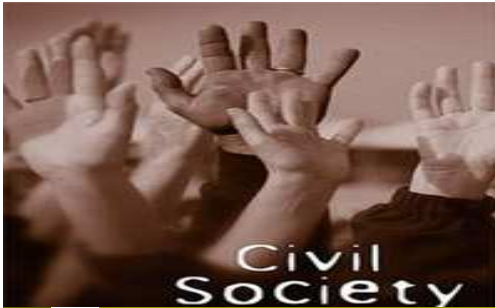




Civil Society, The Press, and Human Rights

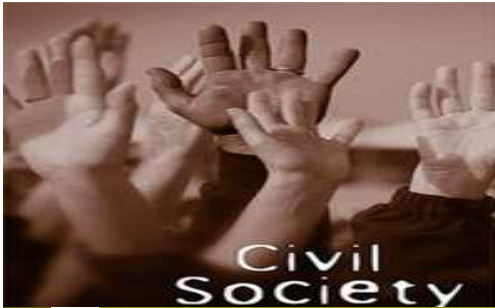




Civil Society:

The Driving Force Behind Democratization?

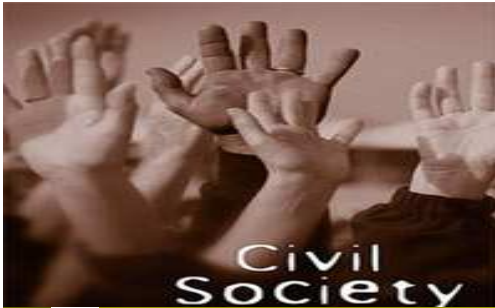
- ❑ Civil Society: The zone of voluntary associative life beyond family and clan affiliations but separate from the state and market.
- ✓ Nonprofit Organizations
- ✓ Religious Organizations
- ✓ Labor Unions
- ✓ Business Associations
- ✓ Interest and Advocacy Groups
- ✓ Societies, Clubs and Research Institutions
- ✓ Informal Political, Social and Religious Movements



Civil Society:

The Driving Force Behind Democratization?

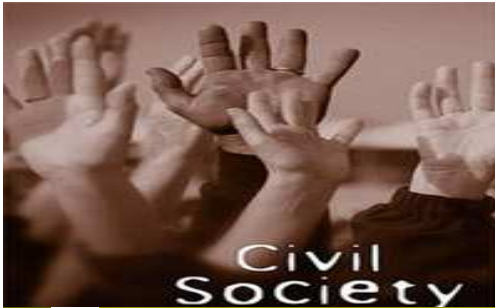
- ❑ Four main phases of civil society development in the Arab world:
 - ❖ **1st phase:** Before the European penetration of the region in the 19th and early 20th centuries, civil society consisted of community-based self-help groups, guilds, and religiously oriented charitable and educational institutions.
 - ❖ **2nd phase:** Began during the period of European Colonialism. “Modern” forms of associative life, such as professional associations, trade unions, secular charities, cultural clubs and Islamist organizations (Muslim Brotherhood) emerged across the region (Many played role in nationalist / pan-Arab struggle).



Civil Society:

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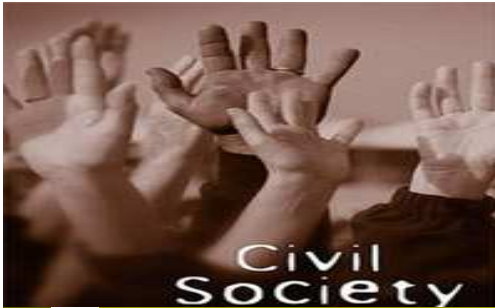
- ❖ **3rd phase:** A restrictive third phase began after Arab countries gained independence. New regimes feared that pluralistic, independent associative life would undermine national unity – and threaten their own attempts to consolidate power. Independent civic activity was either brought under state control or repressed.
- ❖ **4th phase:** represents a relative liberalization and diversification of the civil society sphere – began in the 1980's and continues to present day. Factors contributing to this phase: **(1)** Spread of Islamist movements and affiliated groups active in civil society; **(2)** Arab governments began to implement economic and political liberalization as a way of staying in power; **(3)** The rise of global human rights movements encouraged the formation of Arab human rights and democracy organizations; **(4)** Dramatic increase in Foreign aid channeled to NGO's also was a significant factor in their proliferation.



