THE ROLE OF CIVIC SOCIETY IN SUSTAINABLE DEVELOPMENT

Ivana Stojchevska

International Slavic University "G. R. Derzavin" Sveti Nikole – Bitola, R. N. Macedonia

Abstract: As citizens we are responsible to create better future for the next generations. The political agenda has always been agreed by parliament and the government, but it can also be shaped by civil society organizations through campaigns and lobbying for current issues, needs and concerns of citizens. This paper aims to draw a clear picture of successful practices on a global level where collaboration between public sector and civic society results with creation of sustainable development. For this purpose it will be used deductive method of global and national literature, method of comparison with the practical results in this field and synthesis method that combines theoretical and practical knowledge into new proposed solutions. The theory and the practice have shown that for the last ten years for the first time it has visible improvement in this collaboration between those sectors. However, there is left much more space for improvement in the process of policy creation with involvement of all interested parties in SEE region countries.

Keywords: civic society, public sector, sustainable development.

Introduction

This paper analyses the impact that the civic society has in policy creation and its implication in sustainable development. The analysis was implemented by collecting primary and secondary data. Primary data was collected by surveys of 400 citizens and civic society organizations in N. Macedonia. The data collection from primary sources ensured assessment of the current situation. Secondary data was collected from the documents that contain the relevant policies (reports, laws, strategic documents, operational plans, announcements etc.).

Civil society is widely understood as the space outside the family, market and state (WEF, 2013). What constitutes civil society has developed and grown since the term first became popular in the 1980s and it now signifies a wide range of organized and organic groups including nongovernmental organizations (NGOs), trade unions, social movements, grassroots organizations, online networks and communities, and faith groups (Cooper, 2017; WEF, 2013). Civil society roles include:

– Watchdog: holding institutions to account, promoting transparency and accountability
– Advocate: raising awareness of societal issues and challenges and advocating for change
– Service provider: delivering services to meet societal needs such as education, health, food and security; implementing disaster management, preparedness and emergency response
– Expert: bringing unique knowledge and experience to shape policy and strategy, and identifying and building solutions
– Capacity builder: providing education, training and other capacity building;
– Incubator: developing solutions that may require a long gestation or payback period;
– Representative: giving power to the voice of the marginalized or under-represented;
– Citizenship champion: encouraging citizen engagement and supporting the rights of citizens;
– Solidarity supporter: promoting fundamental and universal values;
– Definer of standards: creating norms that shape market and state activity.

Civil society has created positive social change in numerous places throughout the world. Civil society organizations are one of the key players in promoting democratic governance, equitable development and inclusive growth. Still, they often operate in a restrictive environment, which prevents them from achieving their full potential and contribute to positive social change. In order to serve its purpose, the civic space must enable citizens to come together, share their interests and concerns, and contribute towards public policy and decision-making. The enabling environment for civil society can be viewed as the social, economic, political, cultural, legal, institutional and financial strength in some country that affect the ability of citizens, whether individually or collectively, to voluntarily participate in shaping the society.

The Impact of Civil Society in Policy Creation

Civil society and non-governmental organizations (NGOs) have the power to influence individual behaviour and the institutions. By collaborating with national and international partners, they can support the implementation of the different kinds of policies and activities.

Civil society and nongovernmental organizations can:

– lead grass-roots mobilization and advocate activities which should be placed on the public agenda;

– support the wide dissemination of information on various activities;

– form networks and action groups to promote important questions;

– advocate and support campaigns for raising awareness;

– monitor and work with other stakeholders such as private sector entities;

– contribute to putting knowledge and evidence into practice.

CSOs encompass a wide range of groups, from local community-based organizations to highly professionalized international non-governmental organizations (Kreienkamp, 2017).

In the old paradigm (Figure 1) the situation was as it follows: government, businesses and CSOs – they all acted separately in their own spheres, limited degree of interaction and independently defined roles of each sector.

