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Civil Society Organizations (CSOs) and Regional Integration in the East African Community (EAC): A Literature Review*

Gilbert Kimutai[1], Ken Oluoch[2] and Paul A. Opondo[3]

1. Tutorial Fellow, Department of International Relations and Diplomacy, Maseno University -Kenya, and a PhD candidate at the Department of History; Political Science and Public Administration, Moi University - Kenya
2. Associate Professor, Department of History; Political Science and Public Administration, Moi University, Eldoret - Kenya
3. Senior Lecturer, Department of History; Political Science and Public Administration, Moi University, Eldoret - Kenya

* E-mail of the corresponding author: kimtaijnr@gmail.com
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Abstract
As part of a doctoral study, this review makes a case for the study of the influence of Civil Society Organizations (CSOs) on the integration of the East African Community (EAC). Beginning with philosophical postulations on the meaning and role of CSOs in governance to contemporary conceptions of their nature and anticipated influence, the article delves into scholarly work on their actual participation in the European Union (EU), the Americas, Asia, and Africa. Except for a few divergent observations, there is a general academic consensus on the significance of CSOs in governance facets such as policy making, enhancing citizen participation, transparency, and accountability. However, except for the EU where numerous studies on their influence exist, there is a dearth of the same in other parts of the world. In the EAC, treaty provisions for the anticipated role of CSOs in the integration process are explicit. However, more than two decades after its re-establishment, a lacuna exists on their actual influence on community policy processes. Further studies are therefore recommended to fill this practical and academic gap. Additionally, it will be important to unearth the determinants of their influence and the strategies they adopt in the unique African governance setting.
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1. Introduction

Debate on the role of Civil Society Organizations (CSOs) in governance has gathered momentum since the end of the cold war and the collapse of the Soviet Union. Their significance in both domestic and international governance has gained prominence in academic and political discussions in the past three decades. Nonetheless, civil society debates have had a long history in political science. Ever since Tocqueville, associations and interest groups have been considered crucial actors in truly democratic systems (Saurugger 2008). With the rise of integration schemes and supranational governance arrangements, demands for democratic legitimacy have propelled CSOs to the center of regional integration frameworks. It is assumed that they are mechanisms for citizen participation and enablers of regionalism from below in these interstate arrangements. This has consequently enhanced the anticipation of their influence on regional integration policies and processes.

The following discussion analyses scholarly works on the potential influence of civil society organizations on integration schemes and regional governance frameworks. A review of literature on the philosophical explanations of the role of civil society in domestic governance and perspectives on their role in regional governance provides an understanding of the context, history, structure, and roles of CSOs in both domestic and regional governance. Studies on CSO strategies and determinants of their influence are reviewed as important elements of their efficacy.The first part of the article presents the philosophical postulations of civil society. This is followed by their contemporary conceptions whereas the third section analyzes scholarly arguments of their role in governance. The fourth part reviews studies on the role of CSOs in the European Union (EU), the Americas, Asia, and Africa. The fifth part examines the intimated determinants of CSO influence and their

strategies. The final part is a conclusion which provides a summary of the article and the recommendations for further studies.

Various sources were used in conducting this literature review. These include books, peer reviewed journals, and internet sources. Throughout the review, the researcher points out important gaps and omissions. Contested topics and issues are also identified and discussed. Each section ends with a synthesis that focusses on research implications. The final summary illuminates how the literature has informed the researcher's understanding of the material and situates the study within the existing body of knowledge.

2. Philosophical Postulations of Civil Society

The genesis of the concept of civil society can be traced back to political philosophy as enunciated by Hobbes, Locke, Hegel, Marx, and later, Gramsci. These social theorists from the 17th Century onwards emphasized the need for a strong and vibrant civil society in terms of various contextual observations (Lahiry 2005). Hobbes and Locke underscored the primacy of civil society in order to get out of the 'state of nature', though they differed greatly about the role of civil society in creating a better social order. For Hobbes, human beings create a civil society through a social contract and thereby a state in order to secure felicity, peace, happiness, and order. Hobbes believed that the social contract creates a state, not society. The fusion of society is accomplished only by the power of the state (Cohen and Arato 1992).Locke started with the basic assumption that human beings are peace-loving, rational creatures. However, in Locke's state of nature, there was no well-settled and known law; there was no known and indifferent judge; and lastly, there was no executive power who could enforce the just decisions. These deficiencies of the state of nature compelled men to constitute a civil society to protect, preserve and enlarge their freedom. Locke argued that when men possess the natural right to life, liberty and estates guaranteed by law, a common public authority is constituted through a contract, and thereby civil society emerges (Lahiry 2005).

Sandwiched between the patriarchal family and the universal state, civil society was for Hegel the historical product of a two-dimensional process. On one hand, the spread of commodity relations diminished the weight of extra-economic coercion, and in doing so, it freed the economy—and broadly society—from the sphere of politics. On the other hand, the centralization of means of violence within the modern state went alongside the settlement of differences within society without direct recourse to violence. With an end to extra-economic coercion, force ceased to be a direct

arbiter in day-to-day life. Contractual relations among free and autonomous individuals were henceforth regulated by civil law. Bounded by law, the modern state recognized the rights of citizens. The rule of law meant that law-governed behavior was the rule. It is in this sense that civil society was understood as civilized society (Mamdani 1996). Karl Marx related civil society with bourgeois society, wherein the economically dominant class would utilize the state and its machinery to further their own interests (Lahiry 2005). For him civil society is the ensemble of relations embedded in the market; the agency that defines its character is the bourgeoisie (Mamdani 1996).

For Gramsci, civil society comprises of ideological relations, which will lead to the creation of what he calls 'hegemony'. This hegemony in the civil society is imposed by the state through educational institutions, cultural and religious bodies, symbols, mythologies, practices, and other institutions (Lahiry 2005). Its hallmarks are voluntary association and free publicity, the basis of an autonomous organizational and expressive life. Although autonomous of the state, this life cannot be independent of it, for the guarantor of the autonomy of civil society can be none other than the state; or, to put matters differently, although its guarantor may be a specific constellation of social forces organized in and through civil society, they can do so only by ensuring a form of the state and a corresponding legal regime to undergird the autonomy of civil society (Mamdani 1996).

