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Surviving the Peace

**Challenges of war-to-peace transitions
for civil society organisations**

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Executive summary

This report seeks to address the question "what happens to protagonists for change once that change has been achieved?" by analysing the transformations of peace/human rights civil society organisations (CSOs) during peace processes and democratic transitions in South Africa and Guatemala.

Section one clarifies the analytical ground by exploring the conceptual roots, definitional boundaries, organisational and functional characteristics, and normative understanding of CSOs, from an interdisciplinary perspective. It describes civil society as a sphere of social interactions independent from the state and the market, and inhabited by organisations which might take various shapes and sizes, from professional NGOs, human rights organisations and research institutes to grassroots and mass-based social movements for peace and justice. It then lists the functions performed by CSOs, either vertically, towards the state and politics society (i.e. counterweight to abuses of state power, opposition to undemocratic or violent policies, intermediation and collaboration in policy-making), or horizontally, toward the general public (participatory socialisation, service delivery). Finally, it describes the normative assumptions underlying the concept of civil society, and the conflict transformation approach of this study, which justifies a restricted focus on peace and human rights organisations, while acknowledging that they capture only part of the full range of social and political forms of associational life.

Section two adopts a more dynamic approach, assessing the organisational and functional shifts undergone by CSOs during and in the aftermath of peace processes and democratic transitions. It brings together the theories of conflict management/transformation and democratisation, arguing that in many protracted social conflicts, transitions to peace and democracy are concomitant, interdependent and mutually-reinforcing processes. It then borrows some elements of the literature on social movements (i.e. political opportunity structures and resource mobilisation theories) which help us to understand the processes of demobilisation and/or institutionalisation of peace/human rights CSOs once their original goals become fulfilled. Finally, it also builds on the peacebuilding and development literatures to explore the dramatic changes in roles and activities performed by CSOs before, during and after peace processes, such as the shift from peace/human rights mobilisation against non-democratic governments to post-war collaboration with state agencies in policy-making and service delivery.

This literature survey is then followed, in sections three and four, by two empirical studies on CSOs in South Africa and Guatemala, where interviews were collected in April 2007 with current and former members of relevant organisations. In

both contexts, peace/human rights CSOs appeared during the last decade of a protracted intra-state conflict (1980s), mainly as loosely structured social movements carrying out protest, advocacy, intermediation and humanitarian activities, supported by international solidarity and assistance. They actively contributed to national peacemaking and democratisation processes in the early 1990s, through both direct (e.g. civil society assembly, legislation and constitution drafting, etc) and indirect (e.g. lobbying and protest) channels. However, the transformations of the socio-political environment also forced them to alter their internal structures and external functions. The most drastic shifts occurred in the post-settlement period of peacebuilding and democratic consolidation (respectively after 1995 and 1996), which was characterised by concomitant processes of demobilisation and/or professionalisation ("NGOisation") of CSOs. Many former activists moved to other sectors of social life (e.g. joined state agencies or the private sector), while others remained active in civil society, but with new working modalities and priorities. In a context of increased financial dependency on public contracts and foreign assistance, one of the main challenges for contemporary CSOs in both contexts is to participate in the consolidation of democratic and efficient state structures while retaining a strong link with their constituent base and a vibrant autonomous stance towards both private and political spheres.

The conclusion, finally, draws a brief comparative summary of the main findings in both case studies, and derives a few conceptual and practical implications for the research, CSO and international donor communities.

Introduction

In many war-torn countries, civil society develops organisations that work for conflict transformation and human rights in a wide variety of forms. What changes are forced on them in the process of a transition to peace, justice and democracy, and how do they react? Some of these groups may simply cease their activities and demobilise, perceiving that their goals have been achieved, but the majority choose to undergo some degree of re-orientation of their work, goals, methods, structures, and audiences.

The aim of this study, therefore, is to explore the effects of peace processes and democratic transitions on peace/human rights CSOs, and on their relations with the state and society. It starts by exploring the historical evolution, types, functions and normative understanding of civil society. It then draws a multidisciplinary review of the dynamics of conflict transformation and civil society mobilisation in the conflict management, peacebuilding, development, social movements and democratic theory literatures.

This is followed by a comparative case-study analysis of various CSOs in two protracted conflicts which have been largely successfully transformed during the 1990s: South Africa and Guatemala. In these two contexts, the paper examines whether (and to what extent) macro-political change during the conflict, peace process and post-agreement phases of transition have induced peace/human rights organizations to transform both their internal (structural, financial, ideological) features and their external relations with their own community, society at large, the state and international actors (e.g. foreign donors). Particular emphasis is placed on the evolution of civil society-state relationships, and especially the shifts in CSO roles from opposition to authoritarian and violent state policies to collaboration (or cooption?) in post-war democratic state-building. While acknowledging the specificities of the South African and Guatemalan conflicts, which cannot be transposed to other contexts, it might nevertheless be possible to suggest some generic findings regarding this particular kind of social change: how civil society re-organises, re-orients and redefines itself during and after the turmoil of large-scale transformation from oppression and violence to peace and democracy.

SECTION I. The concepts of civil society and CSOs

1.1   Civil society: historical roots and conceptual boundaries

Civil society is a concept located at the cross-section of important strands of intellectual developments in contemporary social sciences. The rejection of state-centrism and emergence of the pluralist school of international relations in the 1970s, directing researchers' attention towards non-governmental and transnational actors, was followed in social theory by a sudden attraction for (new) social movements and democratic transitions in the 1980s and 1990s, an increased interest in the "third sector" within the development field, and finally a turn to "private diplomacy" and "peacebuilding from below" in the conflict management literature[1]. All these cross-disciplinary developments resulted in a renewed interest in the various actors and forms of social organisation widely referred to as the civil society sector.

Civil society will be defined here as a domain, arena or sphere of social interaction which lies at the intersection between the family (private sphere), the market (economic sphere) and the state (political sphere). With some slight variations[2], this model dominates the civil society literature (e.g. Merkel and Lauth 1998, White 2004, Glasius 2002) and has also been adopted by conflict transformation scholars (Barnes 2005, 2006, Paffenholz and Spurk 2006, Fischer 2006).

Historically, the distinction between civil society and the state can be traced back to Ferguson and Hegel in the 18th and 19th centuries, who reflected on the progressive appearance of capitalism by conceptualising a sphere of trade and social interactions separate from government and law. In the following decades, scientists followed this dual division of the social world between market or the economy on the one hand, state (apparatus of administrative, judicial, legislative and military institutions) on the other. Only in the 20th century did civil society become separated from economic interactions: the Italian communist Gramsci initiated this shift, by

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[1] The term conflict management should be understood in this paper as a generic field of theory and intervention in conflict, divided between short-term approaches focusing on ending violence through negotiated settlements (i.e. conflict management in its narrower meaning), middle-term approaches focusing on the gradual shifts in adversaries' attitudes and perceptions (i.e. conflict resolution), and long-term approaches focusing on the transformation of structures and cultures of violence (i.e. conflict transformation). For more details on these semantic distinctions, see for example Dudouet 2006.

[2] For instance, some authors do not draw the distinction between the civil society and private spheres: Cohen and Arato (1995) include the "intimate sphere" (family) as part of civil society.

defining civil society as a set of cultural institutions which were both used as a tool by the bourgeois class to impose its hegemony (the "cultural superstructure"), and as a potential instrument of emancipation and "counter-hegemony" by the working class (Cohen and Arato 1995: 149). In the late twentieth century, the term and its use resurfaced among dissidents to authoritarianism in Latin America and in Eastern Europe, as a "sphere of civil autonomy" from the state wherein self-management and democracy could be worked out (Baker 2004: 44). In the Western European and North American contexts, finally, the concept of civil society was revived as a way of revitalising liberal democracy in a context of growing apathy and disillusionment of the electorate (Putnam 2000). The recent processes of neo-liberal globalisation and ecologic degradation have also given birth to a vast range of new social movements envisioning transnational civil society as the locus for contestation and the construction of a neo-Gramscian counter-hegemonic project (Cox 1999).

In contemporary theory, it is widely recognised that the relations between civil society, the market and the state are mediated by the intermediary spheres of economic society (organisations of production and distribution, such as firms and businesses) and political society (e.g. political parties and organisations, parliaments). Whereas actors of the political and economic societies are directly involved with political-administrative processes and economic production, which they seek to control and manage, the role of civil society is not to control or conquer power, but rather to interact with these other spheres, influence them and improve their effectiveness and responsiveness, through open-ended discussion in the cultural public sphere (Cohen and Arato 1995: ix). The Centre for Civil Society at the London School of Economics (LSE) defines it as the "arena of uncoerced collective actions around shared interests, purposes and values" (CCS 2004: 1).

The boundaries between civil, economic and political societies are not always clearly distinguishable and, in fact, several authors prefer not to consider civil society as a sector on its own, but rather as a space where the other societal spheres overlap (Merkel and Lauth 1998). For example, entrepreneurs, usually part of the business sector, are performing civil society roles when demanding tax exemptions (Paffenholz and Spurk 2006: 2) or acting as mediators between conflict parties (e.g. Consultation Business Movement in South Africa). Cooperatives and media outlets, which have both profit-based and value-based goals, are also often considered to be on the border between civil and economic societies (World Bank 2006: 4). White (2004: 11) also insists on the blurriness of the boundaries between civil society, political society and the state. Non-governmental organisations (NGOs), for instance, belong to the civil society sphere but are at times driven by market logics and maintain more or less explicit links with the state (Orjuela 2003: 196). Finally, the boundaries between the

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Others consider business as part of civil society rather than being a sector on its own (e.g. Gellner 1994).

private (family) and social spheres are challenged by non-Western societies where the concept of civil society needs to be extended to include kinship relations and traditional, tribal actors (e.g. the "elders") who perform vital social functions (Pouligny 2005). The following diagram summarises these various analytical boundaries between civil society and other sectors of human interactions.
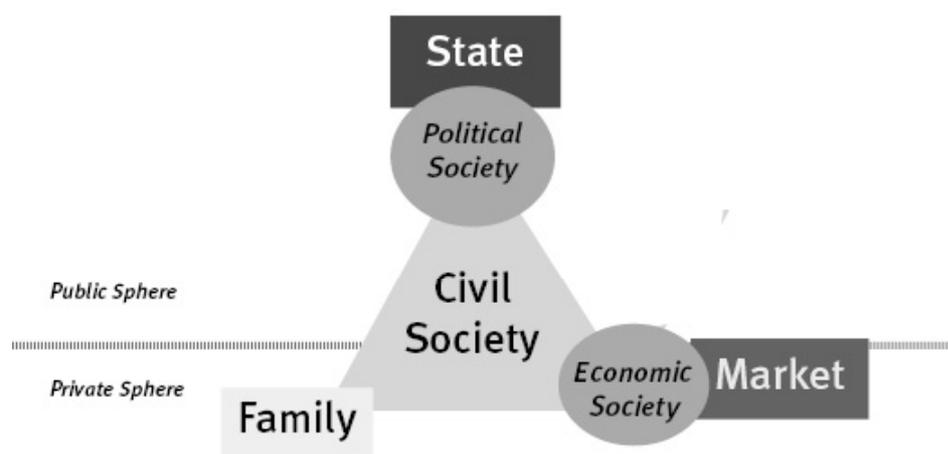
Figure 1: Civil society as intermediate sphere (adapted from Paffenholz and Spurk 2006)

1.2   Actor-oriented approach to civil society organisations

The reference to civil society *organisations* (CSOs) in this paper implies a field of action restricted to organised forms of social communication in the public sphere, as opposed to spontaneous or individual civil engagement. In other words, it designates the sphere of intermediate social associations between state and society (White 2004: 11). What are the characteristics of these organisations?

Coming back to the definition offered by the LSE's Centre for Civil Society,

> "civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. Civil societies are often populated by organisations such as registered charities, development non-governmental organisations, community groups, women's organisations, faith-based organisations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups"
> (CCS 2004).

To this already exhaustive list, one could still add a few more examples of CSOs, such as indigenous movements and traditional organisations, youth and arts groups, independent education organisations, diasporas, research and academic

institutions and think tanks, and independent media outlets (Van Tongeren et al 2005).

Different types of classifications have been offered, some of which focus on the organisational features of these various groupings. For example, donors (e.g. World Bank 2006) usually distinguish membership-based organisations (e.g. trade unions, self-help groups, women groups) from non-membership or "intermediary" organisations (e.g. NGOs and support organisations). In a rather similar vein, Ropers (2002: 105) differentiates service-based and movement-style organisations. The former tend to be more formally structured and professionalised, and to focus their work on service-delivery to their community. By contrast, social movements are usually informal and loosely organised social networks of "supporters" sharing a distinct collective identity and involved in conflictual relations with clearly defined opponents (Della Porta and Diani 2006: 20). Together with community-based organisations (CBOs), which are "made up of a group of individuals who have joined together to further their interests" (Fischer 2006: 3), they are usually seen as carrying greater representation, accountability and independence than NGOs, which tend to be personally or institutionally tied to governments and foreign donors (Debiel and Sticht 2005: 11).

In fact, each discipline or body of research tends to emphasise different categories of CSOs, a term which has been "hijacked in pursuit of various development or political projects, each with its own preferred sector of associational life" (White 2004: 9). For example, researchers on social movements and nonviolent action usually direct their attention to loosely-structured mass campaigns and "people power", while human rights and democratisation research focuses on advocacy organisations or local, grassroots initiatives and CBOs. The dominant use of the term "third sector" in the humanitarian and development fields refers mainly to intermediary and operational NGOs performing socio-economic (as opposed to political) functions, and the literature on conflict transformation and peacebuilding associates civil society primarily with peace support, dialogue and capacity-building NGOs. However, recent studies (Orjuela 2003, Fischer 2006, Barnes 2006, Paffenholz and Spurk 2006, Belloni 2006) have criticised this excessive concentration on "a certain kind of NGO in a certain kind of way" (Pearce 2004: 20): mostly urban middle-class organisations with a weak membership base, linked to the political establishment through kin relationships. By contrast, they suggest alternative definitions of CSOs which encompass all (or most of) the possible types of actors listed above. This inclusive approach will also be adopted here.

Another difficulty in defining the scope of analysis for this study comes from the failure of most peacebuilding researchers and practitioners (e.g. Ropers 2002, Richmond and Carey 2005, Goodhand 2006) to distinguish domestic (local or national) CSOs from international civil-based initiatives and INGOs. This paper will

focus exclusively on the former. The role of international assistance and foreign donors will be mentioned, but only as one factor or independent variable influencing the internal structure and activities of domestic organisations.

1.3   Civil society functions

When it comes to the types of activities carried out by CSOs, the conflict management and peacebuilding literature usually classifies them according to their working areas (e.g. conflict management, human rights, development, culture of peace), target groups (e.g. general public, specific constituencies, political class, journalists, opposition, government, economic elites), methods of intervention (e.g. lobbying, education, research, protest, service-delivery, training, mediation) or levels of operation (e.g. community-based, regional, national, transnational, international). This study will adopt instead a "functionalist analytical framework" (Paffenholz and Spurk 2006), reviewing the different functions which might be fulfilled by civil society groups. Merkel and Lauth (1998) have defined five avenues for civil society to foster democratisation: protection, intermediation, participatory socialisation, integration and communication. Paffenholz and Spurk (2006) have adapted these into a seven-function model covering the whole gamut of civil society roles in peacebuilding. Inspired by these two studies, this sub-section presents a framework of CSO functions organised around a *vertical approach* which defines CSOs by their relations with the state and political society, and a *horizontal approach* which locates civil society as the locus for intra- and inter-community interactions.

1.3.1   *Vertical approach: CSO functions vis a vis the state*

As noted earlier, actors operating in the civil society sphere do not aim to replace other sectors of social life (i.e. political and economic societies), but rather to improve their effectiveness and responsiveness. Accordingly, this study excludes groups which seek to take control of the state, such as political parties or separatist movements. Instead, civil society-state relationships might be characterised, with Barnes (2005: 10), as alternatively complicit (as party to the decisions made in society's name), contractual (when implementing government policies), contributing (through policy dialogue and recommendations), complementary (working in parallel as autonomous entities), or contesting/confronting (by challenging governmental behaviour).

A historical review of conceptual and practical developments in civil society-state relations evidences the following functions performed by CSOs:

Counterweight to the power of central political authorities

The intellectual roots for this function can be traced back to the political philosophers Locke and Montesquieu. Both, in their own ways, defined civil society as the sphere of independent societal networks providing citizens with protection and safeguard from the excesses of arbitrary state power (Merkel and Lauth 1998). In contemporary democratic theory, this approach typifies the instrumental definition of civil society in the liberal model of governance (Baker 2004). Especially in the wake of the so-called "third wave" of democratic transitions (Huntington 1991), political theorists in Latin America and Eastern Europe in the 1990s turned their attention to the "democratic consolidation" function of CSOs (see below in section 2.2.3), who support the stability and accountability of political systems as well as the diffusion of power within society, by monitoring government performances and protecting citizens against remnants of state authoritarianism (Pearce 2004).

This role might be performed, for instance, by research institutes and independent media, who contribute to democracy-building by acting as watchdogs or "whistle-blowers" against government corruption and incompetence (Lamay 2004). In peacebuilding and development discourses, the civil society functions of "protection" and "monitoring for accountability" are highlighted by Paffenholz and Spurk (2006), who cite various examples of early warning, human rights fact-finding or human security enhancement activities before, during and in the aftermath of violent conflicts.

Opposition and protest against violent or anti-democratic state policies

A more radical vision of the public sphere is also present in democratic, nonviolent action and social movement theories, where civil society is often depicted as the essential element in mobilising opposition to authoritarian regimes. As explained by Cohen and Arato (1995: xi), although under the conditions of liberal democracy, civil society should not be in opposition to the market or the state, "an antagonistic relation … arises … when the institutions of economic and political society serve to insulate decision-making from the influence of social organisations, initiatives and forms of public discussion". The literature on social movements has identified a "repertoire of action" (Della Porta and Diani 2006: 168) available to protest groups, which bear strong resemblance to some of the 198 methods of nonviolent action classified by Sharp (1973) into the three categories of nonviolent protest and persuasion (e.g. demonstrations and petitions), non-cooperation (e.g. strikes and boycotts), and nonviolent intervention (e.g. occupations and blockades).

A number of contemporary CSOs have used these forms of "contentious collective action" (Tarrow 1998) against power-holders, such as the "new social movements" which have emerged in Western societies since the mid-1960s (e.g. feminist, civil rights, environmental, indigenous, anti-nuclear, gay rights or anti-

globalisation movements), or the social struggles for democratisation, political representation and access to resources in Latin America during the 1970s and 1980s. These methods of "people power" have also been widely used by civil nonviolent resistance movements against authoritarian regimes (Karatnychy and Ackerman 2005), claiming a number of renowned victories in recent years, as in the Philippines (1986), Eastern Europe (1989), Serbia (2000), or Nepal (2006).

Finally, and more crucially for this study, public pressure through mass mobilisation represents one of the core strategies of peace and anti-war movements in situations of violent conflict. Barnes (2006) cites two relevant civil society peacebuilding roles, namely "waging conflict constructively: power to resist oppressive forces", and "mobilising constituencies for peace: generating public support and applying pressure for peace". Paffenholz and Spurk (2006) describe "advocacy and public communication" as the main function for national civil societies, which they define as bringing relevant issues to the political agenda, through public campaigns for peace negotiations or against war and human rights violations, or lobbying for civil society involvement in peace processes.

Unfortunately, such over-encompassing categories fail to establish a distinction between strategies of engagement which rest on radically different conceptions of civil society-state relationships. CSOs employing methods of mass protest and civil disobedience most often identify themselves in opposition to their government, whereas more "quiet" methods of advocacy, such as lobbying or policy advice, represent much more cooperative ways of influencing policy-makers to engender change at the macro-level. They bear in fact more similarities with the activities which are part of the third function described next.

Channelling state-society communication and collaborating in policy-making

Whereas the first two functions have depicted CSOs as guarantors of individual freedom and collective human rights against the abuses of power by state authorities, many authors insist on the complementarity and necessary cooperation between the political and societal spheres. For example, Fischer (2006: 19-20) describes state-building and civil society building as parallel, interdependent and mutually reinforcing processes, and she locates the relative failures of post-war peacebuilding in Bosnia-Herzegovina in the lack of vertical interactions between Track I (institutional) and Track II-III (societal) instruments and processes. The accountability and sustainability of the state rest on the existence of a vibrant civil society sphere and, in turn, a healthy civil society needs a functioning democratic state to flourish (Belloni 2006: 26). They should therefore participate in strengthening state capacities and law enforcement, and avoid weakening the role of central structures of governance.

In this sense, CSOs can be described as acting as "(two-way) transmission belt between state and society" (White 2004: 14), supporting both and mediating or channelling communication in both directions. Paffenholz and Spurk (2006) have labelled this function "intermediation and facilitation", which might take several forms, such as direct participation in official peace processes through formal consultative mechanisms, the delivery of capacity-building training to potential or actual leaders, or the facilitation of negotiations between communities and their representatives or warring parties (acting as internal third-parties). This latter role is most often performed by community leaders (Paffenholz and Spurk 2006: 31) or professional NGOs (Ropers 2002: 110). Finally, the function of "advocacy and public communication" described earlier also provides CSOs with avenues for contributing unofficially to policy-making and good governance through lobbying and policy advice to governments, parliaments or state agencies. This is in fact the main role played by think-tanks, documentation and research centres.

Inversely, CSOs also provide some outputs from the political sphere toward their own society, either to relay information on macro-political processes to the wider public or to participate in policy implementation by partnering with state agencies in service-delivery. However, because these functions are primarily oriented towards serving the community, they will be reviewed more thoroughly in the next sub-section.

1.3.2 *Horizontal approach: CSO functions vis a vis the community*

Civil society can also be treated as a substantially autonomous sphere, and indeed many CSOs have very little interaction with political institutions. In fact, part of the civil society literature (e.g. Edwards 2004) deals only with the functions performed by civil society vis a vis the wider society and socio-economic structures, two of which will be examined here.

Participatory socialisation[3]

This function can be traced back to three distinct philosophical traditions. The first one, referred to by Edwards (2004) as "associational life", is rooted philosophically in Tocqueville's vision of civil society as the school of democracy whereby citizens engage in voluntary associations and learn how to exert their democratic rights, thus fostering their political socialisation and spirit of civil (or civic) participation (Merkel and Lauth 1998: 5). Translated into conflict transformation terms, civil societies "foster an open, discursive approach to conflicts because

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[3] This label is borrowed from Merkel and Lauth (1998), but employed here with a slightly different understanding and scope.

citizens, having undergone the relevant political socialisation, are used to dealing with differences" (Ropers 1998: 104).

The second interpretation of this function, "civil society as the public sphere" (Edward 2004), stems from the late Frankfurt school (Habermas 1962) and other post-Marxist theorists, and can be described as a space for autonomous, unconstrained and open-ended communication and debate by informed citizens. The goal of civil society mobilisation, in this tradition, is neither to seize state power nor to increase popular participation and influence in the political sphere, but rather to construct "radical democracy" (Mouffe 1993) from below, based on active citizenship in a decentralised model of self-government. Civil society itself becomes the seat of democratic legitimacy and practice (Baker 2002: 148). These concepts were reclaimed, for example, by opposition movements in Latin America and Central Europe (especially Poland, Czechoslovakia, Hungary) during the 1970s and 1980s, concerned with "self-organisation of social life in the face of the totalitarian or authoritarian state" (Cohen and Arato 1996: 31). They are also central to the recent Zapatista project in Chiapas, which focuses on creating "counter-hegemonic" public spheres, in the Gramscian understanding of building a collective project for an alternative future, rather than capturing state power (Baker 2002).

Finally, a third school of thought, which associates civil society with "the good society" (Edwards 2004), is presented by the political scientist Putnam, who argues that CSOs increase "social capital" and foster positive norms and values such as trust, empathy and cooperation (Putnam 2000). They are very likely to contribute to conflict transformation since they "promote the growth of acquired - rather than ascribed - social affiliations and of overlapping memberships, thus countering the division of society along lines defined by ethnic characteristics" (Ropers 1998: 105). In other words, they foster the growth of a peace constituency (see next sub-section).