However, new paradigm is necessary to create if we want to build future modern society with equal rights for everyone, or in Nelson Mandela's words "If we want meaningful development in one country we need to involve civil society". Therefore, we must design the paradigm which will include: greater degree of activity to address social challenges with participatory system between all the actors in society, new framework for collaboration and partnership, identifying and improving traditional roles, evidence of hybrid organization models.
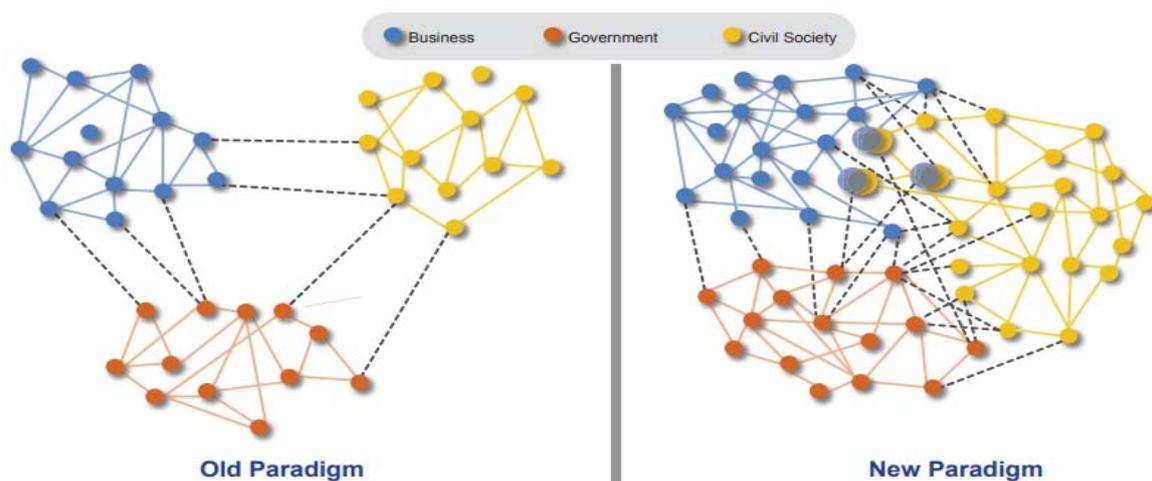

Figure 1: Changing paradigms for sector roles

Source: World Economic Forum/ KPMG, 2013

In some countries, adverse political contexts continue to be the main barrier to informed policy engagement. But often, the extent of CSOs' influence on policy is increasing. By getting the fundamentals right – assessing context, engaging policymakers, getting rigorous evidence, working with partners, communicating well – CSOs can overcome key internal obstacles. The result will be more effective, influential and sustained policy engagement society's development.

Environment for Civil Society Development in North Macedonia

The current situation and enabling environment in N. Macedonia is still in development phase. There is a Law on Associations and Foundations which provides a good basis for a progressive legal frame for freedom of association. The independence of CSOs is guaranteed within the LAF, however the definition of representatives of associations and foundations as officials and provision of responsibility if they abuse official duty in the Penal Code are potentially endangering the essence of the freedom of association and work of CSOs. In practice, the recorded cases of indirect forms of pressure and burdensome practices over CSOs have increased. Freedom of assembly remained legally guaranteed. However, the provisions in the Law on police (means for crowd dispersion and video recordings) lack consolidation with related legislation and further explanation on the conditions under which they can be used, so they continue to threaten the right of peaceful assembly (Civica Mobilitas, 2019).

The basis provided in the LAF for CSOs to obtain tax benefits is still not functional, thus burdening their operation. The key tax laws that regulate the work of CSOs, such as the Law on Personal Income Tax, provide equal treatment with for-profit entities and with the Law on Profit Tax. Some regulations even put them in a less favorable position (tax exemptions exist only for trade companies with total income under 3 million denars).

Direct state funding for CSOs (including the funds from lottery and other entertainment games) is still not reformed, thus disabling access to substantial and long-term state support. The legally binding decision to regulate the transparency for allocation of state funding to CSOs was not adopted. In practice, state institutions continue to not fully follow the principles for proper distribution of public funds. Currently, the allocated amount for CSOs is insufficient, as well as the period for which the funds are granted (annually) and the type (institutional support available only for several CSOs).

The process of establishment of the Council for cooperation between the Government and civil society has noted progress. The process was not approved by 93 CSOs over the lack of effective consultations, the majority of members coming from state institutions, the level of public officials, as well as the inadequacy of the time in the midst of political crisis. However, the concerns were disregarded and representatives from CSOs were selected through open call, without fulfilling the criteria (adequate individual experience and organizational capacity).

There was also a step towards transparency and participative process of policy creation and decision making through availability of draft laws that are mandatory and updated to be published on ENER (the only national electronic regulatory register of the republic of North Macedonia). This process includes updates of draft laws with 20 working days for consultation with civic society organizations and citizens with compulsory public published report on those consultations and taking into consideration the key findings and recommendations in final decision. However, through the interview with 400 representatives of various stakeholders provided valuable data on views on the current situation and opportunities and willingness for future development of policies and measures. Even tough, 53% of the representatives have answered that they participated in the local policy-making process - through personal contacts, official letters and official forums / meetings with responsible persons, still 69% think that they cannot influence the final policy decision making to a great extent.