3. Contemporary Conceptualization of Civil Society

Contemporary conceptions of civil society have blended the ideas offered by philosophers with the new realities of governance. Modern day conceptualizations have revolved around the idea of expanding the democratic space, enhancing citizen participation in governance and the exercise of certain rights by the governed. Scholars associate the rise to prominence of civil society in modern times to political debates after the democratization of Eastern European states in the late 1980s and 1990s. These political events and uprisings that saw the diminishing of communism and the collapse of the Soviet Union aided the rise of civil society and its close association with democratization (Matanga 2000, Mamdani 1996, Cohen and Arato 1992). Ibrahim (2015)

argues that the astounding success of these popular resistance and revolutionary movements against totalitarian and authoritarian regimes in South America vitalized civil society discourse. He notes that to the solidarity and liberation theology inspired activists, and in the public imagination, the idea of civil society stood in for the resistance of authoritarianism and the struggle for democracy and human rights. Chandhoke (2007) notes that civil society emerged in this era as the site where people organized into groups and could make and pursue democratic projects of all kinds in freedom from bureaucratic state power. According to Mamdani (1996), these events were taken as signaling a paradigmatic shift, from a state-centered to a society-centered perspective, from a strategy of armed struggle that seeks to capture state power to one of an unarmed civil struggle that seeks to create a self-limiting power.

This association of the emergence of civil society in the modern times with the democratization events in Eastern Europe subsequently linked it with democratic pursuits and characterization. Ibrahim (2015) associates civil society with democratization noting that among the structural theories of democratization, there has arisen a model which holds that democratic transition or consolidation is improbable or even impossible without the development of a vibrant and robust civil society. Priller and Alscher (2010) posit that as contemporary forms of civic self-organization and self-responsibility, CSOs possess considerable abilities in terms of the concentration, expression, and representation of interests. They are assigned responsibility for implementing important tasks, in promoting the development of democracy, providing welfare state services, as well as integrating citizens into coherent collectivities and thereby ensuring social cohesion. Botchway (2018) observes that CSOs have been associated with good governance, formidable economic policies as well as relevant social intervention programs. Mallya (2009) asserts that a strong and active civil society is the foundation on which rest the four pillars of governance: transparency, accountability, participation, and the rule of law.

This trend of associating civil society with democratic pursuits flows into the descriptions of its institutional formations. An array of scholars relate civil society with structures formed to advance democratic ideals in various social arrangements. Clayton et al (2000) asserts that the important institutional component of civil society comprises voluntary groups of different hues and kinds. These include community groups, cooperatives, unions, associations, self-help groups, foundations, professional associations, religious groups, cultural and sports groups, traditional associations, and service agencies. This is in tandem with the view of Carothers and Barndt (2000) who consider civil society to be a broad concept encompassing all the organizations and associations that exist outside of the state and the market. These include the gamut of organizations that political scientists traditionally label interest groups, not just advocacy Non-Governmental Organizations (NGOs) but also labor unions, professional associations, chambers of commerce, ethnic associations, and others. It also incorporates the many other associations that exist for purposes other than advancing specific social or political agendas, such as religious organizations, student groups and cultural organizations. Bratton (1994) views Civil society as the crucible of citizenship in which individuals have the opportunity to wean themselves from dependence on either family or state. As citizens, people define community needs, assert claims of political rights, and accept political obligations. They do so primarily by clustering together in organized groups of like-minded individuals to obtain common objectives. Cohen and Arato (1992) advance this argument by stating that the differentiation of civil society from both economic and political society seems to suggest that the category should somehow include all the conscious association of self-organization and organized communication of society that are not directly linked to the state and the economy.

James (2007) argues that Western oriented paradigms of power assign an active role to civil society organizations in confronting state power structures through their efforts to bring about political and social transformations. According to him, such advocacy networks are seen as indispensable elements of transitioning societies which seek to slough off their authoritarian pasts, reduce corruption and implant more transparent systems of governance. Bromley (2020) notes that cultural changes tied to the rise and globalization of Western liberal and neoliberal ideologies generate organizational expansion and formalization of associational life. Tar (2014) observes that Civil society in this neo-liberal perspective is often understood as an amalgam of civic virtues and a universal tool for demonstrating and achieving democratic ideals. According to him, a key precursor of this ideal is Alexis de Tocqueville, who, in his writings on the nineteenth century post-colonial America, argued that a strong, vibrant, and dense civil society—one capable both of confronting the state and of providing a site for associational democratic practice or internal democracy—was essential for building and consolidating democracy.

Bratton 1994 argues that because civil society manufactures political consent, it is the source of the legitimation of state power. According to him, the right of any elite to exercise state power is ultimately dependent upon popular acceptance. This consensus - the key political resource for those who wish to rule - is manufactured by

the institutions of civil society. Pompidou Group (2015) argue along this line of thought by noting that input from civil society creates added value to the policy planning and implementation process, enhancing the legitimacy, quality, understanding and longer-term applicability of the policy initiative. Chalmers (2011) avers that interest groups have long been recognized as major channels through which citizen preferences are expressed and legitimate policy is produced.

