## CIVIL SOCIETY, ITS ROLE AND POTENTIAL
## IN THE NEW MEDITERRANEAN CONTEXT: WHICH EU POLICIES?

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### Introduction

The "Arab Spring" has caught the EU off guard because Arab autocracies were thought to be extremely stable. This conviction was backed by empirical observation – most of these regimes lasted over decades – as well as theoretical literature on the resilience of autocratic regimes in the Arab world. One prevalent argument in the discourse on the supposed insuperability of Arab autocracy is the assumption that Muslim countries have no noteworthy civil society since they lack the experience of enlightenment. The Arab Spring, however, proved this assumption to be wrong.

For the EU, which has extremely dense yet almost exclusively intergovernmental relations with its southern neighbours, the Arab Spring was a mortifying embarrassment because it revealed the credibility gap between the EU's normative rhetoric on democracy promotion and its "realpolitik" on the ground, supporting autocratic regimes at the cost of domestic agents of change. Against that background, it is understandable that the EU's first reactions to the Arab Spring were extremely hesitant. Apart from the European Parliament, which showed empathy for the aspirations of the protesters, official reactions from Lady Ashton and the EU member states can be tagged as "too little too late." After all, what could the EU say to the young rebels that tried to free themselves from rulers that had enjoyed decades of European backing? The EU hesitated to change sides as long as it was unclear whether the revolutions would succeed. And even when a takeover became probable, at least in Tunisia, Egypt and Libya, changing sides was easier said than done: having neglected civil society and having antagonized political Islam, there are no established channels of communication between the EU and the new political actors in the southern neighbourhood. The EU simply does not know them.

### Converging Concepts of Civil Society

There are two reasons for the EU's long-lasting neglect of Arab civil society. One has to

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do with controversial concepts of "civil society", the other concerns priorities and conflicting goals on the EU's foreign policy agenda. Originally, civil society was a European model referring to enlightenment concepts of reason and rationality, presuming basic tensions between civil society, economy and the state. However, a generally accepted definition of the term "civil society" never existed, not even within the western world. The difficulties of finding a clear-cut and universally acceptable definition can be explained, among other things, by the fact that civil society is a normative and value-laden concept. A highly controversial question concerns to what extent civil society needs to be independent from the state and independent from primordial structures, like tribes or religion. When the EU initiated the Euro-Mediterranean Partnership (EMP) in 1995 to create a Euro-Mediterranean region of peace, stability and shared prosperity, democracy promotion was part of the agenda, including cooperation on the level of civil society. Within this bottom-up approach of democratization, however, only a very narrow spectrum of Arab society was considered "civil society". Groupings that draw their identity and their political programme from their religious beliefs were excluded. The official argument goes that religion is a primordial structure and therefore incompatible with a European concept of "civil society". The decisive reason for not considering Islamist groupings as civil society, however, is the perception that political Islam is anti-western, hostile, and prone to terrorism. In contrast, individuals and groupings with an explicit secular outlook became privileged partners in the EU's modest attempts to also construct a partnership on the level of civil society. They had often been educated – and socialized – in Europe or the USA, so that they share European norms and values, notably liberalism. Women's rights NGOs enjoyed special sympathy, not least because they were perceived as natural allies in the antagonism against political Islam. Although it is more than understandable that the EU chose partners that share their norms and values, this one-sided approach was too narrow, excluding too many other agents of change in the region.

**Conflicting Policy Goals**

EU democracy promotion is not driven by normative considerations alone, but serves also – and perhaps even foremost – as a strategy of EU security policy. Inspired by the theorem of democratic peace, the European Security Strategy (2003) clearly mentions the EU's interest in being surrounded by a "ring of democratic friends." Democracies are believed to be more reliable and predictable than other regimes, using peaceful means of solving conflicts, at least with each other. With regard to its southern neighbours, however, the EU felt confronted with a dilemma. Being convinced that Arab autocracy is insuperable and misperceiving the aspirations and capabilities of modern Arab society, the EU opted for the autocratic regimes. They seemed to be the only reliable and predictable partners with regard to core interests

of the community: keeping down political Islam, fighting international terrorism, holding back migrants, and serving Europe's growing energy demands. Hosni Mubarak from Egypt as well as Ben Ali from Tunisia could easily play this card. They successfully convinced the EU that Europeans have to support their regimes if they do not want to pave the way for an Islamist takeover. After 9/11, democracy promotion became once again a big issue on the declaratory level, but in reality it was perceived as too risky and therefore lost momentum – and with it the support of civil society. Following the genesis of EU Mediterranean policies from the EMP (1995) to the European Neighbourhood Policy (ENP 2004) to the Union for the Mediterranean (UfM 2008), one can see that the EU has ceased step by step its bottom-up approach of democratization. With the inauguration of the strictly intergovernmental UfM in 2008, the result of a French initiative, the EU seems to have given up the political goal of democracy promotion, offering the autocratic regimes in its southern neighbourhood co-ownership and unconditioned cooperation in de-politicized functional projects. Civil society, which had always played a marginal role in interregional relations, became almost absent in the institutional frameworks of Euro-Mediterranean cooperation. Today, we know that this policy was a failure, since it produced neither democracy nor stability, but a huge credibility gap. Lacking credibility and lacking contacts with the new political actors resulted in a loss of EU influence, which had obviously been weak before.

