The Civilian Influence on Transitional Security Sector Reform in North Africa

Expert Meeting report
The Hague – 11 November 2011

Introduction

On 11 November 2011, a group of country experts, practitioners, policy makers, analysts and security experts assembled at the Netherlands Institute of International Relations Clingendael, to exchange insights and build practical knowledge on the following topic: *(How) Can non-state actors and civil society in Tunisia and Egypt address security (reform) in these transition contexts?* This summary report is an attempt to share with the general public some salient points that came out of the day's discussion. The content of this paper is based exclusively on the exchange of opinions and ideas of the individuals present that day.[1]

Throughout the day the discussion referred to different groups and actors that could be considered "Non-State". "Civil society" generally refers to organised (licensed) groups that are formally structured and, ideally, autonomous from the state. "Informal actors" are not officially organised and range from

participants in ad hoc collective action to de facto security providers, who do not derive their authority or legitimacy from the state. These concepts are fluid as was the conversation.

1. Examination of the local contexts

Tunisia

Prior to the revolution, only a handful among 8,500 licensed Tunisian civil society organisations could be considered genuinely independent (financed by international donors or exiled Tunisians). In the wake of the uprising, new groups – roughly described as a new generation of civil society – have been forming. Yet these emergent groups have been overshadowed by the authority of the 'old guard', the few independent civil society organisations and individual human rights activists.[2] The revolution has also blurred the line between politics and civil society, as civil society actors and predominantly individuals from the 'old guard' are now joining politics. According to some, the dynamic between these two generations is strained by

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[1] The meeting was held under the Chatham House rule. No reference will be made to individuals present.

[2] These groups did not instigate the uprising, which was catalyzed by loosely organised youth.

animosity and resentment, which donors will need to be aware of as they begin to engage with these actors.[3]

Tunisian society, meanwhile, with its high literacy rate and emphasis on education, has asserted its desire for development and entertains (perhaps unrealistically) high expectations for socio-economic progress in the coming years. There is notably less focus among the population on the security forces and their role in Tunisian society, compared to Egypt. While the Tunisian police and public security forces are seen to have been on the 'wrong side' of the revolution, the military was not used to repress the public demonstrations, and so has preserved its good standing in public opinion. There is however, interest in strengthening oversight and security governance, possibly aligning with European standards, which mandate civilian bodies with oversight of security and military forces.

Civil society now needs support as groups begin to explore the new space opening up for citizen engagement and international assistance. This requires that donors engage with new and, in some cases, inexperienced actors. From the Tunisian side, there is a general enthusiasm for international assistance. Yet there is increasing frustration regarding donors' hesitancy to reach out to the burgeoning civil society or the regions outside of Tunis. For many donor countries, Tunisia's strategic significance is rather low, which may go some way in explaining the tepid donor approach there.

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[3] See Rikke Hostrup Haugbølle & Francesco Cavatorta (2011): "Will the Real Tunisian Opposition Please Stand Up? Opposition Coordination Failures under Authoritarian Constraints", *British Journal of Middle Eastern Studies*, 38:3, 323-341.

Egypt

In contrast, Egypt receives strong donor interest, but has a deeply-rooted domestic scepticism of foreign involvement, particularly that of western donors. Like Tunisia, civil society in Egypt has also been kept under the thumb of the government. State-sponsored media, especially TV and radio[4], play a determining role in public perceptions of civil society groups' legitimacy. The most damning libel wielded against non-governmental organisations (NGOs) is that they are backed by western powers attempting to assert a western agenda. The prevalent public distrust of "the West", the US in particular, makes it difficult for international actors to openly support Egyptian civil society.[5]

There is a well-established capacity in Egypt for setting up organisations, particularly among the country's educated, urban upper class. However, NGOs often lack experience in collaborating or coordinating among themselves to pursue shared objectives. A general lack of technical expertise regarding police reform was seen to impede these non-state actors' engagement in security reform.

The extreme sensitivity with which the Egyptian military reacts to criticism has effectively proscribed public oversight. Civil society groups have tried to voice objection to the Egyptian military's tight and opaque control over the defence budget, not to mention their pervasive role in some of the more lucrative sectors of domestic private industry. However, there has been little or no

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[4] Low literacy in Egypt keeps the population primarily reliant on these sources for all their information.
[5] Paradoxically, all western support received by the government is deemed legitimate, some of which reaches government sponsored NGOs. But any direct Western support to NGOs is cause for suspicion and criticism.

progress to speak of on these issues. On the whole, it seems that support is greatly needed in encouraging and enabling civil society to demand more accountability from its government and security sectors.

