groups can play a significant role in promoting social justice and the rule of law in the governance of a country. They do so by either pressing for the implementation of existing laws, or, advocating fresh legislative initiatives and institutional reforms improving the functioning and accountability of state organs. Furthermore, civil society organisations can play the protective role in sheltering individuals threatened by repressive states, and defending their rights through the official legal process.

CIVIL SOCIETY IN RWANDA

Historical background

In Rwanda, the concept of civil society coincides with the arrival of Christian churches in 1900, especially the Catholic Church with its specialised missions. However, the dense associational movement was witnessed in the early 1980s under the Habyarimana regime, with the banner of development especially in rural areas. It was mainly concerned with agricultural cooperatives, and associations for mutual aid. Donors injected large amounts of resources into the country and hailed Rwanda's dense network of vibrant grassroots associations (Uvin, 1998). Three important phases trace the historic emergence of Rwandan civil society.

The first civil organizations emerged in the 1980s during the Habyarimana regime. Most of them are developmental NGOs, and peasants' associations. The sharp increase in development assistance during that time nurtured their expansion and set their agenda (Uvin, 1998). In 1987, INADES (an African support NGO), sponsored by the World Bank, inventoried 143 registered NGOs. In 1991, this figure increased to 170 (Bugingo and Mutambuka, 1998). These organizations have considered themselves as apolitical (Uvin, 1998:172), whose roles are to support small developmental projects in rural areas.

The second group encompasses mainly human rights organizations, which emerged in the early 1990s during the short-lived period of political liberalization. It includes human rights organisations such as the *Ligue Rwandaise pour la Promotion et la Défense des Droits de l' Homme (LIPRODHOR)*, women groups such as *Réseau des Femmes* and *Haguruka*, and labour unions such as the *Conseil National des Organisations Syndicales Libres au Rwanda (COSYLI)*. These have always fought for civil liberties, and social justice (Nkubito, 2001:50).

The third group is made up of associations and organizations created after the 1994 war, whose principal aim was to channel the emergency aid to the Rwandan population, and to address the consequences of the genocide and civil war. They include organisations such as Ibuka and Avega Agahozo dedicated to protect the rights, and assist survivors of the genocide. One can therefore argue that the socio-political conditions of the emergence of civil organizations have shaped their identity and determined the scope of their intervention. Below, some practical activities performed by civil organisations in their attempt to influence public policies are highlighted.

Performance of CSO in the post-genocide period

In general, CSO in Rwanda perform activities of representing the interests of their constituencies in relation to government. According to the Office of the National Poverty Reduction Programme (NPRP 2002), an active involvement of CSOs into public policy-making process was witnessed since 1998, a year that reflects the transition from the emergency to the development phase. Activities include mobilization and education of their members to increase consciousness about certain public issues. For instance, several campaigns have been launched by non-governmental organizations to mobilize and educate people about peace and reconciliation, HIV/AIDS, women abuses, and public participation in decision-making. However, as many studies have indicated (such as the 2001 USAID report, Trocaire 2002), most associations have been mainly involved in the simple execution of development and social programmes. Only human rights groups and women's organisations appear to be the most outspoken and critical of government policies.

Women's groups and associations

Women's associations have a long history in Rwanda. Starting with the first Republic (1962-1973). The government policy supported the establishment of women's social centres in

each province focused primarily on addressing the needs of rural women. The second Republic (1973–1994) promoted the expansion of development NGOs, grassroots associations and cooperatives. This contributed to the growth of the sector, as organizations devoted part of their activities to women's issues, especially in the areas of health, nutrition, and economic activities. After the war and genocide of 1994, women's associations have impressively proven to be the most dynamic of civic movements. They have been actively engaged in various public programmes. An example is the *Campaign for Peace* launched in 1994 under the auspices of *Pro-Femmes*, the national umbrella made up of 40 women's groups and associations. The *Campaign for Peace*, is a national programme for reconstruction that emphasizes the promotion of the culture of peace and tolerance, and gender advancement. The campaign seeks also to increase women's political participation at all levels of government (national, provincial and local).

