State-Civil Society Interface in Liberia's Post-Conflict Peacebuilding

By

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Abstract

Post-conflict peacebuilding demands concerted efforts from all stakeholders to ensure its success; particularly, civil society must complement the capacity of the conflict-weary state. A successful peacebuilding, however, requires a harmonious relationship between the state and civil society. This paper analyses state-civil society relations at different phases of Liberia's protracted post-conflict peacebuilding process. The paper argues that civil society groups have played and continue to play important role in the peacebuilding process in Liberia and therefore need the support of the Liberian state and the international community to continue their watchdog role. The paper concludes by drawing lessons from the Liberian experience for other post-conflict states.

Introduction

By its very nature post conflict peace-building demands concerted efforts from all stakeholders to ensure success; particularly, civil society must complement the capacity of the conflict-weary state. The state on its part must ensure that it creates the enabling environment for civil society groups to thrive. The crucial role of civil society in the context of post-conflict peacebuilding manifests in various ways. First, civil society is the arena where tolerance for others is achieved through exchange, dialogue and compromise and thereby facilitating and sustaining the process of reintegration of the country into a unified polity. Second, an informed and active civil society can influence the political process, keep the politicians accountable for their actions and create the conditions for lasting peace. Third, the involvement of civil society groups in the peacebuilding process may help stem off the 'crises of social patience' that may result from the inability of the post-war state to deliver on the high expectations of the citizenry and the attendant potential for disrupting the fragile peace.

In practice however, co-operation between the state and civil society is difficult to achieve because the post-war government may be too suspicious of civil society groups. Civil society groups on their part may find themselves too weak, too traumatized or too divided to be effective. Such state of affairs does not augur well for the consolidation of peace to avoid relapse into conflict.

The cycle of war and peace in Liberia since 1989 provides a very useful template for analysing the inherent difficulties in maintaining state-civil society cooperation (and partnership) in post-conflict peacebuilding. Although Liberia before the war in the past benefited from a vibrant civil society, the country experienced even more remarkable growth in civil society groups and non-governmental organizations. These groups, in the absence of efficient state structures, partnered international non-governmental organizations to provide relief and humanitarian services for the people of Liberia.[1] Other civil society

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[1]. Interview with Dr. Amos Sawyer, Chairman, the Governance Commission of Liberia, 6 November 2010.

organizations (CSOs) also participated actively in the peace processes. However, the destruction of the country's social fabric during the war suppressed, and in some cases, compromised the organizational strength and activities of some of the CSOs. The protracted peace processes in Liberia's first war (1989-1996) that culminated in the July 1997 elections also increasingly marginalized the role of CSOs. The woes of civil society groups appeared to have increased since President Charles Taylor administration (1997-2003) did not accept the existing civil society groups as partners in the peacebuilding process. Rather, they were perceived either as working at the behest of the donor community or another guise for political opponent; and either way, against the government. The Government therefore adopted adversarial and antagonistic attitude towards them. At the same time state sponsored civil society groups, established to divide the civil society front and to support government views, were common under President Charles Taylor.

It was against this background that leaders of civil society fought hard to be included in the Accra Peace Talks of June –September 2003. With the original intent to act in an oversight role they however ended up having formal representation on the legislature and executive of the National Transitional Government of Liberia (NTGL), established under the Comprehensive Peace Agreement (CPA). Clearly this took Liberian CSOs beyond the traditional roles of advocates, educators and watchdogs; with attendant opportunities as well as conflict of interest. While this dual role was supposedly to enable the CSOs monitor government from within, in practice, it led to further division of their front and confrontation with the warring factions and political parties with whom they competed for government posts. The transition period ended in 2005 with an election during which Ellen Johnson-Sirleaf was elected as the first woman President of Africa to lead the peacebuilding process. Since the elections, the assumption of office by the new president in January 2006, CSOs do not have constitutional space in the governance of Liberia. However, they continue to see themselves as partners of the state and demand more space in the peacebuilding process of Liberia. While it is acknowledged that the current government of Liberia, compared to past regimes, has created more space for CSOs, state-civil society relations is best described as 'suspicious' and 'opportunistic'.[2] This characterization of state-civil society relations presents a challenge to the cooperative, collaborative and 'all-hands-on-deck' approach needed to promote peacebuilding in post-conflict states in order to avoid relapse into conflict.

This paper analyses state-civil society relations at the different phases of Liberia's protracted post-conflict peacebuilding process. The paper argues that civil society groups have played and continue to play an important role in the peacebuilding process in Liberia and therefore need the support of the Liberian state and the international community to continue their watchdog role. The paper concludes by drawing lessons from the Liberian experience for other post-conflict states.

The paper is organised into three sections. Section one provides theoretical understanding of civil society, the nature of state-civil society relations and peacebuilding. Section two analyzes state-civil society relations at various stages of Liberian history from 1990 - 2010. The last section constitutes lessons learned and conclusion.

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[2]. Ibid.

