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Civil society in the Southern Cone of Latin America

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This chapter explores civil society issues in the Southern Cone of South America, namely Argentina, Bolivia, Chile and Uruguay. I chose these countries because they all have similar societies and history and fairly represent issues in this area. I have explored and reviewed many recent publications and also interviewed distinguished colleagues who were generous in sharing their time and opinions.¹ I apologize for not including Paraguay, due to lack of time and unavailable resources to provide rigorous facts about civil society conditions in that country.

The state and civil society in the Southern Cone

Despite the existence of associative experiences with longstanding traditions, many analysts contend that the creation of organized and consolidated civil societies was subsequent to the creation of independent states in the region, and was strongly conditioned by the same. Moreover, there are those who argue that modern civil society in Latin America has developed principally in reaction to the actions and policies of the state. (Sarnborn, 2005, p. 6)

This synthesis of a thorough study by Cynthia Sarnborn on historical and modern trends of civil society and non-profit organizations in Latin America, reflects the opinion and statements of many colleagues and scholars in the region.

For a definition of ‘civil society’ I adhere to Michael Walzer: “the sphere of uncoerced human association between individuals and the state, in which people undertake collective action for normative and substantive purposes relatively independent of government and market” (Walzer, 1998, cited in Edwards, 2011, p. 4). As I have written some years ago, in this part of the world the confusion around the concepts of ‘civil society’, ‘third sector’, non-governmental organization (NGO), civil society organization (CSO), and

so on, still prevails, and practitioners and colleagues use them alternatively (Marsal, 2009, p. 12). Furthermore, society at large is more familiar with ‘older’ terms like NGO. Behind words – as scholars know – there is a struggle between different visions of what should be the role of non-profit organizations in their relationship with the state or private corporations. Therefore, as this ideological struggle has not ended, for practical purposes I will use them alternatively in a broad sense.

As other recent writings have described the “shrinking space” for civil society (Anheier et al., 2019, p. 3) or the “State capture of civil society” (Acheson, 2021, p. 12), variable conditions sway from ‘friends to foes’ as different government policies emerge in the region. Bolivia is the country where the struggle between non-profit organizations and the government has been most exposed. At the beginning of the Morales administration, many NGO leaders were included as ministers in the new cabinet (2006–09) in alliance with social movements (Mayorga, 2010, p. 143). Furthermore, as political tensions developed, non-profit organizations and civil society as a whole became divided and took sides either with or against the government and its political projects. Non-profit organizations of the opposition grouped into so-called *Plataformas Ciudadanas* (Citizens’ Platforms). There were several issues that placed a strain on the relationships between the government and NGOs, one of the most important was the TIPNIS project (during October 2019) (Mayorga, personal communication, 2021). This was the government project to develop an important road through the Isiboro-Secure National Park, which is located on indigenous land and triggered marches against the government (Mayorga, 2020, p. 36). This project was contrary to the Morales election platform that declared in favour of indigenous rights. During these tensions and in reply to an opposition’s document subscribed to by some NGOs, vice-president Alvaro García Linera wrote a strong paper against “right-wing NGOism” (García Linera, 2011, p. 12). Later on, this faction of NGOs provided political support to plot against Evo Morales when ‘Civic Committees’ demanded his resignation, which was finally realized on 11 November 2019 (Molina, 2019).