Other women's groups, such as, *Haguruka and Avega Agahozo* have invested heavily in providing legal aid and advice to women and young girls. They successfully campaigned for the revision of the inheritance law. As a result, in March 2000, the National Assembly passed a law on *Matrimonial regimes, liberties and succession* that provides women rights to inherit land and property and decide on matrimonial regimes. Women associations are also dynamic in activities that aim to economically emancipate the Rwandese woman. For instance, *Duterimbere*, a long-standing women's NGO is solely involved in the micro-finance programmes. The NGO provides small credits to women and works to raise awareness of women's economic rights through civic education and mobilisation. Women's organisations have been praised for working close to their constituencies. In this regard, the report of the USAID/Rwanda (2001) notes: "unlike the majority of civil organizations, which operate in the capital (Kigali) and urban centres, women associations are closer to local people". Women's associations have offices at all levels of government (in provinces, communes, and cellules "the lowest administrative unit") where they have ties with grassroots associations in order to reach the poor rural women. The Government of Rwanda has acknowledged the contribution of women to society and development in particular. Through the establishment of the Ministry for Gender and Women's Development (MIGEPROFE), it has shown a strong support to gender equality and women' advancement. Through the advocacy work and lobbying of women's organisations, Rwanda is currently the first country in Africa, and perhaps among a few in the world, to have a high number of women in Parliament, at about 49 percent.

Labour unions

Rwanda has a labour force of roughly 3,6 million, out of an estimated population of about 8 million. More than 90 percent of the labour force is engaged in subsistence farming, with only about seven percent working in the wage-earning sector. About 45 percent of the latter are members of labour unions (CESTRAR, 2002). The labour unions participate actively in policies that concern the rights of workers. The *Centrale des Syndicats des Travailleurs du Rwanda* (CESTRAR) and *Conseil National des Organisations Syndicales*

Libres au Rwanda (COSYLI) have been actively involved in discussions on policies related to privatisation, income taxes, and health insurance policy for public employees. CESTRAR, COSYLI, and the Rwandan Private Sector Federation (FRSP) confirmed that they have significantly contributed to the formulation of the new labour code (CESTRAR 2002). *Imbaraga*, is the union of agriculture workers and covers most portions of the national territory. The Union is reported to have developed real urban-rural linkages, with activities in the area of worker's rights, union organizing, educational initiatives, and advocacy estimated to touch directly or indirectly about 200 000 households in Rwanda (USAID/Rwanda, 2001:18). *Imbaraga* has been actively involved in public debates on policies of land reform and land tenure system.

Human rights organizations

Human rights organizations are a relatively new phenomenon in Rwanda. Like other components of the Rwandan society, human rights groups suffered during the war. The organizations of human rights have as main objective to observe and defend human rights, and confront the state and other groups of society involved in human rights abuses. They provide general information about human rights in the country. They are actively engaged in providing civic education to increasing awareness and knowledge about laws and institutions established to take action against the alleged perpetrators of genocide, such as, the genocide statute (Statute No 08/96), the Gacaca law and Gacaca jurisdictions (traditional system of trial for crimes of genocide). They also undertake activities that campaign for tolerance and reconciliation, and promote mechanisms for preserving human rights.

Churches and religious groups

Historically, Christian churches, and, in particular the Catholic Church, have been the most important and powerful non-state institutions in Rwanda. Next to the state, the church is and has been for decades Rwanda's prime employer, landowner, and investor (Uvin, 1998:167). During the colonial era, the Belgian-dominated Catholic Church worked closely with the Belgian colonial administration. Thus, many of the country's health and educational facilities were founded and continue to be staffed and funded by the churches. They are also active in the field of rural development.

Unlike other civil society organizations that generally have a small membership and limited financial resources, religious institutions encompass a mass audience, which transcends ethnic boundaries. More than 50 percent of the population are members of the Catholic Church, at least 35 percent are Protestants, and between eight to ten percent are Muslim (USAID, 2001:24). After the genocide, religious institutions have been working together to promote peace and reconciliation. The Catholic Church has put in place structures aiming to reach all its congregants, such as the *Basic Ecclesiastical Communities* (BEC), that regroup ten to twenty families living in the same community through which messages of peace and reconciliation are conveyed.