I.   Civil Society and Peacebuilding

Civil Society denotes the presence of an assortment of intermediary groupings that operate in the social and political space between the primary units of society and the state.[3] It may also be viewed as 'public sphere where citizens and voluntary organizations freely engage and it is distinct from the state, the family and the market. It is, however, linked through various forms of cooperation with those spheres, and boundaries may sometimes be difficult to distinguish'.[4]   Michael Lund also defines civil society as 'a set of interest often quite disparate, which cut across a society's main identity groups'.[5] For Lund, 'these interests are expected to be in principle more or less independent of … the state, political parties and other principal movements within the society'.[6] Non Governmental Organizations (NGOs) are in a class of their own even though most of them promote social interest. Lund is right that NGOs are considered part of civil society 'only if they act together with citizens, corporate and autonomous institutions to engender the peaceful pursuit of a variety of societal interest, and do so in ways that counterbalance any particular partisan force that seek to dominate it'.[7]

Cohen provides simple, yet comprehensive definition of civil society. She defines civil society as 'citizens, local and international NGOs and social movements that function within society'.[8] Cohen's definition is relevant by including international NGOs since they are dominant in post-conflict societies.

When referring to specific groups or organizations, the term Civil Society Organizations (CSOs) is often used and refers to all interest groups intermediating between the state and citizens. The term 'depicts a broad range of organizations, such as community groups, women groups, foundation, faith-based organizations, registered charitable organizations, independent media, professional association, think tanks, independent educational organizations and social movements'.[9] Participants at the International Peace Academy (IPA) meeting on 'Civil Society Perspective from the Mano River Union' gave a more descriptive definition of civil society when they agreed that

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[3]. Drah, F. K., (1996) "The Concept of Civil Society in Africa: A Viewpoint, in Drah and Oquaye (ed.) Civil Society in Ghana Accra: Gold-Type.p.2.

[4]. World Bank (2006), Civil Society and Peacebuilding: Potential, Limitations and Critical Factors, Draft Report. p. 3.

[5] . Lund, Micheal (2006), "The Changing Policy Context for Civil Society Building" in Building Civil Society in Post-Conflict Environment: From the Micro to the Macro, Woodrow Wilson International Centre for Scholars, Occasional Paper Series, Issue 1/November p.3.

[6] . Ibid.

[7] . Ibid.

[8] . Cohen, Sarah (2006) "Integrating Diplomacy and Development" in Building Civil Society in Post-Conflict Environment: From the Micro to the Macro, Woodrow Wilson International Centre for Scholars, Occasional Paper Series, Issue 1/November Ibid p. 11.
[9]. Ibid.

civil society is comprised of numerous civic initiatives including community-based organizations (CBOs), women's groups, non-governmental organizations (NGOs), the media, human rights groups, religious and traditional leaders, labor unions, student groups, professional lobbies, and humanitarian groups. Civil society actors and groups generally engage in civic activities that contest, mediate, and influence the state and undertake initiatives designed to affect positively the political, cultural, and socio-economic dynamics of their countries'.[10]

In Liberia, the above definition reflects general understanding of what constitutes civil society. The varying definitions of civil society demonstrate that the concept is 'fuzzy and malleable enough to fit a wide variety of interest and agendas'.[11] For the purpose of this essay civil society is viewed as all non-state actors (excluding rebel groups) who play intermediate role between citizens and the state by influencing government actions. In this work, the term civil society and civil society organizations (CSOs) will be used interchangeably and will include NGOs.

On its part, peacebuilding is broadly defined as 'all activities related to preventing outbreaks of violence, transforming armed conflicts, finding peaceful ways to manage conflict, and creating the socio-economic and political pre-conditions for sustainable development and peace'.[12] Although generally viewed as a post-conflict activity, peacebuilding can be applied at all stages of conflict. The World Bank therefore identifies three phases of peacebuilding that cut across all the stages of conflict. The first is prevention prior to the outbreaks of violence, the second, conflict management during armed conflict, and the third, post-conflict peacebuilding for up to 10 years after the conflict ends.[13] In the case of Liberia, civil society groups began their peacebuilding activities at the early stages of the conflict when the Inter-Faith Mediation Committee initiated the process to bring the warring factions to the negotiation table. With regard to peacebuilding being a post-conflict activity, it focuses on social, political and economic reconstruction issues that may not have been possible during hostilities. Some of these activities are national reconciliation, institutional rebuilding (national assembly, the judiciary and the executive) and economic reconstruction (schools, hospital, roads etc). Civil society organizations taking part in post-conflict peacebuilding can play a meaningful role with respect to any of these activities.

The Role of Civil Society in post-conflict peacebuilding

In post-conflict, fragile or failed states where state capacity is limited, civil society

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[10]. International Peace Academy (2002), 'Civil Society Perspective from the Mano River Union', *Africa Program Civil Society Dialogue held on* 14 June 2002 Millennium Hotel UN Plaza New York, New York p.11.

[11]. Caparini, Marina (2002), Civil Society and Democratic Oversight of the Security Sector: A Preliminary Investigation, Fifth International Security Forum, Zurich 14 – 16 October 2002 p. 2.

[12]. World Bank (2006) op cit p.10.