On the reverse angle of the area in the Southern Cone of Latin America, Uruguay stands for stable relationships between the state and civil society organizations. Elections in November 2019 provided a narrow victory to a right-wing coalition after 14 years of a left-wing alliance (Frente Amplio) in office. Although there were political threats from the right-wing government (that supported a projected omnibus law to cut down services) towards NGOs, apparently the solid democratic institutions did not allow it to succeed. International funds for NGOs are scarce and almost all available funds are from state-funded social service delivery programmes towards non-profit

organizations that sympathize with the government in office. Predictably, funds will shift towards conservative non-profits – mainly foundations – but always in the calm institutional atmosphere so characteristic of Uruguayan democracy (Silva and Roba, 2021). Private and international philanthropy is very scarce and the main funds are provided by state programmes (Bettoni and Cruz, 2013, p. 1). Uruguay has a well-known umbrella organization for NGOs called ANONG which provides information and facts to members and the public.²

Chilean non-profits also depend a lot on their relationship with the state. Since 2011 an important law (number 20500) assigned permanent funds from the national budget to non-profit organizations (Consejo Nacional, 2017). This law also established that there should be a National Council with six representatives from non-profit organizations who rotate every two years. This Council supervises the flow of funds. There are also Regional Councils with the same mechanism in each of the 16 regions. Forty-one per cent of the income received by non-profits in 2017 came from different state-funded programmes and subsidies (Irrarrázaval et al., 2019, p. 26). The same authors found out that income for CSOs during 2015 was the equivalent of USD 3.581 million, of which 49 per cent was provided by governmental sources, that is: USD 1.754 million (Irrarrázaval, Streeter et al., 2017a, p. 64).

Closer to the Bolivian scenario than to the ones of Uruguay or Chile, Argentinian relationships between the state and non-profit organizations are more ideologically biased. There is no unified umbrella organization representing all non-profits, such as in Uruguay or other countries. During the Menem administration (1989–99) identified with the ‘Washington Consensus’,³ state programmes were delegated to friendly NGOs under the axiom of ‘Shrinking the State is widening the Nation’. The Macri administration (2015–19) went even further by promising better legislation for non-profit organizations, but did not deliver at all. It maintained ridiculous tax exemptions for donations (that had been reduced during the Menem administration) and did not provide simple administrative reforms requested by a coalition of civil society organizations (Coalición de la Sociedad Civil, 2016). The Fernandez/de Kirchner administration that took office in December 2019 provided significant funds to *social movements* responding to social urgencies already started during the Macri administration. However, there is no formal institutional organism to link the state and non-profits providing strategic policies and accountability. There is no stable state policy, even though sporadically there is a pendulum approach depending on government ideological sways from right to left or vice versa, mainly providing funds through the ministry of social development. Non-profit organizations from different origins and territories provided great

support during the Covid-19 pandemic, but recognition from the state in the long run remains uncertain (Rofman, 2021).

Philanthropy and accountability

Although local philanthropy in South America is way below North American standards (including the USA, Canada and Mexico), there is some funding from private philanthropy to non-profit organizations. What has been reduced significantly is international private philanthropy mainly from US foundations which were important agencies in the region, like the Ford Foundation and the W. K. Kellogg Foundation. They had provided many grants since the early years of the twentieth century (Marsal, 2005, p. 52). This withdrawal had different causes; the main one being that most of the countries in the Southern Cone became middle-income economies according to World Bank metrics.⁴ Even Bolivia, which in the early 2000s was still a low-income country, has grown by enlarging its per capita income index. The paradox is that these Latin American countries have at least one thing in common: inequality regarding income distribution. They still have huge areas of extreme poverty that would certainly require private philanthropy from international sources.

Some European political party foundations are still active in the region, like the German party-linked Friedrich Ebert, Konrad Adenauer and Rosa Luxemburg foundations. International institutions such as the European Union and the International Development Bank (IDB) also finance projects, but only a few non-profits have the professional capacity to meet their accountability standards and requirements. Local private donations vary significantly depending on state policies of tax exemption according to a 2020 study in Latin America covering 16 countries:

We discovered, for example, that the allowed percentage of deduction on rent or income tax varies from each country of Latin America; it goes from 1% in Panama to 75% in Uruguay. This represents a great difference as a fiscal stimulus towards donors. (CEMEFI, 2020, p. 23)

Besides fiscal variable benefits, conditions for local philanthropy vary from one country to the other. In a 2019 study of 325 foundations in five Latin American countries, scholars found a considerable growth of new granting foundations since 2000, mainly corporate and family foundations. Though private funds did not exceed state-provided funds, it suggests a dynamic growth of new phil-

anthropic actors with the exception of Argentina where only few foundations were created after 2010 (Berger et al., 2019, p. 20).