On the flipside, however, a group of scholars have contested these pro-democratic conceptualizations and characterizations of civil society. They cast doubts on the projected value and influence of civil society by citing several concerns. Dembinski and Joachim (2014) point to the negative externalities of CSO involvement and their lobbying, such as the opaqueness of the consultation process, the undue influence of special interests and the structural underrepresentation of broad public interests and marginalized groups. They further warn against attaching high hopes to these 'unelected few' and contend that transnational CSOs are unable to represent any significant share of the world's population as they are populated by Western activists of a usually urban, white, well-educated background. Thus, being dominated by Western elites and their political concerns, transnational CSOs may reproduce, rather than mitigate, global asymmetries in political participation and influence. Kasfir (2008) argues that the importance of new CSOs for creating and maintaining democracy in Africa has been greatly overstated. According to him, scholars and donors idealize the Western practices from which they borrow and overlook the defects in the outdated pluralist argument they urge on Africa, particularly its inequalities of access, difficulties in responding to problems of collective action and lack of local finance. Piewitt, Rodekamp&Steffek (2010) point out that it is often argued that although CSOs seek to influence public policies and contribute to the making of fateful decisions, they are not accountable enough for their positions and strategies. Some scholars and social commentators as well as the general population have argued that most CSOs exist to pursue their own parochial interests. To this group of people, CSOs are nothing more than a conglomeration of self-serving interested individuals parading themselves with the clothes of civil and societal interests. Eventually, it is argued that since they exist to pursue their own interests, their activities do not necessarily contribute in any meaningful way to governance. Hence, even when they do, it is just a byproduct or an offshoot or better still the spillover effect of their original motives (Botchway 2018).

Irrespective of whether CSOs have had a positive or negative influence, these robust scholarly debates on CSOs at the national and international domains underscore their inevitable role in governance. It is undeniable that CSOs have evolved significantly and eventually occupied a prominent position on governance in the contemporary world. Most importantly, these debates highlight the need for further research on the influence of CSOs on governance both at the domestic and international levels. This is especially necessary in the African context where governance and societal arrangements are different form the advanced democratic set up in Western Europe. Additionally, whereas such discussions on the nature and role of CSOs have been illuminating, they have focused largely on the domestic domain of governance. Therefore, an understanding of their influence on regional governance is required to enhance our understanding of the contribution of these actors to the realization of the ambitious objectives of nations as they enter into these interstate arrangements.

4. Civil Society Organizations and Regional Governance

There is an emerging consensus in the literature on the importance of CSOs as actors in regional governance and integration schemes. Although regional integration is a state led endeavor, scholars have underscored the role of non-state actors including civil society in influencing this process. Shoki (2019) notes that this role has been brought into sharp focus by the modification of the previously tight linkages of geography, territorial governance and territorial community occasioned by globalization. Trans-border and regional civil society activities on environmental issues, tax justice, HIV/AIDS and human rights have grown tremendously. Kamatsiko (2017) observes that CSOs have engaged with regional intergovernmental bodies on peace and security issues, implemented cross border peace initiatives and have worked on common conflict and peace issues affecting different countries. With new regionalism, civil society actors can connect, exchange information as well as debate, contest, and contribute to the norms that govern politics and policymaking within and across states.

Shoki 2009 contends that while the most important purpose of CSOs has remained to be representation of those out of state power, evolution in their routine roles has been necessitated by the changing relationships within and across societies. Eventually according to him, two types of CSOs can be identified. Type one were and remain concerned with representation through delivery of service for social protection and safety nets. On the other hand, type two CSOs comprise of the rapidly growing CSOs that are moving towards engagement with governments, intergovernmental bodies, and the United Nations in policy processes. Noting the millions of people who took to the streets all over the world as the United States and its allies in the war on terror prepared

for war in Iraq in early 2003 and the thousands of activists who descended on Copenhagen to pressure the world's political leaders to take decisive and legally binding action on climate change in 2009, Olesen (2011) posits that these events have a dual meaning. Both demonstrate how transnational activism has become a force to be reckoned with. The ability to coordinate events of this magnitude and mobilize thousands, if not millions, of people is testimony to the emergence of a vibrant sector of transnational activists and transnational counter-publics. However, the events also display the limits of activist power and the continued power of states. Despite the enormous mobilizing effort and success, activists failed to achieve what they wanted: no war and a strong climate deal.

Zimmer (2010) highlights the partnership arrangements in light of governance that include Third Sector Organizations (TSOs) in various policy fields and at different levels of governance – most prominently within the multi-level governance arrangement of the European Union. She outlines the shift from government to governance which underlines the horizontal dimension of policymaking and hence draws our attention to complex constellations of actors – private actors - on par with government and public entities who are more and more becoming important players and participants in policy arrangements. CSOs count prominently among these private actors as being promoters of participation and hence democratic legitimacy on the input side of political systems. Cohen and Arato (1992) in acknowledging the role of CSOs in governance posit that the political role of civil society is not directly related to the control or conquest of power but to the generation of influence through the life of democratic associations and unconstrained discussion in the cultural public sphere.James (2007) highlights that CSOs focused on improving human well-being, often at grass-roots level, through alleviation of suffering, are often found at the forefront of initiatives for the protection of human rights and greater human security, calling into question government policy frameworks which impact adversely on socially acceptable levels of human well-being. Consequently, if the institutions of global governance are to remain robust, they will need to heed the voices of "civil society" in restoring that desirable balance and common sense seen to be essential to the art of keeping the peace, without the dubious prescription of resort to continual war.
It is apparent that integration scholars agree that CSOs have a significant role to play in policy processes in integration arrangements. They associate civil society with the promotion of participation and hence democratic legitimacy. A closer examination of these regional endeavors reveals an even greater consensus on the importance accorded by scholars and practitioners to CSOs. Integration and civil society studies generally recognize the contribution of CSOs to regional governance and policy processes. However, scant attention has been accorded to their role in integration endeavours in Africa, yet inferences made elsewhere may not readily apply to the unique historical context of the continent.

4.1 Civil Society Organizations in the European Union

The European Union appreciates the role of Civil society organizations operating from the local to the national, regional, and international levels. The concept of civil society participation flows from the European Convention of Human Rights (ECHR) which guarantees the freedom of expression (Art. 10) and the freedom of assembly and association (Art. 11). Following from these, all citizens have the right to make their opinions known and are allowed to form, support, and join political parties and pressure movements to effectively enjoy their rights to make their political thoughts known (Pompidou Group 2015). In recognizing the importance of constructive relations between states and CSOs, the European Commission proposes an enhanced and more strategic EU engagement with CSOs in developing, enlargement and neighborhood countries, with a particular focus on local civil society organizations (European Union 2011). Furthermore, the European Commission puts forward three priorities for the EU: enhance efforts to promote a conducive environment for CSOs in partner countries, promote meaningful and structured participation in programming and policy processes to build stronger governance and accountability at all levels and increase local CSOs' capacity to perform their roles as independent development actors more effectively (European Union 2012).