[13]. Ibid p.7.

organizations (CSOs) are perceived to be part of the crucial machinery for implementing development goals. This is because they are able to ensure that aid money is utilized effectively, products and services are delivered in a timely manner and participatory development encouraged.[14] CSOs are therefore important in post-conflict situations for two reasons. One, they can serve as counterbalance to the state by promoting greater popular participation in governance and social life. And two, CSOs are needed to provide the 'entry point for engagement in a situation where governments themselves are seen to be untrustworthy partners'.[15]

CSOs perform varied tasks in post-conflict societies. These tasks include:
- assisting the government in providing social services;
- mobilizing social demands to put public pressure on government to be more responsive to public needs;
- monitoring the state and playing watchdog role with regards to human rights and corruption;
- convening issue-specific dialogues between disputing leaders or groups; and
- working at the grassroots level in order to foster inter-group reconciliation through sectoral projects and mediated conflict resolution.[16]

Paffenholz and Spurk also outlines seven core functions that civil society perform either in post-conflict peacebuilding setting or in peace time: (i) protection; (ii) monitoring and accountability; (iii) advocacy and public communication; (iv) socialization and a culture of peace; (v) conflict sensitive social cohesion; (vi) intermediation and facilitation; and (vii) service delivery.[17]

How best CSOs can perform the above functions depend on their capabilities. However, most CSOs in post-conflict situations lack the appropriate organizational and technical skills and resources to discharge these functions and to sustain themselves. Besides, the desire of CSOs to engender accountability and transparency in governance often irritates political leaders and usually creates antagonistic relationship between them and the state. As it will become clear in the next section, our case study, Liberia, exhibits this antagonistic state-civil society relationship.

The functions outlined above give a positive outlook with regard to the role of CSOs in post-conflict states for which reason civil society is 'considered mainly as a positive force, while the dark or uncivil side of civil society does not seem'[18] to feature prominently in academic discourse. For instance, during and after conflict, civil society groups can become

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[14] . Uvin, Peter (2006) "Fostering Citizens Collective Actions in Post-Conflict Societies" in Building Civil Society in Post-Conflict Environment: From the Micro to the Macro, Woodrow Wilson International Centre for Scholars, Occasional Paper Series, Issue 1/November Ibid p. 6.

[15] . World Bank (2006), op cit 4.

[16] . Ibid p.3.

[17]. Paffenholdz, Thania, and Spurk, Christoph (2006), 'Civil Society, Civic Engagement, and Peacebuilding', Social Development Papers: Conflict Prevention and Reconstruction, Paper No. 36 p.13.
[18] . Ibid p. 11.

a negative force by becoming partisan, thereby supporting one belligerent or the other. This happens precisely because of 'the natural reaction of people in conflict to strengthen bonds to their ethnic and language group as a protective mechanism when the state is unable to guarantee security', and the subsequent development of civil society into 'uncivil actors'.[19] Again during conflict 'civil society groups might be instrumentalized by political elites on the basis of ethnici[ty]'. In some cases too, especially in the immediate period after conflict, 'civil society tends to be organized along conflict lines, thus fostering clientelism, reinforcing societal cleavages and hindering democratization'. Such a situation tends to affect the effectiveness of civil society and their ability to contribute meaningfully to any form of peace process and post-conflict peacebuilding. The tendency for some civil society groups to behave in an uncivil manner is one of the sources of tension in state-civil society relations in post-conflict states, including Liberia.

Granted that the state and CSOs are partners in development, there is the need for a harmonious relationship between the two. The need for collaborative effort to rebuild a shattered society became more urgent in Liberia after the 1997 and 2005 post-conflict elections. How this collaborative and or antagonistic effort manifested itself between the Liberian state and CSOs, as it has already been mentioned, form the basis of this paper.

II.   State-civil society relations in post-conflict Liberia; the implication for peacebuilding

Within post-conflict environments, four broad types of relationship could exist between the state and civil society. According to Cohen these are tenuous, hopeful, nascent and evolving relationships.[20] First, *tenuous relationships* are often found in protracted post-conflict environments or highly repressive states with regional conflict dimensions. In such contexts, a relationship exists between civil society and the state which is characterized by decentralization, weakness and deep mistrust between national institutions and local government structures.[21] Liberia provides a good example of this type of relationship. This is because for most part of 1997-2003, there was deep mistrust between civil society and the Government of Liberia under President Charles Taylor. Second, *hopeful relationships* are characterized by improved dynamics between civil society and the state as evidenced by positive expectations and a population that is willing to place a degree of hope in their leadership. Southern Sudan is an instructive example of hopeful relationship following the Comprehensive Peace Agreement (2005) that triggered an improved level of expectation and confidence in the Government of Southern Sudan. Also in Liberia the CPA of August 2003 which offered places to CSOs in the transitional government triggered a period of hopeful relationship between the Liberian state and civil society. However, in many cases where hopeful relationships are present, citizens place unrealistic expectations upon a newly formed or struggling leadership.[22] Third, *Nascent relationships* are exemplified by

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[19] . Ibid.

[20] .Cohen, Sarah (2006) "Integrating Diplomacy and Development" in Building Civil Society in Post-Conflict Environment: From the Micro to the Macro, Woodrow Wilson International Centre for Scholars, Occasional Paper Series, Issue 1/November Ibid p. 11.