There are more issues concerning private philanthropy. One is how the money is used. Are the grants used for causes that support social change and strengthening citizens' rights, or on the contrary, are they mainly used for underpinning the status quo (Thompson, 2021)? Given the emergencies caused by the pandemic, have funders in the region reacted swiftly by increasing funds and loosening their bureaucratic procedures?

Another important policy issue is the registration of donations, both international and national, private and state funded. Accountability is undoubtedly linked to solid and transparent information provision by state agencies and registries. Countries vary with registries and public information is better available in Chile and Uruguay than Argentina, which has no public registry of grants and donations. Figures from the Chilean tax agency suggest that USD 250 million were donated in Chile during 2015, but there are no reliable data for the other countries in the region as tax agencies are very reluctant to provide that information (Irrarázaval, Streeter et al., 2017b, p. 58).

Similar inaccuracy exists with the registration of the number of non-profit organizations in each country. The 1995 Johns Hopkins Comparative Study, a pioneer comparative research that included 45 countries in the world and six from Latin America, obtained accurate records on this. But since then, scholars have had a hard task to obtain more recent figures on non-profits. If one succeeds at all to access some kind of official record, it is hard to know how reliable this is.

There has been a persistent effort from civil society institutions in the region to strengthen accountability: from the Instituto de Cooperación y Desarrollo (ICD) in Uruguay to the Centro de Políticas Públicas of the Chilean Catholic University. However, transparency still has not rooted in the region nor spread to other countries where registries are unreliable. ICD has started early with an accountability initiative (Rendición de Cuentas) producing several research products; the most recent one is the Independent Reporting Mechanism (IRM) as part of the Open Government Partnership (OGP).⁵ With support from the IDB they produced a mapping of non-profit organizations in Uruguay.⁶ This tool gives an approximation of how many non-profit organizations exist in Uruguay and what their mission is. Previously, ICD produced many documents describing the relevance and structure of non-profit organizations in Uruguay (Bettoni and Cruz, 1999).

A similar mapping exercise was done in Chile by the Center for Public Policies of the Catholic University in Chile, published in both Spanish (2017) and in English (2018) (Irrarrázaval et al., 2018).

A new research agenda for Latin America's civil societies

Although funding for research is scarce and university programmes focused on civil society have diminished, coordination between research centres and colleagues in the region should provide new opportunities for fresh research. The good news is that two new research centres have been founded: the Centro de Filantropía e Inversiones Sociales (CEFIS) at the Universidad Adolfo Ibáñez in Chile⁷ and the Observatorio de ONG-UBA at the Universidad de Buenos Aires in Argentina.⁸ Although a major step forward, many scholars agree that there is still a lack of solid research on civil society in the Latin American region.

In order to establish our research priorities, we should ask ourselves: What are the new issues in which civil society organizations are participating? What have been the consequences, results and impacts on society and the CSOs? There are several issues that should be looked at by scholars of the region in the near future.

First: Civil society organizations' involvement and support to their societies during the Covid-19 pandemic, an emergency that seems to last forever. There are many examples of creative initiatives in which non-profit organizations played an important role in supporting needy areas in countries of the Southern Cone (Rieiro et al., 2020; CLACSO, 2021). Some active agents of social movements and civil society organizations who, despite recognizing that during the emergency coordination with local and national state authorities has improved, are sceptical about the aftermath of the pandemic, assuming that we go 'back to business as usual'. That would imply not to recognize the role of non-profit organizations and social movements on the ground, nor to maintain a coordination with state authorities on actions and policies. In Argentina, academic centres (UNGS-FLACSO-CEUR/CONICET) and civil society organizations on the ground created in July 2020 a network called Territorios en Acción (Territories in action).⁹ The purpose was to coordinate actions of civil society organizations and make them visible during the pandemic in vulnerable areas of cities and populations. The academic centres expressed concerns that when conditions returned to normal, policies and actions by national and local state actors should continue to allow active

participation of non-profit organizations, not only in emergency situations as experienced currently.