It was recognised that building the capacity to hold public institutions to account must be accompanied by nurturing the Egyptian public's appetite for oppositional views and alternatives to the state's rhetoric. Currently, public interest in such critique of state institutions – and the military in particular – is considered anaemic, and primarily concentrated among those with university-level education, living in urban centres. For the rest of the population, as the inconveniences brought about by the political upheaval wear on, some long for the former status quo and depend on the assurances from the authorities and security powers that they will restore order.

2. Engagement of Non-State Actors in Security

Examples from Egypt[6]

Regardless of the governments' repressive tactics against organised civil society (which have been continued under the military ruling council), there are examples of Egyptian citizens taking action in the provision and criticism of public security. A popular example was the "White Knights", a football fan club whose experience in dealing with riot police proved a valuable asset during protests at Tahrir square. Football fan clubs were the only groups legally allowed to assemble during emergency rule. The White Knights have occasionally used this opportunity to organise

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[6] It is acknowledged that this part of the day's discussion centred almost exclusively on Egypt. Thus the report, which is a direct product of that discussion, will reflect that dominate focus.

and mobilise on political issues, particularly abuse by security forces, by chanting political messages or holding silent protests at matches. Yet, it is unclear how donors would be able to support this kind of civilian action.

During the height of the protests, in the security vacuum created as police evacuated, small groups within neighbourhoods and communities began enforcing security in their local areas, arming themselves and patrolling. Such activities could offer entry points in terms of building the links between the community and security forces. There are current efforts by individuals involved with the neighbourhood groups to try and band such local groups together to form unions. Such a step toward formal organisation may bode well for the building local accountability and legitimacy.

Emboldened citizens, activists, human rights lawyers, NGOs and the aforementioned neighbourhood security committees have begun to both demand and assert a role in the reform of security institutions. These groups have been joined and supported by a group within the police, the "Honourable Police Officers", who support reform. There have also been discussions on the reform of the police held between civil society groups and the Minister of the Interior. However, the outcomes were ultimately deemed disappointing, having led to few concrete implementations.

Progress can be observed in the police academy and police infrastructure. There have been attempts to link the neighbourhood security committees to the Public Security body, which oversees and manages all police stations, in order to increase accountability and transparency. Designating a "Department of Human Rights"

within police stations has reportedly been implemented as a way to prevent torture in police custody. Civil rights activists and human rights lawyers give seminars at police academies on human rights and their significance. However, it must be recognised that training is neither the ultimate goal nor sufficient to render desired changes. Those trained must be able (and motivated) to apply the knowledge. This can be hampered by entrenched mindsets and codes of behaviour within the security forces, which may take generations to change. Such an endeavour does not match the typical goals of donors, who seek quick results and visible impacts.

Despite signs of progress within the Police and Public Security bodies, apparently nothing has changed within the Central Security Forces, which include the riot police, or the National Security Forces, which focus on narcotics and terrorism. Nor has there been a real transformation in either the leadership of the Ministry of Interior or its policy. Meanwhile, Egyptian state TV depicts the military as champions of the people, defenders against the former Mubarak regime. This reputation allowed the Supreme Council of the Armed Forces to take control after Mubarak stepped down. Yet, the lack of transparency of the Egyptian military is notorious, and the leverage of Egyptian citizens to demand more public accountability is virtually nil.

Limits of the Non-State Actors' Impact – A General Discussion

Bearing this in mind, some experts challenged the assumption that informal actors could play a significant role in security reform. It was suggested that, generally, these actors' influence is episodic and reactive, rather than sustained. Moreover, it was pointed out that the state alone is positioned to provide security across its entire territory. Thus, it was reasoned that, ideally, the state should be solely responsible for the provision of security, while security regulation required broader support.

These concessions notwithstanding, the prevailing opinion among the panellists was that non-state actors, particularly in fragile and post-conflict scenarios, are often de facto providers of security and can garner more legitimacy among local communities than the central state. In more stable situations, civil society can play a vital role as a counterweight or critic of state institutions. In the transition to stability, informal actors may be formalised and provide the basis for nascent state services or institutions. Thus, at all stages, mapping and understanding the function and activities of these groups was considered essential to facilitating partnerships or providing support.

General Concerns: Legitimacy, Capture and Efficacy

While the role of non-state security actors has been thoroughly explored, the source of these actors' legitimacy was put forth as an area that has received too little attention. Informal actors are those considered to act without state-derived legitimacy or accountability. This may mean (but certainly *does not guarantee*) that informal actors acquire their legitimacy from the local population, offering innovative means for putting restraints on the legitimate use of coercion. Building a more nuanced understanding – among researchers and the donor community alike – of local systems of legitimacy and/or accountability was thus strongly advocated.