An increasing number of studies have analysed the significance of CSOs in the European Union integration process. Dembinski and Joachim (2014) observe that the EU considers empowered CSOs as crucial components of any democratic system and assets in themselves. They represent and foster pluralism and can contribute to more effective policies, equitable and sustainable development, and inclusive growth. According to the Pompidou Group (2015), since the Council of Europe's (CoE) inception there has been a strong link and co-operation between the Council and civil society. The Council engages with civil society largely because it is a way to democratically engage with citizens of member states and promote the Council's values, objectives, and standards, in regard to human rights, democracy and the rule of law. Cooperation between the Council and civil society is most evident in the Council's relations with international and national NGOs. The Council of Europe encourages co-operation with civil society in all policy fields and on all levels of policy making and

implementation, be it international, national, regional, and local levels. Dembinski and Joachim (2014) note that apart from the Council and the Commission, the European Parliament is increasingly a target for CSOs.

Bee and Guerrina (2010) look at current policies concerning the civic and political participation of youths, women, migrants, and minorities in the European Union and unearth the ways in which active citizenship and civic engagement have become a political priority for European institutions. Their analysis highlights that organized civil society is not only a central actor in the European public sphere, but also plays a fundamental role in respect to European democratization and constitutionalism. The diverse set of interests it represents, or attempts to represent, widens the bases for political participation and representation at the European level. According to them, organized civil society plays a key role in shifting and readdressing the EU's policymaking on questions of public interest and for developing transnational forms of social solidarity. In their analysis of the evolution of the European Union's development policy in relation to civil society, Keijzer and Bossuyt (2020) demonstrate how the EU's development policy has gradually moved from a focus on European NGOs towards civil society organisations, broadly defined and increasingly associated with the private sector and local authorities. They observe that while the EU's policy recognizes the intrinsic value of civil society in all its diversity and promotes partnership, its operational practices show a pragmatic preference for working with professionalized organisations in service delivery roles.

Schrama and Zhelyazkova (2018) indicate that the importance of civil society in policymaking is twofold; civil society organizations (CSOs) monitor government performance and mediate between citizens and the state to ensure proper implementation. In their study, they analyze the effects of two aspects of civil society (civic participation and CSO consultation) on member states' implementation of European Union (EU) policy. Their findings reveal that the combination of high levels of civic participation and routine CSO consultations improves policy implementation. Furthermore, the effect is conditional on states' bureaucratic capacity to accommodate societal interests regarding the EU directives. Pianta (2013) examines such developments as the global financial crisis and, in particular, the so-called Euro crisis which according to her has led to further losses of democratic accountability, with major decisions being imposed on parliaments and citizens of European Union countries without adequate deliberation. She argues that neoliberal reforms and financial powers have invariably impoverished democracy in Europe, while reactions within civil society grow stronger by the day. Nevertheless, civil society forces are still divided with respect to the question of how to strengthen democratic participation and accountability both at the national and supranational level, as divisions between "federalist" and "sovereignist" approaches are all but present within the European civic arena.

Drieghe et al (2021) note that in response to growing contestation and politicization of trade policy, policy makers have aimed to enhance the "inclusiveness" of trade policy through the institutionalization of deliberative forums in which civil society organisations participate. They observe, however, that it is not clear whether these processes actually enhance inclusiveness. Noting that Civil society participation in international and European governance is often promoted as a remedy to its much-lamented democratic deficit, Steffek and Ferretti (2009), argue that this claim needs refinement because civil society participation may serve two quite different purposes: it may either enhance the democratic accountability of intergovernmental organisations and regimes, or the epistemic quality of rules and decisions made within them.

4.2 Civil Society and Americas Regional Organizations

In the Americas, FOCAL (2006) note that the 1990s witnessed the spread of democracy and economic growth in the region which coincided with a post-Cold War focus on multilateralism exemplified by the gathering of the hemisphere's heads of state at the first Summit of the Americas in 1994. This meeting signaled convergence around shared ideals of democracy and a collective interest in advancing regional free trade. According to FOCAL, in the years that followed the First Summit of the Americas, common political and economic objectives were formalized in a host of inter-American declarations and resolutions. The high point of this regional consensus came in 2001 with the final declaration of the Third Summit of the Americas in Quebec City, and the adoption of the Inter-American Democratic Charter later that year. The Charter provides a theoretical and practical framework for democracy protection in the Americas, as well as general definitions and guidelines for national and regional bodies in the event of democratic ruptures. In Articles 26 and 27, the Charter underscores the important role of CSOs in the strengthening and protection of democracy and commits the Organization of American States (OAS) to take into account CSOs' contributions in carrying out programs and activities. In the following years, CSOs have become active at the international level and in Inter-American affairs, with the OAS and the high-profile summits being venues of choice for participation in regional policy and decision-making processes. Ongoing engagement has led to recognition of civil society's contribution, accompanied by

incremental increases in access and greater CSO inclusion in inter-American affairs, particularly at the OAS.
CSOs have featured in the literature on Americas regional organizations. Ayres and Macdonald (2006) investigate the complex position of civil society within the unfolding processes of regional governance across North America. Their analysis focuses on the region's evolution and institution-building under the North American Free Trade Agreement (NAFTA), as well as the negotiations that have accompanied more recent efforts to deepen continental integration. They argue that North American regional governance has clearly shifted from a state-centric to a more contested, pluralistic model of multilateralism, but is a model that still betrays a more elitist, non-cooperative orientation. Yet, beyond theorizing about regional governance, they raise concerns about the future of the North American governance project in the face of national and transnational civil society political contestation against the still exclusionary character of regional governance. They suggest that there are both normative and political reasons why North American governance should be transformed to open new democratic channels for civil society participation in the emerging debates on deepening continental integration.