[21]. Ibid p. 12.
[22] . Ibid.

authoritarian regimes that are undergoing the transition to a new democracy. Often characterized by citizens with very limited interaction with or experience in governance, advocacy or civil society groups, these relationships can be marked by the lack of recognition of a functioning state.[23] And fourth, *Evolving relationships* are where citizens have to negotiate space between the state and other powerful entities such as warlords or alternative power structures that are in contention with state elements. Often these various entities are folded into the state following a peace settlement.[24] The next section of the paper examines how the changing role of civil society at the diverse stages of Liberia's political crisis affected their relationship with the state.

Liberia experienced protracted civil war beginning from December 1989. The conflict ended briefly in 1996 and resumed in 1999 until 2003. A peace agreement, the CPA in August 2003 made provisions for a transitional government with the support of the international community organised another post-conflict election in October 2005, with a run-off in November the same year. The CPA opened the space for the direct participation of civil society groups in the transitional government. The election of a new government which took office in January 2006, under the leadership of President Ellen Sirleaf Johnson, ushered in a new round of peacebuilding process aimed at consolidating the peace. It is in this new process of peacebuilding that civil society groups see themselves as key partners and continue to demand more space from the Liberian state. While the character of civil society in Liberia today, its role in peacebuilding, and how it relates or wants to relate to the state is shaped by the current circumstance of the country, there is an extent to which the nature of state-civil society relations is deeply embedded in the country's protracted conflicts. The involvement of civil society in the transitional administration has also created a new level of expectations in state-civil relations. It is within this context that state-civil society relations in post-conflict Liberia are analyzed.

How the state and CSOs co-existed or interacted was not a major issue in Liberia before the war since there were not many of them. Again, before the war, the idea of CSOs was not common in Liberia. There were rather, pressure groups, such as the trade union, which sought the interest of their members but not society in general. Much earlier and like most West African states, there existed a number of CSOs which were largely faith-based organizations involved in health, education and agriculture. Most of these groups built and managed school and hospitals throughout Liberia.[25] At the time, the relationship between the state and such CSOs were cordial. Perhaps, at the time, the state perceived CSOs as partners in development. As a result, there existed regular interaction between the two groups under the auspices of the Government of Liberia and CSOs coordinating committee through which the two parties met regularly to share information. It was not uncommon to find state officials present at the signing ceremony of funding agreements and briefing on CSOs activities.[26] By the 1970s, the idea of civil society had evolved in Liberia. At the time

[23] . Ibid.

[24] . Ibid.

[25] . Interview with Mrs. Elizabeth Mulbah, Commissioner in charge of Civil Engagement, Governance Commission of Liberia, 5 November 2010.

[26] . Ibid.

when organizations such as the Movement for Justice in Africa (MOJA) and the Progressive Alliance of Liberia (PAL) were formed,[27] the character of civil society at the time was mainly political and their role included agitation for political reforms and making demands on the state.[28] Since the role of civil society before the conflict in 1989 was to demand political reforms, accountability and transparency, the relationship between the state and civil society had become antagonistic.

The Proliferation of CSOs

The first civil war in Liberia (1989-1996) was characterized by the growth of civil society groups who played diverse roles to help in the resolution of the conflict. The Inter-faith Mediation Committee (IFMC), an amalgamation of the Liberia Council of Churches (LCC) and the National Muslim Council of Liberia (NMCL) is one of the first civil society groups that took steps at the early stages of the conflict to resolve it. The IFMC held the first consultations between the parties to the conflict in 1990, and its proposals were adopted and articulated as part the Economic Community of West African States (ECOWAS) Peace Plan for Liberia.[29]

In addition, a number of human rights organizations and women's groups also played important roles during the conflict. Notable among them were the Catholic Justice and Peace Commission (JPC), the Center for Law and Human Rights Education (CLHRE) and the Liberia Women Initiative (LWI). The JPC and CLHRE in particular documented and exposed the human rights abuses and widespread atrocities committed by all the warring factions during the civil war. With the installation of the Interim Government of National Unity (IGNU) in November 1990, and with the gradual restoration of relative normalcy to Monrovia under the protection of the ECOWAS Cease-fire Monitoring Group (ECOMOG), these organizations expanded their activities to include human rights education and the provision of legal services to victims of human rights abuses. Through their active involvement in the Liberian peace process, women's groups succeeded in placing women and children's issues on the peace agenda.[30]

Again, the period of the war witnessed the growth of a robust, although fractious, media in Liberia. Newspapers like Plain *Talk, Liberian Age, Foto Finish and The Enquirer* provided the avenue for the people of Liberia to articulate their sentiments. On the other hand, Taylor's Liberian Communication Network (LCN) functioned as the propaganda tool of the National Patriotic Front of Liberia (NPFL). Prominent civil society leaders in Liberia included Amos Sawyer, David Kpomakpor, Wilton Sankawulo, and Ruth Sando Perry, who served as heads of the Interim Government of National Unity (IGNU) between 1990 and 1994. Human rights and pro-democracy organizations were established during Amos Sawyer's interim presidency.[31]

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[27] . MOJA was formed in 1973 while PAL was formed in 1975.