Civil Society:

The Driving Force Behind Democratization?

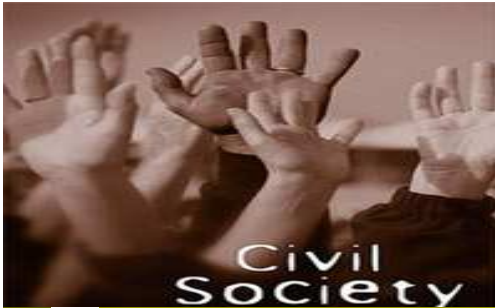
- Arab civil society comprises of five sectors:
- ❖ **Islamic sector**: groups, associations, movements – common objective is propagating Islamic faith. They provide charitable and social services (medical, education, employment, tutoring, matchmaking etc.).
- ❖ **NGO's (Non-governmental organizations)**: Non-profit groups that resemble Western nonprofit agencies. They deliver services such as loans, job training, community development etc. Donors often view service NGO's as more efficient recipients of their funds than Arab government bureaucracies.



Civil Society:

The Driving Force Behind Democratization?

- ❖ **Membership-based Professional Organizations:** These include labor unions, professional syndicates (bar associations, doctor's and engineer's syndicates etc.), and chambers of commerce. Their main purpose is to provide economic and social services for their members. They are among the largest civil society organizations in the Arab countries.
- ❖ **Solidarity and Companionship Associations:** Main purpose is to provide services among groups of friends, neighbors, relatives, and colleagues. In the Gulf countries, this sector includes ***diwaniyyas*** – regular private gatherings that serve as forums for socializing, conducting business, and discussing politics (within limits). Most are apolitical, however, Kuwaiti diwaniyyas back candidates in parliamentary elections.



Civil Society:

The Driving Force Behind Democratization?

- ❑ **Pro-democracy Associations:** Of the five sectors, the pro-democracy sector is the newest and most fledgling. The organizations in this sector seek to promote democratic change by spreading democratic concepts among their fellow citizens and by pressing Arab governments to adhere to international democratic norms. Some of the social tools they implement include:
 - ✓ Democracy-education programs (targeted at marginalized groups)
 - ✓ Mobilize citizens to vote, run for office, and observe elections
 - ✓ Lobby for changes in laws and government practices
 - ✓ Monitor governments' human rights practices
 - ✓ Fight corruption and research political issues
 - ✓ Press for women's rights

“The Internet and globalization are acting like nutcrackers to open societies and empower Arab democrats with new tools”

~ Thomas Friedman

New York Times, July 25, 2000



The Impact of the Internet on Authoritarian Rule

- ❑ Authoritarian political systems continue to be pervasive throughout the Middle East and potentially liberalizing forces such as the press and the Internet have had only minimal impact to date.
- ❑ Factors such as the political economy of rentierism and the influence of political Islam still provide a solid bulwark against political liberalization.
- ❑ Saudi Arabia, Syria, the UAE and many other Middle Eastern countries have poured extensive resources into censorship in an effort to block unwelcome social and political content.



The Impact of the Internet on Authoritarian Rule

- ❑ In the case of Saudi Arabia, the regime was willing to delay the introduction of public Internet access for several years so that it could perfect its mechanism for content control.
- ❑ In many countries there is evidence that determined users can access blocked sites using foreign based proxy servers and avoid detection through the use of new services like Triangle Boy and Peekabooby.
- ❑ Throughout the Middle East, those with Internet access tend to be the elite and they have a vested interest in the status quo – meaning they are less likely to risk their position in society through political activity.