There is a risk of confusing apparent stability with actual security, or of interpreting local acceptance as accountability. Cultural or local systems are not innately more apt to ensure

that security actors (formal or informal) are responsive to people's security needs. Nor are these systems invulnerable to 'capture' or manipulation by powerful individuals or groups. In some cases, the stability that informal actors establish suffices as the basis for their legitimacy, regardless of how they enforce their control or use coercion. In such situations, an informal group may be effective in reducing the overall incidence of violence, whilst being abusive and unaccountable in practice.

It was argued that donors and researchers should critically examine the desirability of local actors transitioning into formal actors. Supporting informal actors may risk empowering biased groups, or enabling factions with a narrow (yet powerful) support-base to abuse their power. Despite the welcomed changes that the uprisings have brought about at the political level, they do not signal a corresponding shift in local social dynamics. Fundamental social divisions, whether based on race, ethnicity, education, religion, rural-urban or otherwise, are likely to remain, leaving some groups vulnerable to marginalization or abuse. Such risks should be conscientiously recognised and carefully managed by donors who choose to engage with informal actors.

From a Security Sector Reform (SSR) perspective, it is the state and its formal institutions that are seen as having the strongest potential for delivering consistent, reliable, and accountable security services, and the only way to effect structural change. Some experts contend that smaller groups on the local level are rarely able to translate their practices into structural or democratic reform. Rather than building informal security actors' capacity, SSR programmes in general have emphasised connecting local actors and citizens to state security forces. This has proven a successful endeavour in terms of making state actors more "people-centred", responsive and reliable.

3. Donors' Support for Non-State Actors

A few general security contributions of non-state actors that the panellists identified include: providing input into vetting and recruiting measures for the armed services and police; providing local protection and defending public order; making demands on security forces to orient them more toward civilian protection and service; calling attention to abuses and/or corruption within security bodies; influencing legislation that delineates the authority of state security actors and defines the systems and standards to which they are accountable; and informing the public on the actions, responsibilities and/or transgressions of state security actors.

It was recognised that individual donors are not able to support all the ways in which non-state actors contribute to the provision and oversight of security. Considering that non-state actors are far less contentious in playing an oversight role than they are as security providers, donors will likely find supporting these activities more feasible.[7] Yet attention was drawn to the tendency of donors to "overpower" small civil society actors or informal groups, which risks undermining the domestic voice. It was strongly advocated that donors not allow their engagement to interfere with how citizens choose to direct their own processes of reform.

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[7] In Egypt however, even this role is jealously guarded by the state, which has been held intact with institutions still operating as the only legitimate and official oversight of the security forces.

Challenges: Knowledge and Risks

Despite the general consensus for giving attention to informal groups' participation in security, some practical concerns and obstacles were identified, focusing on donors' constraints. First and foremost was the need for donors to work based on a deep understanding of local contexts, avoiding the assumption that "lessons learned" in one area were inherently or generally transferable to others.

Donors' eagerness to get involved in emerging opportunities can eclipse the need to dedicate considerable time to acquiring in-depth awareness of the context. This is most relevant when donors must make informed decisions about actors to partner with. The variety of non-state actors, their diverse ways of engaging in security, and differing levels of legitimacy must be disaggregated and assessed in order to customise support. What is more, donor assumptions about the relationship between people and security forces may not align with local realities. Understanding the role security actors (official and informal) play in society is crucial. To whom are such actors accountable? Who are they expected to protect and from what? Are there explicit limits on their discretion? In remote areas, where non-state actors tend to be more prominent, such knowledge is elusive.

Some suggested that this contextual knowledge is much easier to attain and clarify at the state level, thus making national partners less risky for donors to work with. On the other hand, it was pointed out that working exclusively with formal actors does not mitigate the risk of inadvertently supporting groups or actors with abysmal human rights records. In all contexts, trying to distinguish reliable and legitimate security actors from abusive or predatory ones is difficult and requires constant monitoring. Risks of making inaccurate assessments include damaging a donor's international reputation, losing funds to misappropriation, and altering the balance in sensitive power relations.

Small informal actors usually cannot accommodate the spending and procedural benchmarks large donors use to indicate success and progress. As a result, informal actors may not be an attractive partner for large international donors. In that same vein, donors' domestic interests trump development priorities. This typically means donors prefer working exclusively with formal or state actors in order to preserve international relations.

Opportunities: Expanding the concept of security (actors) beyond donor assumptions

A prudent donor approach requires dedicating resources to research and actively investigating how people in a given context define security, access security and how security actors derive their legitimacy. Some panellists argued that SSR is losing its prominence as *the* preferred way to implement security programming, and this is opening up new potential to conceptualise security beyond institution-building. Rather than relying on legal or policing experts, whose knowledge is based on experience in their home country, donors could benefit greatly from the research conducted by anthropologists and sociologists. Social scientists could help illuminate important aspects of the local context and social dynamics therein, rather than instituting systems developed in the West. Only when the context – rather than a model – is taken as the starting point are donors able to react

with more long-term and effective programmes.