Botto (2000) seeks to unearth the types of actors who participate in decision making processes, the positions they adopt in front of this type of trade negotiations, and the impact of their strategies of action on the trade negotiations. The findings based on the comparison among three main trade integration processes of the region namely the NAFTA, the Southern Common Market (MERCOSUR), and the negotiations towards a Free Trade Area of the Americas (FTAA), show that there is no unique pattern of mobilization of non-governmental actors and patterns of mobilization - characterized by the type of actor and of the governmental liaison - are mutually exclusive, actors use all of the resources at their disposition to exert pressure and operate at different levels - national as well as intergovernmental, and there is an ever-larger presence of collective actors - cross-sector and international networks – both from the business sector and civil society which precipitates a diversification away from the traditional channels of participation associated with national governments.

While noting that new forms of regionalism are now a central element in global governance, Grugel (2006) observes that it is sometimes suggested that new regionalism represents an opportunity for transnational civil society activism. He subsequently explores this argument through a comparison of processes of collective action in two emerging frames of regional governance in the Americas, the FTAA/Summit of the Americas and Mercosur and shows that while civil society activism has regionalized to some extent in relation to both hemispheric regionalism and sub-regionalism, this process is far more marked in the former. He suggests that the influence of civil society actors in regionalist governance in the Americas is extremely limited. This is due to persistent institutional barriers to inclusion, the practical obstacles for many groups of scaling up to the regional/transnational level and the particular difficulties associated with accessing trade-based negotiations. Ayres and Macdonald (2006) investigate the complex position of civil society within the unfolding processes of regional governance across North America. Their analysis focuses on the region's evolution and institution-building under the North American Free Trade Agreement, as well as the negotiations that have accompanied more recent efforts to deepen continental integration. They argue that North American regional governance has clearly shifted from a state-centric to a more contested, pluralistic model of multilateralism, but is a model that still betrays a more elitist, non-cooperative orientation. Yet, beyond theorizing about regional governance, they raise concerns about the future of the North American governance project in the face of national and transnational civil society political contestation against the still exclusionary character of regional governance. They suggest that there are both normative and political reasons why North American governance should be transformed to open new democratic channels for civil society participation in the emerging debates on deepening continental integration.

4.3 The Growth and Influence of CSOs in Asia

In spite of teething problems and various challenges facing the participation of CSOs in regional governance in Asia, the emerging consensus in the literature points at an increasing significance and influence. Hasan and Onyx (2008) admit that Asia which is the largest continent in terms of diversity and size of population, has witnessed exponential growth of the third sector. This according to them stems from a realization that collective capacity to resist state authoritarianism can encourage state responsiveness, increase the transparency of the state and corporate activities and process, and sometimes even produce organized dialogue. This realization has forced individuals to organize themselves for goods and service delivery, or for advocacy for members and non-members.

As stipulated in Article 16 of the Association of Southeast Asian Nations (ASEAN) Charter, CSOs are encouraged to seek accreditation with the regional organization. The main objectives of accreditation are to draw

the CSOs into the mainstream of ASEAN activities so that they are kept informed of major policies, directives, and decisions. This is also meant to ensure interaction and fruitful relationships between the existing ASEAN bodies and the CSOs and to help promote the development of a people-oriented ASEAN Community. Gerard (2013) notes that CSOs have asserted their claim for participation in regional governance in Southeast Asia through multiple forums held since the late-1990s. The two most enduring are the ASEAN People's Assembly (APA), organized by ASEAN-ISIS and held seven times from 2000 to 2009, and the ASEAN Civil Society Conference (ACSC), organized by the Solidarity for Asian People's Advocacy network and held nine times from 2005 to 2013.

Gerard (2015) observes that since the late 1990s, the ASEAN has widened policymaking to include (CSOs), paralleling developments in other regional and global governance institutions where the inclusion of CSOs in policymaking is considered necessary to address these institutions' "democracy deficit". Examining the form and function of civil society engagement in ASEAN, Gerard demonstrates that ASEAN's inclusion of civil society functions in legitimating its market-building reform programme, while its participatory mechanisms are structured to include amenable interests and marginalize non-compatible groups. Thus, according to him, ASEAN's engagement of CSOs and the broader trend of participatory policymaking should be considered as creating sites for contestation, rather than being implicitly democratizing. Chandra (2008) notes that CSOs, in Southeast Asia are playing a crucial role in terms of advocacy vis-à-vis in the region. He argues that apart from the realization of the potential benefits that may derive from regional integration, the focus of CSOs on ASEAN is also due to the realization of the potential impacts that the Association's policies may have on the welfare of the Southeast Asian population. He observes that ASEAN has responded, albeit slowly, to the increasing demand upon it to engage with CSOs. Although it is an elitist organization, he notes that ASEAN member countries have made a commitment to put people's welfare at the core of its regional integration initiatives.

Collins (2008) observes that ASEAN has proclaimed the rhetoric of becoming "people-oriented" in a number of documents over recent years and that this phrase also appears in the Association's new Charter. He notes that the prospect that ASEAN is moving away from being state-centric and elite-driven to one that is 'people-empowering' has brought ASEAN onto the radar screens of CSOs. These CSOs, encouraged by ASEAN reaching out to engage with them in its Socio-Cultural Community Plan of Action, have responded enthusiastically to this rhetoric and since 2005 there have been a plethora of ASEAN civil society conferences. He however argues that despite this, the ASEAN Charter has not been well received by CSOs and they are indeed aiming to adopt an alternative (an ASEAN Peoples' Charter). According to him, the door for CSO involvement in ASEAN's community building project is open but not fully. The member states of ASEAN have not embraced the transformative effect that making the Association people-oriented would have. Gerard (2014) notes that the Association has made numerous commitments to engage civil society organizations (CSOs) in its governance practices. However, the opportunities created offer limited means for CSOs to contest policy as a result of strict controls over who can participate, and the forms of participation permitted. Activists have consequently pursued their agendas outside of spaces sanctioned by ASEAN through 'created spaces,' such as conferences organized parallel to official summits. However, this form of political participation has limited potential to influence official processes because despite its independence, these activities are still structured in relation to ASEAN practices. Gerard argues that spaces for CSO participation are structured to prevent CSOs from contesting policy, suggesting that ASEAN's shift to widen participation is directed towards legitimating its reform agenda. Hence, ASEAN's claim of becoming 'people oriented' must be considered in recognition of the limiting effect its engagement practices have on CSOs' ability to advance alternative agendas.