This horizontal function can be linked to a whole range of CSO activities oriented towards conflict transformation by increasing social cohesion, shifting perceptions and public discourses and bridging cross-community divides (Ropers 2002, Gidron et al 2002, Orjuela 2003, Barnes 2006, Paffenholz and Spurk 2006). They include bridging activities such as conflict resolution training, dialogue encounters and joint projects by people with common attributes (women, youth) or common experience of conflict (ex-combatants, bereaved parents, policy advisors, etc) across adversarial lines; educational activities mobilising public support for peace through information and awareness-raising programmes; or cultural peacebuilding programs aimed at demilitarising minds, healing psyches and fostering reconciliation. Finally, some of the activities listed earlier as embodying the opposition and protest function, such as marches and demonstrations, might also be targeted towards grassroots communities, in order to increase awareness for peace among the general public (Orjuela 2003: 208).

Service delivery

In democratic and social movements theory, the provision of social and economic services is not a civil society function, but rather a task to be performed by either the state or the market (Paffenholz and Spurk 2006: 31). However, in situations of armed conflict, the weakening of state structures induces CSOs to become substitutes for public agencies and take the lead in providing emergency relief and basic needs services to local communities, such as food and housing support, medical care, legal advice and representation, trauma counselling, parallel education, etc. It is therefore not surprising that service delivery is considered a core civil society function in the development and peacebuilding literature. In particular, the field of development cooperation, dominated since the 1980s by neo-liberal models of privatisation of state welfare (Paffenholz and Spurk 2006: 9), emphasises the role of the so-called "third sector" in economic and social service delivery (World Bank 2007).

In conflict transformation research as well, one of the key roles assigned to CSOs is to participate in the reconstruction of war-torn areas in order to improve life situations for local communities, reduce the risks of discontent and renewed conflict, and decrease people's dependency on the war economy (Orjuela 2003: 208). Intermediary NGOs, in particular, are seen as more efficient service providers than the state thanks to their independence, flexibility, credibility and impartiality (Fischer 2006). Some critics, however, warn against the dangers of NGOs becoming vulnerable to foreign donors' domination and governmental dependency, and loosing accountability to their constituencies (Debiel and Stitch 2005, Fischer 2006, Belloni 2006). Socio-economic services might thus be better delivered by community-based organisations, who often combine human rights and peace work with the provision of basic needs services to their constituencies. Finally, one might also consider local CSO involvement in more "direct" peacebuilding activities, such as community-level reconciliation or DDR assistance, as providing conflict transformation services to their society. This shows, once more, that the five civil society functions listed above should not be understood as mutually exclusive but on the contrary as interconnected and overlapping. One single activity might perform several functions simultaneously, depending on the intentions of the actors involved or the timing at which it occurs.

1.4   Civil versus uncivil society: normative approach to CSOs

Most CSO researchers, practitioners and donors adopt, explicitly or not, a normative approach to civil society, by selecting a group of social organisations as civil, and excluding "uncivil", "non-civil" or "pre-civil" non-state groupings from their scope of analysis. By contrast, so-called analytical approaches argue in favour of a

larger, neutral, definition of the civil society sphere which is not only occupied by groups working for "civic values" (Orjuela 2003: 197), but also includes self-interested, violent and fanatical manifestations of social interaction (Glasius 2002, White 2004). Historically, whereas the early proponents of voluntary associations and "intermediary corps" (Montesquieu, Tocqueville) tended to view non-state institutions as inherently progressive, Gramsci introduced a vision of civil society as a locus for both hegemonic and counter-hegemonic forces, either supporting the dominant class and the status quo or seeking to challenge existing structures (see section 1.1). Similarly, Putnam (2000) acknowledges that besides creating "bridging" social capital (see section 1.3.2), civil society groupings might also strengthen "bonding" social capital (kinship associations reinforcing prejudices and hatred for the "other"), which shows that CSOs can be factors for war as well as peace. Fischer (2006) and Belloni (2006) cite the case of Bosnia-Herzegovina where traditional CSOs such as trade unions, religious organisations or war veteran unions are still highly polarised ten years after the war. The obvious conclusion is that contrary to the belief of most international agencies, a strong civil society does not automatically support peacebuilding and democratisation (Paffenholz and Spurk 2006: 34).

This study, however, restricts its scope of analysis to conflict transformation-oriented organisations, which could also be qualified as "agents of constructive change" (Dudouet 2006), while acknowledging that they capture only part of the full range of social and political forms of associational life, and recognising the empirical existence of pro-war and status-quo CSOs. Such a definition contains some normative assumptions on the means employed and ends pursued by these agents of change.

The label *civil* in CSOs indicates, firstly, that they employ unarmed or non-violent means (as in civil resistance). Non-state armed groups are therefore excluded from this category of actors. For either principled (moral, philosophical) or pragmatic (strategic) reasons, CSOs distance themselves from all types of violence, both of guerrilla and paramilitary groups and of the state.

Secondly, in terms of the civic goals pursued by these organisations, the label *peace constituencies* has been offered to cover the "networks of people from different sectors of society whose prevailing interest is to build sustainable peace" (Mouly 2004: 42)[4]. Depending on the cultural and structural settings in which social actors operate, and where they locate the sources of conflict, their ultimate goal of peace might take different values and significations. Some of them might focus

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[4] In our understanding though, peace/human rights CSOs cover only part of the category of *peace constituencies*, which might also contain elements of political and/or economic society (e.g. political parties, leaders of the administration, business leaders, etc involved in negotiations or peacebuilding activities) as well as the "uncivil society" (e.g. members of armed groups considering options for political engagements) (Dudouet 2006). The label peace constituencies also implies a strategy of building horizontal and vertical connections

primarily on war victims and the defence of life first, or place more emphasis on psychological transformations and a vision for living together, or concentrate on preparing negotiations and a political solution (Garcia-Duran 2005: 51). We also need to include actors and organisations who contribute to peace while framing their main interests under other denominations, without having an explicit and primary focus on conflict prevention, management or transformation (Mouly 2004: 58). For example, in conflicts rooted in deep socio-economic inequality, it is impossible to distinguish the pursuit of peace from the struggle for justice, and our extensive understanding of peace actors needs to include emancipatory movements for human rights, gender equality, land or educational reform. Similarly, movements stressing issues of identity and cultural rights (e.g. indigenous people or ethnic/racial minorities) will keep on mobilising until these rights are achieved, and, as noted by Garcia-Duran in Colombia, they might not want to be recognised as peace organisations per se if 'peace' within the dominant political context means no space for the recognition of cultural and religious differences. In his research on peace movements, he also reminds us that in very repressive and exclusive regimes, progressive CSOs mostly take an explicit pro-democracy content: "if peace has any meaning, it is a democratic one" (Garcia-Duran 2005: 53). These remarks are particularly relevant for the two countries under scrutiny in section 3 and 4, South Africa and Guatemala, and for the remainder of this study, non-state organisations concerned with conflict transformation in the wider sense will be referred to as *peace/human rights CSOs* to reflect this inclusive definition.

This first section has clarified the analytical ground and established the boundaries of application of peace/human rights organisations. They concern organisations which inhabit the civil society sphere, located at the cross-section between the state, the family and the market. They might take various shapes and sizes, from professional NGOs, human rights organisations and research institutes to grassroots and mass-based social movements for peace and justice. Finally, they perform a number of functions vis a vis the state (vertically) or their own community and the wider society (horizontally). The next section adopts a more dynamic approach, assessing the pertinence of these multiple functions in relation to the various phases of war-to-peace transitions.

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and networks (Lederach 2005), which is not necessarily implied here. For these reasons, the generic CSO terminology will be retained for the rest of this study.

SECTION II. The transformation of CSOs in war-to-peace transitions

This section presents an overview of the dynamics of conflict transformation and the shifts in civil society roles during the three main stages of transition from violence and authoritarianism to peace and democracy: 1) armed conflict, 2) peace process, and 3) peace /democracy consolidation.

2.1 The dynamics of conflict transformation: a staged model

The conflict transformation literature has produced a number of models depicting intra-state and international conflicts as passing through a series of linear chronological phases. In a recent publication (Dudouet 2006), I reviewed these models and their limits before elaborating a synthesis *conflict transformation cycle* diagram with eight main stages: peaceful social change, latent conflict, nonviolent confrontation, violent confrontation, conflict mitigation, conflict settlement, (negative) peace implementation, and (positive) peace consolidation (see figure 2 below).

The advantages of such an approach are two-fold. First, it depicts the transformation of conflicts from 'latent and overt violence to structural and cultural peace', thus adopting a broad time-span which extends far beyond the dynamics of negotiations, ceasefires and peace accords. Unlike most other models (e.g. Fisher and Keashly 1991, Zartman 1996, Kriesberg 2003) which tend to over-emphasise the early stages of transition, the conflict transformation cycle assumes that peace does not necessarily proceed from the signature of peace agreements, as many post-accord societies are still highly volatile and prone to violence, especially on the part of dissident groups. Political transitions and peace processes might leave wider societal tensions unaddressed, resulting in a shift from militarised conflicts to widespread social conflict (Goodhand 2006), or even in the re-establishment of old hierarchies that had been transformed by the conflict. In fact, half of the countries emerging from civil war lapse back into violence within five years (Fischer 2006: 442), calling our attention to the long-term peacebuilding work which must follow the signature of peace accords in order to assure their sustainability.

A second and related advantage of this model lies in its acknowledgement of the complexity of war-to-peace trajectories, in contrast with the linear vision of escalation and de-escalation exhibited by the more widely-cited "conflict wave"

model (e.g. Brahm 2003). In the cyclical model, conflict transformation stages are sequential, but not unidirectional, recognising that conflicts might move back as well as forward, "jump" stages or exhibit properties of several escalation or de-escalation stages simultaneously. For example, a situation might evolve from nonviolent confrontation to conflict transformation and back to social change, avoiding violence (e.g. Gandhian independence movement in India, successful preventive diplomacy in the Baltic States or Macedonia in the early 1990s). Or it can move immediately from violent conflict to post-war reconstruction via imposed settlements without passing through inter-party negotiations, and back to the creation of fresh conflicts, if the root causes of violence remain unaddressed (Ramsbotham et al 2005: 23).

As in the first section, one can draw some useful parallels with the literature on democratic theory, which also offers some interesting insights on the process of political change from authoritarianism to (liberal) democracy (e.g. O'Donnell and Schmitter 1986, Huntington 1991, Linz and Stepan 1994, Munck 1994). These "transitologists" (Pearce 2004: 92) have devoted their attention to the recent democratic transitions in Latin America (e.g. Brazil, Chile, Argentina), Southern Europe (Spain, Portugal, Greece) and post-communist Central and Eastern Europe. They use linear, wave-like or cyclical models of political transition, most often organized along three main stages: pre-transition authoritarianism, democratic transition (characterized by a liberalisation of the political system), and post-transition democracy consolidation. More cautious scholars have also recognized, as in the conflict transformation field, that in societies in transition, transformations in the multiple spheres of social life are not a single unified process, coordinated and synchronised. They prefer to refer to "transitions in plural" that may unfold simultaneously but at different rates, and that do not necessarily lead in the same direction (Greenstein 2003: 2).

Integrating these cross-disciplinary insights, and acknowledging the complexity of social change processes, which can only be imperfectly represented in one-size-fits-all ideal-types, this paper nevertheless attempts to provide a generic model of transitions from war and authoritarianism to peace and democracy in three transitional phases: 1) *armed conflict,* covering the period of violent confrontation between state agents and their contenders; 2) *peace process*, which starts with official negotiations, followed by a peace agreement and leading up to the first post-war democratic elections; and 3) *peace/democracy consolidation*, concerned with the long-term transition from negative to positive peace, in the sense of political pluralism, socio-economic justice and reconciliation.
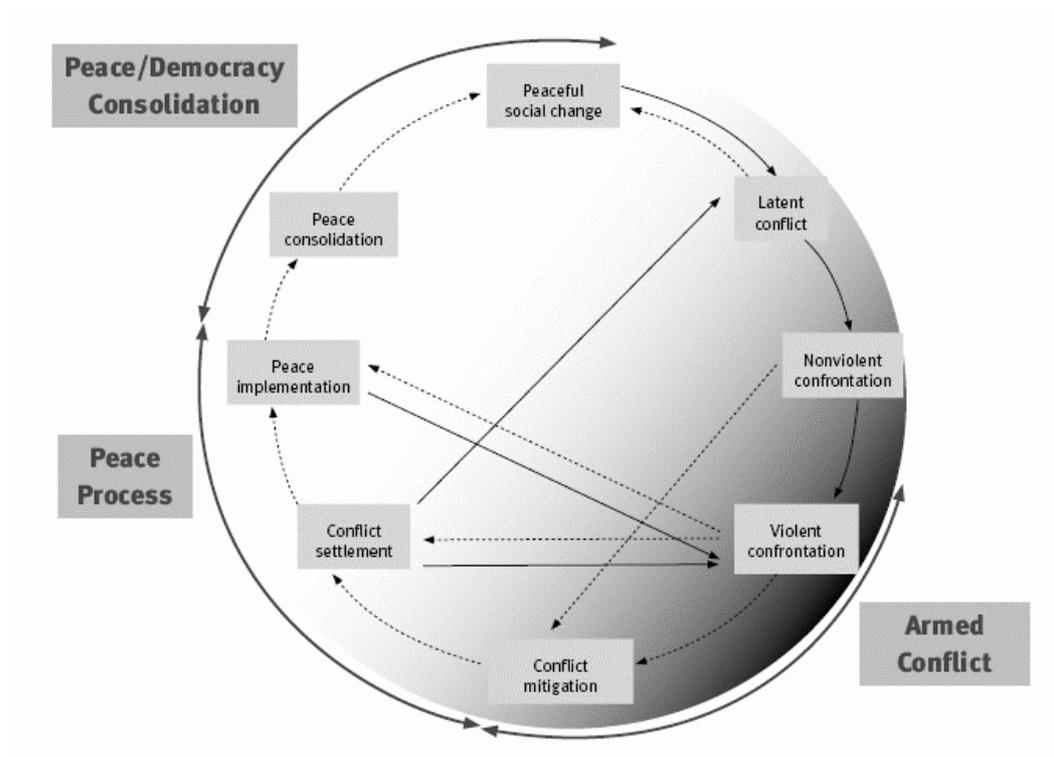
Figure 2: The conflict transformation cycle (adapted from Dudouet 2006)

2.2 The impact of political transitions on peace/human rights CSOs

As already indicated, this paper is not primarily concerned with the role and influence of peace/human rights organisations on peace processes. On the contrary, it explores the impact of political and structural transformations (i.e. from a violence-ridden to a peaceful and democratic environment) on CSOs. Drawing some parallels with the dialectical view on structures and agencies and their mutual influences (Giddens 1979), one can argue that civil society actors are both affected by the course of their national history and help to shape it through their actions. Whereas most existing research is concerned with evaluating the latter, this paper mainly focuses on the former. In particular, it seeks to explore what happens to CSOs which emerged during structurally violent authoritarian regimes or armed conflicts, participated in peace processes and democratic transitions, and continue to exist in the post-war phase. What are their various trajectories from opposing war and injustice or mediating between conflicting parties to taking part in (re-)building a peaceful and democratic polity and society?

In democratic theory, most studies on the linkages between civil society and democratic transition deal predominantly with the impact (or lack of it) of civil society mobilisation on democratisation processes, or CSO roles at the various stages of

system change. For example, Merkel and Lauth (1998) associate "strategic civil society" with the stage of liberalisation of autocratic regimes, "constructive civil society" with the institutionalisation of democracy, and "reflective civil society" with democratic consolidation. In the same vein, what could be labelled (after Fisher and Keashly 1991) the "contingency approach" to conflict management has argued the necessity of adapting CSO functions to the different conflict phases, and sequentially timing these various modes of intervention (Orjuela 2003, Barnes 2005, Paffenholz and Spurk 2006). There have been, however, very few attempts to analyse the internal (organisational) and functional shifts induced on CSOs as a result of changes in their external environment. Paffenholz and Spurk have initiated a step in this direction when they mention the influence of "enabling (or disabling) elements" shaping the peacebuilding capacity and properties of civil society (World Bank 2006: 26-32).

The most interesting models come in fact from the social movement literature, where civil society mobilisation is regarded as a "reaction from below" to macro-political events (Garcia-Duran 1005: 27). Notably, the *political opportunity structure* theory seeks to explain the lulls and lumps in the "cycles of contention" (Tarrow 1998) as well as the repertoire of tactics adopted by social movements in their different stages of development (Tilly 1978) by the "shifting institutional structures and ideological dispositions of those in power" (McAdam 1996: 23). A number of opportunities or constraints for collective social action have been identified, such as the degree of openness or closure of the political sphere, the degree of political conflict between and within elites, the availability of allies and support groups (nationally and internationally), or state capacity and propensity for repression of dissent (Tarrow 1998, Della Porta and Diani 2006). Meyer (2004) and Garcia-Duran (2005) have both applied this generic approach to, respectively, peace/conflict resolution organisations and peace movements in the context of armed conflicts, correlating the dynamics of civil society mobilisation with the level of conflict and/or peace efforts in the macro-political environment. Other environmental processes which influence the dynamics of peace/human rights CSO activities might include for example: the degree of inter-party communication between state agents and their challengers, the intensity of polarisation of society (along ideological or ethnic/racial lines), the level of socio-economic inequities, the provision of institutional roles for civil society actors in national legislation, etc.

The *resource mobilisation theory* developed by researchers on social movements also provide interesting analytical tools for this research. It focuses on both the variations in the organisational configurations of civil society groups (e.g. goal conversion or shifts in size, leadership and decision-making structures, membership, funding) and the resources (human, financial, technical, symbolic, etc.) that enable them to mobilise for action and sustain themselves (McCarthy 1996). The

mobilisation structures of individual CSOs have been both treated as an independent variable (cause) influencing the goals pursued and tactics selected by their members (Meyer 2004), and as a dependent variable (effect) shaped by the evolutions in the general political context (Rucht 1996).

Drawing from these various concepts (see figure 3 below), the rest of this section explores the relations between the dynamics of war-to-peace transitions (as independent or explanatory variable), the dynamics of resource mobilisation and organisational features of peace/human rights organisations (as an intermediary variable), and the transformation of the functions which they performed vis a vis the state and society (as the dependent variable).
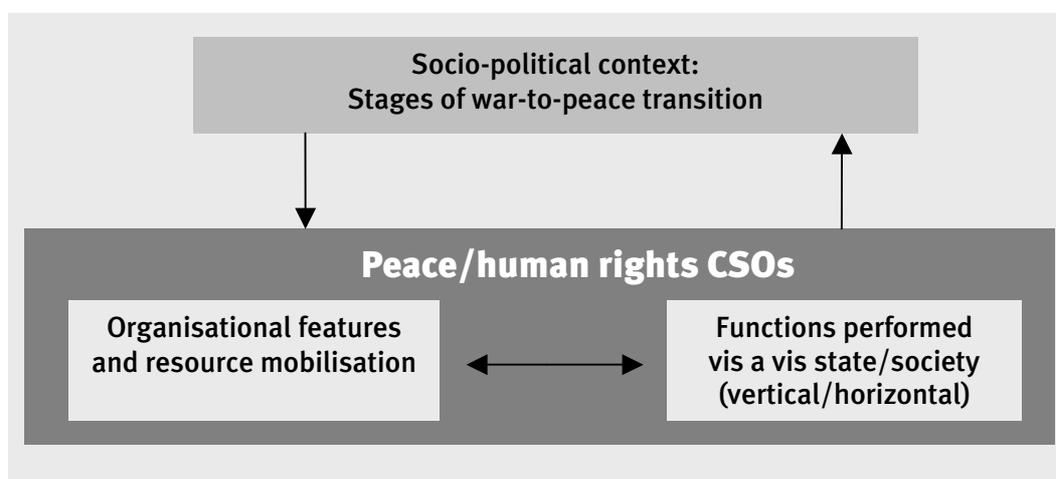
Figure 3: The dynamic relations between CSOs and their socio-political environment

2.2.1 Stage 1: CSOs during armed conflicts

Impact of war and repression on the civil society sphere

Protracted social conflicts, broadly defined here as long-lasting and violent intra-state wars coupled with acute human rights violations[5], provide structures of both opportunities and challenges for the emergence of anti-war and pro-peace civil society initiatives. For purposes of clarity, it might be useful to establish, after Goodhand (2006), a distinction between CSOs pre-dating a conflict and affected by its emergence (i.e. organisations working *around* conflict and *in* conflict), and those which were born during a conflict, with an explicit focus on human rights and/or conflict transformation (working *on* conflict). The rest of this section is solely concerned with the latter.

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[5] For more detailed definitions of the concept of protracted social conflict, see Azar (1990), Ramsbotham et al (2005), Dudouet (2006: 3-4).

Previous research on peace/human rights CSOs has shown the direct causal link between the emergence of armed conflicts and an increase in peace initiatives (Meyer 2002, McKeon 2005, Paffenholz and Spurk 2006). Most organisations are established in direct reaction to a violent event, or a general increase in violence and repression of dissent, and in many protracted conflicts, the absence of established frameworks caused by the demise or weakening of state structures offers unique opportunities for the (re-) emergence of civil society initiatives. For example, Garcia-Duran (2005: 141-161) establishes statistical correlations between the trajectory or geography of violence and the dynamics of peace initiatives in Colombia, demonstrating that violent policies generate a pro-peace reaction on the part of affected civil populations. However, he also argues that "armed conflicts [represent] a necessary but insufficient condition for peace mobilisation" (2005: 141)[6]. In fact, one can also find many instances of violent conflict with relatively low levels of anti-war activism and civil society initiatives, such as in Sri Lanka, where "there is no massive mobilization for peace or against war, and most peace activities draw relatively small numbers of participants" (Orjuela 2003: 200).

These discrepancies might be explained by the fact that although armed conflicts represent a mobilising factor for CSOs, they simultaneously place some constraints on the civil society sphere, discouraging participation. State and societal violence produce fear and intimidation in the population, destroying the "social fabric" and curtailing the possibilities for autonomous and voluntary organising (Garcia-Duran 2005: 150). When the public sphere is not safe enough for people to express critique and challenge, it results in a paralysis of collective social initiatives (Pearce 2004: 11). Paffenholz and Spurk (2006: 11) list the factors of "deterioration of the enabling environment for civil society" during armed conflicts. One of the most important ones is the emergence of uncivil (violent) forms of association attempting to instrumentalise and co-opt CSOs, and ultimately leading to the "de-civilisation of society"[7]. In reference to Putnam's terminology introduced in section 1, violent conflicts reinforce "bonding" social capital at the expense of "bridging" social capital.

Organisational features of wartime CSOs

The conflict management and peacebuilding literatures do not pay much attention to the correlations between political opportunity structures, resource mobilisation strategies and organisational features of CSOs during armed conflicts.

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[6] He shows for example that the dynamics of peace activism in Colombia do not totally coincide with the trends of the armed conflict. In the period 2000-2003, for instance, there was a decrease in civil society mobilisation for peace despite a dramatic increase in the level of violence.

[7] On the growth of uncivil (violent, xenophobic, pro-status quo or mafia-like) groupings in situations of conflict and state collapse, see also Krznaric 1999, Pearce 2004, Pouligny 2005, Belloni 2006.

The bulk of research on these issues concerns essentially post-war NGOs and their ambivalent relations with governments and foreign donors (see below in 2.2.3). Social movement researchers are more prolific but they solely focus their attention, by definition, on mass-based organisations such as peace or anti-war movements, at the expense of CBOs or NGOs. They assert, for example, that centralised and closed decision-making systems (as is often the case in wartime) tend to foster the development of poorly organised and decentralised social movements, relying essentially on voluntary work by their members and using unconventional and extra-institutional tactics (Rucht 1996, Hipsher 1998, Meyer 2002). Gidron et al (2002: 230-1), in their comparative study of peace and conflict resolution organisations in South Africa, Israel-Palestine and Northern Ireland, found that most of them started off as spontaneous, voluntary, informal associations with very fluid internal structures that lacked hierarchy or formal division of labour.