[28] . International Peace Academy op cit 6.

[29] . Augustine Toure op cit. 1.

[30]. Ibid.

[31]. Augustine Toure op cit p.7.

What explains the proliferation of CSOs during the war? Dr Amos Sawyer believes that in the absence of viable state structures during the war, a vacuum was created which was filled by CSOs. Several CSOs were therefore formed to support peace efforts, relief and humanitarian activities. The growth of local CSOs was encouraged by a large number of international NGOs who were looking for local partners. During the period CSOs did fairly well in protecting the interest of the people.[32]

However, the earlier peace initiatives by the IFMC and other members of CSOs could not be sustained. Because they did not take part in subsequent peace processes but rather established themselves as critics of the peace accords negotiated or proposed.[33] But the fact that CSOs took the back bench at certain stage of the conflict should not be interpreted as deliberate; it should be seen as a period in state-civil society relations when the state refused to consistently create space for actors such as CSOs. But in the case of Liberia during the period under consideration, the gradual disintegration of the state meant that from 1990 – 1997 'there was no state for CSOs to relate to'.[34] The absence of the state during this period also meant that most CSOs have operated with little or no regulations. In whatever light the activities of CSOs are viewed during the first war, what becomes clear is that they filled the vacuum left in the wake of the conflict. They related to whatever state system remained in place through direct or indirect participation in the peace processes that paved the way for the first post-conflict elections in 1997.

The aborted peacebuilding phase: 1997- 2003

With the war ended, and the subsequent election of one of the warlords, Charles Taylor as the president of Liberia in 1997, the role of civil society groups centred on issues relating to supporting the peacebuilding, national reconciliation; and democratization processes. The war had provided lessons for civil society in advocacy and collective action and the groups were prepared after the war to seize the opportunity to expand the democratic space. But contrary to the rhetoric of Taylor that he would work towards national reconciliation and the promotion of democracy, the Taylor regime threatened the expansion of the activities of civil society groups in Liberia.[35]

President Taylor dealt with civil society groups as though they were opposition parties. This is because some members of political parties were also leaders of CSOs. These points to the earlier assertion that some CSOs can become partisan and be on collision course with the state, in which case the state-civil society relations will become antagonistic. Thus, the

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[32] . Interview with Dr. Amos Sawyer, op cit.

[33] . Toure op cit p. 10

[34] .Interview with Hawah Goll-Kotchi, Commissioner, Governance Commission, Liberia, I November 2010 at 9.30 am.

[35]. Augustine Toure (2002), the Role of Civil Society in National Reconciliation and Peacebuilding in Liberia International Peace Academy p.12.

Taylor administration considered both the opposition and CSOs as working at the behest of the donor community and against his government and therefore developed an adversarial relationship towards them. The regime was intolerant of CSOs' criticisms of its attitude to good governance, national reconciliation, transparency and accountability. It repressed their activities through intimidation, arbitrary arrest and unlawful detention.[36] Even peaceful demonstrations were banned to forestall mass actions of civil society groups and political opposition. Professional bodies like the Bar Association and the Press Union of Liberia (PUL) were regularly intimidated. The office of the Centre for Democratic Empowerment which was considered to be critical of government was attacked and its staff beaten. Most of these CSOs folded up and were revived after President Taylor left office in 2003.[37]

State-civil society relations became problematic under President Taylor's administration for a number of reasons. First, the authoritarian nature of Taylor made it difficult for him to tolerate civil society's watchdog role. Second, the neutrality and intermediating role of civil society in post-war Liberia was tainted with the desire of some members of the civil society leadership to play frontline politics. Third, civil society groups in Liberia after the first war lacked the capacity and the financial independence to be effective in the face of threats from the Taylor administration. Fourth, the lack of unity among civil society groups made it easier for President Taylor to divide their front and made them ineffective. And fifth, the battle line for government-civil society antagonism in the post-war period had been drawn during the war. This is because some civil society groups documented and exposed the widespread atrocities and human rights abuses by all factions. In a situation where one of the warring factions which was most criticised by civil society groups during the war had become the government of the day, its relationship with them was bound to be antagonistic.

The lack of cooperation between the state and civil society, coupled with President Taylor's misrule contributed to the derailment of the peacebuilding process at the time and the start of a new civil war from 1999 to 2003. This underlines the fact that a harmonious state-civil society relations is very important for sustainable peace and avoiding relapse into conflict in post-conflict states.

The National Transitional Government of Liberia and Civil Society (2003-2005)

When conflict broke out again in 1999, CSOs resumed their involvement in the search for peace. With their participation in the peace talks in Accra (from June – August 2003), representatives of CSOs gained formal positions in the National Transitional Government of Liberia (NTGL) which was created as a result of CPA.

The formal participation of representative of CSOs in the NTGL brought a new dimension to state-civil society relations in Liberia. Under the formula for the composition of the NTGL, civil society and special interest groups were allocated 7 seats of the seventy-six (76)-member Assembly.[38] The position of the Vice-Chairman of the Executive body of the

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[36] . Ibid p.13.