Allison and Taylor (2017) note that since the Asian financial crisis, ASEAN has sought to reorient itself towards becoming a 'people-oriented' association. Democratic transitions in the region and increased demands from civil society to be actively involved in regional governance have prompted ASEAN to develop forms of participatory regionalism. They observe that in practice, however, the rhetorical aspirations of ASEAN have not often matched the level of participation or support expected by civil society organisations. According to them, it has often been the case that ASEAN's decisions, especially those related to sensitive issues, have been influenced by external pressure as opposed to participatory mechanisms.

4.4 Civil Society in Africa

The bulk of existing literature on civil society in Africa concentrates on its nature in pre-colonial times, survival in the harsh colonial times and their role in the independence struggles. Badal (2020) argues that while many precolonial cultures in Africa may have lacked states, they certainly did not lack civil societies, in the broad sense of a bevy of institutions for protecting collective interests. Matanga (2000) contends that civil society in

Africa traces its roots to the pre-colonial period. Forms of civil society organizations in pre-colonial Africa ranged from welfare associations, agricultural work parties, to credit associations. Matanga lists examples from pre-colonial West Africa which include such associations as craft production guilds exercising control over entry to a craft, methods of production, standards of workmanship and prices. Others include trader's organizations which exerted control over prices and market routes. The traders' organizations also played the role of negotiating with states over many issues including policies regarding weights and measures, laws governing debt, contract, and agency.

Bratton (1989) notes that upon these foundations, Africans invented fresh forms of voluntary association during the colonial period as a response to the disruptive impacts of urbanization and commercialization. Sometimes these new organizations were updated expressions of long-standing informal solidarities (for example, ethnic welfare associations, prophetic movements, and agricultural work parties); in other cases, they gave collective shape to new occupational and class identities (peasant movements, labor unions, professional associations). According to Matanga (2000), with the establishment of colonial rule, most of these organizations were repressed, some going underground. The colonial state saw in them the potential of acting as centers around which opposition to colonial rule could gravitate. He observes, however, that the exploitative and oppressive colonial rule in virtually all the colonies in Africa served to politicize and radicalize some of these pre-colonial associations while leading to the creation of others. Some of these African civil society organizations later played a central part in toppling the colonial state. Bratton (1989) notes that many of these voluntary associations became explicitly political by giving voice, first to protest at the indignities of colonial rule, and later, to the call for independence. Indeed, they were the building blocks of federated nationalist political parties.

Mamdani (1996) argues that the history of civil society in colonial Africa is laced with racism. According to him, that is as it were, its original sin, for civil society was first and foremost the society of the colons. He notes that it was primarily a creation of the colonial state. The rights of free association and free publicity, and eventually of political representation, were the rights of citizens under direct rule, not of subjects indirectly ruled by a customarily organized tribal authority. Thus, whereas civil society was racialized, native authority was tribalized. Civil power claimed to protect rights, customary power pledged to enforce tradition. The former was organized on the principle of differentiation to check the concentration of power, the latter around the principle of fusion to ensure a unitary authority.

Scholars writing on the role of CSOs in post-independence Africa have outlined their participation in the democratization of the continent. Bratton (1994) notes that besides churches and other religious organizations, a socially active and significant civil society modelled on the European and North American pattern, mainly in the form of welfare organizations and certain special interest groups, grew up only in a minority of African states (for instance in South Africa, Kenya, and to some extent also Ghana). African ruling elites gave top priority to state sovereignty and national security and sought to bring about 'departicipation'. He observes that although they invested heavily in the construction of one-party and military regimes, elites were not always successful at discouraging autonomous organizations from taking root in civil society. Some leaders nipped them in the bud by incorporating them under the wing of governing parties; others banned them entirely. But, in many places, voluntary associations proved too strong to be subordinated and survived as an alternative institutional framework to officialdom.

According to Matanga (2000), in the 1980s an upsurge in civil society activities was witnessed across the continent. He notes that the revolutionary forces that were sweeping Eastern and Central Europe, did not spare Africa. All over the continent, pressure was mounted on dictatorial regimes to democratize by opening the political space. Okuku (2002) observes that fed up with poverty, economic mismanagement and authoritarianism, civil society, although still weak, rose to challenge authoritarian rule and demand good governance and democracy. The proponents of civil society believed that the existence of an active civil society was crucial to the vitality of political democracy. According to Matanga (2000), the many regimes either in the form of military or civilian one-party systems were cracking and responding to demands for political reform, albeit reluctantly.

Kew and Oshikoya (2014) note the growth and flourishing of civil society in Africa which helped lead the struggle to overthrow repressive regimes and dictators in the march toward democratic governance. Mamatah (2014) notes that civil society was especially active as opposition movements in late 1970s to early 1980s in the context of autocratic rule and economic stagnation. Neubert (2014) argues that development politics started to promote African NGOs and encourage self-help through local CBOs. The assistance provided helped to create dependence on international donors. Matanga (2000) avers that the New Development Agenda, crafted by the

international donor institutions called for the adoption of neo-liberal economics and liberal democracy that emphasized on the rolling back of the state while empowering market forces, of which civil society was tucked in somewhere. Clayton et al (2000) note that the recognition among donors that the transition toward democratically elected governments did not, in itself, guarantee a more democratic culture led to a more positive approach to the promotion of good governance in the form of support for civil society.