The most crucial factor affecting the resource mobilisation strategies of wartime CSOs concerns the degree of support they receive from abroad, especially when their oppositional stance makes it impossible for them to appeal to governmental funding (Gidron et al 2002: 229). Armed conflicts are indeed very often characterised by the provision of large aid inflows from abroad, which mainly benefits peace/human rights CSOs, in the form of grants from foreign governments, charitable foundations or churches and religious organisations (Carothers and Ottaway 2000).

Roles and functions of CSOs during wartime

As argued above, the choice of activities by CSOs and the functions which they perform vis a vis the state and society are partly influenced by the characteristics and timing of the conflict and political system in which they operate.

Organisations established during an armed conflict have their own assumptions regarding the conflict roots, which influence their repertoire of action (Meyer 2002). For example, groups and individuals who believe that a conflict has primarily structural sources (e.g. political exclusion, economic inequality, cultural discrimination) are more likely to engage in activities embodying the vertical functions described in section 1, directed towards the state and political society.

The first function, counterweight to the power of central authorities, is highly relevant during this stage, since states weakened by armed conflicts cannot properly fulfil their protection duties, and might even be responsible for crimes and human rights abuses of their own. The conflict transformation literature on CSOs (Orjuela 2004, Paffenholz and Spurk 2006, Barnes 2006) stresses the importance of human rights monitoring (e.g. fact-finding) or protection activities (e.g. through the declaration of "zones of peace" where no arms are allowed) by civil society actors, even though they recognise that these tasks are most often performed by foreign

NGOs and research institutes as opposed to domestic organisations in war-torn societies.

The second function, opposition and protest against non-democratic state policies, is also crucial during violent conflicts, where it mainly takes the form of social movements mobilising either against violence and human rights violations, or in favour of negotiation, peace and justice (Garcia-Duran 2005, Barnes 2006). As argued earlier, the dynamics of public protest are partially conditioned by the level of violence used by the state or non-state armed groups against CSOs, since a highly repressive environment is likely to discourage them from voicing their political or social demands through disruptive and confrontational activities.

The third function, channelling communication and collaborating in policy-making, is mainly performed, during the phase of armed confrontation, through advocacy on behalf of specific marginalized groups or towards peace and conflict-related issues, or the provision of back-channel communication between opponents (Paffenholz and Spurk 2006, Gidron et al 2002). The degree of proximity of CSOs to political elites influences their choice of intervention methods. The structural exclusion of certain social or ethnic groups might explain their minimal use of lobbying strategies, which might be more easily and efficiently performed, for instance, by members of the ruling identity group in ethno-political conflicts, army officers in military dictatorships, or business associations in capitalist regimes.

Are horizontal functions, directed toward the community, also relevant for wartime peace/human rights CSOs? Here again, it depends on the characteristics and root causes of violence. A perception that war is rooted in the polarisation of society favours horizontal, bridging activities that foster cross-community cultural integration (Meyer 2002). It should be noted here that the causal link between the dynamics of conflict and peace promotion activities is not direct, but mediated by a filter of perceptions, which the social movements literature refers to as the 'mental frames' of activists and organisations (Della Porta and Diani 2006). As argued in section 1, the socio-cultural integration function might take many forms, with various degrees of relevance for this early stage of conflict transformation. Although awareness-raising activities (through media work or public education) and bridging activities (through joint work and dialogue exchange) are very popular methods of intervention among conflict transformation CSOs[8], Paffenholz and Spurk (2006: 22) found their impact during armed conflicts rather limited, notably because "it proved extremely hard to mobilize people for a long term culture of peace when they were in need of basic needs".

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[8] In the sample of peace/conflict resolution organisations selected by Gidron et al for their study of peace mobilisation in Northern Ireland, Israel/Palestine and South Africa, almost three quarters (74%) engaged in public education and more than half (59%) organised bridging activities (Meyer 2002: 181).

Therefore, service delivery is cited by several authors as a more primordial function in war-affected areas (Meyer 2002: 181, Paffenholz and Spurk 2006: 25). The provision of humanitarian, medical, legal, social, educational and other services to populations in need form important parts of CSO activities during violent conflicts, especially in areas where central or local authorities are too weak or unwilling to run adequate public services.

2.2.2 *Stage 2: CSOs during peace processes*

A peace process is generally meant to designate primarily a process of direct or mediated engagement between the main parties to an armed conflict, in order to find a negotiated solution to the primary issues in dispute (Darby and McGinty 2000: 7-8). Its scope and length have been very variously defined, and they depend largely on the context of their application. In order to fit with the two case studies developed later on, this paper adopts a rather extensive approach which encompasses the stages of conflict mitigation (ceasefire declaration and inter-party negotiations), conflict settlement (signing of a peace agreement), and early peace implementation, up to the first post-war democratic elections (see figure 2 in section 2.1). It should be stressed here once more that, contrary to linear and unidirectional models, the progression of peace processes is very often complex and erratic, and halted, at times, by periods of stalemate or "no-war-no-peace", or even a return to inter-party fighting or intra-party violence (Darby and McGinty 2000, Dudouet 2006). Finally, in democratisation theory, this stage corresponds with the "democratic transition" phase (Munck 1994), which is marked by a liberalisation of the political system towards more inclusive participation in policy-making (e.g. constitutional reforms, decentralisation, free elections, etc.).

Peace processes as political opportunities for CSOs

The interactions and mutual influences between Track I peace processes and Track II/III CSO activities are a matter of dispute and controversy. On the one hand, the negotiations and political reforms which accompany peace processes offer "a unique opportunity for mobilising and articulating different sectors of civil society in favour of peace" (Garcia-Duran 2005: 46). The opening of dialogue tracks between the government and its contenders is often accompanied by a series of policy measures favouring civil society participation, such as the legalisation of "oppositional" activities (Meyer 2004: 172), or the creation of consultation mechanisms for extra-parliamentarian organisations, facilitating the use of lobbying and advocacy tactics by non-state actors. A background of peace negotiations also provides a strong incentive for civil society actors to voice their support, discuss conflict resolution scenarios and increase public pressure for a comprehensive peace

accord. Finally, the immediate post-settlement phase often offers CSOs a prominent role in the implementation of national peace agreements.

On the other hand, civil society groups are very rarely given "a seat at the [bargaining] table" (Wanis-St.John and Kew 2006: 3). Peace negotiations are traditionally led by representatives of the warring parties, such as government envoys and leaders of rebel forces, sidelining social organisations that did not take part in the armed struggle (Barnes 2002). Similarly, the "voluntarist" or "elitist" school of democratisation theory (e.g. O'Donnell and Schmitter 1986), based on the Spanish or Chilean models, defines democratic transitions as elite-launched and elite-run processes, initiated by internal splits in the authoritarian regime (Cohen and Arato 1995: 50-57, Krznaric 1999). It argues that popular mobilisation dissipates as soon as institutional actors (i.e. political parties) take over the negotiation of transition processes and reoccupy the political space initially opened up by social organisations (Baker 2004: 53). The Israeli-Palestinian Oslo peace process provides a good example of demobilisation and apathy of the Israeli peace movement throughout the 1990s, as long as governments elected on a peace agenda were involved in negotiations with the Palestinian authority (Dudouet 2005).

Impact of policy shifts on the internal structures of CSOs

Whether their role expands or diminishes during peace processes, peace/human rights CSOs face some important ideological, institutional and financial reconfiguration throughout this crucial stage of conflict transformation. The direct or indirect participation of civil society representatives to peace negotiations and early implementation mechanisms is likely to have an impact on the internal features of their organisations, or might result in the formation of new networks, coalitions or formal structures of civil society consultation. Although this topic has not been researched in depth in the conflict transformation field, social movement scholars have pointed out that the policy reforms, as well as the new public and private funding opportunities for the third sector which accompany democratisation processes, induce CSOs to professionalise their structures (Hipsher 1998, Della Porta and Diani 2006). Such processes take even more significance in the third stage of conflict transformation, and will thus be reviewed more thoroughly in section 2.2.3.

Roles and influence of CSOs on peace processes

The most relevant function performed by civil society actors during peace negotiations and agreements concerns the activities listed in section 1.3 under the label "channelling state-society communication and collaborating in policy-making". They might directly shape the agenda of peace settlements, either by sending civil society representatives to the negotiation table (e.g. 1996 negotiations in the Liberian civil war), or by organising official parallel civil society forums giving recommendations

to the Track I peace process, such as the Civil Society Assembly in Guatemala (see section 4), the National Unification Commission in the Philippines (Ferrer 2002), or the Opsahl Commission in Northern Ireland (Guelke 2003). They might also offer indirect communication channels from the negotiation table to the public via peace secretariats or public information campaigns (e.g. the "Yes campaign" in Northern Ireland), or from the community back to the negotiators, for example by conducting public opinion polls, referendums and discussion forums on specific issues (Paffenholz, Wanis-St.John and Kew 2006). Civil societies also often produce Track II mediators (such as clergy, academics, trade unionists, or the business community) helping to establish informal meetings between political opponents, even if this role is more often played by international CSOs (Barnes 2006: 53).

The role of civil societies in initiating democratic transitions from authoritarian rule is a matter of controversy. According to the dominant elitist thesis mentioned earlier, not only have civil society activities very little influence on macro-political change, but an excess of unmoderated, radical popular mobilisation might even produce a reactionary backlash, as in Chile in 1973 (Pearce 2004: 99). The social movements literature has corrected this elite bias, and recent research has produced a list of mobilisation outcomes, which include changes in public policy and political elites' attitudes, the introduction of new ideas into public debate, or the creation of new arenas of decision-making (Tarrow 1998: 161-175, Della Porta and Diani 2006: 229-239). Researchers in the field of nonviolent action also concentrate on the issue of domestic civil pressure as a factor of political change, and a quantitative study by Karatnycky and Ackerman (2005: 6) found that 70% of democratic transitions in the past 40 years were driven by grassroots civil resistance rather than top-level initiatives. They also argue that bottom-up driven transitions have a positive impact on post-war scenarios, which was confirmed by another statistical study correlating active civil society participation in peace negotiations with the durability of peace during the peacebuilding phase (Wanis St.John and Kew 2006).

2.2.3 Stage 3: CSOs during post-war reconstruction and development

This third and last stage of conflict transformation will be dealt with in more detail, as it implies some crucial shifts and transformations for peace/human rights CSOs. The oft-used terminology of "post-settlement peacebuilding" refers here to the procession from negative towards positive peace following the end of war, mainly concerned with "forging structures and processes that redefine violent relationships into constructive and cooperative patterns" (Lederach 1997: 71). Some authors choose to divide this long-term post-war peacebuilding process into temporal sub-stages, such as those of *stabilisation*, when DDR (demobilisation, disarmament, reintegration) and structural peacebuilding (institutional state-building) aspects predominate; *normalisation*, when economic and socio-cultural development become

increasingly important; and a final phase of *continuing transformation* with an increased emphasis on cultural peacebuilding and reconciliation (Ramsbotham et al 2005: 197-199). In parallel, democratic theory characterises this stage as a process of post-transition democratic consolidation, which marks the transition from "new" to "consolidated democracies", might take as long as one or two generations, and which entails "the elimination of residues of the old system that are incompatible with the workings of a democratic regime and the building of new institutions that reinforce the democratic rules of the game" (Munck 1994: 362).

Impact of post-war transitions on CSOs

The crucial question for peace/human rights CSOs in conflict areas is to assess "what happens to the protagonists for societal change after that change has been achieved" (Church and Visser 2001: 10), since most issues originally taken on by war-time civil society groups are likely to be largely resolved in the course of democratisation and peace processes.

Curiously, the literature on social movements does not really address this question. Very few scholars have scrutinised the fate of these movements once their goals have been achieved, and they fail to explain, for example, the relative collapse of CSOs in post-transition Latin America (Pearce 2004: 95). For its part, democratic consolidation theory is dominated by "minimalist" visions of liberal-democracy (e.g. Linz and Stepan 1996), inspired by Dahl's pluralist model of *poliarchy*, where civil society demands are channelled into political parties and the electoral system, limiting CSOs to a mere "technical" role (Baker 2004: 62). These authors argue that although a robust civil society can help to ensure stability and predictability in the political system, "associational life ... will disrupt rather than deepen democracy if it retains the over-politicised role which helped it bring down non-democratic governments" (Pearce 2004: 103).

A number of peacebuilding scholars, finally, offer a rather critical picture of post-war CSOs, with an emphasis on the dis-empowering effect of international involvement on local organisations, resulting in a loss of independence and accountability, and a shift from grassroots civic engagement to the "commercialisation of peace work" (Paffenholz and Spurk 2006: 17). However, they tend to focus predominantly on new NGOs which emerge during internationally-led peacebuilding operations, at the expense of older CSOs which were internally established during a conflict and are affected by its transformation. The remaining part of this section presents the shifts in structures and modes of interaction imposed on peace/human rights organisations by the macro-political transformations of post-war societies.

Structural CSO reconversions

Most civil society structures established during a violent conflict face some necessary reconversions in the post-war period, along a continuum of possible configurations, from disintegration to institutionalisation. The post-transition demobilisation pictured by elitist democratisation theorists and described above is mirrored in social movement studies by the view that organisations formed to coordinate specific campaigns tend to dissolve as soon as their aims have been achieved (Della Porta and Diani 2006: 151).

Post-war state-building processes might also lead to the reconversion, or, some might say, cooption, of CSOs into the political sphere, as formerly political opponents decide to leave the civil society arena to join the newly democratic state structures. Belloni (2006: 22) argues in favour of such a scaling down of the civil society sphere, asserting that an excess of CSOs might risk "deterring talented and motivated citizens from joining political parties and governmental institutions and contributing to the political through institutional channels".

But the most common form of post-war reconfiguration for peace/human rights CSOs tends towards an institutionalisation process through which they formalise their structures, professionalise their staff and adopt organisational forms that can ensure their survival and success (Della Porta and Diani 2006: 244). This process of "NGOisation" affects especially membership-based organisations such as CBOs and social movements, which started off as spontaneous and informal organisations, while CSOs that were professional from the start tend to change less in their structures (Meyer 2002: 184). The institutionalisation of CSOs is linked to a number of organisational challenges (Church and Visser: 2001). The first one concerns the human resources crisis encountered by most CSOs in the post-settlement peacebuilding phase. In addition to the sudden loss of qualified personnel when their leaders become employed by the state or the private sector, the "bureaucratisation" of grassroots organisations (coupled with the resolution of the main conflict issues) often results in a discouragement of participation from below (Della Porta and Diani 2006: 244). Some critics therefore point to the lack of internal democracy, representativeness or legitimacy of such post-war NGOs (Meyer 2002), which can be partly compensated by improving the transparency of their internal decision-making processes (Fischer 2006: 11). A related problem is the technical resources crisis which accompanies this institutionalisation process, as CSO personnel are often not trained for the new set of professional skills required in peacebuilding work (Church and Visser 2001: 13).

More importantly, the funding environment for CSOs evolves dramatically in post-war countries, as donors shift the bulk of their attention and funding from civil society towards newly democratic governments and public institutions (World Bank 2006). The ensuing heightened competition for financial resources among civil

society groups and NGOs is also a factor influencing the structural shifts described above (professionalisation or dissolution) and the subsuming of small organisations by larger ones. Simultaneously, the progressive replacement of foreign assistance by state funding might increase NGOs' dependency on the political sphere, even though it can be argued that "receiving public funding does not mean that NGOs automatically lose their ability to monitor and criticise state politics" (Fischer 2006: 10). The funding environment is very different, though, for post-war contexts where there is an international (most often UN-led) peacebuilding mission, in which case NGOs might in fact benefit from an excess of foreign support, to the extent that they may become "accountable only to their Northern [donors] instead of local constituencies" (Paffenholz and Spurk 2006: 10). Some critics even liken such NGOs in post-war Bosnia (Belloni 2006), East Timor (Patrick 2001) or El Salvador (Foley 1996) to commercial consulting firms with purely economic interests.

The last organisational shift to be mentioned here concerns the ideological crisis which affects CSOs once their raison d'être comes under question (Gidron et al 2002: 234). Organisations oriented towards social change need to seek a new role for themselves in the aftermath of peace processes and political transitions, when peace and democracy are no longer an ideal to which they aspire but progressively become a reality that needs to be consolidated and preserved. This transformation in goals is closely linked to the change of CSO strategies of action, which will now be reviewed through the functional framework introduced earlier.

Functional shifts

When wars, injustice and repression come to an end, the relationships between civil society and political society need to be redefined (Nina 1992). The CSO function of protection and monitoring is stressed both by the democratic consolidation and peacebuilding literatures, where civil society is seen most usefully as serving a watchdog role over the state (and market), monitoring governmental performance and eventual continued human rights abuses (Greenstein 2003, Baker 2004, Paffenholz and Spurk 2006). Another characteristic of this third transitional stage is the relative fading away of the protest function, which largely loses its relevance once authoritarian regimes are replaced by democratic structures of governance. In fact, for many CSOs, the problem is to sustain their activities in other forms than purely oppositional ones.

When post-war governments and parliaments are governed by leaders and political parties previously in the opposition, their former allies in the civil society sphere are prone to replace disruptive protest tactics with institutional lobbying or collaboration with the state. In post-transition Latin America and Eastern Europe during the 1990s, for example, civil society was reconceptualised as an inclusionary rather than a revolutionary project (Pearce 2004: 99). The CSO function of "channelling state-

society communication and partnering in policy-making" takes on a new meaning in post-war peacebuilding, focusing for example on preventing the recurrence of violence, supporting peace implementation processes, or lobbying for socio-economic justice and against neo-liberal reconstruction and development policies. Another means for citizens to influence policy-making is the institutionalisation of consultative civil forums where civil society actors can voice bottom-up policy recommendations and improve the sustainability of democratic institutions (Church and Visser 2001)[9]. In the top-down direction, CSOs also play an important peace consolidation role by increasing the public ownership of peacebuilding processes through public education campaigns (Barnes 2005), or the implementation of regional/local peacebuilding provisions (e.g. participation in peace secretariats or truth commissions), which leads to the horizontal functions of civil society.

CSOs which specialised in Track II inter-party dialogue facilitation during the conflict and negotiation stages are likely to endorse the socio-cultural "participatory socialisation" function in the post-war peacebuilding stage, when bridge-building projects become highly relevant, along with peace education, psycho-social trauma healing, justice and "dealing with the past" activities, subsumed under the overarching "reconciliation" heading (Orjuela 2003, Paffenholz and Spurk 2006). Even in consolidated democracies, fostering participatory socialisation and "bridging" social capital remains one of the most crucial civil society functions (Putnam 2000). Finally, although post-war reconstruction, regeneration and development are primarily tasks for the new state institutions, the phenomenon of economic liberalisation which usually accompany democratic consolidation processes, as well as the professionalisation of NGOs, turns them into ideal intermediaries for the provision of socio-economic services to communities still in need. Therefore, service-delivery remains an important function for CSOs in this third stage of conflict transformation (World Bank 2006).

Having clarified the conceptual definition and scope of civil society organisations, and listed the organisational and functional challenges that they face in the different stages of war-to-peace transitions, it is now time to illustrate and refine this multi-disciplinary exploration of the literature through an in-depth analysis of two recently transformed conflicts: South Africa (section 3) and Guatemala (section 4).

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[9] The experience of such forums in Fiji, Scotland or Northern Ireland is not very conclusive though, as there remain some serious doubts on their real visibility and influence, internal cohesion or representativeness (Church and Visser 2001: 17).

SECTION III: A South African case study

South Africa offers an ideal setting to investigate the structural and functional transformations of CSOs in countries undergoing a transition from war and authoritarianism to peaceful and democratic political systems (Habib and Taylor 1999: 73), for a number of reasons.

First, the South African conflict (since the 1960s) has passed through very clear transition stages, which neatly coincide with the three phases delimitated in section 2. The first stage, 1960-1989, was characterised by an acute political conflict between a racist and undemocratic regime led by the white National Party (NP), seeking to uphold white power and privileges through the apartheid system, and a movement of anti-apartheid resistance representing the black oppressed majority, striving for radical change towards a non-racial, equal society. The second phase, 1990-1994, was marked by a triple transition: "1) a political transition from apartheid to democracy; 2) an economic transition from a closed economy dominated by the white minority to an open, globalized economy; and 3) a military transition from quasi-civil war to peace" (Landsberg 2000: 105). Finally, the third stage of peace/democracy consolidation, which started in 1994 with the first democratic election and is still ongoing, has been mainly concerned with processes of nation-building, reconciliation, and strengthening of the state machinery to tackle post-war socio-economic challenges.

Second, all these phases of conflict transformation have both moulded and been influenced by a vibrant civil society sphere (Habib 2005: 674), populated by various types of organisations with a wide repertoire of methods and approaches, and embodying the whole range of functions described in sections 1 and 2. Each of the transition phases has seen a number of new CSOs being established, representing both the "civil" and "uncivil" society (either promoting or undermining the public good). This study, however, will mostly focus on a sample of peace/human rights organisations born during the first phase of active conflict (especially during the 1980s) and which are still in operation.

Third and finally, there is a plethora of academic research or policy studies on the different sectors of CSO mobilisation in South Africa, the transformation they underwent in the three phases of conflict/democratic transition, and especially the shifts in state-civil society relations in the post-transition period (e.g. Friedman and Reitzes 1996, Pieterse 1997, Habib and Taylor 1999, Cherry et al 2000, Greenstein 2003, Habib 2005, Lamb 2006). This section borrows some insights from this abundant literature, complemented by an analysis of interviews and other primary documentary sources collected in Cape Town, Johannesburg and Pretoria in April 2007.

3.1 Peace/human rights CSOs during the anti-apartheid struggle (1960-1990)

Before presenting the organisational and functional characteristics of the civil society arena during the active conflict phase in South Africa, it is necessary to draw a rapid overview of the main features of this pre-transitional phase and its impact on emerging CSOs.

3.1.1 Impact of war and repression on the civil society sphere

The South African conflict has been characterised by more than a century of wide-scale government oppression of the black majority population[10] and three decades of armed conflict. This phase of history was characterised by state-sanctioned violence against oppositional groups, discriminatory racial laws and policies, a partisan judiciary, and vast socio-economic disparities between black and white people (Lamb 2006). Apartheid (the Afrikaans word for 'apartness'), which became official government policy as early as 1948, codified racial segregation and discrimination, by prohibiting marriage and even sexual contact between whites and other South Africans, classifying the population by racial categories, enforcing residential segregation, separating educational systems for different race groups, and granting the government almost unlimited powers to proscribe persons and organisations that represented a threat to the apartheid system (Gidron et al 2002: 40). In response to such structural violence by the state, the principal resistance organisation, the African National Congress (ANC), initiated and led an armed liberation struggle from the early 1960s on, mostly operating from exile. Unfortunately, there is no space here to enter into the details of 30 years of armed conflict, and this sub-section will mostly concentrate on its last decade, when most peace/human rights CSOs were established.

The literature partly locates the emergence of a massive and well-organised anti-apartheid civil society sector with the relative political liberalisation measures launched by President P.W. Botha's government during the early 1980s, which can be described here as an "enabling environment" for CSOs (Habib and Taylor 1999: 74, Gidron et al 2002: 42, Meyer 2004: 173-4). The "total strategy" developed by the governing National Party in response to both armed and nonviolent insurrection in the late 1970s (Lodge 2007) implied reforming some of the cruder aspects of apartheid, in an attempt to co-opt sections of the disenfranchised communities by creating a black

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[10] Until 1991, South African law divided the population into four major racial categories: blacks, whites, coloured, and Asians. Under these socially-constructed racial headings, black people currently account for 79.5% of the population, 9.2% are whites, 8.9% are coloured, and 2.5% are Asians (www.safrica.info/ess_info/sa_glance/demographics/population.htm: 2006 estimations).

middle class. This resulted in a relaxation of prohibitions on civic activity and allowed the establishment of new NGOs (Gidron et al 2002: 42). One can thus draw a parallel with the first phase of transition in democratisation theory, sometimes called "liberalisation" because authoritarian leaders start opening up the political system while striving to maintain the status quo (O'Donnell and Schmitter 1986).

