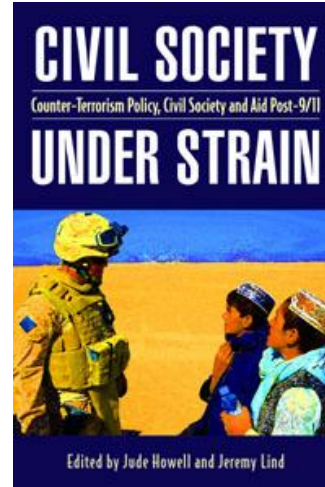
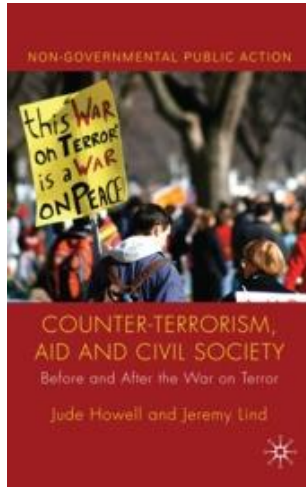


Civil society, security and aid post-9/11: challenges, tensions and dilemmas



Background paper

Following President Bush' declaration of a 'war on terror' in 2001 governments around the world introduced a range of counter-terrorist legislation, policies and practices. These included *first-order measures* such as counter-terrorist and anti-money laundering legislation, enhanced surveillance, passenger profiling, and renditions as well as *second-order measures* that are built into other kinds of policies such as aid frameworks, refugee and asylum policies, community engagement initiatives, education, anti-radicalization programs. Though the Obama administration has renounced the language of the 'war on terror' and taken steps to revoke aspects such as water-boarding and the detention facility at Guantanamo Bay, the bulk of the legislation and practices associated with the post-9/11 global security framework continues.

Whilst the civil liberties and human rights effects of these measures have invoked considerable concern amongst human rights activists, lawyers and researchers, the post-9/11 global security regime has also had an impact on civil society actors and aid policy and practice. The 1990s was the heyday for civil society, with political leaders, governments and international institutions extolling the democratic virtues of civil society. However, this changed in the first decade of the millennium as global and national political leaders cast a shadow of suspicion over civil society

in general and groups representing ‘suspect’ communities in particular. Claims by political leaders that charities were vulnerable to misuse by terrorist groups as fronts to launder money or mask their activities sowed public distrust towards charities and non-governmental organizations.

The post-9/11 global security regime has created both threats and opportunities for different elements of civil society. Whilst ‘good’ civil society is to be supported, engaged with and fostered, ‘bad’ civil society is to be contained, repressed and watched. Particular suspicion has been cast over Muslim communities as seen in increased monitoring of madrassas, mosques, Islamic bookshops and centres. In several contexts non-governmental organizations that are funded substantially by governments and donors have tended to remain silent and quiescent in the face of restrictive counter-terrorist measures, seeing terrorism and the effects of counter-terrorist policies and practices to be a matter solely for suspect communities and groups.

Further, some governments and political leaders have used the rhetoric of the ‘war on terror’ to justify the use of repressive and restrictive practices against political opponents, secessionist movements and oppositional groups. In countries where policing and judicial systems are weak, unaccountable and corrupt, repressive counter-terrorist legislation, policies and practices hit poor, marginalized and vulnerable groups hardest, who lack the legal knowledge, money and contacts to defend themselves. Governments across the world have tightened up national legislation relating to non-governmental organizations, increasing government scrutiny of their operations, requiring greater accountability and transparency, and demanding commitments to ensure that they have no links to terrorist groups. New anti-money laundering legislation that includes clauses relating to charities has made international money transactions more burdensome for charities and non-governmental organizations. At the same time governments and political leaders have sought to engage civil society actors in security agendas, creating new opportunities for dialogue, policy engagement and resources, especially for Muslim groups to become involved in various counter-radicalization initiatives.

The post-9/11 global security regime has also affected the orientation of aid policy and practice. Aid and security objectives, policies and practices have become more closely integrated, and not just in conflict situations. Flows of aid to countries at the forefront of the ‘war on terror’ such as Iraq, Afghanistan and Pakistan have increased. International donors have established initiatives

aimed at countering extremism, such as projects targeting young Muslims in Kenya, or at reforming the curricula of religious schools in Pakistan, or increasing aid contributions to education in Muslim countries. Alongside these efforts, armed forces are playing an increasing role in development, drawing on the rationale that 'winning hearts and minds' through infrastructural improvements and the rapid delivery of social welfare benefits such as medical care is a vital prong in counter-insurgency. This blurring of boundaries between development and security has intensified a debate about the risks posed to the lives of humanitarian workers, who provide similar types of assistance but seek to operate on the basis of principles of independence, impartiality and neutrality. Some donor agencies have introduced new partner vetting systems, such as USAID, and contract clauses requiring partners to verify that they have no links to listed terrorist groups, such as the Ford Foundation.

Crucially, the post-9/11 global security regime raises a host of challenges, dilemmas and tensions for civil society actors and aid agencies.

- How can civil society actors, politicians and law-makers best preserve and expand the autonomous spaces and values of civil society in general?
- How can civil society actors, political leaders and international institutions ensure that minority communities rendered suspect under counter-terrorist measures are able to organize and articulate their interests and needs without the fear of prosecution or persecution?
- How can civil society actors, political leaders and international agencies protect the interests of marginalized and poor groups that are particularly vulnerable to abuse in unaccountable and corrupt policing and judicial systems?
- How should donor institutions engage with civil society, and in particular with poor and marginalized groups and communities rendered suspicious by political leaders and security agencies?
- How should civil society actors engage with security agencies and debates, especially when security policies either infringe on non-governmental spaces by restricting activities

and stigmatizing particular groups and communities, or when they seek co-operation with civil society actors?

- What should be the role of the media in promoting responsible debate around security issues?
- How can aid agencies, foundations and philanthropists ensure that their partners are not linked in any way to listed terrorist groups whilst also maintaining relations of mutual trust?
- How can aid agencies (governmental or non-governmental) best maintain a focus on poverty reduction when under pressure to consider national and global security priorities?

As stated above, the counter-terrorist legislation, policies and practices introduced since 9/11 remain deeply entrenched, despite some progress in removing certain elements of these and greater resistance by some sections of civil society, particularly human rights organizations and civil liberties groups. The challenges, dilemmas and tensions outlined here thus remain of great relevance to civil society actors and aid agencies. A key purpose of this event is to move forward with this debate and consider how best civil society actors and aid agencies can strategize to engage in security debates and respond to security initiatives in a way that does not compromise their own priorities and principles.