4.5 CSOs and Africa's Regional Integration Schemes

Integration studies in Africa show that despite their absence in the formative stages of the formation of regional bodies, there has been a deliberate move by state actors to involve CSOs in regional governance arrangements. According to Adar (2018), until the 1990s, regionalisation tended to be exclusively state-dominated and focused on economic cooperation. Together with Huntington (1991), they note that except for the EAC, which had already equipped itself with the East African Legislative Assembly (EALA) in 1967, parliamentary assemblies and mechanisms for civil society involvement were established within African regional organizations only starting from the 1990s, when the continent was involved in the third wave of democratization. During this time, there was an increased turning of regional cooperation towards political and security agendas. In addition, addressing the democratic deficits within the communities' decision-making structures, bodies and processes has also become an issue to consider and has influenced the reform of many institutional structures at the regional level.

Dembinski and Joachim (2014) affirm that addressing the democratic deficits within the communities' decision-making structures, bodies and processes has become an issue to consider and has influenced the reform of many institutional structures at the regional level in Africa. According to them, the emergence and proliferation of more and more CSOs on the continent is seen, especially by international partners, to further represent the peoples' voice and interests in Africa's regionalization processes. Amuwo et al (2009) propose an understanding of the dynamics and linkages among civil society organizations, governance, and regional integration in terms of largely implicit power projection, unequal power relations, and power contestation and struggles between the state and non-state actors and organizations. They argue that civil society in Africa is likely to be an effective strategic partner with the state in getting its politics right by getting its democracy right. Adar et al (2018) writing on the role of parliaments and CSOs in regional integration in Africa provide a comprehensive and comparative analytical overview of parliamentary bodies and civil society in Africa, both at the regional and national level, and their role in the ongoing regionalization processes on the African continent. Gathering contributions from African and European experts, they offer a collection of actual and historical facts and information and critically analyze the evolution, potential and effective place of parliamentary bodies and civil society in the context and development of regional cooperation and integration. Their focus is essentially to conceptualize, describe and assess this role in a comparative way, highlighting the political conditions that have shaped its characteristics in different contexts and which may offer in the future further space for a "regionalism from below", people-centred and people-driven.

Analyzing the interactions of CSOs and regional integration within the context of the Economic Community of West Africa States (ECOWAS), Gwaza (2015) explores the traditional characters of CSOs as complementary and supportive agents of the state, and the character of regional integration as inter-state, intergovernmental, formal, and official engagement. He maintains that ECOWAS was conceived and sustained by a civil society arrangement and that the wind of democracy blowing across the world and within international institutions only lends credence to the foundational philosophy of ECOWAS for equal participation and inclusivity. According to him, the realms of civil society and regional integration provide policy makers with the opportunity to re-evaluate concepts that worked in other climes before their transplantation in addressing local concerns. Khadiagala (2018) notes that the ECOWAS Commission has taken seriously the notion of people-centered integration, allowing more civil society groups from the region to participate in matters of governance, peace, and security. He points out, for instance, that a group of civil society organizations called the West Africa Network on Peacebuilding (WANEP) is an integral part of the ECOWAS early warning system. WANEP has national chapters in all ECOWAS states and comprises over 500 organizations across West Africa that are advocates of peace, democracy, and sustainable development. Kamatsiko (2017) observes that the relationship between WANEP and ECOWAS has been fruitful. According to him, facilitated by a memorandum of understanding signed in 2003 between the two, WANEP through its civil society networks in 15 states has operationalized the ECOWAS Early Warning and Response Network (ECOWARN).

Armstrong et al (2010) argue that civil society is a dynamic force at the regional level. In contributing to the debate about civil society's role in regional governance in Eastern and Southern Africa, they emphasize that it is

necessary to acknowledge the heterogeneity of links between civil society and states that arise in different socio-cultural and political contexts. Mbogori and Chigundu (1999) argue that the challenge for civil society in Africa is to strengthen the democratic state by collaborating with its government structures at various levels, by assisting in restoring the social contract between the state and its citizens and by pressing for necessary reforms which turn the vision of effective civil society-state co-governance at the community level into reality.

4.6 Inclusion of CSOs in the East African Community

In acknowledging the significance of civil society organizations in regional integration, the EAC Charter explicitly recognizes their role in the Community. Integration in the region dates back more than a hundred years to colonial times. Upon the collapse of the first EAC in 1977 and division of the Community's assets in 1984, a provision was made to explore future areas of cooperation, which formed the basis of the renegotiation for the establishment of a Permanent Tripartite Commission for Co-operation Between the Republic of Kenya, the Republic of Uganda, and the United Republic of Tanzania (Magu 2015). The Treaty re-establishing the EAC, which came into force in 2000, sought to create a Federation of East African states as the outcome of a four-phase integration process. Ogola et al (2015) note that in more recent times, the economically and politically independent, culturally diverse members of the EAC have continued and expedited the process, so as to promote regional peace, security, governance, socio-economic development, and more effective integration in the global economy and global society.

The collapse of the Community in 1977 ten years after its official establishment, was due to several reasons, key amongst which, was the lack of strong participation by the civil society in the Community's activities. Hence, one of the key plans of the EAC following its revival was to have a people centered, private sector led regional economic integration and development. Participation of civil society and the private sector was deemed critical in implementation of the EAC strategies (Kisinga 2009). While states were the authors of the regional effort, they recognize the significance of these non-state actors and anticipate their active participation in the renewed community effort. In the treaty establishing the EAC, Articles 127 and 128 outline the inclusion of civil society organizations and the private sector in the community effort. In Article 127(1), partner states agree to provide an enabling environment for the private sector and civil society to take full advantage of the community whereas 127(2) expects states to promote an enabling environment for the participation of civil society in the development activities within the community. Article 127(3) and Article 128 (2) require the Secretary General and the Council to provide a forum for consultations between the private sector, civil society organizations, other interest groups and appropriate institutions of the community and to establish modalities that would enable the business organizations or associations, professional bodies, and civil society in the partner states to contribute effectively to the development of the community, respectively. Article 5 sub section 3(g) states that the community shall ensure 'the enhancement and strengthening of partnerships with the private sector and civil society in order to achieve sustainable socio-economic and political development' (EAC 1999).