This relative and partial political liberalisation, far from being intended by the regime as a prelude to the dismantling of apartheid, was in fact accompanied by repressive policies against civilian and political opponents, which imposed severe restrictions on the CSO scene. A state of emergency was in place for most of the period from 1984 to 1990, and 5,000 were killed and another 50,000 detained in the late 1980s. CSO activists did not escape repression and were subjected to banning, arrests, detentions without trial, death threats, police harassment, censorship and other intimidation measures[11]. The government also attempted to prevent public and corporate sponsorship of the NGO sector by introducing constraining legislation which made private donations conditional on state approval and prevented the foreign funding of political anti-apartheid activities (Kihato 2001: 6).

At the same time, the non-profit sector benefited from an increasing availability of resources, including both human resources (such as a flow of university graduates politicised by the resistance activities of the 1970s, or former political prisoners released in the early 1980s) and financial resources from abroad (Habib 2005: 676). The growing international consensus against the apartheid policies of the South African state resulted in an influx of foreign assistance (financial, diplomatic, material and physical) channelled directly to NGOs, first from progressive countries such as the Nordic countries, the Soviet Bloc and some African states, and increasingly also from more conservative countries in Western Europe and the US[12] (Landsberg 2000). More generally, the international campaign of economic sanctions, arms embargo and cultural boycott imposed on the apartheid regime, initiated by the UN in the 1960s and later joined by the US in 1986, had a direct influence on the civil society sector, as at least one well-known CSO, the Consultative Business Movement (CBM), was established in reaction to the negative climate cause by the international isolation of South African economy (Fourie 2005).

These findings therefore confirm both the political opportunity structure and resource mobilisation theories mentioned in section 2, as the expansion and flourishing of CSOs during the last decade of the apartheid era were enabled by a combination of partial political liberalisation (making it possible for non-state actors

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[11] For example, the South African Council of Churches (SACC), one of the CSOs investigated for this study, was one of the only anti-apartheid organisations escaping banning measures in 1985 but its central office was burnt down in 1988 by state security forces under State President PW Botha's orders, as was later revealed during the TRC trials (Moreane interview).

[12] The European Commission and USAID only began to support anti-apartheid activities in 1985 (Landsberg 2000).

to organise) and repression (fuelling resistance to the regime), coupled with an increase in external support structures for civil society mobilisation.

3.1.2 *CSOs during Phase 1: actor-oriented (or organisational) approach*

This sub-section starts with a review of the CSO scene during the 1980s, which locates peace/human rights organisations within the broader "extra-parliamentary opposition" (Landsberg 2000: 108) organisational network, and also highlights their structural and ideological variations. First, it should be noted that all the CSOs studied in this section were striving for positive peace, understood as freedom from structural violence in a non-racial and democratic society; one could not have called the anti-apartheid network a peace movement, since a commitment to peace and non-violence alone was seen as a validation of the state rhetoric of "keeping the peace" to justify repression against resistance. Instead, the popular slogan "peace with justice" was used to characterise the goals of CSO activists (Taylor et al 1999: 3, Van der Merwe 1989).

Between the liberation movement (represented by the ANC, black consciousness movement and other extra-parliamentary parties), which cannot be labelled under the civil society heading because it sought to take over the state, and the apartheid state, was a civic space occupied by various CSOs. Some of these were described as closer to the anti-apartheid front and were affiliated or strongly connected with the umbrella organisation United Democratic Front (UDF)[13]. These included the Congress of South African Trade Unions (COSATU), the South African Council of Churches (SACC), Black Sash (BS), the Legal Resources Center (LRC), the End Conscription Campaign (ECC), the National Union of South African Studies (NUSAS) and mass-based civic associations in the townships[14] (Taylor et al 1999: 10). A second group was made up of moderate or "liberal" NGOs which positioned themselves in the middle-ground between the ideological extremes of Afrikaner and African nationalism (Habib and Taylor 1999: 74), such as the South African Institute for Race Relations (SAIRR), the Centre for Intergroup Studies/Centre for Conflict

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[13] Formed in 1983, the UDF came to be seen as the civil society ally of the ANC; it involved around 800 organisations and three million people. Some of the peace/human rights CSOs were closely involved in its establishment, such as SACC and its leaders Desmond Tutu (Moreane interview), while others, like Black Sash, were sympathetic with its goals but chose to retain their independence (Duncan interview). There were also some strong connections between the extra-institutional political society and civil society groups: for example, there were ANC members in the organisations EEC, Black Sash or IDASA (Taylor 2002: 78).

[14] The first "civics" appeared in the late 1970s as local associations organising residents of the black townships around local material issues (for improved living conditions) and broader political goals (the overthrow of apartheid). The most renowned and earliest ones were established in Soweto and Port Elizabeth in 1979, before expanding to become a country-wide, loosely connected movement, coming together under the banner of the UDF in 1983 (Glaser 1997, Zuern 2004).

Resolution (CCR), the Centre for Policy Studies (CPS), the Quaker Peace Centre (QPC), the Institute for Democratic Alternatives in South Africa (IDASA) or the Independent Mediation Service of South Africa (IMSSA).

The organisational approach to CSOs should also highlight the sectoral diversity of South African peace/human rights organisations during the 1980s, which were made up of progressive religious bodies (e.g. SACC), educational organisations (e.g. NUSAS), Trade Unions (e.g. COSATU), health and welfare associations, legal services organisations (e.g. LRC), women's organisations (e.g. BS), political think tanks (e.g. IDASA), professional conflict management NGOs (e.g. CCR[15], QPC, IMSSA), research institutes (e.g. SAIIR, CPS), grassroots associations or CBOs based on residential proximity (township civic associations), or single-issue campaigns (e.g. ECC). Most of these organisations, including the more formal NGOs, were relatively small, generally staffed by volunteers and/or part-time personnel with no specific conflict resolution or human rights proficiency (Lamb 2006: 3). They were either loosely organised in the manner of social movement organisations, or highly formalised and centralised around high-profile leaders with a strong personality (Gidron et al 2002). While organisations closer to the anti-apartheid political society had a majority of black members (Habib 2005), more liberal CSOs had their social base in the university-educated male white middle class, often with theological (e.g. Quaker) connections (Taylor 2002: 72).

For reasons explored above (in 3.1.1), national private or corporate funding was made very difficult by constraining laws, forcing peace/human rights organisations to develop a range of administrative measures that would camouflage their funding sources[16]. During the 1980s, they became almost entirely dependent on foreign funding: according to Taylor (2002: 73), 83% of the resources of the peace/conflict resolution sector came from overseas, but this was not seen as an organisational constraint because these funders generally granted a considerable latitude and freedom to their South African recipients (Kihato 2001: 9). The rest of their finances originated from member subscriptions, donations and other local fundraising activities (Duncan interview).

This rapid overview of the features of CSOs highlights the organisational and networking strength of the civil society component of the extra-institutional movement during the 1980s, engaged in a total "war of position" against apartheid

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[15] Although CCR was structurally closer to a research institute than an NGO (it was established, hosted and partly funded by the University of Cape Town), most of its activities, under the direction of the Quaker Hendrick Van Der Merwe, could be described under the heading of professional mediation (Odendaal interview).

[16] For example, Black Sash established a Trust in order to counter the 1978 legislation which made it illegal to receive funding for political activities (see above in 3.1.1), by artificially separating their welfare work from their political activism, when in fact the same people were active on both fronts (Duncan interview).

(Taylor et al 1999: 10). The next sub-section presents the most relevant vertical and horizontal functions performed during this first transitional phase.

3.1.3   *CSOs during Phase 1: functional approach*

Before 1990, peace/human rights CSOs had well defined and unequivocal relations of opposition to the apartheid policies of the South African state. Beyond this general strategic stance, the individual tactical choices made by individual organisations were influenced by the political context and their socio-demographic characteristics. Both Meyer (2002: 194-5) and Lamb (2006: 372) highlight a clear-cut division of labour between "black" radical movements adopting a conflictual model of engagement (protest function), and "white" groups establishing collegial relations with the state (monitoring, mediation and lobbying functions) because their full voting rights and institutional or informal access to political elites enabled them to work largely within the system.

Therefore, the first function of counterweight to the power of central authorities was mostly performed through fact-finding, monitoring and policy advice activities by research institutes and think tanks such as SAIRR, IDASA, CCR, BS or CPS. According to the medical scientist Price (1995: 24), the apartheid era represented a very peculiar era for progressive research centres, which were not dependent on government funding, were never consulted on any policy development, but had complete autonomy over their research agenda and were only accountable to themselves. Through their publications, media work and public events (such as meetings and conferences), their role was to expose and challenge apartheid "objective facts" and human rights infringements through analysis and research (Taylor 2002: 76), thus serving as a watchdog towards the state, but also embodying the horizontal function of public awareness-raising (see below).

Since all the CSOs under scrutiny were opposed to the authoritarian policies of the South African state, the function of state-society intermediation and collaboration in policy-making was rather limited during the apartheid years. It was largely reduced to Track II informal dialogue facilitation by liberal "white" NGOs between representatives of the Afrikaner political establishment and extra-parliamentary opposition, in order to prepare the ground for a negotiated solution to the conflict (Taylor 2002: 76). For example, CCR (which was called at the time the Centre for Intergroup Studies) and IDASA[17] organised from 1984 onwards a series of clandestine inter-party encounters in neighbouring African states. The most illustrious of such meetings took place in 1987 in Dakar between 50 reform-minded Afrikaner business

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[17] IDASA was founded in 1986 by two members of parliament who resigned from their position to join the civil society sphere, with the stated goals to mobilise white opinion toward a non-racial nation and to foster negotiation between the establishment and black resistance (Kabemba and Friedman 2001: 6, Williams interview).

and political figures, and 17 senior ANC members (Hansen 2000). In a conflict highly polarised between status quo and radical change proponents, "it was very courageous to stand by the Quaker ethos of impartial mediation" (Odendaal interview), since the stance of such organisations was often misunderstood or criticised by both sides (Kabemba and Friedman 2001: 6). However, it is important to stress that they successfully applied the principles of "inside" third-party, preparing the ground for a successful transformation of the South African conflict without any direct intervention of foreign mediators (Hansen 2000). Finally, the churches also played an important facilitating and lobbying role, for example by engaging in critical dialogue with the Afrikaner Dutch Reformed Church which supported, and provided degrees of theological justification for, the government's policy of apartheid (Moreane interview).

CSOs closer to the anti-apartheid movement took a more antagonistic and adversarial stance toward the government, and a number of organisations started defying the system through Gandhian nonviolent opposition techniques very early on. The student organisation NUSAS (set up in 1924), the women's movement Black Sash (founded in 1955) and the coalition of Christian churches under SACC (formed in 1968) engaged in multiracial resistance to the apartheid system through street demonstrations, candlelit night vigils outside Parliament and government offices, and anti-military/war resistance campaigns (Lamb 2006, Duncan and Moreane interviews). An increase in nonviolent resistance during the 1970s (through student protests, labour strikes and revolts in the townships, such as the famous 1976 Soweto uprising) gave rise to mass-based civil disobedience during the 1980s, mainly coordinated by the UDF and the Trade Union umbrella organisation COSATU (established in 1985). Together they formed the Mass Democratic Movement (MDM). Examples of non-cooperation activities, which were intended to create a crisis of legitimacy of the apartheid regime, included refusals to pay rents and electricity bills, refusals to recognise councillors and mayors appointed by the government, consumer, education and election boycotts, conscientious objection, etc. (Lodge 2007).

Aside from such confrontational strategies, nonviolent resistance also encompasses a "constructive program" (Sharp 1973) which was translated in the anti-apartheid struggle as "building an alternative society, a non-racial democratic South Africa" envisioning what post-apartheid society would look like (Taylor et al 1999: 3). This was done through horizontal CSO functions such as public education, advocacy, community bridging and service provision activities.

The community mediation and dialogue encounter services offered by organisations such as SAIIR, CCR, IMSSA, QPC, Black Sash or IDASA were indeed challenging the apartheid ideology of segregation, by changing personal attitudes about race, especially among the white minority, as well as resolving disputes within

the community (Taylor 2002: 75). For example, IDASA and Black Sash promoted interracial contact by arranging township visits (Williams and Duncan interviews). They also took advantage of their greater access and influence within the white constituency to "educate" them to the realities of the apartheid, through the institutional methods of research and public education mentioned earlier (Meyer 2004: 174). SACC used the medium of inter-church dialogue and theology teaching to introduce peace and reconciliation workshops in the community. When asked if such programs were not too premature in a conflict ridden by structural violence, Rev. Gift Moreane (SACC Secretary for the Gauteng province) argued that "if we didn't talk about it right then, we would later live in a very polarised society – we could not allow apartheid to divide us" (Moreane interview). Training, advocacy and empowerment activities on behalf of the weaker parties were seen as a necessary complement to bridging work, and SACC taught skills in nonviolent confrontation (based on Kingian and Gandhian methods), while CCR offered training in negotiation and mediation skills to a cross-section of political groups, union leaders and other Track II would-be negotiators (Hansen 2000).

At a more grassroots level, a number of CBOs strove hard to fill the vacuum in governance created by the apartheid system (Landsberg 2000: 112), by setting up parallel non-racial democratic structures offering religious, educational, health, welfare, and legal services for the mass-based movements (Habib and Taylor 1999). For example, Black Sash and the Legal Resources Center (LRC), a non-profit public interest law firm set up in 1979, were offering free legal and para-legal advice to people affected by repressive laws under the state of emergency (Duncan and Pienaar interviews). In the African townships, black civic associations were concerned with bread-and-butter issues affecting the poor such as education or housing rent, but also and most vitally with the expression of direct radical democracy and participation (Cherry 2000) characteristic of the public sphere as envisioned by Habermas and others (see section 1.3.2).

3.2 Peace/human rights CSOs during the peace process and democratic transition (1990-1994)

3.2.1 The political context

One of the major turning points in the political environment, which opened the second phase of conflict transformation and might support the elitist view of democratic transition as directed from the top, was the change of leadership within the National Party and apartheid state in 1989, as the new President F.W. de Klerk shifted decisively towards a policy of negotiations (Odendaal interview). He

immediately began to end segregation, lifted the ban on the ANC and other anti-apartheid political organisations, and released Mandela on 11 February 1990. Although it is impossible to enter here into the details of the 1990-1994 peace process, the main steps were the following: In 1991, the Apartheid laws were repealed and all political prisoners released. In September, a National Peace Accord was signed by most major parties, setting up a vision for democracy, peace and stability in a multiracial South Africa, as well as a code of conduct for the security forces and mechanisms for dispute resolution during the course of further negotiations (Spies 2002). Some of these instruments, such as the national peace secretariat and the regional and local peace committees, implied a substantive role for CSOs, as will be seen further below. This accord was followed by the establishment of the Convention for a Democratic South Africa (CODESA), a multiparty forum negotiating the modalities of a multiracial transitional government and drafting a new interim constitution, again with important civil society involvement.

In 1992, the process was seriously halted by an increase in dissident violence on both sides, by white extremists who regarded the NP's position as an unacceptable compromise, black Inkatha militants who feared that an ANC-dominated government would override the Zulu regional power-base, and a police crackdown on mass demonstrations called for by the ANC. As Darby and McGinty (2000: 230) indicate, almost three times as many people were killed in South Africa between 1990 and 1994 than during the previous four years, corroborating their thesis that peace processes are often highly volatile and politically violent transitional phases. This violent climate reinforced the sense of urgency for the negotiators, and in September De Klerk and Mandela agreed a "Record of Understanding" spelling out the bases of power transfer during this transition period: an interim, elected parliament to agree a new constitution, and an interim power-sharing government of national unity, to last for five years. Following a new outburst of violence, the first democratic general elections took place on April 27th, 1994. Although one could consider that the phase of democratic transition only ended in 1995 with the local elections, or 1996 with the approval of the new Constitution by the Constitutional court, the literature unanimously associates the 1994 elections with the beginning of the post-apartheid era.

Did the peace process represent an opening of new political opportunities for civil society participation, as argued by the conflict transformation literature, or did it coincide with a concurrent demobilisation of the masses and return to the primacy of leadership and party politics, as argued by the elitist school of democratic transition? The rest of this sub-section examines the impact of these macro-political changes on CSO structures and activities.

3.2.2 *CSOs during phase 2: organisational approach*

This short but crucial period of South African history was also a transition phase for civil society activists, forced to re-evaluate their goals and strategies, as their vision of a non-racial democratic society was now close to becoming a reality. Between 1990 and 1994, a few CSOs were disbanded, some new ones were established, while others went through substantive restructuring.

Following the unbanning of oppositional political parties, the civil society sector lost a few actors (especially from the civic associations) who moved into the ANC or who took positions in the transitional structure of governance, especially those who had considered CSOs as a "temporary tactical position" (Greenstein 2003) or "training ground" (Meyer 2002) for a political career in the post-apartheid state. Several organisations stopped their activities because their goals had been achieved or were no longer relevant. For instance, the EEC ended in 1994, once compulsory conscription was replaced by a professional army. The UDF ceased to exist in 1991, having lost most of its leading cadres to the ANC and its allied structures, and having succeeded in bringing down the apartheid regime (Seekings 2000b). New CSOs were also established, such as the institutionalisation of the thousands of civic associations into the South African National Civics Organisation (SANCO), or important peace and security NGOs such as the Institute for Security Studies (ISS), the Centre for the Study of Violence and Reconciliation (CSVR) and the African Centre for the Constructive Resolution of Disputes (ACCORD). Many CSOs continued to exist, but under different names, reflecting new work priorities in a changed environment: the Institute for Intergroup Studies' new director Laurie Nathan changed its name to the Centre for Conflict Resolution in 1993, IDASA became the Institute for Democracy in South Africa in 1994, and the white NUSAS merged with other black student movements into a single non-racial progressive organisation, the South African Student Congress (SASCO), in 1991 (Habib 2005, Lamb 2006, Odendaal interview).

Financially, foreign funding reached an unprecedented peak in the period 1990-1994, which mainly benefited CSOs and political parties, seen by the donor community as major players of the transition process, in the absence of legitimate government (Landsberg 2000: 116, Kihato 2001: 9). Combined with the introduction of new corporate and private funding sources within South Africa (Kabemba and Friedman 2001: 11), these increased resources led to a structural expansion of pre-existing CSOs (see below in section 3.3.2).

3.2.3 *CSOs during phase 2: functional approach*

The period 1990-1994 saw a major shift in the political and societal functions of peace/human rights organisations in South Africa. While the apartheid regime began to disintegrate and the ANC transformed itself from an underground opposition movement to a government-in-waiting, CSOs reverted to less confrontational and

more constructive types of activities. The common goals of political and civil society were to minimise violence and assist the negotiation of political compromises to facilitate a smooth transition to democracy (Camay and Gordon 2002: 13).

Consequently, the most important vertical function performed by CSOs during this phase concerned the channelling of state-society communication. A number of organisations played important "honest broker" roles, both before and after the signature of the national peace accord. For example, the business organisation CBM (together with the church-based SACC) assisted the process leading to the inclusive 1991 peace conference, and later helped the parties to put the agreements into workable structures, by facilitating national development forums and constitutional negotiations in 1992 and 1993 (Spies 2002, Fourie 2005). Other CSOs were working more closely with potential "spoilers" in order to bring them to the negotiations table and enhance the inclusiveness of the peace process. For instance, IDASA engaged with elements of the white right wing (Kabemba and Friedman 2001, Williams interview), while SACC organised national, regional and local talks between leaders of black factions and ethnic groups in order to address "black on black violence" and keep the peace process on track (Moreane interview).

CSOs also played a crucial capacity-building and empowerment role by acting as advisors to the negotiation parties. ANC leaders, on their return from long-term exile or imprisonment, were especially in need of policy advice from their former civil society allies who were better informed on local realities and necessities (Jagwanth 2003). Research centres thus shifted their work from critical analysis of apartheid policies to the formulation of concrete proposals for members of the transitional assembly and executive council (Price 1995), while members of the UDF trained ANC cadres in formal politics, ahead of the upcoming first democratic elections (Pieterse 1997). The national organisation of civic associations, SANCO, also played a high profile role in 1992-3, taking the lead in the negotiated transformation of local governance structures and putting forward initiatives around urban housing and infrastructure development (Seekings 2000). The constitution-drafting process was particularly inclusive and open to civil society feedback and proposals, through participatory forums or informal lobbying (Jagwanth 2003). As a result, the 1996 Constitution reflects many CSO socio-economic concerns (e.g. on gender or racial equality), and is often described as one of the most progressive and advanced constitutions in the world (Duncan and Odendaal interviews).

The two remaining vertical civil society functions reviewed in section 1, opposition and protection/monitoring, were less relevant during this phase of democratic transition. In a few instances, CSOs resorted to protest against political deadlocks and factional violence, which acted as a powerful new stimulus for the negotiations (Camay and Gordon 2002: 10). An example of monitoring activity was the "enabling environment study" conducted by the LRC in 1992, promoting new

legislation in favour of pro-active CSO engagement and allowing the non-governmental sector to retain its right to criticise and oppose governmental plans and actions (Pienaar interview).

If CSOs enjoyed unprecedented levels of authority and power toward political society during the transition period, they also played important horizontal roles toward South African society. First, they helped to disseminate information on the negotiation and democratisation process, by assisting the constitutional assembly in its public awareness and education campaign (Jagwanth 2003: 10), or by educating future voters in preparation for the 1994 and 1995 national and local elections (Landsberg 2000: 116, Williams interview). Second, they continued to engage in local development work, crime prevention, advice and service provision in deprived areas. In the townships, civic organisations played a vital intermediary role during the transition period, where they were recognised as the sole and legitimate representatives of otherwise unrepresented sections of the population (Cherry et al 2000: 896, Steinberg 2000: 175, Seeking 2000: 205).

Finally, through the regional and local peace committees (RPCs and LPCs) set up by the National Peace Secretariat under the 1991 agreement, CSO representatives were recruited to "promote trust and reconciliation at the grassroots, mediate conflicts, facilitate agreements on the operation of local public political events, promote compliance with the agreements reached and liaise with the local police and judiciary" (Spies 2002). By training and coordinating 15,000 "peace monitors", and helping the media and advertising agencies to wage a peace promotion campaign, the RPCs and LPCs managed to reduce the levels of violence in many areas, stimulate a pro-peace constituency and "introduce the language of negotiation and creative conflict resolution into the community" (Odendaal interview).

This brief review of CSOs activities during the 1990-1994 period in South Africa has demonstrated the multiple avenues for civil society participation to peacemaking and democratisation processes, in contradiction with the elitist transition school depicted earlier. When asked whether they considered the South African peace process as primarily "top-down" or "bottom-up" directed, interviewees attributed the opening of negotiations in 1990 to a combination of international (sanctions campaign and end of the cold war), state-level (change of leadership, economic factors) and extra-institutional (both armed and civilian resistance campaigns) forces, whose respective weights were impossible to assess objectively. Considering the role of CSOs more precisely, they argued that although "one should not be too romantic about what civil society can do" (Odendaal interview), the very high states of grassroots politicisation and conscientisation brought about by CSOs and popular struggles in the 1980s "led to the apartheid becoming untenable" (Duncan interview), and paved the way for negotiations. One example of bottom-up dynamics, cited by

several interviewees, was the role of the churches and their influence on the leadership[18]. It now remains to be seen whether this participatory and inclusive transition process helped to bring about sustainable peace and democracy consolidation in the post-settlement phase, and how CSOs themselves transformed their structures and missions in order to remain relevant in the post-1994 era.

3.3 Peace/human rights CSOs during post-war peacebuilding and democracy consolidation (since 1994)

3.3.1 South Africa, a peaceful and consolidated democracy?

After 1994, the regime change from apartheid to liberal democracy has been accompanied by a transition from behavioural, attitudinal and structural violence to a relatively secure and nonviolent environment, even if positive peace, in the sense of socio-economic justice and reconciliation, is yet to be attained.