[37] .Interview with Michael Yorwah, Officer-in-Charge, Centre for Democratic Empowerment, 3 November, 2010 at 1114 am.

[38].Broadly, the NTGL was made up of the then Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL), Political Parties, Civil and Interest Groups – Trade Unions, Teachers Union, Refugees, the Liberians in the Diaspora/America

NTGL also went to a representative of civil society. In Liberia, the involvement of CSOs in the transitional government was considered significant in the sense that, most members of civil society felt that it reflected the recognition of the Liberian people and the international community of their invaluable contribution to the peace process, and ultimately, the peacebuilding process.[39] By negotiating for positions in the NTGL, leaders of civil society competed for power in the same arena as Liberia's political leaders. How did this new found role of civil society on the NTGL affect state-civil society relations, and inter-civil society relations?

There are varied opinions with regard to the participation of CSOs in the NTGL and how they fared. First, there is the view that since the number of CSOs representatives was not significant enough to enable them make significant impact on governance; the warring factions and political parties continued to dominate the transitional government. CSOs influence in government was rather more effective during the transition outside government than in government.[40] These opinions contrast with those who think that the role of CSOs in the CPA was important to prevent warlords from dominating the transition government.[41]

Second, there was the view that there were disagreements among civil society groups about their proper role in the NTGL. On one hand, some leaders of civil society suggested that the rush to accept positions in NTGL defeated the original intent of CSOs to act in an oversight role during the Accra negotiations and fundamentally altered the role of CSOs. Others were of the opinion that civil society representatives should not have participated in the NTGL, but rather should have acted as an independent watchdog, a role that could have been performed effectively from outside government.[42] They viewed having a foot in both camps – civil society and government – a dangerous development that undermined the integrity of Liberia's civic culture. Civil society leaders outside the NTGL therefore saw their primary role as fulfilling an oversight function vis-à-vis the implementation of the CPA and the performance of the NTGL, as well as monitoring the civil society representatives in government. On the other hand, those serving in government positions refuted accusations that they have become political insiders and maintain the primacy of their new role as setting an example for other government officials.

Third, although the CPA formalized a substantial role for civil society in the transition process, it did not designate specific groups or individuals, or what their responsibilities should be. This created confusion among civil groups with regard to their specific role in the NTGL; they also differed on who among them should participate in the NTGL. Many

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and the Youth. For further details see article XXIV of the Comprehensive Peace Agreement between the Government of Liberia and the Liberians United for Reconciliations and Democracy (LURD) and Political Parties, Accra 18th August, 2008.

[39]. Interview with Mrs. Elizabeth Mulbah.

[40]. Interview with Mrs. Hawah Goll-Kotchi , op cit.

[41] .Interview with Dr. Amos Sawyer op cit.

[42]. Interview with Mrs. Elizabeth Mulbah op cit.

questioned the motives of those who wish to remain prominent in civil society organizations while assuming positions in the legislative or executive branches of governments.[43]

Fourth, there were accusations against members of CSOs who were part of the transitional government that they were not transparent and accountable. This is because those in government neither consulted nor shared information with those outside government who expected feedback from them. For this reason, it appeared that CSOs representatives in government were pursuing their own interests, and therefore did not feel the need to report back to their members. As such these appointees were considered political activists rather than members of CSOs.

Finally, the participation of civil society in the NTGL created two streams of CSOs in Liberia: those in government and those outside government.. Although debate within civil society on their participation in the NTGL was sometimes healthy, tension between emerging factions limited collaboration and reduced the ability of Liberian CSOs to exert positive pressure during the transition. For most leaders of CSOs, their participation in the transitional government divided their front rather than uniting them. This was regrettable because, CSOs had united during the peace process but could not do the same during their participation in the NTGL. Promisingly, while the definition of civil society and their role were debated widely, a consensus emerged on the roles that CSOs should have played in the transition; that of watchdogs, advocates and educators.[44]

Towards a new State-Civil Society relations: 2006 – 2010

The mandate of the transitional government ended when a new government was inaugurated in January 2006, following the election of Ellen Johnson-Sirleaf as the president. With a democratically elected government in office, the direct participation of civil society groups in the governance of Liberia came to an end. This required a shift in the relationship between civil society and the state of Liberia from direct partnership to the traditional watchdog role of civil society. This, however, did not end the expectation of civil society groups in Liberia that they be allowed a greater space in the affairs of the country.

Currently in Liberia, CSO's exist in every conceivable sector, and their number is difficult to know. It is estimated that there are about 800 local CSOs/NGOs in Liberia, 300 of which are registered. In addition, there are about 411 international NGOs in the country.[45] Previously, most CSOs had operated without licenses but now the Government requires both local and international CSOs to register with the Ministry of Planning and Economic Affairs and the Ministry of Foreign Affairs. The two ministries are to serve as regulatory agencies through monitoring and evaluation.

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[43]. Report prepared by the National Democratic Institutes (2004), *Liberia: Civil Society's Role in the Political Transition* p.11.

[44] .Ibid p. 8.

[45]. Interview with Jasper Cummeh, Senior Policy Advisory, Action for Genuine Democratic Alternatives AGENDA, 2 November 2010 4.37 pm.