These Charter provisions are evidently ambitious. They reflect an advanced stage in the increasing importance accorded to CSOs in regional governance endeavors. The EAC has followed up treaty provisions with action by facilitating the creation of the East African Civil Society Organizations Forum (EACSOF) and its incorporation into the Community affairs. This forum was created to strengthen the institutionalization of the relationship between East African CSOs and the Community. It also works to build a critical mass of knowledgeable and empowered civil society in the East African region, in order to foster their confidence and capacity in articulating grassroots needs and interests in the East African Integration Process. Additionally, it works to ensure that East African citizens and their organizations work together to play a more effective role in the integration process through building stronger citizen organizations that respond to citizens needs and hold duty bearers to account. The efficacy of these efforts by the EAC can only be established by an assessment of the actual influence of CSOs on Community policy processes. Two decades after its re-establishment, it is appropriate that research be done to ascertain the empirical contribution of these organization on the integration of the region.

5. CSO Strategies and Determinants of their Influence

Debates on the determinants of CSO influence and the strategies they adopt CSOs has featured in the literature on integration. This is related to the awareness that their influence is directly related to their strategies and the factors that affect their operations. Dur (2008a) notes that the existing literature on the determinants of interest group influence provides a large number of hypotheses, many of them originally formulated for the case of the

United States. When discussing some of these hypotheses as applied to the EU, he distinguishes four broad clusters of determinants: interest group resources, political institutions, issue characteristics, and interest group strategies. Noting that a number of societal and institutional factors enhance the development of a vibrant civil society, such as a country's socioeconomic traditions and societal structure, political institutions, or foreign influence Bailer, Bodenstein, and Heinrich (2013) seek to answer the question of which one of these factors contributes most to a vibrant civil society. Using ordinary least square techniques, they statistically test the competing factors with a large-N design that includes 42 countries and discover that a country's quality of political institutions and a high degree of religious fragmentation have the strongest impact on the development a vibrant civil society.

Zimmer (2010) underscores the use of advocacy and lobbying as avenues for giving voice to the people, thus providing legitimacy to policymaking in governance arrangements. She points out that the advocacy perspective highlights an understanding of partnership that perceives cooperation and mutual accommodation between the civil society and government as the most important prerequisite for the establishment and further development of democracy. On the public policy perspective, she argues that TSOs are often members of governance arrangements acting on par with other private and public actors that are directly involved in policy formulation at the European, national, or regional level of governance. According to her, there are many TSOs working in a specific policy field that are "partners of public policy". They are simultaneously engaged in lobbying activities and are also eligible partners of well-established policy arenas or governance arrangements with respect to policy formulation. Furthermore, Zimmer notes what she calls a very specific type of third sector–government partnership embracing involvement in both policy formulation and implementation which is traditionally labeled neo corporatism. This according to her translates into a situation in which a limited number of so-called umbrella organizations of the third sector – for example, the Welfare Associations in Germany – enjoy a privileged position with respect to access both to the core arenas of policymaking and to public funding.

James (2007) argues that civil society can also operate effectively within the paradigms of what might be called 'soft power', by persuading and negotiating; through effective input to policy development which has a beneficial social outcome, by efficient service delivery in sectors either unprovided for in government policy frameworks, or where the resources are unavailable. He further notes that many of the vast numbers of civil society organizations which have appeared since the early 1990s operate in cooperative mode with the state authorities, complement state initiatives in bringing about improved service delivery to vulnerable populations and use the art of persuasion to nudge state power structures towards improved modes of governance. He argues that since many – particularly in Africa, Asia, and South America – are ensconced in non-democratic political cultures where the space in which civil society can operate is very limited, the cooperative, rather than the confrontational, mode of operating is necessary, if they are not only to survive, but also to be able to continue to carry out their important social work.

Smith and Muetzelfeldt (2000) propose that, just as national civil societies depend on and in turn support particular features in state systems, the prospects for an emerging global civil society also depend on similarly appropriate features in the institutions of regional or global governance. They discuss possible relationships between civil society and governance institutions, depending on whether governance is facilitating or obstructive to civil society, and whether it is strong or weak. From these sets of relationships, a range of strategies for NGOs and networks depending on the features of the institutions with which they are engaged are suggested. These include responding to features of global governance that are facilitative but weak, such as human rights and development elements of the United Nations, by aiming to strengthen them; weak obstructive features of global governance by making them more facilitative; and the relatively strong organisations such as APEC, or the G8 major economies, which make no such provision for NGO contribution through protests/demonstrations or unsupported alternative conferences attracting media attention.

Dur (2008a) notes that strategies are a factor shaping interest group influence. To maximize influence, interest groups have to employ their resources effectively given the opportunities provided by the institutional structure, the characteristics of the issue, the preferences they advocate, and their past strategies. According to him, if groups always adopted ideal strategies, strategies would only be an intermediary variable that is perfectly explained by a group's resources, the institutional framework and so forth, and hence could be ignored in attempts at explaining interest group influence.

Whereas such discussions of the determinants and strategies of CSOs in regional integration have been illuminating, they remain largely theoretical and confined to the EU. Therefore, their empirical manifestations

and implications for the EAC and other regional arrangements is required in order to enhance our understanding of the ability of CSOs to influence integration policies.

Conclusion

The reviewed literature largely validates the theoretical assumptions on the roles of civil society organizations in governance. Except for the EU where arguments have been advanced for the measuring of the empirical influence of CSOs and research conducted, studies in other regional arrangements are largely absent. This is even though CSOs have been generally embraced by regional organizations and their input anticipated. In the case of the EAC, the regional body in its Charter outlines in Article 127 its commitment to ensuring the participation of CSOs in Community integration processes. Just like other regional arrangements, there is a dearth of literature on the empirical contribution of these organizations two decades after its re-establishment. The review therefore recommends a study on the actual influence of CSOs on integration policy processes in the EAC. A study of the determinants of their influence and the strategies they adopt will also be of benefit to civil society and integration studies.

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