As Lamb (2006: 14-18) recalls, a number of peacebuilding successes have been achieved in the post-1994 phase. In terms of state reform, apartheid legislation and policies have been repealed and replaced by new, democratic ones. A new constitution was introduced in 1996, which promotes fairness and equality, and a substantive civil society involvement in governance issues. For example, its Chapter 9 makes provision for the establishment of impartial and independent institutions whose mandate is to limit abuses of power by the state and protect the rights and interests of minority groups (e.g. through a Human Rights Commission). There have also been concerted security sector reforms (e.g. military, police, prisons) introducing independent watchdogs, and the judiciary has regained its independence. Moreover, post-apartheid governments have sought to deal constructively with past injustices and human rights abuses through the establishment of a Truth and Reconciliation Commission (TRC) which ran from 1995 to 1998. In the economic sector, the working conditions for the formerly oppressed black majority have improved thanks to black economic empowerment, affirmative action, and equal opportunity measures.

However, the same study (Lamb 2006: 20-25) also brings a cautious note to this list of achievements, noting for example that South Africa is still a highly violent and unequal society from a socio-economic perspective. In fact, its Human Development Index (a UNDP instrument comparing quality of life around the globe)

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[18] For instance, the sudden reversal of position by the Dutch Reformed Church during a national inter-church conference in 1990, and the resulting Rustenburg Declaration where it acknowledged its role in the apartheid and called for its abolishment, forced the Afrikaner community to change its perceptions of the conflict (Moreane interview).

has gradually declined from 1995 to 2004. Progress on land reform and black economic empowerment has fallen severely short of public expectations, racism and human rights abuses are still common practice among security forces, the integration of ex-combatants into civilian life has been largely unsuccessful, extremist and vigilante armed groups continue to operate, and in general South Africa remains a violent country.

The literature on democracy consolidation draws a similarly ambivalent picture of the successes of the transition (e.g. Greenstein 2003, Cherry 2000, Habib 2005). On the one hand, contemporary South Africa fulfils all the standard conditions for a consolidated liberal democracy, such as meaningful and regular competition for positions of power in government[19], inclusive political participation through regular and fair elections, and a society where civil liberties such as freedom of expression are protected (Diamond 1992). However, critics have described the South African regime as a *poliarchy*, characterised by "elite minority rule and socio-economic inequalities alongside formal political freedom and elections involving universal suffrage" (Hearn 2000: 818). In other words, political normalisation (phase 2) and the consolidation of representative democracy (phase 3) have replaced the structures of direct democracy which had characterised the phase of "social upheaval" during the anti-apartheid struggle (Cherry 2000, Cherry et al 2000, Steinberg 2000), leaving citizens with very limited political roles beside their participation in elections.

Post-1994 democracy consolidation was also accompanied, as in other cases of "the third wave of democracies" (Huntington 1991) in Latin America and Eastern Europe, and in a context of collapse of the communist model of governance, by an integration of the new democracy into the global economy. This was "translated in South Africa into the ANC government's adoption of neoliberal economic policies" (Habib 2005: 680-1), through the liberalisation of financial and trade markets, deregulation of the economy, and privatisation of the state's assets. The "Reconstruction and Development Program" (RDP) set up by the ANC government in 1994 was originally perceived by its supporters as a socialist instrument of redistributive political economy to address the socio-economic problems brought about by apartheid and the conflict. However, it soon endorsed the globally dominant

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[19] One of the criteria for assessing the consolidation of democratic transition is measured by the stability of institutions following the second democratic elections (Huntington 1991, Munck 1994). This was achieved in South Africa with the successful holding of the second democratic and transparent elections in 1999, even if they did not result in a substantive change at the top except for the replacement of President Mandela by his ANC colleague Thabo Mbeki.

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neo-liberal orthodoxy[20] (McKinley 2004) and resulted in increased unemployment, poverty and inequality (Greenstein 2003, Glaser 1997, Habib 2005).

The restructuring of the South African state resulted in a radically changed "enabling environment" for the civil society sector. On the one hand, the former polarisation of political society between state structures and extra-institutional political forces (such as the underground ANC) was replaced by a realignment of forces and the convergence of officials from the "old" and "new" state into the "politics of the centre" (Greenstein 2003). The new discourse, dominated by a politically-neutral language of respectability (with buzzwords such as "reconstruction", "development", "stability", "capacity-building", consultation", "equity"), facilitates "the development of a collaborative relationship between the state and formal NGOs" (Habib 2005: 678), especially in the domains of policy development and service delivery (Lamb 2006). The new security, legal and fiscal environment (e.g. through the 1997 Non-Profit Act or the 2000 tax regulation reform) is also far more favourable to public scrutiny and protest activity. At the same time, it will be shown below that this new climate has mostly benefited a certain type of CSOs (formal NGOs), exercising certain types of functions ("constructive partners" of the state), at the expense of other civil society structures and roles that are nevertheless vital for democracy.

3.3.2 *CSOs during phase 3: organisational approach*

In the wake of the peace process and regime change from authoritarianism to multiracial democracy, "virtually all existing CSOs had to revisit their missions and activities to assess whether these needed to be adjusted to changed circumstances" (Camay and Gordon 2002: 1). More than a decade after the transition, the civil society sector is still occupied by varied forms of organisations, from formal NGOs to social movements and "survivalist" CBOs in deprived communities (Habib 2005). However, the more specific field of peace/human rights (or peacebuilding) CSOs has become dominated by professional NGOs, and the following analysis is mostly directed toward this type of grouping, while recognising that they only cover a small portion of the broader civil society sphere[21]. The functional approach developed in the next sub-

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[20] The Growth, Employment and Redistribution (GEAR) strategy, launched in 1996 to attract foreign investments and achieve sustained annual GPD growth, and based on stark fiscal deficit reductions and trade liberalisation, was another proof, for ANC critics, of the government's neoliberal turn (McKinley 2004).

[21] Even though "professional NGOs often claim to speak on behalf of civil society" (Odendaal interview), a statistical study conducted by a team of researchers on behalf of John Hopkins University found out that only 11% of 100,000 South African non-profit organisations are NGOs (Russell and Swilling 2002).

section will also address other types of CSOs into more details, as they have been less affected by the organisational shifts mentioned below.

Lamb (2006) identifies the peacebuilding sector as comprised of 28 organisations, as opposed to 39 in the late 1980s. This relative decline can be partly attributed to a number of factors affecting the organisational capacity of CSOs. First, there has been a serious decrease in human resources available to voluntary organisations, linked to the demobilisation of the civil society sector in the wake of the democratic transition (Landsberg 2000: 118). As explained by the former chair of Black Sash, "after 1990 and the post-transition normalisation, our volunteers started to go back to their own careers and professions which they could now freely exercise and where their skills were needed" (Duncan interview).

As transition theorists have argued, democratisation coincides with a decline in popular mobilisation to make way for institutionalised politics. This translated into civil society activists and organisations being absorbed into the new state structures (political parties, parliament, government and state bureaucracy), convinced that their peacebuilding goals might be better served from inside. "Up to fifty percent of the top hierarchy of state departments come from the CSO sector" (Habib interview), which prompted President Mandela to acknowledge in 1996: "NGOs played an outstanding role during the dark days of apartheid. Today, many people who received their training within the NGO sector play important roles in government" (in Habib and Taylor 1999: 76). A good example of a CSO which became integrated into state structures is the former peace broker CBM, which transformed, in 1995, into an instrument of RDP consultation, the National Business Initiative (NBI). Other organisations (e.g. IDASA, SAIRR, CSVR) which chose to retain their independence from the political society suffered severe losses in their managing staff: for example, the founder of LRC is now the President of the Constitutional Court and several of its former members are now judges in the Supreme Court (Pienaar interview). Locally, many members of civic organisations joined ANC party lists and were elected to local councils or to parliament, triggering severe leadership crises (Seekings 2000: 211, Zuern 2004). According to the South Africa NGO Coalition (SANGOCO), between 1990 and 1997 the non-profit sector lost more than 60% of its senior staff to government and the private sector (Habib and Taylor 1999: 79). The business world, indeed, became another sector of professional reconversion for former black activists in the post-apartheid era, once the economic society became accessible to all South Africans (Habib interview).

The second major factor affecting the organisational capacity of peacebuilding CSOs is the reduction of financial resources available to the non-governmental sector. "While CSOs were the sole beneficiaries of foreign political aid before 1994, after democracy's arrival they were forced to share the spoils with the new state" (Landsberg 2000: 127). Indeed, once international donors normalised

their relations with South Africa, they began to shift their attention to funding the government directly, especially through the RDP program, resulting in a severe shrinking of the funding pool available to CSOs (Pieterse 1997). In the period 1994-1999, only 11% of total overseas development assistance to South Africa was directed towards NGOs, while the public and private sectors received respectively 79% and 10% of the share (Kihato 2001: 13). When approached by NGOs, foreign donors argued that "South Africa is now a middle-income country and [civil society activists] should be able to appeal elsewhere for funding" (Duncan interview). However, due to the nature of peacebuilding and human rights work, it is equally difficult to attract private funding from the corporate sector[22] or to raise substantive profits from such activities (Lamb interview), and many CSOs are still reluctant to appeal to the state for funding, fearing to lose their autonomy vis a vis political society (see next sub-section). As a result, the peacebuilding sector is still financially donor dependent, and many CSOs (such as IDASA) receive more than 90% of their income from foreign sources, such as Western European and North American governments or charitable foundations (Lamb 2006: 42).

This combination of human resources crisis and increased competition for limited donor funding has forced a number of CSOs to either terminate their activities or engage in serious organisational restructuring, a situation neatly summarised by Lamb (2006) in the title of his report on post-apartheid peacebuilding CSOs: *Professionalize or Perish*. Among the "casualties of peace" (Lamb 2006: 53), IMSSA and the Sached Trust (independent council on higher education) were forced to close down, while others have severely reduced their size and activities in order to survive. For example, SACC, which used to run an annual budget of 24 million Rand (2,5 million Euros) and employ up to ten full-time staff, is now working on a 9 million Rand budget with only two paid positions, and is compelled to rely on church volunteers for most of its activities (Moreane interview).

At the other end of the spectrum, a number of CSOs have considerably expanded their size, scope and activities, by professionalising their structures and personnel to adapt to a changed environment. According to Lamb (2006: 5), "close to thirty percent of the peacebuilding community is comprised of very large organisations employing more than 30 full-time staff members", with an annual budget reaching up to 57 million Rand (5,8 million Euros). Many of these were established before 1990 as small entities, and grew considerably in a post-apartheid environment, such as CCR, IDASA, or Black Sash (others, such as ACCORD, CSVR and ISS, were set up during the transition period). Most of their current leaders and employees are highly professional graduates, with specific peacebuilding, lobbying

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[22] Duncan (interview) also quoted a South African corporate donor who argued that there was no further need for human rights organisations now that South Africa had a constitutional Bill of Rights.

or administrative expertise, representing a new generation of NGO workers, as opposed to pre-1990 political activists (Habib interview). These organisations have become much more hierarchical, with governance structures (e.g. boards of governors and trustees) and management teams, staff evaluation systems and regular strategic planning sessions, with strong similarities to private sector businesses (Lamb 2006: 40). Such a move was especially dramatic for formerly membership-based organisations, as opposed to those that were already originally established as formal NGOs (e.g. IDASA). For example, in 1995 Black Sash abolished its membership body and was restructured into a streamlined, professionally managed organisation (Duncan interview). Finally, these NGOs have tried to become more representative of South African society by recruiting more black personnel in a field which used to be dominated by the progressive white community. For instance, whereas CCR had only a small minority of black employees in 1990, it has deliberately endorsed the policy of black ownership and leadership and is now led and mainly staffed by black professionals (Odendaal interview).

Such severe transformations do not come without limitations. The dependency of CSOs toward their foreign and state funders severely limits their freedom of action and autonomy (Camay and Gordon 2002: 15), forces them to adapt their activities to donor preferences, and to prioritise short-term and quantifiable interventions in order to "demonstrate evaluateable results to donors" (Lamb 2006: 128). Their most virulent detractors denounce this "new type of CSO …, elitist and oligarchic in character, … run by a small circle of leaders who spend more time making themselves attractive and hustling to attract even-dwindling resources to ensure their survival than doing all-important grassroots work" (Landsberg 2000: 128). As summarised by Habib (interview), "professionalisation has alienated NGO workers, who have become service contractors rather than significant aggregates of change". In order to shed more light on these criticisms, the last sub-section of this chapter investigates the new areas of CSO peacebuilding intervention.

3.3.3 CSOs during phase 3: functional approach

The peacebuilding functions performed by CSOs in post-apartheid South Africa have also undergone radical transformations, with a general reconversion from peace/democracy promotion to reconstruction and development activities. The most dramatic shift concerns their relations towards the state, which have largely moved from confrontation or mediation to constructive partnerships in policy-making and delivery. Most NGOs are trying to combine simultaneously the complementary roles of watchdogs, advocates, consultants and partners of the new democratic state, which may become at times incompatible tasks. Landsberg (2000: 118) notes the same contradictory message on the part of foreign donors, who request the South African non-profit sector to "help … consolidate sustainable democratic governance"

through "strategic partnerships" with the state, while insisting on the need to "strengthen civil society's capacity to counterbalance and oversee government".

Several authors note a divergence in the trajectories of formerly "liberal" and white-dominated CSOs as opposed to both "black" civil society actors and mass-based movements. While the former emphasise monitoring and advocacy roles and assert their independence from the new state, the latter have had more trouble redefining their role in relation to their old allies now in government, and tend to position themselves as constructive partners with the state (Habib and Taylor 1999: 76). For example, during the 1990s the CCR, under the lead of the former ECC activist Laurie Nathan, operated with the motto "this is a democratic and legitimate government, we have to work with them" (Odendaal interview).

The function of counterweight to the power of central political authorities, which was earlier defined (see section 2.2.3) as a key civil society function in consolidated democracies, is mainly performed by policy research institutes (e.g. CPS) and other NGOs attempting to pressure the state on accountability and transparency, and monitoring possible abuses of power or mismanagement of resources by the government. For example, Lamb (2006: 19) records a (failed) attempt by IDASA to bring political parties to court in order to force them to reveal their funding sources. But on the whole, this organisation is rather reluctant to criticise the government openly, fearing to jeopardise its close access to decision-makers and preferring to exert its influence through more informal lobbying methods (Kabemba and Friedman 2001, Williams interview). Especially during its first few years in power, the ANC government has indeed expressed its reluctance to see CSOs playing an independent political watchdog role, given its "conception of coordinated, working, neutral and apolitical" civil society (Kihato 2001: 19)[23].

Most policy-advice activities conducted by CSOs might in fact better fit the labels of lobbying and/or capacity-building. In the former category, one can cite many instances of civil society inputs into policy-making, either directly, such as Black Sash contributing to legislation dealing with socio-economic rights (Duncan interview), CCR facilitating the formulation of the 1996 White Paper on Defence, and IDASA contributing to the drafting of government migration policy (Lamb 2006: 19); or indirectly, via structures of consultation such as the Human Rights Commission (Jagwanth 2003: 13) or the National Economic Development and Labour Council, NEDLAC (Friedman and Reitzes 1996). CSOs have also assisted the government in its institution-building mission by training civil servants in the education, security and

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[23] Both Kabebba and Friedman (2001), and William (interview), cited a particularly critical speech of President Mandela in 1997 in which he portrayed NGOs as "stumbling blocks to the achievement of South Africa's historical project". This remark, some commentators argued, was particularly aimed at IDASA for having published a survey indicating a widespread belief among citizens that corruption had increased since 1994.

administrative sectors (Odendaal and Williams interviews), thus becoming professional service-providers for the national and local governments.

Other organisations are striving to retain public advocacy roles, locating civil society as an independent intermediary between citizens and the state, conveying messages and requests from the grassroots toward the appropriate institutions, while presenting themselves as viable negotiators between the state and the community. This is, for instance, one of the roles assigned to SANCO (Cherry 2000, Heller and Ntlokonkulu 2001, Zuern 2004). Black Sash, COSATU, SACC and other CSOs are currently engaged in a high profile advocacy campaign for the introduction of a basic income grant, which Duncan (interview) cites as a prominent example of human rights advocacy in a liberal (representative) democracy plagued by acute socio-economic inequalities.

Another role played by peacebuilding CSOs is that of top-down "delivery intermediaries between the framers of social policy and those for whom it is intended" (Friedman in Greenstein 2003: 31). This function primarily concerned NGOs in the development and welfare sector in the context of the RDP, where non-state agencies have been contracted by the government to assist its socio-economic redistribution and poverty alleviation mission by partnering in service delivery (Habib 2005: 679). But programs fostering state-CSO cooperation in policy implementation have also been established in the domains of democracy and peace consolidation (Lamb 2006, Hearn 2000). The purpose of such partnerships is to promote complementarity by combining the strengths of the different (public/private/non-profit) sectors. For example, state agencies can guarantee institutional and financial continuity and administrative capacity but "operate through formal and user-unfriendly procedures that are not always conducive to effective service delivery" (Greenstein 2003: 31). In turn, NGOs are able to balance top-down public policy with people-centred approaches focusing on community empowerment (Habib and Taylor 1999), but because they often lack democratic accountability and financial independence, the ultimate responsibility for such joint projects must remain with the government (Camay and Gordon 2002: 23). International donors have been particularly instrumental in such CSO reorientation toward cooperation with the government, by prioritising the funding of such projects over more advocacy-oriented activities (Kabemba and Friedman 2001: 9).

However, a number of criticisms have been made against such state-NGO partnerships in policy implementation, arguing that they have transformed CSOs from agents of change to either apolitical government sub-contractors (Kihato 2001: 18), or worse, normative agents of control colluding with the state in its neo-liberal hegemonic project (Habib and Taylor 1999: 80). For example, the fact that many government officials were previously active in the CSO sector has resulted in unusually close and sympathetic relations between civil and political society, and

may prevent independent scrutiny and criticism of state policies for fear of appearing disloyal toward former colleagues or allies (Hearn 2000: 823, Jagwanth 2003, Zuern 2004). It is also argued that the commercialisation of formal NGOs (Habib 2005: 680) through post-war development projects has turned them into "mere delivery agents on behalf of government" (Greenstein 2003: 30), resulting in a loss of autonomy as well as conflicting demands on their loyalties toward the state and their community (Habib interview). Finally, the democracy consolidation programs of CSOs such as IDASA or SAIIR have been accused of implicitly helping to legitimise the new state in the eyes of the South African citizenry, thus "creating among the population an adherence to values of liberal democracy and an acceptance of the rules of the game" (Hearn 2000: 826).

Even though the majority of former anti-apartheid movements (e.g. SANCO or COSATU) prioritise partnership with the ANC government, they believe they "should retain the independence and organisational capacity to take the streets when the need is required" (Habib 2005: 687). However, so far these organisations have been largely unable to maintain their former protest and opposition function to defend the interests of citizens against non-democratic or contestable state policies (McKinley 2004), and several authors call for a return to a more critical, activist and challenging civil society (e.g. Camay and Gordon 2002, Greenstein 2003). They also note the emergence in recent years of a new, radical social movement (Zuern 2004, Habib 2005, Ballard et al 2006, Lamb 2006), which guarantees "real state accountability in post-apartheid South Africa" (Habib interview). Whereas the political transition had relegated more specific local or socio-economic grievances to the background, the end of apartheid has given rise to a profusion of movements "mobilising for issues that touch their lives" (Odendaal interview), especially around the delivery of services over housing, electricity, health, education, land redistribution, HIV/AIDS treatment (i.e. Treatment Action Campaign, TAC), or crime reduction (e.g. Gun Free South Africa, GFSA). These new organisations are often created by former anti-apartheid activists subsequently marginalized for being critical of the neoliberal orientation adopted by the political leadership, who have now regained confidence and "begun once again to become politically assertive" (Habib 2005: 684). They follow the same activist or "legal-activist" (Greenstein 2003) route as previously used against the white majority government, through public meetings, protest marches, letter writing and other media campaigns, or legal action (Lamb 2006: 49). Even though it is difficult to assess the impact of such actions on public policy, Habib (interview) argues that they have been accompanied since 2001-2 by a gradual macro-economical shift away from neo-liberalism, which he interprets as an indicator of their effectiveness.

Independently from civil society-state relationships, the literature on peace/human rights CSOs argues that the horizontal function of participatory

socialisation, which might be premature in times of acute violence and oppression, becomes vital in post-war societies (see section 2.2.3). In South Africa, many local social services which were performed by CSOs during the apartheid era have been taken over by local institutions such as councillors, political parties or the police force (Cherry et al 2000, Seekings 2000), but the civil society sector has also been taking part in the "re-shaping of social life" (Greenstein 2003: 33) to secure the participation of grassroots communities to the democratic consolidation project.

The civic organisations, for instance, continue to play an important development, brokerage and policing role at the local level[24], despite the difficulties of their umbrella organisation SANCO at the national level (Seekings 2000: 221, Heller and Ntlokonkulu 2001). Their massive membership (with 6.1 million members and 4,200 branch offices) testifies to their continued relevance in contemporary South Africa. Besides the "civics", marginalized communities are also represented by a proliferation of informal, survivalist CBOs attempting to address the "daily ravages of neoliberalism", such as the HIV/AIDS and unemployment crises (Habib 2005: 682). In fact, a statistical study of the civil society sector in South Africa (Russel and Swilling 2002: 20) indicated that in 1998, 53% of its nearly 100,000 non-profit associations were survivalist agencies within poor communities. Other CSOs have largely shifted their activities from the macro-political scene to the local level, reflecting a change in their working priorities and target groups. For instance, the formerly peace-broker SACC currently runs a number of democracy education programs through the new school curriculum and training workshops (e.g. on the constitution and bill of rights) in order to "entrench the values of sustainable democracy in society, and help future generations to become active citizens" (Moreane interview). Black Sash focuses most of its resources on outreach education programs, dealing with issues such as HIV/AIDS, voter education, or the right to social security. It also provides paralegal advice to 18,000 South Africans each year to help them access their rights to social grants and other state services (Duncan interview).

Another important element of peacebuilding is the promotion of national and societal reconciliation. The TRC process (see above in 3.3.1), according to Hamber et al (1997), was driven by a reduced number of political parties and NGO individuals, with limited consultation from the larger peace and human rights sector (partly because it was seen as too biased toward the liberation movement and thus threatening the delicate political balance within the Commission). However, besides the issue of dealing with past human rights violations, all interviewees agreed that in South Africa, political and state violence have been largely replaced by social, economic and domestic violence. CSOs are tackling this problem through complementary activities, such as educational programs on crime diversion, gender

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[24] For instance, many civic leaders remain active in informal dispute settlement through street committees or community police forums (Seekings 2000: 221).

awareness or racism (i.e. SACC), public mobilisation campaigns[25], the provision of local conflict mediation services (e.g. CCR, IMSSA, QPC), or voluntary firearms collection programmes (e.g. GFSA).

Besides this shift from peacemaking on the macro-political level to local peacebuilding support, a number of NGOs have also begun to export their experience of the South African transition abroad, by supporting peace processes in other African countries. This tendency concerns especially the largest peacebuilding NGOs, those which predate the transition (e.g. IDASA, CCR, CPS), were launched during the peace process (e.g. ACCORD, ISS), or even in the peace consolidation phase (e.g. Institute for Justice and Reconciliation, IJR). For example, ACCORD has supported the peace processes in Burundi and the Democratic Republic of Congo, while the CCR has engaged in peacebuilding projects with both governments and civil society in Lesotho, Swaziland and Zimbabwe (Lamb 2006: 50). These shifts are partly influenced by changes in donor funding priorities in favour of regional projects in Africa, which have compelled many CSOs to internationalise their programs, but also their structure and staff composition. For example, the new director of CCR, Adekeye Adebajo, is Nigerian, while the ISS has opened offices in Nairobi and Addis Ababa (Lamb and Odendaal interviews).

It has been demonstrated in this section that peace/human rights CSOs established during the 1980s, in a context of anti-apartheid struggle, have been forced to alter their internal structures and external functions vis a vis the state and society, in the face of severe transformations in the South African political opportunity structure, characterised by the shift from racist and authoritarian policies toward peace- and democracy-building. The next section adopts the same framework to study the evolution of peace/human rights CSOs in Guatemala in the past 20 years.

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[25] For example, the SACC is currently running a project of "inter-faith response to crime" which will imply, according to Rev. Moreane (interview), street demonstrations such as those previously organised against apartheid, but this time directed toward the different South African communities.