OBSTACLES TO CSO PARTICIPATION IN PUBLIC POLICY MAKING

According to Ndegwa (1996:1), for NGOs and other organisations in civil society to advance democratisation, four conditions must obtain namely, organisation, resources, alliances, and political opportunity. In Rwanda however, numerous obstacles undermine effective contribution of CSO to the process of policy making. These include problems of tight political environment, challenges of a society with deep scars left by the genocide, lack of resources and organisational challenges.

The culture of a centralized state

Pre-colonial, colonial and post-colonial Rwanda has been governed by a series of highly centralized and autocratic systems. It is asserted that the culture of a centralized government doing and controlling all public activities still prevails. Democracy activists are afraid to be seen as oppositionist and as such, most of them are averse to the idea of collective action. According to the studies by USAID (2001) and Trocaire (2002), with the exception of human rights groups, many of the civil society organizations fear criticizing government policies and practices. Consequently, most civic organizations focus on the execution of punctual programmes, relegating policy advocacy and lobbying for a second plan. Indeed, in the absence of political space (opportunity), it would be difficult for civil society organisations to influence policies. The mass media – print, audio and visual – normally plays a significant role in political education and sensitisation and provides a forum for public debates. It is through the media that citizens are informed about the performance of government, and they provide channels through which people can express their concerns, needs and satisfactions. However, the government still exercises a monopoly over radio and television broadcasting. It is argued that the role played by the press, especially the *Radio Television Libre des Mille Collines and Kangura*, in creating a climate of ethnic hatred in the period leading up to the genocide, is the main reason for the government keeping a close eye on media. As a result, existing media tends to play it safe or to engage in pro-government analyses.

Environment of mistrust

The Rwandan social fabric has been weakened by the war and the 1994 genocide. People are suspicious, trust in government lacks among the population. Tutsis that experienced the horrors that took place in the genocide find it difficult to trust the Hutus because of the mass involvement of Hutus in the genocide. Many Hutu fear reprisals and others are filled with guilt. The civil society reflects these societal problems of distrust and suspicion, which consequently harms the effectiveness and objectivity of its actions because social trust, as Putnam (1993:172) argues, is a prerequisite for individuals to undertake collective action. Indeed, it is the bonds of trust that enable men and women to come together and create social networks that support various community projects. For example, without trust people cannot

pool their money in lending associations that provide small loans to members or support businesses in their community. It would be even harder for civic groups to coalesce and take a common stand about government policies if they are ethnically divided, as it is in Rwanda. Through associations, people develop trust and cooperation that make communities work and develop. Thus, one can hope that with time, the growing associational life will help Rwandese people in their process of healing and rebuilding the social capital, which is essential in sustaining development.

Unclear identity of civil society and its role

Rwandan civil society is young and still weak; it has not yet clearly defined its role as an actor in the public policy-making. In general, Rwandan grassroots associations are passive *vis-à-vis* the state. This passivity may be explained by a number of factors, including the culture of a centralised state that did not allow political engagement from civil society. As Uvin (1998), correctly points out participatory modes of decision-making were not part of Rwandan cultural traditions. In addition to the obscurity over the role of civic associations in policy making, the Office of National Poverty Reduction Programme (2002) argues that even when these civil organisations are invited to participate in policy debates, they lack alternative strategies that can challenge the government's vision. Thus, the problem of capacity might further explain why CSOs are more reactive than proactive in dealing with state action.

Problems of capacity

The war and 1994 genocide led to the loss of large numbers of educated and trained leaders and active grassroots movements. Many intellectuals were killed and others fled the country. This deprived the country of an important pool of skilled cadres, which affects also civil society. On the side of financial capacity, Rwandan civil society organisations are poor, unable to self-finance their operations, which exacerbates their limited roles in decision-making. Civic organisations and associations in poor nations, unlike their counterparts in rich countries, are financially weak and depend for the execution of their programmes on aid coming from either government or foreign donors. The consequence is that civil society organizations execute the programmes that are likely to get funding from donors sometimes at the expense of the real needs of their constituencies.