The new role of civil society organizations in the suburbs of Buenos Aires was analysed by Adriana Rofman from the University of Gral. Sarmiento during previous social crises that paved the way for the present situation:

The deep structural changes that Argentina has experienced in recent decades are having a notorious impact on the relations between the State and society. Reality shows the growing withdrawal of state participation in the issues that have to do with the living conditions of the population – health, education, jobs, food, social security, etc. ... Faced with this panorama, many analyses point at the new role of civil society organizations, channelling initiatives to meet their growing needs. (Rofman, 2002)

Second: Social upheavals by spontaneous movements, particularly in Chile and Colombia, indicated not to consider established non-profit organizations as useful tools to promote social change. Social networks mobilizing hundreds of (usually young) activists have informal rather than legal structures. This places more 'traditional' non-profit organizations in a rather awkward situation: they promote 'regular social change' and defend citizens' rights but are not at the centre of events that demand fundamental change. The description by Gonzalo Delamaza and Danae Mlynarz Puig of events in the massive Chilean demonstrations is quite revealing:

In the first place, these are mass mobilizations, especially of young people, in public spaces, mainly in regional and intermediate capital cities. Its duration is variable, its rhythm episodic and its motivations varied. The mobilization does not respond to singular calls nor does it have the backing of national or large organizations. The modality of greater horizontality and low formalization, of the assembly type with the presence of spokesmen who rotate in their positions, which the students inaugurated, has been socialized towards some other movements (feminism, territorial movements). (...) Beyond that, collectives and all kinds of informal groups have proliferated, dedicated to specific issues of the most diverse type, the vast majority without legal formalization. (...) Perhaps the most interesting feature in relation to the present and future of CSOs in Chile refers to the growing disengagement between the dynamics of organization, those of social movements and those of collective action in the public space. (Delamaza Escobar and Mlynarz Puig, 2021, p. 11)

There is a similarity with events in Argentina during the December 2001 riots and uprisings, where citizens shouted: *que se vayan todos* ('they all must go'). Repression by security forces (ordered by former president De la Rúa) generated 27 deaths and many injured. Already then, many analysts observed that traditional non-profit organizations were completely absent in a popular rebellion that practically had no leadership, being a quite horizontal movement

with ‘neighbour assemblies’. A qualitative study by Ines Pousadela gathered testimonies reflecting on that situation:

I saw how other people confronted (the police) ... the ‘motoqueros’ (moto drivers) ... the ‘piquetero movement’ without a political party. ... It was a rebellion in which lower class young people participated ... It was a popular rebellion but basically a rebellion without leadership ... (Pousadela, 2017, p. 13)

Studying this kind of ‘new associationism’ is an important issue for immediate research. In particular, what draws the attention of scholars is the departure of formal representations and not recognizing any leadership, not even well-known non-profit organizations that have always advocated for citizens’ rights and social change. As Andrés Thompson points out in a recent interview:

When we speak of civil society we have to speak more of civil society in general and not only of formally constituted organizations. There is this new phenomenon of numerous informal organizations that fight for rights, and achieve their aims such as the law of interruption of pregnancy in Argentina and other rights in the region. In general, they are promoted by young women, through internet tools, networks, etc. (Thompson, personal communication, 10 June 2021)