SECTION IV: A Guatemalan case study

Similarly to South Africa, the war-to-peace and authoritarianism-to-democracy transitions in Guatemala have been two closely interlinked processes, albeit with slightly different timelines. Following a short democratic experience under Jacobo Arbenz Guzmán's "Guatemalan revolution" (1944-1954), the country subsequently suffered three decades of direct military dictatorship, prompted by a US-sponsored coup d'état in 1954. The years 1984-1985 marked the beginning of a limited political opening towards democratic transition with the election of a Constitutional Assembly and a civilian president, Marco Vinicio Cerezo Arévalo. A decade later, the 1995 pluralist elections enabled a return to full representative democracy. Democratic consolidation has ensued, with three successive parliamentary and presidential elections, even though there has not been any real alternation in power beyond the traditional oligarchic parties, and other forms of democracy beyond Dahl's poliarchy (see section 3.2.1) have yet to be realised.

For its part, the period of internal armed conflict is considered to have begun in November 1960 when some dissident military officers launched a failed coup and started a guerrilla movement against the dictatorial regime. After several waves of militant campaigns and fierce army counterinsurgency, indirect inter-party dialogue started in 1988, followed by direct negotiations between the government and the coalition of guerrilla forces URNG (the Guatemalan National Revolutionary Unity) from 1991 onwards. The peace process culminated in December 1996 with the signature of a comprehensive peace accord, celebrating the official end of 36 years of armed conflict. Finally, the post-1996 period can be described as a slow and chaotic peace implementation phase, with many socio-economic, cultural, security and justice issues still unresolved.

During these various stages of development, civil society mobilisation for peace and democracy has been primarily orchestrated by human rights and so-called "popular organisations". The most interesting and innovative element of the Guatemalan case study is the institutionalisation of these organisations' role in the peace process, most notoriously through the 1994-5 Civil Society Assembly (ASC). This section will analyse the evolutions of a number of CSOs which took part in this process following their emergence during the 1980s and early 1990s, and which are still in operation. It relies on scholarly analyses of Guatemalan civil society and its role in the transition to peace and democracy (e.g. Palencia Prado and Holiday 1996, Krznaric 1998, Shifter 2000, Howell and Pearce 2001, Alvarez and Palencia Prado

2002, Azpuru 2006), in addition to a number of research interviews conducted in Guatemala City in April 2007[26].

4.1   Peace/human rights CSOs during the armed conflict (1960-1991)

The internal armed conflict in Guatemala, opposing an authoritarian regime and a coalition of insurgency forces, has been particularly violent and protracted. Although it officially lasted 36 years (until the 1996 peace agreement), it will be considered here that the period of "active armed conflict" ran from 1960 to 1991, until the opening of direct inter-party negotiations (even though informal dialogue started already in the late 1980s). This sub-section will mainly concentrate on the last few years of the war, characterised by a significant (re-) emergence of civil initiatives for peace and human rights.

4.1.1   *Impact of war and repression on the civil society sphere*

The roots of the Guatemalan armed conflict can be found in a combination of ideological, structural, political and cultural elements. At the time of its outbreak, socio-economic inequalities were greater than anywhere else on the American continent, and were a major source of grievances, with the vast majority of Guatemalans living below the poverty line (87% in 1987), and a totally unreformed land tenure system[27] (Jonas 2000: 87). It was also a conflict over governance and authority, between an authoritarian state and an insurgent movement expressing popular demands for democracy and political participation, in the absence of a legal arena in which to fight for peaceful change (Padilla 2001: 56). Externally, the insurgency was also a nationalist and ideological response to the violation of national sovereignty by the United States, through their 1954 intervention and subsequent active support to the military dictatorship, in an international context of cold war. The early guerrilla groups (early 1960s), influenced by the Cuban revolutionary model, were formed by a coalition of leftist clandestine movements and rebellious army officers. Operating from the eastern provinces of the country, they were defeated by a brutal campaign of military actions and assassinations of political opponents during the years 1967-1970.

The second stage of confrontation, launched in the mid-1970s by the survivors of the first campaign and additional insurgency groups who coalesced into the URNG

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[26] I am indebted to Gregor Maaß for the conduct and transcription of these interviews, and to Katja Munoz and Simone Brocchi for their translation into English.

[27] In a predominantly agrarian society, 65 % of the fertile land is owned by 2,1% of the population (Alvarez and Palencia Prado 2002).

in 1982, was marked by a geographical shift toward the indigenous regions of the country, which coincided with a new strategy (inspired by the Vietnamese conflict) of popular revolutionary war rooted in support and collaboration from the popular masses (Padilla 2001: 61). Even though it might not be accurate to describe this conflict as ethno-political in virtue of its strong ideological dimension, it nevertheless encompasses an important ethnic element, which rose to the surface in the early 1980s, but is rooted in the structural discriminations and systemic oppression against the ethnic majority by the white and *ladino* (of Spanish and mixed blood) oligarchy (Howell and Pearce 2001: 150)[28]. The initial political and cultural sympathies felt by the indigenous communities toward the rebellion turned into active participation in the conflict as a result of state repression and genocidal policies. Most of the 200,000 victims of the conflict were indeed indigenous civilians killed during the period 1981-3, and more than 400 villages in the Western highlands were eradicated, which led commentators (e.g. Jonas 2000) to use the term *ethnicide* in reference to the systematic destruction of Maya lives, culture, identity and communal structures by the regime. This so-called "scorched-earth repression" was accompanied throughout the 1980s by a forced militarisation of the indigenous rural population into the formation of "civilian self-defence patrols" (PACs)[29].

This war imposed some severe constraints on Guatemalan civil society and democratic public space. It "enhanced the position of the military and served to justify the retention of abusive institutions and practices associated with counterinsurgency" (Stanley and Holiday 2002: 421). There was especially a very high level of repression against peace or human rights activists, in the form of extra-judicial killings and "disappearances", torture, and generalised bans on all "leftist" parties, popular organisations and trade unions (Padilla 2001: 56-57).

At the same time, the relative process of top-down political liberalisation which occurred in the mid-1980s, influenced by a wave of democratisation across Latin America as well as external and internal pressures on the part of the US and domestic economic elites (Azpuru 2006: 100), opened up some (limited) spaces for public participation and CSO mobilisation for peace and justice. The proclamation of a new constitution and the organisation of free Presidential and Congressional elections in

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[28] Mayas, who represent well over half of Guatemala's population, have never been considered citizens and part of the cultural heritage of Guatemala. Moreover, the socio-economic statistics for the indigenous population are far worse than the national average, with an Indian life expectancy 16 years lower than for ladinos, and a literate population of 39% compared with 61% for the ladino minority (Jonas 2000: 87).

[29] These patrols were initiated in 1981 to serve as civilian adjuncts to the Guatemalan army and "protect" rural communities from the guerrillas. Comprised of male *campesinos* (peasant farmers), they were officially spontaneously and voluntarily formed but in fact, in many areas of rural Guatemala, service was obligatory for all males between approximately 16 and 60 years of age, often under threat of severe penalty or death. Between 1981 and 1995, numbers in the civil patrols ranged from between 500,000 and one million individuals (Jonas 2000).

1985, for the first time since the 1954 coup, marked the return of constitutionality and the end of direct military governance (Palencia Prado and Holiday 1996: 7). Far from democratising the state, however, these reforms only created a civilian version of the counterinsurgency state and did not end the military's predominant role in national politics (Jonas 2000b, Stanley and Holiday 2002: 427), but they nevertheless coincided with a revival of the concept of civil society (Howell and Pearce 2001: 149).

4.1.2 *CSOs during Phase 1: organisational approach*

Most commentators refrain from using the term "civil war" in reference to the internal armed conflict in Guatemala, arguing that it operated between two armies with the vast majority of the population caught in the crossfire. Jonas (2000), however, consciously uses it in reference to the phenomenon of conscientisation and politicisation of Guatemalan citizens during the conflict years, which fostered a growth of popular and indigenous organisations with their own strategies of resistance.

Although social movements were mostly clandestine during the brutal counter-insurgency campaigns of the early 1980s (Polanco interview), they resurfaced after 1985, and the sector became mostly occupied by what is commonly referred to as "popular movements", which included trade unions, *campesino* (peasant) associations, cooperatives, indigenous people's organisations, allied with urban groupings such as church groups, student movements and research centres (Alvarez and Prado 2002, Padilla 2001: 62). Highly politicised, the CSO sector was ideologically divided between those with closer links with various factions of the URNG, and those who distanced themselves from the leftist guerrillas to pursue alternative visions of politics along gender- or identity-based dimensions.

Given the high level of structural injustice and violent state repression in the country, it is not surprising that social activism in Guatemala rallied primarily around the banner of human rights[30] (Howell and Pearce 2001: 149). The most vocal CSOs in this category were founded by relatives of the disappeared[31]. The Mutual Support Group (GAM) was the first of such organisations to emerge and survive the repression, despite the state's violent attacks against its leading activists[32]. Publicly established in 1984 by a few dozen women, it quickly expanded and reached its highest peak in the second half of the 1980s, when it worked with up to 36,000

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[30] The word "peace" was not part of the vocabulary of most pro-change CSOs, since it had, as in South Africa, a strong pro-status-quo connotation. In fact, the only organisations using the term in their appellation were situated ideologically closer to the establishment (especially during phases 2 and 3, see further below).

[31] Approximately 40,000 such cases were recorded by the Commission for Historical Clarification (CEH) in 1999.

[32] Two founding leaders of GAM were assassinated in 1985, and in the period 1984-1991, 28 members were sequestrated and 60 were killed by state forces (Polanco interview).

families, many of which joined its ranks from clandestine *campesino* organisations or the guerrillas. Its membership progressively decreased after 1988, once other CSOs joined the public scene (Polanco interview). One of these, the national coordination of widows of Guatemala (CONAVIGUA), was officially established in 1988 as a community-based organisation of Maya widows whose husbands had been killed or disappeared during the conflict. This indigenous women's organisation quickly established an inclusive structure with national, regional and local assemblies meeting regularly (Quilá Colo interview). Its success (in less than a year, it had attracted 3,560 members) testifies to the social transformations of indigenous widows through the war, whose new responsibilities as sole pillars of the family helped them to overcome traditionally passive roles and participate in wider social and political processes (Pearce 1998: 598).

Whereas CONAVIGUA combined the gender and ethnical dimensions in its human rights work, other CSOs were primarily focusing on the social and cultural rights and grievances of the indigenous population. The Council of Ethnic Communities "We are all equal" (CERJ) was formed publicly in 1988 - after several years of underground activity - as a rural organisation of Maya farmers resisting forced service in the PACs. In its early years, it mobilised a membership of several hundred activists, and held monthly meetings in various communities (Macario Quino interview).

Mayas from the rural areas also represented the great majority of refugees and internally displaced populations (IDPs)[33], and they formed a number of CSOs which testify to their organisational vitality. In Mexico, the Permanent Commissions of Representatives of the Guatemalan Refugees (CCPP) were established in 1987 with URNG involvement, and several women's refugee organisations were also created (e.g. Mama Maquin in 1990), but they mostly focused on feminist or gender-based issues (Kumar 2001: 86)[34]. For their part, IDPs were supported by the National Council of the Displaced in Guatemala (CONDEG) founded in 1989, as well as the Communities of Population in Resistance (CPR), a loose network of internally-displaced peasant families which operated underground until 1990. Indeed, as already suggested above, the extreme level of violence against political opponents during the 1980s forced most CSOs to operate clandestinely.

Grievances over land tenure being one of the primary sources of conflict, grassroots *campesino* organisations were at the forefront of the popular struggles for human rights during the 1980s. For example, the Committee of Peasant Unity (CUC),

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[33] In the early 1980s, the number of refugees and IDPs was as high as one million, over 10% of the Guatemalan population at the time.

[34] On the contrary, the founders of women's human rights organisations such as GAM or CONAVIGUA only gave a secondary place to gender issues, prioritising instead the struggle over social, cultural and political equality (Kumar 2001: 75).

founded in 1978, rallied highland Maya *campesinos* and poor ladino farmworkers behind socio-economic demands for rural development, land redistribution or increased minimal wages. It was particularly targeted by state repression, which forced many of its leaders into exile for most of the 1980s (Escalante interview). Other Guatemalan organisations, offering legal support to victims of the repression, were originally established from exile during the early 1980s, such as the Guatemalan Human Rights Commission (CDHG) in Mexico or the Centre for Human Rights Legal Action (CALDH) in the United States.

Finally, students, universities and the academic world were part of this network of popular organisations, and a number of research institutes were devoted to the search for peace, democracy, human rights, and inter-ethnic understanding in Guatemala, including the Association for Progress in Social Sciences in Guatemala (AVANCSO, 1986), the Latin American Social Sciences Faculty (FLACSO, 1987), and the Institute for International Relations and Peace Investigation (IRIPAZ, 1990).

Most interviewees noted a high level of solidarity among these various sectors of civil society mobilisation: they regularly engaged in common activities, and there were also many overlaps in memberships, with prominent activists belonging to several organisations simultaneously. The Catholic Church, strongly opposed to state policies during the 1980s (Padilla 2001: 77), also played an important role of rallying force and support for popular movements, institutionalised in 1990 with the formation of the Archbishops Human Rights Office of Guatemala(ODHAG).

The most crucial sources of support for these CSOs came from abroad. Thanks to the campaigns of transnational human rights organisations (e.g. Amnesty International) or foreign solidarity groups (e.g. the Network in Solidarity with People in Guatemala, or the Guatemala Human Rights Committee in the United States), human rights infringements in Guatemala received wide international coverage in the 1980s, resulting in large amounts of financial assistance being directed towards groups opposing the authoritarian rule (Howell and Pearce 2001: 159). As a result, even though they relied primarily on volunteers and had hardly any paid staff (Macario Morales interview), most of these organisations became financially dependent on the provision of "solidarity aid" by European and North American[35] private donors, churches and bilateral cooperation agencies for their project or institutional costs, besides membership contributions and church donations raised in the community. However, they did not see this as a constraint, as foreign assistance was particularly liberal and unconditional: as recalled by CSO members, "funding was so easy because everybody knew about the situation in Guatemala" (Quilá Colo

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[35] The US government had a number of "democracy support programs" channelled through the its Agency for International Development (USAID), but as their original purpose was to bolster governments under communist threat, they were initially directed toward the Guatemalan government, and only began to support civil society groups around the early 1990s (Shifter 2000: 257).

interview), and "[they] did not even need to apply, money just poured in" (Polanco interview).

4.1.3 *CSOs during Phase 1: functional approach*

The prime target of civil society mobilisation during this period was the Guatemalan state and its army, and relations between CSOs and the respective governments of Mejía Victores (1983-6) and Cerezo Arévalo (1986-90) were clearly confrontational (Palencia Prado and Holiday 1996). Although they were claiming an autonomous space from the political sphere, including the state, political parties and the armed resistance movement, their stance toward the guerrillas was rather ambivalent. *Campesino* and Maya social organisations, in particular, were operating in close relationship with some URGN factions (according to all interviewees), and bore the brunt of violent state counterinsurgency policies on the grounds of their alleged alliance with "terrorists".

The first vertical CSO function introduced in previous sections, protection of citizens against abuses of power by the state, was a central aim of human rights organisations, but they were often unable to perform this task in a highly repressive environment, and were forced to coordinate their monitoring and accompaniment activities with international NGOs such as Human Rights Watch or Peace Brigades International. They also carried out "watchdog" activities by documenting and disseminating information on human rights violations (Aviel 1995: 229) or registering the names of the disappeared (Polanco interview). Political instruments of vertical influence such as lobbying were rarely used, even if one could qualify as such the efforts undertaken by the organisation CONDEG to obtain land, housing and the right of return for IDPs. Instead, most organisations chose to use the legal route, by denouncing and pursuing prosecution for human rights violations before national and international bodies (Palencia Prado and Holiday 1996).

The protest function was also widely used by these groups. For example, the members of CONAVIGUA were initially mobilised around the denunciation of impunity and the disappearance of their husbands, but in a context of increasing militarization of society in 1989-90, they also launched mass protest campaigns against the forced recruitment of their children into the PAC militias, or for the right to conscientious objection (Quilá Colo interview). CERJ coordinated similar activities (Macario Quino interview), and the weekly rallies called for by GAM to denounce human rights violations were usually attended by several thousand demonstrators (Polanco interview). Many such events were violently repressed, such as CUC's campaigns of organised strikes and notably the peaceful occupation of the Spanish embassy in 1980, which ended in the killing of 39 people after government forces burnt down the building (Escalante interview).

Human rights and popular movements were also active on the horizontal front, by providing socio-economic services to communities in need, such as educating the Guatemalan public on their rights (Azpuru 2006: 113-4), self-organising the refugee and IDP communities (e.g. CPRs), and providing humanitarian or legal assistance to victims (e.g. ODHAG, CALDH). Women's organisations such as CONAVIGUA carried out capacity-building programs to promote gender equality in villages across the indigenous highlands, and CERJ also emphasised community empowerment through education projects for IDPs unable to attend university. Finally, the function of participatory socialisation, usually performed through inter-ethnic dialogue promotion, was not a priority of Guatemalan CSOs during the conflict, but it occurred indirectly through joint mobilisation across social and cultural barriers around shared grievances (e.g. loss of a parent) and common demands for peace and justice (Polanco 2007: 104).

4.2 Peace/human rights CSOs during the democratic transition and peace process (1991-1996)

In both the South African and Guatemalan transitions, peacemaking and democratisation were concomitant, interdependent and mutually reinforcing processes. However, it proves more difficult to define a single moment in time when these two transitions began in Guatemala, because their course was much more erratic and less decisive than the end of apartheid in South Africa. There were several key "turning points" between 1985 and 1996, but in order to facilitate a comparative analysis between the two case studies, the opening of direct inter-party dialogue and signature of the Mexico Accord in 1991 will be considered here as the official start of the peace process. Regarding the moment of transition between phases 2 and 3, symbolised in South Africa by the first post-war democratic elections in 1995, most Guatemalan analysts situate it on the 29th December 1996, with the signature of the last peace accord.

4.2.1 Chronology of the Guatemalan peace and democratisation process

The course of Guatemalan war-to-peace transition was driven by a number of internal and external dynamics. Internationally, it must first be placed in the context of regional peace efforts which culminated in the 1987 Esquipulas II agreement, where the five Central American presidents agreed on procedures to promote peace negotiations and democratisation in Guatemala, El Salvador and Nicaragua. This regional process, the end of the cold war and the solidarity campaigns in North America and Western

Europe mentioned earlier brought international attention to the country, which also greatly influenced the strategic choices of the major conflict parties.

Internally, the military ineffectiveness of the leftist insurgency convinced the URNG to turn to political action in order to gain further diplomatic and financial assistance from abroad (Padilla 2001: 62). On the other side, the winding down of support by economic and political elites in search of greater economic and diplomatic integration (Holiday 2000: 78), the search for greater legitimacy and integrity by portions of the military leadership (Stanley and Holiday 2002: 431) and the pro-peace dynamic generated by the democratic opening of the mid-1980s pressured the government into opening the dialogue track.

Starting in 1988, a phase of indirect pre-negotiation talks mediated by CSOs (see below) was concluded by the signature of the Oslo Accord in March 1990 between the URNG and a National Commission of Reconciliation (CNR, established after Esquipulas II), committing the insurgents and the government to initiate a negotiation process. In April 1991, a first direct bilateral meeting was held in Mexico, where the URNG and the government of Jorge Serrano Elías agreed on general procedures and substantive themes toward democratisation and the establishment of peace (Padilla 2001: 64). Over the next couple of years, the negotiations concentrated on human rights issues, but they were impeded by internal resistances within the regime as well as the military incapacity of URNG to create a climate of urgency (Stanley and Holiday 2002: 428). Negotiations resumed in January 1994 with a new President (the former Human Rights ombudsman Ramiro de León Carpio) and a new "outsider neutral" mediator with enough leverage to offer guarantees for security and respect for human rights: an UN-appointed moderator, assisted by a "group of Friendly Nations" (United States, Mexico, Spain, Norway, Venezuela and Colombia). A number of breakthrough sectoral agreements were signed over the next two years, on human rights (March 1994), the resettlement of refugees and the establishment of a truth commission (June 1994), the identity and rights of the indigenous population (March 1995), socio-economic and agrarian issues (May 1996), and demilitarisation (September 1996). In December 1996, a final ceasefire agreement was signed, followed by two operational accords on constitutional and electoral reforms, guerrilla demobilisation and reintegration, and a timetable for the fulfilment of all accords. Finally, on December 29th, the URNG and government agreed on a final Accord for a Firm and Lasting Peace, in the presence of several chiefs of states and the UN Secretary General.

This extensive list of agreements provided for one of the most comprehensive peace agendas ever signed (Azpuru 2006: 102), and a rather original negotiation path, as the substantive issues over the conflict's structural sources were discussed first, while the operative items (e.g. ceasefire and demobilisation) only came up at the end of the process (Padilla 2001: 67). Some commentators have praised its

achievements, insisting on the most progressive aspects of the accords over multiculturalism and demilitarisation (e.g. Sieder 1997), while *campesino* and human rights organisations have denounced the shortcomings of the socio-economic accord (which sidestepped the issue of land reform) and the lack of provisions to bring justice to war victims (Jonas 2000b).

This brief overview of the socio-political context in the 1990-1996 period would not be complete without mentioning the impact of the democratic transition on the peace process and vice versa. In the political domain indeed, whereas the 1990 elections reinforced "exclusionary democracy" (Jonas 2000b) by maintaining the Guatemalan oligarchy in power, the failure of the 1993 self-coup by President Serrano Elías, defeated by mass popular mobilisation in support of the constitutional order, was a key moment in the democratic transition. The 1995 elections reinforced this shift: after 40 years of exclusion, left-wing parties came back to institutional politics through the participation of the New Guatemalan Democratic Front (FDNG) with implicit URNG support, and for the first time in history Maya congresswomen entered the Guatemalan parliament (see below). The linkages between these two transitions to peace and democracy are obvious. For example, the victory of pro-dialogue Presidential candidates in 1990 and 1995-6[36] had a strong impact on the course of the negotiation process, which further confirms the crucial role of the leadership in war-to-peace transitions (see section 3.2.1). Inversely, the process of inter-party dialogue and negotiation generated a democratic momentum of its own, by connecting social and political actors (especially on the left), and opening up opportunities for enhanced public discussion and participation (Jonas 2000b).

4.2.2 *CSOs during Phase 2: organisational approach*

How did CSOs make use of these more favourable political opportunity structures during the transition to peace and democracy? Firstly, a range of new organisations was established during the early 1990s. The most notable growth took place in the sphere of indigenous organisations, especially in the context of the preparations for the 500th anniversary of the Spanish conquest in 1992, which strengthened Maya consciousness and stimulated new organisational expressions of this cultural renewal (Howell and Pearce 2001: 150). Whereas the indigenous struggle against state power had earlier been taking place at the local level, this phase was characterised by the involvement of a pan-indigenous movement in national politics

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[36] Serrano Elías was member of the Commission for national Reconciliation and signatory to the Oslo agreement; Ramiro de León Carpio, who replaced him in the wake of the 1993 attempted coup, had been appointed in 1989 as Human Rights Ombudsman and was thus strongly supportive of the peace process. Alvaro Arzú Irigoyen was elected President in January 1996 on a peace agenda (Jonas 2000b).

(Otzoy 1996: 84), and by the mid-1990s, no less than thirteen umbrella indigenous organisations were formed. The most prominent of these, the Coordination of Organisations of the Maya People of Guatemala (COPMAGUA) representing 150 indigenous organisations (including CONAVIGUA), was formed in late 1994 in order to present a unified pro-Maya agenda to the ongoing peace negotiations.

In other sectors as well, this period was characterised by organisational growth and strategic coordination, for example among *campesino* movements which joined forces into the umbrella organisation CNOC in 1992. In a context of continued militarization, repression and impunity, new human rights organisations were also formed, such as Families of Detained and Disappeared of Guatemala (FAMDEGUA), the Myrna Mack Foundation (FMM)[37], or the Rigoberta Menchú Tum Foundation. The advancement of the peace process also encouraged CSOs previously operating in exile to re-establish themselves in Guatemala (e.g. CALDH in 1994, CDHG in 1995).