The Impact of the Internet on Authoritarian Rule

- ❑ The economic rather than the mass public sphere is the most significant area of Internet activity in the Middle East.
- ❑ For example, the UAE and a host of other countries have taken the lead in promoting Internet-related foreign investment.
- ❑ Egypt is following the lead with its smart villages initiative, and Saudi Arabia is exploring the idea of an Internet-focused high tech development zone.
- ❑ A rise in Internet-related economic activity seems unlikely to have major political effects in the short term. Economic uses of the Internet will mean more investment by Western partners – but the state will likely continue playing a strong role in dominating the economies of most Middle Eastern countries.



Terrorist Networks and the Internet



- The events of 9/11 have focused a global spotlight on al-Qaeda and similar terrorist networks and offshoots, including their use of the Internet to promote their agenda.
- If extremist ideologies are able to freely circulate in Chat rooms or web pages and are able to reach and influence domestic populations in the Middle East, it could have an impact on political regimes in the region.
- As access to and use of the internet becomes more widespread, the dissemination of information by dissident groups may likely turn public sentiment against the governments. It is conceivable that at some point Internet use might play a role in the downfall of one of the regimes in the region.

“Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”

~ Robert F. Kennedy
June, 1966

“There is often a direct link between the absence of human rights and democracy and seeds of terrorism... We cannot win a war against terrorism by halting our work promoting the universal observance of human rights.”

~ Lone Craner ,
Assistant Secretary of State

“We should work with our friends to open up avenues for political participation and deepen respect for the rule of law, and the rights and sanctity of the individual.”

~William Burns
Assistant Secretary of State for
the Near East and South Asia

Human Rights Resources and Links

❑ Middle East Center, University of Pennsylvania

✓ <http://mec.sas.upenn.edu/resources/rights.html>

❑ Human Rights Watch Middle East

✓ <http://hrw.org/doc/?t=mideast>

❑ Human Rights *First*: Middle East Initiative

✓ http://www.humanrightsfirst.org/about_us/about_us.asp#



International Human Rights Law in Context

- The 1948 [Universal Declaration of Human Rights](#) is generally viewed as the beginning of the modern international human rights era.
- International Humanitarian Law (IHL) – (law of war, law and customs of war, or law of armed conflict); is the legal corpus comprised of the [Geneva Conventions](#) and the [Hague Conventions](#), as well as subsequent treaties, case law, and customary international law.
- IHL defines the conduct and responsibilities of belligerent nations, neutral nations and individuals engaged in warfare, in relation to each other and to *protected persons*, i.e. civilians.



Basic Rules of IHL

- Persons who are not, or are no longer, taking part in hostilities shall be respected, protected and treated humanely. They shall be given appropriate care, without any discrimination.
- Captured combatants and other persons whose freedom has been restricted shall be treated humanely. They shall be protected against all acts of violence, in particular against torture. If put on trial they shall enjoy the fundamental guarantees of a regular judicial procedure.
- The right of parties to an armed conflict to choose methods or means of warfare is not unlimited. No superfluous injury or unnecessary suffering shall be inflicted.
- In order to spare the civilian population, armed forces shall at all times distinguish between the civilian population and civilian objects on the one hand, and military objectives on the other. Neither the civilian population as such nor individual civilians or civilian objects shall be the target of military attacks.



The Legal Concept of Universal Jurisdiction

- **Universal jurisdiction** or **universality principle** is a controversial principle in international law whereby states claim criminal jurisdiction over persons whose alleged crimes were committed outside the boundaries of the prosecuting state, regardless of nationality, country of residence, or any other relation with the prosecuting country (Nuremberg Trials).
- The state backs its claim on the grounds that the crime committed is considered a crime against all, which any state is authorized to punish. The concept of universal jurisdiction is therefore closely linked to the idea that certain international norms are erga omnes, or owed to the entire world community, as well as the concept of jus cogens - that certain international law obligations are binding on all states and cannot be modified by treaty.



Administration of Human Rights Law

- Human Rights Law is administered by various international bodies – the [United Nations](#), the [European Court of Human Rights](#), and the [Inter-American Court of Human Rights](#) – and monitored by various NGO's.