Several reasons account for the current phenomenal growth in CSOs. Firstly, in post-conflict setting where jobs are difficult to come by, the creation of CSOs are considered a source of job creation for many professionals. With an equal number of international NGOs looking for local partners, setting up CSOs has become a source of employment. Secondly, with the opening of the political space after January 2006, CSOs have become a means of self-expression and political participation. Most CSOs want to take advantage of the enabling political climate to participate in the political process. Thirdly, formation of CSOs is also seen as a means of community participation in the peacebuilding process. With the end of the conflict and the challenges of post-conflict reconstruction, people at the community level are trying to look after their interest through the formation of CSOs.[46] What is clear in Liberia now is the fact that CSOs have become a permanent feature of the peacebuilding process that neither the states nor the international community can ignore.

Following from the state-civil society partnership during the transitional period, , the state of Liberia and civil society is increasingly seen by both Liberians and the international community as partners in the peacebuilding process. This is seen as necessary to ensure that the dividends of peace in the form of democratic consolidation and development are attained.[47] In this respect, the contribution of civil society groups in Liberia since 2006 has generally focused on working with the state to promote post-conflict peacebuilding. For example Liberian civil society groups were included in the Steering Committee tasked to supervise the selection of projects and the allocation of funds under the $15 million support from the UN Peacebuilding Fund (PBF)[48]. In December 2007, the PBF agreed to provide Liberia with $15 million to be used to finance projects 'to reduce poverty, promote national reconciliation and provide employment for the war-affected and young people'.[49]

Civil society groups are also part of the Peacebuilding and Conflict Sensitive Working Group (PBCSWG) of the Poverty Reduction Strategy (PRS). The PBCSWG, led by Ministry of Internal Affairs, is responsible for evaluating peacebuilding issues in Liberia and works to ensure that government and UN policies and programmes in Liberia are informed by their findings.[50] The post-NTGL period has also seen the involvement of civil society groups in the effort to achieve national reconciliation. The Truth and Reconciliation Commission of Liberia (TRC) has received the support of Liberian civil society in diverse ways. For instance, civil society groups were involved in the drafting of the TRC Act. Also, in July 2007 civil society groups in Liberia formed the Transitional Justice Working Group (TJWG) to enhance the work of the TRC. The activities of TJWG took the form of public awareness, monitoring and assessment of the TRC process. Also in the spirit of partnership

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[46]. Ibid.

[47]. Ibid.

[48]. In October 2006, the UN Secretary General launched the UN Peacebuilding Fund (PBF) in response to the need for sustained support to countries emerging from conflict. The role of the Peacebuilding Fund is to establish a bridge between conflict and recovery at a time when other funding mechanisms may not yet be available. For further details on the work of the PBF see www.unpbf.org.

[49]. http://www.unpbf.org/liberia/liberia.shtml. Accessed 25 January 2011.

[50].Priority Plan for Peacebuilding Fund Liberia 2008 p 1 at http://www.unpbf.org/docs/Liberia%20PBF%20Priority%20Plan%20-%20February%202008%20-%20Final.pdf. Accessed 23 January 2011.

and collaboration, civil society groups and their representative played important roles in the activities of the Governance and Economic Management Programme[51] and the setting up of the Liberia anti-corruption commission.

Based on the above examples of collaboration between the Liberia state and civil society, there are some members of civil society who believe that their relationship with the state has improved since the elections in 2006. This view is also based on the premise that increasingly the present government has created enough space for CSOs to operate freely. The argument is that CSOs now operate in more conducive environment that have never existed in the history of Liberia.[52]

Yet still there are views that, although the government has created conducive environment for CSOs to thrive, CSO-state relationship can best be described as 'opportunistic', 'fragile' and characterised by suspicion. The view is that CSOs have become seasonal allies of government. CSOs are considered important when government needs support from the international community and where CSOs can put pressure on the international community. International community may also use CSO to put pressure on government to get things done when government is dragging its feet. CSOs may then tend to do what donors want in order to get resources for their activities. The state sometimes calls on CSOs when it is under pressure from the international community to do so or when the state desires to influence the international community through CSOs.[53] There are also accusations that government invitation for CSOs to participate in policy dialogues is selective and does not attempt to ensure that CSOs are fairly represented. All these confirm that state-CSOs relations are not at its best and therefore needs re-thinking.

Building new relationship for peacebuilding and stability

There is consensus among state officials, the international community and leaders of CSOs that relations between stakeholders in the Liberian peacebuilding process need to be improved. Consequently, the UN mission has begun quarterly meetings with key CSOs actors to exchange views on the governance and security issues. The meeting offers the opportunity for both parties to clarify any doubts with regards to each other's role in the peacebuilding process. This initiative by the UN Mission is lauded by CSOs as innovative and presents the opportunity for building good relationship that facilitates a working relationship.