Even though the phenomenon of civil society demobilisation depicted in the democratic transition literature (see section 2.2.2) did not occur in Guatemala during this transitional phase, many older CSOs were affected by the defection of their leaders, who were catapulted into the national political arena in the wake of the 1995 general elections: among the six elected members of the FDNG were Nineth Montenegro from GAM, Amílcar Méndez from CERJ and Rosalina Tuyuc from CONAVIGUA. Although Mrs. Montenegro resigned from her organisation before taking her seat in Congress, the other two chose to retain their dual position as CSO leader and politician, which denotes a relative lack of clear separation between the civil and political spheres of activity in Guatemala.

Cross-sector cooperation and solidarity among CSOs increased dramatically in 1993 when they joined forces against the attempted self-coup by President Serrano Elías, by forming the National Consensus Forum, a broad coalition of civic and establishment groupings. Indeed, the civil society sphere in Guatemala is also occupied by conservative, pro-status-quo organisations representing the private business sector, such as the Coordinating Committee of the Agricultural, Commercial, Industrial and Financial Associations (CACIF)[38], founded in 1957. However, this national consensus did not last long, and divisions soon resurfaced between popular movements and representatives of the private sector (CACIF refused to take part to the Civil Society Assembly, see below), and also among peace/human rights CSOs (e.g. maximalist indigenous organisations versus mainstream human rights NGOs, women against *campesino* organisations on land issues, pro-UNRG versus centre-

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[37] FMM was named after an anthropologist, co-founder of AVANCSO, who was assassinated in 1990 by the army.

[38] Krznaric (1999: 2) describes CACIF as "the key 'uncivil' actor of Guatemalan civil society because of its historical propensity to support non-democratic politics and its attempts to limit citizenship rights in order to preserve economic privileges".

right groups) and within each socio-cultural sector, over issues of strategy and priorities (Otzoy 1996, Howell and Pearce 2001: 150). But the Civil Society Assembly imposed a certain degree of intra- and inter-sector cooperation, and cohesion was maintained until the final 1996 peace accord (Krznaric 1999).

Finally, support for Guatemalan CSOs remained high on the international agenda during this transition phase. Several prominent activists received prestigious human rights awards. Rigoberta Menchú Tum, member of CUC and CONAVIGUA, was awarded the Nobel Peace Prize in 1992; Helen Mack, founder of the FMM, won the Right Livelihood Award (popularly known as the "Alternative Nobel Prize") in 1992; and Amílcar Méndez, leader of CERJ, received the Robert F. Kennedy Human Rights Award in 1990. Moreover, starting from 1994, the international community also intervened directly in the Guatemalan peace process through the UN conciliatory role and Human Rights Verification Mission MINUGUA. Regarding the role of cooperation assistance in Guatemala, foreign multilateral and bilateral agencies (e.g. UNDP, UNHCR, EU, Inter-American Development Bank, member-states of the Group of Friends) continued to fund humanitarian projects such as refugee resettlement, and they also actively supported the participation of CSOs to the negotiation and democratisation process, notably through the activities of the Civil Society Assembly.

4.2.3 *CSOs during Phase 2: functional approach*

The 1991-1996 negotiations have been variously described as an undemocratic elite pact (e.g. Stanley and Holiday 2002), or an inclusive and participatory process (e.g. Alvarez and Palencia Prado 2002). This sub-section assesses primarily civil society contributions to the Guatemalan peace process, by acting as intermediary between the guerrillas and government, influencing the content of negotiations and peace accords, and campaigning against political deadlocks and persistent violence.

The first instance of CSO contribution to the nascent peace process came in 1988 with the convocation of a series of multi-sector consultations by the government with 47 organisations representing the churches, media, refugees, cooperatives, trade unions, human rights groups and universities. Even though neither the URNG nor the conservative groupings (e.g. CACIF) were included in this Grand National Dialogue, and important CSO sectors were not represented (e.g. women and indigenous groups), it provided a first institutional mechanism for inter-CSO cooperation and public discussion on the root causes of the armed conflict (Burgerman 2005). It also forced the government to recognise that civil society, rather than remaining a passive spectator of the peace process, had to be actively involved in the formulation of sustainable solutions (Alvarez 2002b).

In 1990-1, CSOs were invited to a second round of consultations, this time with the URNG. The "Oslo consultations" consisted of a series of parallel meetings abroad between guerrilla delegations and representatives from different social sectors:

political parties; the pro-establishment CACIF; religious organisations; trade unions and popular organisations (the "Metepec" group); and academics, cooperatives and business groups (the "Atlixco group"). Despite its fragmentation into separate initiatives, this process had a strong influence on the shifting perceptions of the peace process by the URNG, and it also sensitised Guatemalan public opinion to the structural causes of the conflict (Stanley and Holiday 2002: 429). However, once direct inter-party negotiations started, civil society became excluded from the talks, with one notable exception: the bishop Mgr Quezada Toruño, head of the Commission for National Reconciliation, acted as "internal partial" mediator[39] (given the historical church bias in favour of the oppressed) between the URNG and government until his 1993 dismissal.

Once negotiations resumed under UN supervision in 1994, the importance of CSOs was once more reassessed, and they were mandated to form a Civil Society Assembly (ASC) that would serve as a parallel negotiation forum, discussing the substantive conflicting issues (democratisation and human rights, demilitarisation of society, indigenous rights, constitutional reform, socio-economic aspects, the agrarian situation, resettlement of the displaced population) and formulating non-binding consensual recommendations to the decision-makers (Alvarez 2002). This institutionalisation of the role of civil society in the peace process, which goes against the "popular demobilisation" thesis of the elitist transition school (Krznaric 1999: 13), enabled CSOs to fulfil the function of vertical intermediation, by relaying bottom-up information and contributing to policy formulation. Seen as a front for the organised left by the government, armed forces and CACIF (Howell and Pearce 2001: 152), the ASC symbolised a new style of relationship between popular movements and the state, more collaborative and less confrontational (Palencia Prado and Holidays 1996, Polanco interview). This shift was especially important for groups which "prided themselves on their anti-system political culture of denunciation as a manifestation of political resistance: the ASC experience was the precursor to their eventual participation in the 1995 elections" (Jonas 2000b: 4).

Notable for the diversity of ideological positions represented in its ranks, the ASC was divided into ten sectors: political parties[40], religious groups, Maya organisations[41], women's organisations, development NGOs, research centres,

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[39] This type of mediation was coined by Wehr and Lederach (1991) in reference to the Central American tradition of conciliation based on trust (*confianza*) rather than externality and neutrality, illustrated by the Nicaraguan peace process in the late 1980s.

[40] Here again, the inclusion of the opposition political parties in the ASC demonstrates the blurred distinction between civil and political society in Guatemala. Krznaric (1999: 14) notes that they shared with CSOs an "equality of exclusion" from the negotiations, which justified their participation in this parallel forum.

[41] Indigenous organisations unsuccessfully lobbied for direct representation at the negotiation table, and were offered instead an opportunity to participate in the political debate through their formation of an ASC "sector", which was found offensive by some

human rights groups, media organisations, as well as the Metepec and Atlixco groups (see above). From its foundation in early 1994 until the signing of the final 1996 accord, the ASC greatly influenced the peace talks and the wider public debate on the conflict's root causes and solutions. Most of its recommendations were adopted by the URNG as negotiation positions and subsequently included in the sectoral accords (Alvarez 2002a). The most far-reaching successes were met by the indigenous umbrella organisation COPMAGUA, as most of its proposals on political, cultural and economic rights for the indigenous people were incorporated into the March 1995 accord (Sieder 1997), and the women's sector, who succeeded in securing the inclusion of gender issues (e.g. on anti-discrimination measures) into the URNG agenda and peace accords (Porras et al 2007). The June 1994 accord establishing the CEH truth commission, however, was strongly criticised by human rights organisations, and the May 1996 socio-economic accord, which content was much more influenced by CACIF (it succeeded in preventing any substantial agrarian or taxation system reforms) than indigenous and *campesino* groups, was fiercely debated until the ASC finally endorsed it (Jonas 2000b, Krznaric 1999: 7).

After fulfilling its original mandate, the ASC began to fragment and its political influence progressively waned throughout the end of the peace process (Howell and Pearce 2001: 153), both for internal and external reasons. The resignation of its President Mgr Quezada Toruño in January 1995 (over the assembly's lack of autonomy vis-à-vis the URNG) and the loss of some of its most outspoken members through election to the Congress weakened its leadership, while the withdrawal of the Atlixco sector, the rise in tensions over the redefinition of the ASC's mandate in the implementation phase, and the lack of communication with the wider public further contributed to its decline. Moreover, external restrictions placed on the assembly, such as the non-binding nature of its recommendations, or the lack of clarity over its role in the verification and implementation of peace accords, exacerbated these internal tensions and led to its marginalisation (Alvarez 2002a: 53, Krznaric 1999: 10-11).

Although most CSOs entertained "straight and good relationships with the governments of Serrano Elías and León Carpio" (Polanco interview) during the 1990-95 period, their political achievements through the ASC can also be partly explained by their recourse to alternative mechanisms to influence the accords (Krznaric 1999: 9), embodying here the opposition function. As already mentioned, the movement of mass mobilisation (e.g. marches and general strike) against the 1993 self-coup was a decisive turning point in the democratic transition, and the progressive content of the indigenous rights accord was also strongly influenced by the massive protest

organisations who claimed that 60% of the population could not be represented by one of ten socio-political sectors (Sieder 1997).

marches organised by COPMAGUA in 1994 and 1996, in parallel to its participation in the ASC (Howell and Pearce 2001: 153). For human rights organisations like CONAVIGUA (in coordination with CUC and CONDEG), this period was also marked by campaigns of active nonviolent resistance and civil disobedience throughout the country to protest against a new increase in forced recruitments into private civil patrols (PACs) in 1992, and to demand their dissolution (Quilá Colo interview).

Even though the number of killings and disappearances steadily decreased in the 1990-96 period, the state nevertheless continued its campaigns of intimidations, verbal and physical attacks against CSO activists,[42] and sponsored violent repression in the countryside by PAC army loyalists and "death squads" (Ball et al 1999: 32). In this context, complementary forms of CSO activity, which could be categorised within the function of protection of citizens against the abuses of state power, were carried out against impunity, such as the continued provision of legal support and prosecutions campaigns by human rights organisations, as well as fact-finding missions on past atrocities (e.g. CALDH, ODHAG).

On the horizontal level, the function of participatory socialisation was mainly performed through peace/human rights education and dialogue programs by research centers. For example, IRIPAZ tried to combine projects for social justice and peace, on the one hand by analysing the root causes of the conflict, researching indigenous cultural identities and traditions or comparing peace processes across Latin America, and on the other hand by offering conflict resolution courses and seminars aimed at improving inter-ethnic relations, or encouraging civil-military dialogue (Lucke 1999, Padilla interview). Some sectors of the Maya movement, for their part, rejected any forms of involvement with national or electoral politics, and worked instead at the grassroots level in order to fortify local socio-economic structures (Otzoy 1996: 34).[43] Other CSOs were simultaneously engaging the state and political society on the national level, and fostering community empowerment by continuing to offer education and other services to their constituency (Macario Morales and Quilá Colo interviews). The peace process was also conducive to new types of humanitarian or social activities, such as the accompaniment of returning refugees and IDPs, mostly after 1993, by CONDEG, CCPP and other relevant

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[42] Such intimidation attempts included the searches and bombings of CSO headquarter offices, the murder of the anthropologist Myrna Mack, and the denunciation of ODHAG and CERJ leaders as "destabilisers" by President Serrano Elias (Envio 1993).

[43] The very high level of abstention in Maya communities during the 1995 elections (80%) illustrates their continued distrust of electoral politics, despite the context of democratic transition.

organisations, or the exhumation of clandestine cemeteries by human rights groups such as CONAVIGUA, GAM or FAMDEGUA[44] (Quilá Colo and Polanco interviews).

4.3 Peace/human rights CSOs during peace/democracy consolidation (since 1996)

4.3.1 The socio-political context

Although the peace accords promulgated between 1994 and 1996 covered a rather extensive list of key national issues to be addressed in the peace consolidation phase, the measures introduced for their implementation were much weaker, impeding the achievement of peace and democracy in contemporary Guatemala. Post-war peacebuilding was presented in section 2 as a multi-dimensional process, and the following paragraphs examine the varying degrees of success in the security, justice, socio-economic and political sectors of transformation.

On the security front, the most notable achievement concerned the demobilisation of guerrillas and government-sponsored PACs in 1997 and the creation of a new National Civilian Police authority. However, most measures agreed in the 1996 demilitarisation accord, relating to the army's redeployment and confinement to territorial defence (as opposed to internal security), or the reform of the largely corrupt and ineffective justice system, have not yet been implemented (Stanley and Holiday 2002: 448-51), a failure which can be partly traced to the absence of constitutional reform (see below). These achievements should also be contrasted with concomitant negative trends such as the resurgence of political violence and criminality after 1998 (according to MINUGUA reports), the resilience of corruption and a climate of intimidation against justice officials and human rights defenders, setbacks in the fight against impunity, and the continued existence of clandestine security structures (Stanley and Holiday 2002: 444, Pearce 1998: 590, Azpuru 2006: 104).

Concerning the state's accountability for past human rights crimes, which was one of the priorities of the CSOs, a UN-sponsored Commission for Historical Clarification (CEH) was set up in 1997, which gathered 8,000 testimonies and published its conclusions in 1999. It found the army responsible for acts of genocide and racism, and charged it with 93% of the crimes committed during the armed conflict (Stanley and Holiday 2002: 456). In parallel, the Congress passed in 1996 a Law of National Reconciliation granting amnesty for all political crimes, except those of genocide, torture and forced disappearances: the CEH opened the door for

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44 Although the first mass exhumations were organised in 1987, they became more systematic after 1992 (Quilá Colo interview).

prosecuting these crimes, but in practice little has been achieved in terms of bringing responsible parties to justice (Azpuru 2006: 105). In 2003, the government also established a National Reparations Program, but it has failed to progress significantly so far.

Thanks to a favourable economic context (an international pledge of nearly $2 billion to support peace implementation, and an increase in tax-revenues), the government of Arzú Irigoyen took some immediate post-accords measures to improve infrastructure, invest in health and education (Holiday 2000: 79), and resettle refugees (the return process was completed by 1999). However, the 1996 socio-economic accord fell short of dealing with the principal causes of the conflict, including extreme social and land inequality, and no progress was made on these issues in the implementation phase. The URNG was too occupied with its demobilisation and the realignment of the political left to be proactively engaged in governance, while the priority of the government was to satisfy the conditions of neo-liberal "structural adjustment" on which assistance from international financial institutions depended. It took a number of measures to stabilise the economy and modernise the state through fiscal reform, extensive privatisations, and the decentralisation of public institutions (Palencia Prado 1997: 31). Subsequent governments have continued to further this neoliberal agenda (Bastos 2007: 99), resulting in an erosion of the state's capacity to respond to social needs (Yagenova 2007: 204).

The consolidation of inclusive democracy, finally, formed an integral part of the peace accords, in which the signatory parties had committed themselves to increasing political opportunities and participation for marginalised sectors of the population. For instance, the 1995 accord on indigenous rights and identity called for constitutional reforms to redefine the Guatemalan nation as multi-ethnic, multicultural and multiligual, as well as other reforms in education, social services, courts, local governance, etc. (Stanley and Holiday 2002: 455). The demilitarisation and socio-economic peace accords also emphasised the need for public participation in decision-making and a culture of consultation between policymakers and CSOs, notably by setting up follow-up multisectoral "parity commissions" and other inclusive mechanisms to monitor the implementation process (Jonas 2000b, Alvarez and Palencia Prado 2002). In practice, however, the immediate peace consolidation phase was dominated by the ruling party of President Arzú Irigoyen, preventing the opposition from sharing the ownership of the process (Holiday 2000: 78). This lack of wider participation, combined with the slowness of structural reforms and the government's neoliberal economic agenda, undermined the implementation process and brought little improvement to social conditions of inequality and ethnic discrimination.

The peacebuilding process was further impeded by a popular rejection of constitutional reforms in the 1999 referendum, which prevented the peace accords from being ratified and institutionalised, and thus left their implementation to the good will and discretion of each government (Stanley and Holiday 2002: 437). Moreover, the referendum had a turnout of only 17% of the voting age population, which illustrated a continued cleavage and distrust between state and society (Alvarez and Palencia Prado 2002). The same year saw the electoral defeat of the incumbent party and its replacement by a "populist reactionary" right-wing government, headed by President Portillo Cabrera, with links to the former counter-insurgency (Bastos 2007: 99), which had not signed the peace accords, and thus failed to deliver on the remaining commitments (Azpuru 1999). Despite its replacement in 2004 by a new government elected on a peace implementation agenda, the ambitious goals of democratisation set forth in the peace accords have not yet been achieved. The political environment is still dominated by an exclusive oligarchy (partly controlled by the army and the business and rural land-owning elites) who managed to maintain its traditional privileges (Krznaric 1999: 15), preventing Guatemala from truly becoming a socially equitable and culturally inclusive country.

Finally, concerning the role of the international community in Guatemala, post-war peacebuilding was supported by a full-fledged UN mission, MINUGUA, which expanded its original human rights monitoring and protection mandate from 1997 to 2004 to include broader tasks such as the verification of implementation of all accords, assistance in demobilisation and demining, institution-building activities, or the promotion of multicultural education (Azpuru 2006: 106). Many of these activities were carried out through the intermediary of CSOs, to which the next sub-section turns its attention.

4.3.2   *CSOs during Phase 3: organisational approach*

Concerning the impact of such macro-political processes on the structural features of CSOs, the same propensity for institutionalisation as observed in South Africa and predicted in the social movements literature took place in Guatemala. Most organisations professionalised their structures and gained a legal status as a foundation or a civil association (e.g. CALDH, GAM, ODHAG, FMM, CONAVIGUA). It should be noted, however, that most Guatemalan CSOs still define themselves as community-based or membership organisations (Escalente interview) as opposed to NGOs. For instance, GAM has managed to retain strong links with its social base by creating a dual structure: on the one hand, a foundation carrying out institutional activities (lobbying, fundraising etc), and on the other hand, a highly decentralised social movement with national, regional and local committees carrying out grassroots work.

Another new feature of the CSO sector is that it has become largely staffed by a younger generation of "institutional engineers", "free of the ideological baggage and legacy of political divisions that characterised their elders" (Shifter 2000: 256). Most former activists who played a leading role during the human rights struggle and democratisation phase have left civil society, to develop new careers within state agencies. For instance, former CALDH leader Frank LaRue is now director of the Presidential Commission for Human Rights COPREDEH, and the Nobel Prize recipient Rigoberta Menchú Tum occupied a position in Berger's administration in 2004 and was a Presidential candidate in the September 2007 elections. Others turned to study or moved abroad, many to the United States (Paz Fuentes interview).

On the whole, the civil society sector has expanded since 1996 (Azpuru 2006: 119), and many new CSOs have been established in the human rights, women's, indigenous or *campesino* sectors. Among the older organisations, some have grown stronger. GAM increased its staff from 7-8 to 200, has currently 10 regional offices, and works on behalf of 20,000 families of disappeared (Polanco interview); CALDH employs 55 people divided between four departments (Gaviola interview); CUC expanded its activities from 3 to 6 regions across the country (Escalente interview). Others failed to adapt to a changed environment with more restrictive funding conditions (see below) or a demobilised constituency (e.g. indigenous organisations), and are now struggling to survive. CERJ and IRIPAZ have severely reduced their capacities and are currently only run by volunteers (Macario Quino and Padilla interviews), and CONAVIGUA has lost many of its members and funders and has been forced to scale down its structures and scopes of intervention (Quilá Colo interview). Women's refugee organisations, following the resettlement of displaced Guatemalans, also suffered from the demobilisation and scattering of its members and a shrinking of space for female political organising, as they were expected to revert to their traditional attitudes of subordination (Kumar 2001: 89).

Another consequence of the evolving socio-political conditions on civil society organising concerns the relations between and within CSO sectors. The democratisation process and the end of generalised repression have lessened the urgency of collaboration and joint work against a common "enemy", resulting in a growing fragmentation of the field, a widening of the division along territorial, ideological or social lines (e.g. delinking well-funded urban-based projects from grassroots organising in rural communities), a lack of coordination between organisations leading to a duplication of projects, and a general climate of "business-like" individualism (Macario Quino interview) and competition for funding and prevalence (Howell and Pearce 2001: 157, Mendoza 2006, Gaviola and Quilá Colo interviews). Alvarez and Palencia Prado (2002) cite the public rejection of constitutional reform in 1999 as a sign of the weakness of pro-peace social movements and their inability to mobilise a broad public constituency. However, an

increase in attacks and intimidation against human rights organisations around 2002 has led to a process of synergy and renewed unity (Gaviola interview), illustrated for example by the establishment in 2004 of a new umbrella group of indigenous, *campesino*, union and popular organisations, MICSP (Mendoza 2006). Recent activities to promote the reparations program have also increased inter-CSO collaboration (Quilá Colo interview).

Post-war civil society organising in Guatemala is also greatly influenced by the role of international peacebuilding and democratic consolidation assistance. But unlike South Africa, where external donors have largely redirected their attention toward the newly democratic South African state, CSOs are still very much "part of international financial and development institutions' portfolio" in Guatemala, as they are seen as contributing to economic modernisation and political liberalisation (Howell and Pearce 2001: 147-8). Shifter (2000: 259) even complains about an excessive emphasis on civil society by foreign donors, at the expense of efforts to improve the functioning of public institutions. Some interviewees confirm this trend, arguing that the continued fight against impunity or land rights is still highly popular abroad (Paz Fuentes interview). On the contrary, others explained the financial difficulties of their organisation (e.g. CONAVIGUA, IRIPAZ) by the belief, among donors, that "the peace agreement had instantly solved all of Guatemala's problems" (Quilá Colo interview), and thus the major bulk of international assistance has moved elsewhere (Padilla interview).

Most CSOs are still largely (e.g. *campesino* organisations), if not completely (e.g. GAM, FMM, CALDH) dependent for their survival on international assistance (Azpuru 2006: 115, Polanco and Gaviola interviews), which creates a number of serious problems in terms of autonomy, credibility and agenda setting. First, it increases competition among CSOs and creates a class of NGO leaders for whom human rights promotion becomes an instrument rather than a goal, with the temptation to misrepresent reality (e.g. exaggerate human rights abuses) in order to keep money coming in (Azpuru 2006: 119). Second, whereas international CSO assistance in the 1980s was ideologically oriented and did not come with a set of structural constraints, after 1996 aid became driven by market-oriented criteria of efficiency (Palencia Prado 1997: 33) and a "culture of tighter requirements and depoliticised criteria". Consequently, CSOs are being forced to strengthen their organisational capacities and to focus on short-term "projects" with quantifiable outputs (Howell and Pearce 2001: 159). Third, it also provides a distorted impression of social reality, by increasing the importance of professional NGOs at the expense of unfunded but more representative and accountable community groups that are rarely regarded as part of civil society (Shifter 2000: 253, 256). Fourth and finally, even though most interviewees argued that donors have no influence over their choice of

activities[45], several analysts (Palencia Prado and Holiday 1996: 38, Pearce 1998: 613, Azuru 2006: 121) depict a tendency to impose external agendas and models of intervention on CSOs, which might be out of tune with local needs and priorities. The next and final sub-section explores the forms of activities performed by contemporary Guatemalan CSOs in more detail.

4.3.3 *CSOs during Phase 3: functional approach*

The post-war programs of peace/human rights organisations in Guatemala confirm the predictions of the literature on peacebuilding and democratic consolidation regarding their shift from confrontational to collaborative relations with the state, but somewhat less decisively than in South Africa.

