What we take for granted a sorry tale

David Bonbright   It could be a *New Yorker* cartoon. Three colleagues at the water cooler, two with glazed stares while the speaker asks, animatedly, 'So what do you think about the state of *civil society infrastructure*?' I can identify with our earnest friend. I want to argue that he is not as 'out of touch' as he sounds. In fact, he is posing a question of wide significance, one that belongs in any repertoire of 'serious topics to ponder'. Here's why.

Guest editor for the *Alliance* Feature 'Attending to our foundations'

David Bonbright is Director of the Aga Khan Foundation's Civil Society Programme and chief executive of ACCESS, which begins its life as a project of AccountAbility. He can be contacted at access@accountability.org. uk. Learn more about ACCESS at www.accountability.org.uk

First, as all the articles in this *Alliance* special feature make clear in one way or another, we have not attended to our 'infrastructure'. It is shaky, uneven, incomplete and undercapitalized. We are building our profession on the flimsiest of foundations.

Second, to make matters worse, we don't even 'see' that our foundations are unstable. We don't have a coherent way of understanding our sector, its roles and responsibilities. Srilatha Batliwala's article on infrastructure for global civil society illustrates this point brilliantly. If this issue of *Alliance* does nothing else, I hope that by developing the idea of infrastructure, by assembling an analytical framework that fits our reality, it will make the problem visible.

Third, as I will argue further, by taking a flimsy infrastructure for granted, we fail to take our profession seriously. Like the second-rate 18th century court composer Antonio Salieri in Peter Shaffer's *Amadeus*, we scorn excellence and revel in our own mediocrity.

What is civil society infrastructure?

So what is civil society infrastructure? In my view, it is the set of institutions that create the conditions in which efficient and effective citizen organization for public benefit can flourish – often referred to as '*enabling conditions*'. Before we come to the institutions, we should debate what these conditions are. I propose five:

▶ the legal and regulatory framework (or, if you will, the formal dimensions of the interface between the state and civil society);
▶ the resource base;
▶ the knowledge base (including access to information, technology and wider issues of 'the information society');
▶ human and organizational capacity;
▶ accountability.

Before saying a bit about each of these, I want to pause on three scene-setting points that emerge directly and indirectly from this set of articles.

First, the specific forms of infrastructure vary tremendously according to local contexts. Culture and history fundamentally alter the framing conditions for civil society. Generalizations that posit 'stages of development' may be barking up the wrong tree. However, as Richard Fries argues in his legal overview, there are universals that underlie diverse contexts. We look to these to construct our analytical framework.

Second, and closely related, genuine infrastructure emerges indigenously. External drivers can influence and shape, but they are highly unlikely to last. Several of the articles explore the appropriateness of imported models and influences, particularly those coming from the affluent West.

Third, we can see an implicit and emerging notion of governance in the analytical framework. It is important to emphasize the word 'emerging' here. State, business and civil society are actively testing out new roles and responsibilities. There can be little doubt that 'governance' is changing. It seems clear from these articles that civil society organizations (CSOs) are playing a role in shaping this new governance. The 'specialist' organizations that comprise civil society infrastructure are meant to be the leading instruments here – regrettably, they are woefully underdeveloped and neglected.

The legal and regulatory framework

As Richard Fries indicates, law can enable civil society in four ways. It should protect free association; allow for the formalization of organizations in law; create legitimacy through a framework for proper accountability; and provide for privileges for organizations conferring public benefit through their work. Several of the articles besides Fries's point to the ways that the state does not fulfil these four functions adequately, but rather tends toward control and manipulation. I would like to turn the point around and ask: 'Where the state is *not* enabling civil society, what is local civil society infrastructure doing to encourage it to do so?'

There is ample evidence that when CSOs do get their act together and run a professional campaign on the legal and regulatory framework, the pay-off is significant. South Africans did it in the early 1990s in parallel with the negotiations for a new democratic

dispensation. As Mayan Quebral notes, the Filipinos did it in the late 1990s in response to a threat from government to withdraw some of their tax benefits. (Now that the Philippine Council for NGO Certification has proved that it works, government needs to 'step up' and provide financial support.)

There are a number of well-documented positive legal review exercises in progress among the Western liberal modernizers, including Australia, Canada, England & Wales, Scotland, Ireland, New Zealand and Germany. As this list indicates, there has been a particular tendency in Commonwealth countries to review and renew third sector-government relationships.

But the list of developing countries taking these issues seriously today is starkly short. The Pakistanis are giving it a go. But, as Ahsan Rana's frank article on the Pakistan Centre for Philanthropy's efforts to create a certification regime points out, PCP's Enabling Environment Initiative has won major victories in the campaign to bring government onside only to run into suspicions so entrenched in some high-profile civil society groups that they threaten to derail the entire process. What has struck me in the Pakistan debate is the persistence of opposition to the very idea of an effective self-regulation regime. Those holding this view – a vocal and powerful minority – would rather have a lowest common denominator voluntary 'code of conduct' that conveys no real legitimacy for government or society at large than an independent certification programme that could win new levels of support from government and society.

A sufficient and sustainable resource base

The second enabling condition for civil society would be a sufficient and sustainable resource base. I say 'would be' as there is no developing country where there is anything like a sustainable *citizen base* – as Ashoka's Bill Drayton calls it – beginning to emerge. The norm is a heavy dependence on foreign aid. Voices like Mayan Quebral and organizations like Venture for Fund Raising are crying in the wilderness.