In addition, these organizations manage to carry out their actions by obtaining funds via small contributions from many different people, rather than from traditional institutionalized philanthropy. It is called *community philanthropy*, or in the words of Andrés Thompson: “they get funds from below the earth”. In a survey by Florencia Roistein and Andrés Thompson with 383 women activists in Latin America, the lack of support from institutionalized philanthropy for these movements and grassroots organizations was confirmed:

Organization’s resource mobilization is fundamentally monetary and local, and mainly for projects: The data collected on resource mobilization provides a clear picture of the local efforts made by these young activists to raise funds from their communities and countries, in contrast with the idea that international funding is key to the existence and functioning of their organizations. (Roistein and Thompson, 2020, p. 49)

Third: The international anti-laundering and anti-terrorism legislation obliges institutionalized non-profit organizations to comply with burdensome paperwork, even though often they do not have the human resources to deliver. During the November 2018 G20 Summit in Buenos Aires, the International Center for Not-for-Profit Law (ICNL) organized a high-level meeting with the Financial Task Force and several representatives of civil society. In that meeting the effects on organizations of the new legislation were identified. Excerpt: “Practices such as bank de-risking can lead to debilitating delays in

or even denials of financial services to civil society organizations, based on the unfounded belief that they are at high risk of financing terrorism.”¹⁰

Research on these effects should be continued and tracked, as their application backfires the expected increase in accountability which is widening the gap between a few well-funded NGO and hundreds of smaller ones. This is another example of ‘shrinking space’ for civil society organizations.

Fourth: Why are there so few academic programmes (undergraduate or graduate) to train professionals, when there are thousands of civil society organizations that obviously need staff to manage their organizations? There are several examples of programmes that have been set up and later closed down. A comparative research project needs to be initiated, interviewing academics to provide knowledge for future initiatives to establish training programmes that may be required for CSO board members.

CONCLUSION

In this chapter, I have tried to summarize recent trends and events of civil society organizations in the Southern Cone of Latin America. It is meant to be shared with colleagues, scholars and practitioners, hoping that this chapter will add to future debate and action. There are still many unanswered questions for deepening research: recent support provided by civil society organizations (in coordination with state health policies) during the Covid-19 pandemic may have provided better relationships; or will we go back to the usual ‘shrinking space’ for CSOs/NGOs? What is happening to ‘spontaneous’, informal, and networking social movements that are not relying on traditional and formal CSOs/NGOs for claiming their rights, as in the past? What are the reasons for these changes? What happened to civil society organizations in the recent social and political upheavals in Bolivia and Chile? Did they take sides with or against their governments, similar to divisions in society? Or did they avoid participation with governments, aiming for more stable conditions and not supporting mobilizations claiming social change? These are only some of the many questions that need to be answered in future academic research on civil society issues in Latin America.

NOTES

1. I spoke via video conferences with: Anabel Cruz – Uruguay (2 July 2021); Gonzalo Delamaza-Escobar – Chile (5 July 2021); Ignacio Irarrazaval Llona – Chile (22 June 2021); Fernando Mayorga – Bolivia (15 June 2021); Andrés Thompson – Uruguay (10 June 2021).
2. See <https://www.anong.org.uy/>.
3. The Washington Consensus was a very popular recipe for right-wing conservative governments in Latin America during the 1990s, coined by Williamson (1989), mainly based on privatizing all state-managed programmes and properties.
4. See <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2020&locations=XO-XP&start=2020&view=bar> (accessed 18 August 2021).
5. See http://www.lasociedadcivil.org/wpcontent/uploads/2020/10/Uruguay_Design_Report_2018-2020.pdf.
6. See <http://www.mapeosociedadcivil.org/organizaciones/>.
7. See <https://cefis.uai.cl/https://cefis.uai.cl/>.
8. See <https://obsonguba.sociales.uba.ar/>.
9. See <https://politicaspublicas.flasco.org.ar/territoriosenaccion/>.
10. See <https://www.icnl.org/our-work/latin-america-and-the-caribbean-program/enhancing-international-norms> (accessed 23 August 2021).

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