The institutionalisation of their role in the implementation of peace accords offered CSOs a first occasion to participate in policy-making and delivery. Fifteen "participatory" bodies were set up, made up of representatives from the government, URNG, Congress, MINUGUA and civil society, and mandated to monitor the application of the accords' provisions and timetable. For instance, the technical commission on refugees had two representatives from the displaced population, and the five commissions established by the Indigenous Rights Accord were largely driven by the umbrella Maya organisation COPMAGUA. However, in most cases, civil society delegates did not really represent organised the civil society and brought little to these meetings other than their personal knowledge in their respective fields[46] (Stanley and Holiday 2002: 440), and a lack of resources, time and professional support preventing them from participating on equal footing with government delegates (Palencia Prado 1997, Siegler 2007). Moreover, the lack of binding mechanisms to oversee the conversion of proposals into legislation turned these commissions into mere "political shock absorbers designed to defuse, rather than amplify, societal action" (Palencia Prado 1997).

On the local level, numerous departmental and municipal forums for consultation and follow-up of the peace implementation process (*Mesas de Concertación*) have been set up by community leaders, in some instances in coordination with local state and URNG delegates. Representing a broad range of CSOs, they have been using various strategies to influence state policies, either from the outside, by pressing civil society demands, or from the inside, by offering a dialogue space fostering vertical integration (Mouly 2004: 238).

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[45] With some exceptions: for example, Polanco explained the fact that GAM no longer organises demonstrations by the lack of funding for such activities, and Padilla acknowledged that IRIPAZ engaged in research on the military upon their funders' request.

[46] For instance, the four civil society representatives nominated for the central Accompanying Commission working alongside the governmental peace secretariat SEPAZ were a university vice-rector, a banker, a cooperative leader, and an economist working for international organisations (Stanley and Holiday 2002: 440).

More informal means of participation in policy formulation and implementation have been used by civil society groups, which also embody the collaborative function of state-society intermediation. All interviewees described their shift in strategies, in the post-1996 period, from denouncing human rights violations and protecting citizens from state oppression to making constructive proposals for change[47]. For instance, CSOs were actively involved in the preparation for the 1999 constitutional reform (Stanley and Holiday 2002: 438-9), and in 1998 human rights organisations jointly elaborated a legislative proposal around the issue of compensation for war victims (Quilá Colo interview). The issue of reparations, which is one of their current priorities, has provided numerous occasions for negotiation and cooperation with the state, and the leader of CONAVIGUA, Rosalina Tuyuc, currently heads the National Reparations Commission (CNR). CSOs have been particularly influential in the setting up of transitional justice mechanisms, such as the Commission for the Investigation of Illegal Bodies and Clandestine Security Apparatus (CICIACS), or the International Commission against Impunity in Guatemala (CICIG). Other topics covered by CSO lobbying, both at the national and local governance levels, include women's, children's, indigenous and labour rights, legislation on exhumations, judicial reform, etc. (Quilá Colo and Gaviola interviews). Polanco (2007: 180) noted the difficulty for organisations previously mobilising around the struggle for human rights of the "first generation" (e.g. civil and political rights), such as GAM, to adapt to new development agendas (e.g. social, economic and cultural issues).

This shift to a public advocacy orientation by politically-engaged CSOs was highly congruent with the mental framework and values shared by external donors during the late 1990s (Shifter 2000: 261), which partly explains the dramatic increase in such activities over more militant forms of mobilisation. Howell and Pearce (2001: 168) noted some discrepancies in the understanding of advocacy by international and domestic actors. For the former, it meant institutional lobbying, while the latter were still highly distrustful of their institutions and rather in search of more participative and empowering forms of action. CSOs thus faced a crucial dilemma when choosing to collaborate with the government, which implied increased resources and opportunities to influence policy, but also the risk of losing people's confidence (Aviel 2005: 232), or being accused of "selling themselves" (Macario Quino interview) with only meagre benefits. In a recent survey on civil society "maturity", 59% of CSO members estimated that their activities had little or no impact on public spending, and that state institutions were not receptive to their lobbying initiatives (Mendoza 2006).

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47 The terms "negotiation" and "consultation" as well as the Spanish word "incidencia" (which could be translated as "advocacy") were used by several interviewees to refer to this new spirit of cooperation with a "more civilised, less conflictive" government (Quilá Colo interview), including more militant groups such as the *campesino* organisations CUC and CNUC (Macario Morales and Paz Fuentes interviews).

Some CSO activities might be better described under the label of watchdog, which was linked earlier in this paper to the function of counterweight to the abuses of state power. In 1998, the church organisation ODHAG carried out a very comprehensive fact-finding report, *Guatemala Nunca Más* (Guatemala Never Again), which revealed the extent of state violence during the conflict years and greatly contributed to the work of the UN Commission for Historical Clarification (Azpuru 2006: 114). CSOs have also called for greater governmental accountability and transparency in the democratic consolidation phase, and the media have increasingly understood their role as vigilant monitor of state action (Holiday 2000: 82). Moreover, activities related to the legal prosecution of army personnel or government officials involved in past or recent assassinations of CSO activists are still conducted by legal support organisations (CALDH) or human rights CSOs, often through the inter-American human rights apparatus, although with very limited results so far. Two high profile campaigns relative to the assassination of prominent human rights defenders Myrna Mack in 1990 and Mgr Gerardi in 1998 (author of the ODHAG report mentioned above) led to the prosecution of military officers and acknowledgment by the state of its responsibility for these killings.

For its part, the function of protest and opposition has severely decreased in the post-1996 phase. Human rights and indigenous organisations that used to hold weekly rallies or engage in civil disobedience in previous decades have now largely dismissed these forms of social mobilisation from their repertoire of action (Bastos 2007: 108, Polanco and Quilá Colo interviews). They explain this strategic change by the evolving political environment (which favours other means of intervention), the difficulty of combining the functions of politician or lobbyist and social activist, and the lack of financial resources for such activities nowadays, since they do not concur with funders' priorities (Pearce 1998: 613, Polanco interview). The interviews indicated, however, that many CSO leaders still employ a militant language when addressing the state[48], and indigenous or *campesino* organisations continue to gather large demonstrations in favour of "integral agrarian reform" or more equitable labour regulations (Macario Morales interview). Yaganova (2007: 202) noticed a new cycle of protest emerging in 2003, once social movements started to realise the "disproportion between the energy they had invested [in political negotiation with the state] and the concrete results they had gained". This regain of activism culminated in the popular mobilisation against the Central American Free Trade Agreement (CAFTA) in spring 2005. It might be such actions which led an analyst (Azpuru 2006: 118-9) to argue that "some [CSOs] are still unable to evolve beyond the civil war era" … and maintain a confrontational mentality of denunciation and antagonism against the government".

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[48] e.g. CERJ "continues fighting", CNOC "[doesn't] function within the system, but confront[s] it", etc.

What types of horizontal functions are currently carried out to foster local development and an inclusive, more integrated society? Both governments and foreign funders have encouraged peace/human rights CSOs to serve as top-down delivery intermediaries, channelling resources towards the reconstruction of the deteriorated social fabric (Holiday and Palencia Prado 1996: 10). But these organisations, many of whom still have a strong social base in rural communities, are also autonomously engaged locally in the provision of socio-economic services, such as civic and human rights education or alphabetisation campaigns (e.g. FMM, CONAVIGUA), local leadership training (CALDH), income-generating projects (e.g. former refugee organisations), psychological support to victims of organised violence (ODHAG), organisational capacity-building (CALDH), or exhumation of clandestine cemeteries (e.g. CONAVIGUA, ODHAG).

The function of participatory socialisation, finally, should be very widely defined in the Guatemalan context. It includes, on the one hand, conflict resolution activities such as conciliatory intervention in local social conflicts (ODHAG, IRIPAZ), or the public promotion of a culture of dialogue and interethnic understanding through research and education (IRIPAZ, Lucke 1999). But it also encompasses activities which foster horizontal integration and empowerment through public participation and debate (in the Habermasian sense, see section 1.3.2). Several CSOs encourage these processes through their local assemblies, or their involvement in the creation of local spaces of deliberation, such as the civic committees which appeared after 1993 as alternative forms of organisation outside political parties (Jonas 2000b) or the *Mesas de Concertación* (see above).

Conclusion

I will now present a brief comparative analysis of the main findings, before exploring the broader conceptual and practical implications derived from this research.

Main findings

The processes of conflict transformation and democratic transition in South Africa and Guatemala shared a rather similar trajectory and timescale, with comparable, although not completely identical, effects on their civil society sectors. In both countries, violent confrontation erupted in the early 1960s between pro-status quo state forces and an armed insurrection, with civil society actors occupying an intermediary space, more or less autonomous from either side, even though many peace/human rights organisations were ideologically or strategically closer to the resistance movements. Most of these CSOs appeared in the second half of the 1980s, a phase characterised by both severe state repression of dissent (generating an impetus for their establishment) and a beginning of political liberalisation (providing organisational opportunities for their mobilisation). It should be noted, however, that the overall levels of violence were very different in the two conflicts, with a ratio of 1 to 8 respectively in the number of persons killed or disappeared in South Africa (25,000) and Guatemala (200,000).

The transition to peace and democracy was initiated, in both contexts, around the turn of the 1990s, and was concluded, in 1994 and 1996, with the signing of peace agreements and the holding of free and inclusive elections. However, a full transformation of the conflict and its root causes is yet to be attained. In Guatemala, the state institutions are still dominated by a pro-status quo oligarchic elite holding on to its socio-economic privileges. Moreover, in both countries, the end (or waning) of politically-motivated violence has been largely replaced by sustained socio-economic violence, in a context of neo-liberal economic policies which increase inequalities and erode the state's ability to redistribute wealth and instil social order. The consolidation of liberal representative democracy has also been accompanied by a loss of more radical forms of direct deliberative democracy, in line with internal transformations within the civil society arena.

Regarding the organisational shifts incurred by CSOs, many have transformed their structures and modes of operation from voluntary activism in underground social movements to professional and streamlined NGOs with expanded budgets and

staff. Others are struggling to sustain their continued existence in a more competitive environment or following the disappearance of their original raison d'être. In these two countries, the civil society sector has become dominated by a new generation of CSO professionals with specific peacebuilding expertise and/or socio-cultural attributes (e.g. black employment requirements in South Africa), while most of their elders have become absorbed by the political sphere (national or local state institutions and political parties), or have joined the private sector. This created a dilemma for CSOs, forced to choose between retaining close ties with formerly extra-institutional opposition parties now entering the sphere of conventional politics, at the risk of losing their autonomy vis-à-vis the political sphere, or deciding to preserve civil society independence at all costs.

Moreover, the high level of direct and unconditional foreign CSO assistance during the active conflict and up to the signature of peace agreements was subsequently followed by an abrupt reduction (more severe in South Africa) of external sources of funding, many donors now treating directly with the post-war democratic governments, or having moved to other conflict zones. However, their continued dependency on foreign assistance has increased CSOs' obligations to adapt to donor priorities and tighter requirements, forcing them in many instances to focus on short-term activities with quantifiable results, or to follow externally-imposed agendas (e.g. service delivery in South Africa, advocacy in Guatemala) at the expense of local needs and priorities.

In terms of functional shifts, CSOs have largely redirected their focus from peace/human rights promotion to development and peacebuilding support, even though these changes are less drastic in Guatemala because of the sustained levels of violence and impunity in the country. The two case studies have demonstrated that the post-settlement reorientation of CSO activities has led to the quasi-disappearance of some functions that are nevertheless crucial for democracy.

A number of CSOs have primarily directed their attention toward the state and its institutions (government, parliament, army, police, judiciary). The first vertical function, acting as counterweight against the abuses of state power, was most crucially relevant during the armed conflict (in the form of protection and fact-finding missions) and the post-war peacebuilding process (as "watchdogs" over the new state). The function of state-society intermediation also took different forms during the course of conflict transformation. Inter-party dialogue facilitation during pre-negotiation and negotiation processes was accompanied by institutional fora for civil society involvement in the formulation of political agreements, and followed by cooperative state-CSO partnerships in policy-making (e.g. through lobbying or consultancy) and implementation (e.g. as contractors in service delivery) during the peace/democracy consolidation stage. Even though such coordinated efforts are vital

in order to ensure the parallel strengthening of state and civil society structures, they may prevent the ability of peace/human rights organisations to retain a critical and independent voice when necessary. In fact, whereas public advocacy and protest were the most widely used functions by anti-apartheid and human rights CSOs, they have nearly disappeared from their current repertoire of action (especially in South Africa). Recent trends in both contexts, however, show that, after a decade of post-war collaborative engagement with the state, some CSOs are beginning to revert to more confrontational strategies. This renewed mobilisation is less concerned with political or civil rights (most of which have been achieved throughout the transition) than with socio-economic issues of crime, societal violence and persistent inequalities, or the damaging effects of neoliberal policies.

Horizontal functions, such as the building of autonomous civil society dialogue space, or the provision of services to populations in need, have been and remain a constant priority for local self-help groups and CBOs, or national organisations which have retained a strong social base. More specific conflict resolution roles such as bridging activities, community dispute resolution or peace education (which were practically non-existent during the Guatemalan armed conflict) have become increasingly popular in the post-agreement phase, with an emphasis on "dealing with the past" and crime prevention. Psycho-social reconciliation programs between former adversaries are more relevant in South Africa, where the conflict polarised inter-community divides, than in Guatemala, where the war was primarily fought on social and ideological grounds, even though the cultural and structural grievances of the Maya majority have not all been addressed so far.

On the whole, CSOs in both countries have followed comparable, but slightly distinct trajectories. These divergences can be attributed to a combination of historical and cultural factors (e.g. different legacies of civil society mobilisation in Central America and South Africa), macro-political conditions (e.g. dissimilar conflict patterns and transition experiences), and international influences (e.g. different donor strategies).

Research and policy implications

How does this study contribute to the advancement of research and practice in conflict transformation? Firstly, the research community might benefit from this interdisciplinary examination of the conceptual linkages between macro-political processes (i.e. transition from structural and direct violence to peace and democracy) and the realm of civil society activities. In particular, it brings together various bodies of knowledge (i.e. peacebuilding, development, social movements, democratisation theory) which have rarely been explored in a comparative manner. Conflict transformation scholars, for instance, need to broaden their analytical scope to

include CSOs active in the human rights, justice or development sectors as integral components of peace constituencies. In fact, in highly repressive and authoritarian asymmetric conflicts, very few agents of change are involved in "classical" conflict resolution activities. Moreover, the strong linkages established between conflict transformation and democratisation theories fit rather nicely with the two case studies, where the transitions to peace and democracy occurred in parallel and reinforced each other. However, it should be acknowledged that they might not apply equally to other settings, and thus their potential for generalisation should be treated with caution.

The empirical findings in sections 3 and 4 confirm the predictions of the social movements literature with regard to the cycles of mobilisation and subsequent institutionalisation of social movement organisations, and they also illustrate the pertinence of the political opportunity structure and resource mobilisation theories. On the contrary, the elitist interpretation of democratic transitions, which argues that the liberalisation of authoritarian regimes coincides with a demobilisation of "popular upsurges", was disproved in both conflicts, where civil society actors played a crucial supporting role during the peace process and political transition to democracy. There was indeed some degree of social demobilisation, but it mostly occurred later, during the peace/democracy consolidation phase.

Concerning the policy implications for peace/human rights activists and professionals in other conflict situations, this comparative experience might help them to sharpen their awareness of the changes awaiting them once they succeed in reaching their war-time objectives, and be prepared to react accordingly. For instance, in view of the financial and structural challenges brought about by macro-political transitions (e.g. shrinking of the funding pool, decline in human resources), they should carry out systematic evaluations of their past objectives and strategies, current organisational and functional strengths and weaknesses, future scenarios and priority areas, and necessary reconversions. CSOs such as GAM in Guatemala or Black Sash in South Africa represent exemplary models of organisations which have succeeded in professionalizing their structures in order to remain relevant and attractive to state contractors and foreign funders in a post-war environment, while at the same time maintaining highly democratic and participatory mechanisms on both national and grassroots levels. As a result, their current work successfully combines the features of an NGO and a social movement (or CBO). Another important lesson for CSOs in transitional societies concerns the challenge of moving from confrontational tactics against oppressive regimes toward more collaborative and conventional strategies, while avoiding instrumentalisation or cooption by the state. Engaging effectively with governments requires a sophisticated understanding of the various

policy-making channels and mechanisms at their disposal, which many organisations in South Africa and Guatemala still fail to grasp (according to several interviewees).

Finally, this study also calls the attention of the international donor community (multilateral, bilateral and non-governmental agencies) to the potentially negative effects of ill-timed interventions, and reminds them that not all types of CSO activities are equally effective and relevant at different conflict transformation stages. A careful socio-political assessment of recipient societies, rather than one-size-fits-all models, should therefore be a pre-requisite to any offer of assistance. In post-war peacebuilding phases, for instance, there are still many inconsistencies and even contradictions in donor policies: how can one expect CSOs to become sub-contractors to the government while simultaneously retaining their ability to monitor its activities as an independent watchdog? Donors should also strive to find the right balance between supporting civil society contributions to governance and state-(re)building, and strengthening the capacity of CSOs to perform the vital horizontal function of participatory socialisation. Finally, instead of fostering unproductive divisions and competition for funding among NGOs, they should actively support inter- (and intra-) sectoral dialogue, synergies and complementarity. Only then might societal actors gain sufficient credibility and leverage to help their country become truly democratic and reach the last conflict transformation stage of peaceful social change.

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Annex 1: **List of Abbreviations**

1   Generic abbreviations

CBO	Community-Based Organisation
CSO	Civil Society Organisation
DDR	Disarmament, Demobilisation, Reintegration
IDP	Internally Displaced Population
LSE	London School of Economics
NGO	Non Governmental Organisation
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
UNHCR	United Nations High Commissioner for Refugees

2   South African civil society organisations and public institutions

ACCORD	African Centre for the Constructive Resolution of Disputes
ANC	African National Congress
BS	Black Sash
CBM	Consultative Business Movement
CCR	Centre for Conflict Resolution
CODESA	Convention for a Democratic South Africa
COSATU	Congress of South African Trade Unions
CPS	Centre for Policy Studies
CSVR	Centre for the Study of Violence and Reconciliation
ECC	End Conscription Campaign
GFSA	Gun Free South Africa
IDASA	Institute for Democratic Alternatives in South Africa
IJR	Institute for Justice and Reconciliation
IMSSA	Independent Mediation Service of South Africa

ISS	Institute for Security Studies
LPC	Local Peace Committee
LRC	Legal Resources Center
MDM	Mass Democratic Movement
NBI	National Business Initiative
NEDLAC	National Economic Development and Labour Council
NP	National Party
NUSAS	National Union of South African Studies
QPC	Quaker Peace Centre
RDP	Reconstruction and Development Programme
RPC	Regional Peace Committee
SACC	South African Council of Churches
SAIRR	South African Institute for Racial Relations
SANCO	South African National Civics Organisation
SANGOCO	South African National NGO Coalition
SASCO	South African Student Congress
TAC	Treatment Action Campaign
TRC	Truth and Reconciliation Commission
UDF	United Democratic Front

3   Guatemalan civil society organisations and public institutions

ASC	Civil Society Assembly (*Asamblea de la Sociedad Civil*)
AVANCSO	Association for Progress in Social Science in Guatemala (*Asociación para el Avance de las Ciencias Sociales en Guatemala*)
CACIF	Coordinating Committee of the Agricultural, Commercial, Industrial and Financial Associations (*Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras*)
CAFTA	Central American Free Trade Agreement
CALDH	Centre for Human Rights Legal Action (*Centro Para la Acción Legal en Derechos Humanos*)

CCPP	Permanent Commissions of Representatives of Guatemalan Refugees in Mexico *(Comisión Permanente de Representantes de las Refugiados Guatemaltecos en México)*
CDHG	Guatemalan Human Rights Commission *(Comisión de Derechos Humanos de Guatemala)*
CEH	Commission for Historical Clarification *(Comisión para el Esclarecimiento Histórico)*
CERJ	Council of Ethnic Communities "We are all equal" *(Consejo de Comunidades Étnicas "Runujel Junam")*
CICIACS	Commission for the Investigation of Illegal Bodies and Clandestine Security Apparatus *(Comisión de Investigación de Cuerpos Ilegales y Aparatos Clandestinos y de Seguridad)*
CICIG	International Commission against Impunity in Guatemala *(Comisión Internacional contra la Impunidad en Guatemala)*
CNOC	National Coordination of Peasants' Organizations *(Coordinadora Nacional de Organizaciones Campesinas)*
CNR	National Commission of Reconciliation *(Comisión Nacional de Reconciliación)*
CONAVIGUA	National Coordination of Widows of Guatemala *(Coordinadora Nacional de Viudas de Guatemala)*
CONDEG	National Council of the Displaced in Guatemala *(Consejo Nacional de Desplazados de Guatemala)*
COPMAGUA	Coordination of Organisations of the Maya People of Guatemala *(Coordinadora de Organizaciones del Pueblo Maya de Guatemala)*
COPREDEH	Presidential Commission for the Coordination of Executive Human Rights Policy *(Comisión Presidencial Coordinadora de la Politica del Ejecutivo en Materia de Derechos Humanos)*
CPR	Communities of Population in Resistance *(Comunidades de Población en Resistencia)*
CUC	Committee of Peasant Unity *(Comité de Unidad Campesina)*
FAMDEGUA	Families of Detained and Disappeared of Guatemala *(Familiares de Detenidos-Desaparecidos de Guatemala)*
FDNG	New Guatemalan Democratic Front *(Frente Democrático Nueva Guatemala)*

FLACSO	Latin American Social Sciences Faculty *(Facultad Latinoamericana de Ciencias Sociales)*
FMM	Myrna Mack Foundation *(Fundación Myrna Mack)*
GAM	Mutual Support Group *(Grupo de Apoyo Mútuo)*
IRIPAZ	Institute for International Relations and Peace Investigations *(Instituto de Relaciones Internacionales y de Investigaciones para la Paz)*
MICSP	Indigenous, Campesino, Union and Popular Movement *(Movimiento Indígena Campesino Sindical y Popular)*
MINUGUA	UN Human Rights Verification Mission *(Misión de Verificación de la ONU en Guatemala)*
ODHAG	Human Rights Office of the Archibishop of Guatemala *(Oficina de Derechos Humanos del Arzobispado de Guatemala)*
PAC	Civilian Self-Defence Patrols *(Patrullas de Autodefensa Civil)*
URNG	Guatemalan National Revolutionary Unity *(Unidad Revolucionaria Nacional Guatemalteca)*
SEPAZ	Peace Secretariat *(Secretaria de la Paz)*

Annex 2: List of Interviewees
in South Africa and Guatemala, Spring 2007

1   South Africa

Janet Cherry, *Nelson Mandela Metropolitan University (Port Elizabeth)*, 17.03, Oxford, UK.

Adam Habib, *Human Sciences Research Council (HSRC)*, 04.04, Pretoria.

Vincent Williams, Director of Cape Town office of the *Institute for Democracy in South Africa (IDASA),* 04.04, Cape Town.

Kobus Pienaar, *Legal Resources Centre*, 05.04, Cape Town.

Andries Odendaal, former senior trainer at the *Center for Conflict Resolution (CCR)*, 05.04, Cape Town.

Guy Lamb, *Institute for Security Studies*, 06.04, Cape Town.

Sheena Duncan, Patron and former chair of *Black Sash*, 10.04, Johannesburg.

Gift Moerane, *Ecumenical Secretary of Gauteng Council of Churches (SACC),*11.04, Johannesburg.

2   Guatemala[49]

Leonel Eduardo Padilla, *Instituto de Relaciones Internacionales y de Investigaciones para la Paz (IRIPAZ)*, 16.04.

Angélica Macario Quino, *Consejo de Comunidades Etnicas - Runujel Junam (CERJ)*, 17.04.

Diego Escalante and Pedro Macario Morales, *Comité de Unidad Campesina (CUC)*, 17.04.

Carlos Paz Fuentes, Executive Secretary, *Coordinadora Nacional de Organizaciones Campesinas (CNOC)*, 17.04.

Lucía Quilá Colo, *Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA)*, 17.04.

Mario Polanco, Director, *Grupo de Apoyo Mutuo (GAM)*, 18.04.

Edda Gaviola, Executive Director, *Centro para la Accion Legal en Derechos Humanos (CALDH)*, 18.04.

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[49] All interviews were conducted in Guatemala City by Gregor Maaß, consultant for *Berghof Foundation for Peace Support* (BFPS).