I guess I am howling with them. Where is the wave of change that will ground civil society in a self-sustaining citizen resource base? There are ripples in all countries. Anyone in India knows the story of CRY and its greeting cards fundraising scheme. Or the Sattar Edhi Foundation in Pakistan, which became a large national social welfare service provider entirely with funding from citizens, rich and poor. But where

are the imitators? Where are the other innovators? Bill Drayton argues with characteristic persuasiveness that it is competition itself that will bring on this wave from the supply side – through innovations in social investing. I hope he is right, but my experience here suggests that more leadership must come from CSOs, on the demand side. They need to perform and communicate in ways that will inspire higher and better levels of giving. The ACCESS initiative seeks to help CSOs do this by creating a generally accepted reporting standards framework. After all, without the informational basis for making comparisons, just how 'competitive' can the third sector be?

Information and knowledge

Which brings us to the third enabling condition, information and knowledge. There is precious little empirical information about civil society in the developing world. The Johns Hopkins University Comparative Nonprofit Sector Study is taking the first real bite at this problem, but, as Srilatha Batliwala points out, it is just a start. Anriette Esterhuysen's article on information and communications technology infrastructure for civil society raises issues that touch us all deeply. But I also want to invite readers to consider whether we as civil society actors have reached a critical mass of input into this domain. Esterhuysen chronicles the work of a relatively small set of organizations (I would say, too small) working effectively at national and international levels to achieve IT social justice.

The challenge here seems to lie in ensuring that CSOs have the skills and technology to consume *and produce* information, to influence mainstream media and therefore society at large. It should not be possible, for example, for *The Economist* to get away with its superficial coverage of a topic like corporate social responsibility (eg its 23 January 2004 issue). The fact is that, despite the high visibility 'successes' of CSOs in recent years around the globalization phenomenon, civil society itself remains largely invisible.

Here is how Simon Zadek put it in his online diary from this year's World Economic Forum in Davos:
'But civil society in truth remains largely absent from the conversation, at least here in Davos. They are at the table, but seem to have become specialized in dealing the "minor keys" that do make a difference but in no way challenge the underlying game plan. What on earth has happened to our civil champions, sparkling but nevertheless unfocused and divided in Mumbai [at the World Social Forum]*, and silent – almost in attendance – in Davos.'* [1]

1 See www.opendemocracy.net

Somehow, CSOs are not succeeding in influencing the 'major actors' out there – business and government. This is probably due to gaps in our knowledge of others as well as of our own sector.

Capacity

This brings me to the fourth enabling condition, capacity. Civil society infrastructure is responsible for addressing capacity gaps. If the billions of pages of donor reports and evaluations and the entire published literature of the development field are anything to go by, it is making a lousy job of it. Have you ever seen an evaluation in which 'capacity' wasn't an issue? A credible workplan that did not address capacity needs? Of course not.

So the issue here, it seems to me, is why, for heaven's sake why, given the overwhelming consensus about the need, don't we have anything even remotely close to a reasonable institutional response to it?

It is a tenet of the *new* philanthropists (aka venture philanthropists) that *old* philanthropy failed to address the need to build strong organizations. I see very little evidence that this welcome insight is finding much traction in the aid system, where the big money in organizational giving lies – or, for that matter, among venture philanthropists themselves. The challenge of financing civil society infrastructure is eloquently analysed by Siegel and Yancey, who conclude that a funder that 'sees the whole' is more likely to fund civil society infrastructure. They call for the creation of a donor affinity group in the US to accumulate understanding and insight on this point.

But this is not only – maybe not even primarily – a donor problem. The providers of 'capacity-building' have yet to make us sit up and take notice. Who can point to an exemplary system for independent assessment of capacity built? Or a recognized professional qualification with currency in the job market? Some South Africans are in the process of registering a statutory qualification in development management with the South African Qualifications Authority. This will be the world's first statutorily recognized qualification in development. And not a moment too soon!

And our own capacity?

There is another capacity dimension – our own. Where are the organizations to grow and nurture our profession of do-gooders? Where are our professional associations? Where is our Academy? Where are our awards? Where is our magazine? Wait a minute – I guess *Alliance* could be considered a magazine of our profession. And here's the rub: despite months and months of steady reminders, there are still over a thousand freeloading *Alliance* readers in the developed world. When *Alliance* asks, these readers overwhelmingly say they like the magazine. Without reading too much into this, I think it is yet another example of the lamentable state of our sector and our failure to appreciate the importance of its infrastructure. We need *Alliance* and other publications like it (well, not just like it). But we want someone else to pay for them. That is what donors are for, after all. Never mind if many of us are donors. In other words, we lack professional pride.

Accountability

Now we come to the final enabling condition, accountability. Actually, this is not so much a new condition as a different way of organizing the threads of the previous four. The December issue of *Alliance* addressed this theme extensively, showing ways to think about and address accountability issues in a variety of contexts. Stakeholding and standards of performance were analysed and debated. For our purposes, the broad inference from the December *Alliance* was that it is the job of civil society infrastructure to initiate and innovate in this domain. The authors and their organizations represented a fine set of civil society infrastructure organizations.

And that, it seems to me, is the essence of the problem. There are just too few civil society infrastructure organizations out there. They are a fine lot, but not sufficient to the task.

The concept of civil society infrastructure is not *that* difficult. The collection of articles in this issue maps the road to building strong infrastructure for civil society. We need to help governments to create enabling legal and regulatory frameworks. We must grow the indigenous renewable citizen base for the sector and develop some new philanthropic mechanisms. We need to put together the databases and knowledge and communications tools to allow us to punch at our weight out there in the big bad world. We need to take the field of capacity-building and training to another level entirely. And we need to get serious about accountability, especially our accountability to those in whose names we ply our trade.

It is a big agenda, sure. I have a suggestion for a first step that you can tick right now. That's right. Pay up your subscription to *Alliance*! @