Issues of transparency and accountability

Scholars argue that CSOs can foster democratic and accountable governance by practicing this sort of governance within their organizations that can serve as models for the government (Manor, 1999). However, transparency and accountability remain a major challenge in the governance of CSOs in Rwanda. The study of Trocaire (2002:4) found that some structures are ethnicised, while others are personalized, or dominated by a clique

of relatives and friends. The problems of accountability are compounded by the fact that monitoring and evaluation mechanisms are rarely incorporated in CSOs' activities. While funding agencies – international NGOs, foreign donors – require reports of activities, it is not sufficient to ensure accountability. It is important to establish internal institutions and mechanisms of control and accountability. The governing board for instance should get involved in the evaluation of programme performance, but this necessitates that they have the knowledge and skills to undertake that kind of evaluation. However, the voluntary, philanthropic nature of involvement in civil society work hinders this process.

OPPORTUNITIES FOR PARTICIPATION

Despite the aforementioned obstacles to CSOs' contribution to policy-making process, some opportunities exist that would promote an active civil society, they include the government commitment to democratisation, decentralisation policy, and increased donor support to civil society.

The Government of National Unity is striving towards a more democratic system of governance that includes all relevant stakeholders in dialogue for public policy. A Commission for Civil Society has already been established in the Office of the President, which oversees partnerships between civil society and the government. According to officials of the National Poverty Reduction Programme (NPRP), the organizations of civil society have been invited to participate in many workshops and seminars on good governance and poverty reduction strategies in Rwanda. The constitutional review, Gacaca process, the Poverty Reduction Strategy Programme, and decentralization policy are some of the many examples government has sought and involved the organizations of civil society (NPRP, 2002).

It is noted that the policy environment for operations of civil society is increasingly being relaxed. The decentralization policy introduced later in 2000 provides a legal framework for greater local participation in decision-making. Decentralization creates more open, responsive, and effective local government, thus enhancing representational systems of community level decision-making. The policy opened space to local citizens to get involved in the management of local affairs. For instance, since March 2001, for the first time in the history of Rwanda, local government councillors were elected instead of being appointed as it was since independence. Therefore, the local civil organizations need to be mobilized and take the opportunity, which is offered by the new law and participate more actively in the process of public policy and decision-making.

Until recently, very few donors had programmes of direct support to civil society. Most of the aid to civil organizations was channelled through government ministries (USAID, 2001:12). International donors are currently committed to engage more directly the civil society groups in public programmes such as justice and reconciliation; and poverty reduction in which they assist the government. For instance, the European Union has allocated about two million Euros to support civil society organisations operating in the sector of justice (Camara, 2001). Many other donor countries and international NGOs have also set capacity building of the civil society as the priority component of their programmes.

For instance, the Netherlands NGO, SNV/Rwanda through its project PAI (*Projet d'Appui Institutionnel aux Organisations Rwandaises*) provides institutional and organizational capacity building to Rwandan civic associations (SNV-Rwanda/PAI 2002).

CONCLUSION

The overview of organizations of civil society in Rwanda shows that Rwandan associational life is complex. It is made up of various organizations, ranging from non-government organizations, women groups, media associations, labour unions, human rights organizations, youth and sports associations, religious groups, and community based associations and cooperatives. The abundance of associations of civil society does not mean however that this sector is not without difficulties. Civil society in the post-genocide Rwanda faces numerous challenges that include a weak social fabric with deep scars left by the war and the genocide; the culture of a centralized government with tight policy environment; and the problem of capacity both in terms of skills and finance. Notwithstanding the difficulties, the achievements of civil society organizations in such a short and challenging period are satisfactory. Groups of civil society have made significant strides in engaging the government and influencing policies through either pressure or partnership. While partnership can be problematic because it can act to restrain the space of civil society, it should be remember that only dialogue, cooperation and partnership among all actors in society can bring true democracy and sustainable development, particularly in post war-torn societies.

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