The Government of Liberia is also taking steps to improve its relations with CSOs. Civil Society Guidelines that seek to regulate the operations of CSOs is already in existence. But

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[51]. Liberia's Governance and Economic Management Assistance Program (GEMAP) was established in 2005 to promote fiscal accountability and transparency. This multi-year initiative is supported by a wide range of stakeholders including bilateral partners, multilateral institutions and civil society. GEMAP had the following objectives: Securing Liberia's Revenue Base; Improving Budgeting and Expenditure Management; Improving Procurement Practices and Granting of Concessions; Establishing Processes to Control Corruption; Supporting Key Institutions of Government; and Capacity Building.

[52]. Interview with Frances Johnson-Morris, Chairperson, Liberian Anti-corruption Commission, 1 June November 2010.

[53]. Interview with Dr Amos Sawyer, op cit.

that is about regulation, not relationship.[54] Currently, the Governance Commission (GC) is leading a process to come out with a document, Government of Liberia-CSOs Policy Document, which seeks to improve weaknesses in state-civil society relations without compromising the autonomy of CSOs. The document is informed by the realization that until now relations between the state and CSO is based on ad hoc invitations to CSOs when it suits government, a situation that needs to change if the two parties are to contribute meaningfully to the peacebuilding process. Although the constitution does not compel the President to consult CSOs, the exigencies of the moment (fragility of the peace) demand regular interaction to improve relation in support of the national development agenda articulated in the poverty reduction strategy (PRS) of Liberia.

The Government-CSOs policy document will also present the opportunity for the Government to know how many CSOs exist in the country, their sources of funding and their areas of operation. It will also strengthen the Civil Society Coordinating Council by recruiting full-time staff to man it and appoint focal points to liaise with key government ministries and agencies.

The Policy document is at the draft stage and is currently being validated with the participation of CSOs, the GC and the Planning and Economic Ministry.[55]

III. Conclusion and Lessons for the future

The paper has demonstrated that CSOs have a role to play in peace process and post-conflict peacebuilding. Civil society groups in Liberia contributed immensely to the peace process that ended the first war. However, under the Taylor administration there was little or no room for civil society to contribute to the reconstruction process. The relapse to conflict provided another opportunity for CSOs to contribute to the return to peace and their eventual inclusion in the NTGL. Although, the inclusion of CSOs in the NTGL was an innovation, it did not give CSOs in Liberia an upper hand in holding government accountable. Rather, the inclusion of CSOs in the NTGL divided the front of CSO in their attempt to hold government accountable. The most interesting part of the involvement of civil society groups in the NTGL is the fact that it sets the foundation for the current state-civil society collaboration and a range of issues in the ongoing peacebuilding process in Liberia.

It is therefore important that peace talks and agreements make provisions for broad base participation of CSOs in the post-conflict peacebuilding in a manner that does not diminish their watch dog role. When this is done, the responsibility then falls on CSOs to develop clear mandates in defining their peacebuilding and conflict prevention, management, and resolution priorities in order to build effective alliances and mobilize national constituencies. Without a clear mandate, civil society groups are unlikely to attract citizens' support, especially when they face threats from a hostile government. Whatever the nature of post-conflict administration, CSOs must try to work in partnership with the administration for the good of citizens and avoid antagonistic behaviours likely to derail the peace process and plunge the country back into conflict.

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[54].Interview with Mrs. Elizabeth Mulbah, op cit.
[55].Ibid.

To improve state-civil society relations, there is also the need for some level of understanding between the state and civil society groups. While the state must provide the enabling environment for civil society groups to thrive, CSOs must refrain from adopting hostile stance against government. Thus, CSOs must see themselves as working in partnership with government to achieve the same goals. State-Civil Society relations have been problematic throughout the history of Liberia due the absence of tolerant democratic culture, particularly on the part of government.

State-CSOs relations in Liberia hold a number of lessons for other post-conflict states:

- It has to be understood that CSOs have a role to play in post conflict peacebuilding. The problem of building a post-conflict state is so daunting that the state alone cannot do everything. It therefore needs CSOs as partners.

- It is important that peace agreements make provision for broad based participation of CSOs in post-conflict peacebuilding in a manner that does not diminish their watch dog role. While CSOs participate in peacebuilding, they should make the effort to understand the issues, the environment, and the economic and political context in which they operate.

- It is important for state-CSO relations to be regulated in a manner that reduces tensions that usually characterize such relationships. Any such regulation should aim at creating an enabling environment within which CSOs can operate without unnecessary restriction.

- CSOs should develop clear mandates in defining their peacebuilding and conflict prevention, management, and resolution priorities in order to build effective alliances and mobilize national constituencies. Without a clear mandate civil society groups are unlikely to attract citizens' support, especially when they face threat from a hostile government. This calls for the promotion of democracy, transparency and accountability within the operations of CSOs.

- A code of conduct and common principles may be needed to ensure accountability and transparency in the work of civil society actors. Accountable and transparent civil society groups in a post-conflict environment are necessary for attracting state and donor support.

- Although internally generated funds may be scarce in post-conflict societies CSOs should nevertheless strive to generate their own funds to make their activities sustainable. Civil society's dependence on foreign aid threatens its own existence and survival and, in some cases, limits its capacity. When donor support is reduced or withdrawn, civil society groups either disappear or their impact on national politics is greatly diminished, reducing their ability to reach out to the population.

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