Attention should also be paid to the sequencing of support, which calls for an applied understanding of how enhancing security provision effects and is affected by socio-economic development. The gradual process of increasing security and improving oversight requires long-term programme outlooks. Interim strategies to perceptibly enhance local security are necessary to increase confidence. These should correspond, or at the very least avoid conflicting with, long-term programmes. The potentially rapid pace of revolution can also mean the relatively quick infusion of "new blood" into state structures. For example, someone working in a university may find him or herself the Minister of the Interior within just a few years. The uptake of informal actors into the state apparatus represents an opportunity at hand. Thus, training and capacity building, even at the level of informal actors, can quickly have significant impacts.

4. Potential avenues for support in Tunisia and Egypt

Practical support to Civil Society
Overt foreign funding to civil society, particularly in Egypt, can risk discrediting the work of local actors. However, civil society in both countries will need to expand, specialise and diversify. Tunisian civil society experiences no difficulties in establishing new groups, however technical assistance is needed to sustain them. External donors could provide non-financial support through mentoring and practical capacity building. Specific areas for support included assistance in applying for grants (more relevant for NGOs in Tunisia than in Egypt), accounting and administration, public outreach, advocacy and

mobilisation. Furthermore, assisting local organisations in building their capacity for local fundraising could encourage and enhance these groups' accountability to local constituencies, while simultaneously enabling them to access more resources.

Education: Linking development and security
Strengthening education and universities in particular, in both Egypt and Tunisia, was identified as a strong entry point for donors.[8] Such support would make a vital contribution to enabling and encouraging citizens to make demands on their government and to be *critical* and active in their political engagement. For example, greater access to education may stir stronger popular demand for more accountability and formalization of service providers, including security actors. Likewise, citizens must be able to evaluate the choices made by their security forces in terms of their (cost) effectiveness and appropriateness. Supporting, over long periods of time, educational programmes in political science, economics, and security and defence policy were all identified as essential for preparing the future leadership to play a stronger role in security oversight and demanding accountability. In Egypt, increasing literacy was also seen as a priority, as it could enable people to access sources of information other than state-sponsored media. Moreover, assisting the media in building a critical and independent voice of and for the populace is a crucial element of accountability. This was seen as quite relevant but particularly difficult in Egypt.

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[8] Western education systems are highly respected in both Tunisia and Egypt. Educational support from Western donors does not incur as much scepticism as supporting civil society actors directly.

Economic oversight in Egypt

Economic governance is often overlooked in discussions about security reform. Military spending, if disproportionate to national budgets, can obstruct the government's ability to provide other services, such as public education. Hence the need for civilian checks on military spending. Formally, budget oversight can be legislated as the responsibility of a representative assembly. Alternatively, reviews can be carried out by a domestic research community, or other independent civilian bodies. The provision of accurate information is the first step. It was stated that accessing the budget expenditures of the Egyptian military was unrealistic in the current state of military supremacy and control. Yet, expenditure may be deduced by reviewing other countries' reports on what they have sold to Egypt. Here, partnering with foreign research institutions, potentially those in African or Middle Eastern countries, could help local actors overcome domestic censorship. Presented simply and unequivocally, such information could catalyze public demand for transparency.

Strengthening critical capacities in Tunisia

There is even greater potential for oversight reform in Tunisia compared to Egypt. Investing in the human capital of Tunisia was presented as the most promising way forward. The Tunisian population benefits from high literacy rates, including among women, who play a strong role in public affairs. However, citizens will need time and training to take full advantage of the newly opened spaces for participation. It was suggested that Tunisians are not afraid to critique or ask questions of their government; yet they are not sure which questions need to be asked. Like in Egypt, training and education in civilian oversight of security forces, particularly parliamentary review and independent research, would be beneficial and would make use of Tunisia's well-educated population.

Final Remarks

On the whole, further support for civil society's role in oversight and accountability was seen as a promising way forward for non-state engagement in security. Nonetheless, non-state actors' potential influence on security is clearly far-reaching and diverse. Informal actors' ability to contribute positively to the provision and regulation of security is closely linked to many factors, some of which donors could assist with.

The level of accountability and legitimacy informal actors maintain among their communities is of primary concern, and will require acute knowledge of the local context. The conventional relationship security actors have with citizens will also determine local expectations of these actors and guide their behaviour. This is essential information for donors seeking to engage with security actors, informal or formal alike. Closely related to this is the level of domestic capacity and demand for oversight and accountability of the security forces. Donors may be able to influence this through support to education and media, not the typical avenues of security reform assistance. On that note, it is important that donors not limit themselves to supporting 'traditional' partners or applying 'standard' practices. Perhaps the greatest potential opened up by engaging non-state actors is the opportunity to forge new ways of understanding security and supporting its development or reform.