**Lessons Learned?**

From May 2011 onwards, the EU started to adapt its neighbourhood policy to the new Mediterranean context, notified in various documents. The most important is a joint communication by Lady Ashton and the European Commission: "A New Response to a Changing Neighbourhood". Although many analysts rightly criticise that the renewed neighbourhood policy is to a large extent old wine in new skins, there are modest signs of a policy change with regard to the role of civil society. Civil society ranks high at least in the rhetoric of the document, which highlights the support of "deep democracy" and announces a "partnership with society." The plan to launch a European Endowment for Democracy (EED), complemented by a Civil Society Facility, is significant. However, it is not yet clear whether words will be followed by deeds, since the EU's logics of action have not changed. Misperceptions of the "Muslim" still prevail and so do key interests of the community in the region, mainly the preservation of stability. What has changed, however, is the political context, which might change European logics of action at least in a medium- or long-term perspective.

One of the lessons the EU has to learn is to accept that political Islam will henceforth have to be respected as a legitimate political power, whether Europeans like it or not. Regimes

with an Islamist bias that emanate from free and democratic elections will have to be accep-
ted as partners in the political and legal frameworks of Euro-Mediterranean relations. Within
the liberal spectrum of Arab civil society, however, especially among women's rights groups,
there is growing fear that women's rights might become a compromise item when the EU
has to come to terms with newly-evolving Islamist regimes. Thus, the lessons learned from
the Arab Spring with regard to the acceptance of political Islam confront the EU with a new
dilemma: how to deal with Islamism as a legitimate political power in the region without de-
nying the EU's commitment to liberal norms and values, defended by their traditional partners
in the liberal and secular spectrum of Arab civil society.

### How to Avoid a New Credibility Gap

The Arab Spring has resulted in processes of transformation, some of them peaceful,
others violent. In all countries, the formation of new political elites is on its way. The division
line in these power struggles is not only between Islamism and liberalism – as might be
expected from a western perspective – but also between diverging sections of Islamism,
between diverging family networks, diverging ideologies and, last but not least, between
generations. Furthermore, depending on what kind of regime emerges in the various co-
untries of the MENA region, civil society will adopt different functions. It can antagonize
newly-evolving autocratic regimes or function as an integrative mediator between society
and the state within a democratic reform process. The EU's present concept of civil so-
ciety is inadequate to grasp this very complex process of transformation within Arab so-
cieties. The same is most probably true for European concepts of democracy with regard
to the newly-evolving political regimes. Against this background, it is not yet clear exactly
what the EU means when promising the promotion of "deep democracy."

In this context, the new instruments are of special interest, especially the European En-
dowment for Democracy. Critics of the EED initiative fear that the concept of the EED
too closely resembles the American National Endowment for Democracy (NED), an or-
ganisation which supported anti-communist groups during the Cold War in Eastern Eu-
rope and Latin America which were not, however, necessarily democratic. Furthermore,
being a political instrument in the struggle of the Cold War, the NED cooperated closely
with the CIA and lacked any democratic control. The Cold War is history, but the question
of democratic control remains and has not yet been answered sufficiently by the advoca-
tes of the EED. Another unsolved problem is the contested *method* of support the NED
was known for and that might become the model for the EED, which is to pick out single
NGOs and support them with huge amounts of money to back their political impact on

politics and society. If this is the strategy the EU wishes to adopt, it is a slippery road. Which groups would be worthy of such a one-sided support? What would be the criteria for selecting them? And would this not be undue – and undemocratic – interference in the transformation process of societies that have just freed themselves and cry for self-determination? On the other hand, abstaining from such a decisive support of liberal groups could leave democrats in the lurch that had been at the vanguard of the Arab Spring but risk losing the power struggle in the newly-emerging political and societal orders. Again, the EU could be accused of not living up to its claims.

There are few options the EU could choose to avoid yet another loss of credibility. One is to open up to the various segments of Arab civil society, to follow their discourses and to enter into a critical dialogue with all of them. In this context, it is also extremely important to address the young generation with its new forms of organization and communication. Cooperation should be reserved to those individuals and groupings that are non-violent, tolerant and actively involved in the political and social development of their country. Furthermore, the EU can use the "more for more" approach of the renewed neighbourhood policy to pressure Arab regimes to adopt the basics of "good governance"; in other words, to follow the rule of law, to guarantee civil rights – including women's rights (!) – and, by doing so, to actively support the development of a vivid civil society.

If this was achieved, the people themselves could negotiate the details of their political and societal order. This, however, is easier said than done: what leverage and what legitimacy does the EU have left to put pressure on the new Arab regimes against the background of European collaboration with Arab autocrats in the past decades? The deplorable closure of the Konrad Adenauer Foundation in Cairo is just one example to illustrate the decrease of European influence in the region. To cut it short, the EU is caught in a dilemma and has to be extremely sensitive vis-à-vis civil society to avoid a new credibility gap.