Key Recommendations for Enabling Environment for Civil Society

In order to address the identified challenges toward enabling environment for CSOs and creating sustainable development, it should be considered following recommendation:

– Establishing a multi-sectoral group in the Ministry of Justice to monitor the implementation of the Law on Associations and Foundations. The group should engage in amending the Penal Code, particularly the provision according to which representatives of associations and foundations are defined as public officials, and carry the responsibility in case they abuse their official duty. In practice, CSOs should continuously publicize and reveal cases of pressure and burdens imposed on their work. Higher standards for CSO operation and self-regulation instruments should be initiated and implemented among CSOs.

– The Ministry of Finance should take into consideration the submitted draft amendments to the Law on Personal Income tax (taxation for official trips of people who are not employed, and expenses for accommodation, transport and food for participants for the activities organized by CSOs) and the Law on Profit tax (the generated profit as a difference between the revenues and expenses is taxed at 10%) and make appropriate changes in the laws that would support the functioning of CSOs.

– Establishing a multi-sectoral working group in the Ministry of Finance to start a full reform of the system of state funding (including the distribution of funds from games of chance and entertainment games). Essential amendments should include certain percentage of the funds regularly distributed via the budget to finance only CSOs, increased amount according to the needs and the value of the civil sector, institutional support as well as co-financing of EU and other international projects. Additionally, the General secretariat of the Government of the North Macedonia should re-open consultations and adopt a quality draft decision that will contain procedures and criteria for distribution of funds (according to the Code) that should be applied.

– The General Secretariat of the Government should take into consideration the recommendations of CSOs and re-open the consultative process, in order to introduce amendments to the adopted Decision to establish the Council in accordance to the best international practices. This should be followed by informative events with the aim and role of the Council. Transparent selection procedures should be re-opened, and the criteria set for the representatives and members of the Council should be fully respected.

– Government bodies should respect the minimal standards for involvement of the public and civil society in the policy creation and law-making processes. Firstly, via timely publishing of draft-laws, then by giving sufficient time for comments and by providing feedback. In addition, the legislator should refrain from misuse of the shortened procedures to adopt laws in order to avoid consultation.

Overall, civil society, like business and government, plays a hugely important role in shaping our daily lives, from how we interact, to the policies that guide laws and regulations, and the market forces that allocate resources.

Conclusion

The civil society organizations have significant role in creating an equal opportunities for all. Therefore, being actively involved in promoting and advocating for development effectiveness, we should work towards: Ensuring complete openness from CSOs as well as precisely specifying the availability in the documents and more active promotion among CSOs. Adjusting the conditions set in the measures for policy decision so that they correspond to the specific characteristics of the civil society sector. Active civil society advocacy for development of legal and political framework which is in accordance with the civil society needs. Decision-makers working in areas of global governance, policy and advocacy should continue to break down traditional barriers and silos so that business activity doesn't take place parallel to civil society engagement, alongside separate governmental processes. There is a lack of mechanisms whereby appropriate constellations of leaders can

collaborate across sectors to align incentives, set common agendas and find practical solutions. To this end, new platforms are needed, along with new rules of engagement, which can bring together leading stakeholders to serve the common good.

References

1. Bahmani, J. (2016). *The Role of Civil Society in Development*. Journal of Civil & Legal Sciences. 05. 10.4172/2169-0170.

2. Civica Mobilitas. (2019). *Key findings and recommendations*. Retrieved from: https://civicamobilitas.mk/vesti/prvpat-po-shest-godini-ima-podobrena-ovozmozhuvachka-okolina-za-graganskoto-opshtestvo/

3. Cooper, R. (2018). *What is Civil Society? How is the term used and what is seen to be its role and value (internationally) in 2018?* K4D Helpdesk Report. Brighton, UK: Institute of Development Studies.

4. CSO Partnership. (2019). *CSO Partnership for Development Effectiveness – CPDE* Retrieved from: http://csopartnership.org/

5. Kreienkamp, J. (2017). *Responding to the Global Crackdown on Civil Society*. Global Governance Institute. Retrieved from: https://www.ucl.ac.uk/global-governance/sites/global-governance/files/policy-brief-civil-society.pdf

6. OECD. (2019). *The High Level For on Aid Effectiveness: A history.* Retrieved from: http://www.oecd.org/dac/effectiveness/thehighlevelforaonaideffectivenessahistory.htm

7. The Global Partnership for Effective Development Co-operation. (2019). Retrieved from: http://effectivecooperation.org/

8. WEF. (2013). *The Future Role of Civil Society*. Retrieved from: http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf