

# Civil society's role in the governance of effective, inclusive, and sustainable social protection systems

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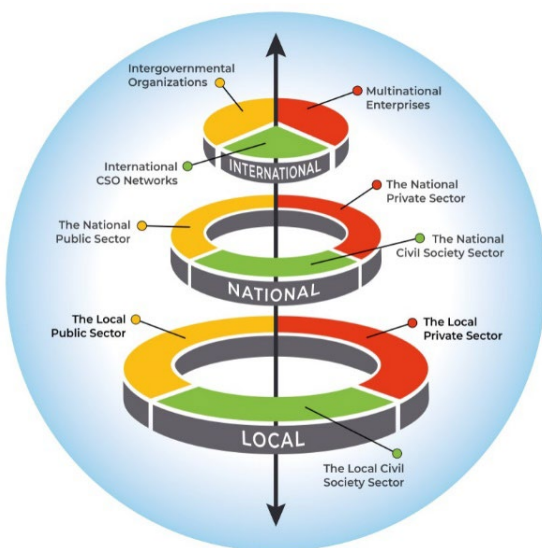
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This policy brief presents key insights on strengthening social protection governance through civil society<sup>i</sup> participation. It summarizes a larger study on the role of civil society in social protection governance<sup>1</sup> to inform policy makers, civil society actors, and other actors of Belgium's international cooperation working on social protection.

The brief first discusses how civil society participation can strengthen different dimensions of social protection governance, in different stages of the policy cycle. It then turns to key strategies, opportunities, and challenges for enabling and promoting the contributory roles of civil society towards stronger social protection governance.

Both this brief and the larger study depart from the premise that (i) the structural and meaningful participation of civil society in a so-called *tripolar governance model*<sup>ii</sup> (see Figure 1) can contribute to inclusive, democratic, and effective governance for sustainable development;<sup>2</sup> and (ii) social protection is a key aspect of sustainable development and therefore a key policy area for exploring the potential value of a tripolar governance model.<sup>3,4</sup>

Figure 1 The tripolar governance model<sup>2</sup>



<sup>i</sup> This policy brief defines civil society as an arena outside of the family, the market, and the state, in which multiple voices, movements, and organizations associate on a voluntary, independent, and self-governing basis, to intervene in questions of common or public interest. As such, civil society includes a wide range of actors with different purposes and levels of (formal) organization (e.g. NGOs, cooperatives, mutual health organizations, trade unions, associations, social movements).

<sup>ii</sup> In a tripolar governance model, the public sector, the for-profit sector, and civil society are represented and participate in a structural and meaningful way.

## KEY MESSAGES

Civil society can play a critical role in **addressing five governance gaps** in social protection. It can do so by:

1. representing the interests of a diversity of rights holders, including groups with little or no voice;
2. building societal support for social protection policy and regulations;
3. creating spaces for communication and public debate on social protection rights and policies;
4. addressing gaps in policy implementation through joint value creation;
5. filling up governance gaps at the global level.

Civil society can contribute to inclusive, effective, and sustainable social protection governance **in all stages of the policy cycle**. To this purpose, civil society actors can take on a variety of **different roles**, including the role of policy advisor, innovator, implementing partner, watchdog, evaluator, contestator, or communicator and information provider. The potential of civil society to promote social protection through this variety of roles, and throughout the policy cycle, needs to be better recognized and supported by the ecosystem of governance stakeholders, and in particular by policy makers.

Recent research points to **six important strategies** for promoting a structural, meaningful, and effective participation of civil society towards stronger social protection governance:

1. protect and promote civic space and respect for human rights at large;
2. leverage shared interests of governance partners and opportunities for joint value creation;
3. promote the establishment of effective legal and regulatory frameworks that are sensitive to power relations;
4. facilitate a greater diversity within and better representativeness of those actors participating on behalf of 'civil society';
5. invest in targeted and context-appropriate strengthening of the capacities of civil society actors at different levels;
6. support the development of multi-level civil society coalitions and networks that are sufficiently diverse.

## Why should civil society participate? Addressing five critical governance gaps<sup>1,2</sup>

**Addressing representational gaps:** a key strength of civil society is to represent the rights and interests of a diversity of voices, including groups that are being left behind or heavily excluded, vis-à-vis other (more powerful) actors at different levels.

Much like other social accountability approaches, the representational role of civil society can contribute to a more democratic governance of social protection services like social insurance, and a better quality of care.<sup>5,6,7</sup> Indeed, a key added value of mutual health organizations is the collective representation of rights holders within the broader social protection system, and of health insurance users towards providers. In addition, civil society actors and their coalitions have been key players in representing and defending the right to social protection of informal and self-employed workers who are often excluded from formal social protection systems (e.g. street vendors, sex workers, domestic workers). A particularity of social protection is that it strongly connects to complex and often sensitive questions about effort, redistribution, and social justice – around which a typical society holds a diversity of beliefs and attitudes. Building national social protection systems therefore calls for broad-based dialogue to build consensus on what social protection should look like, what policy options are suitable and feasible, and how to set priorities (e.g. in the absence of comprehensive social protection systems).<sup>8</sup>

**Building societal support for policy and regulation:** civil society is well placed to provide citizens and policy makers with information and education about social protection rights and responsibilities and to enable citizens to meaningfully participate in policy processes.

This role is especially important in the area of social protection, as it is an essential component of the social contract between the state and its citizens. Broad public support for political and policy reforms is therefore key to safeguard (or re-assert, e.g. in fragile states) the legitimacy of social protection policies and of the government issuing them.<sup>9</sup>

**Creating spaces for communication:** civil society facilitates deliberation and debate, including through public debate or public protest.

Civil society often plays an active role in fostering communication on social protection policies. A key dimension herein is creating spaces that are accessible to groups who otherwise have little or no voice. At the international level for instance, civil society organizations (CSOs) have an important role to play in ensuring that representatives from the global south have access to important multilateral policy arenas.

**Filling up governance gaps at the global level:** civil society can help to address institutional deficits in global governance structures and act as countervailing powers to influential international institutions.

In recent years, civil society networks (in partnership with the ILO) have for instance advocated for a Global Social Protection Fund to (i) promote international coordination and coherence on social protection financing, and (ii) support low-income countries in ‘passing the threshold’ towards establishing social protection floors.<sup>10</sup> Similarly, CSOs are structurally involved in global partnerships or inter-agency networks to promote the right to social protection, such as the Global Partnership on Universal Social Protection (USP2030).

**Addressing implementation gaps:** civil society can help to address a variety of challenges in policy implementation.

These roles range from complementing the delivery capacity of the state, or supporting the mobilization of contributory payments, to providing specific (technical) expertise or developing and field-testing innovative ideas.<sup>11</sup> In Uganda and Nepal for instance, civil society is actively cooperating with the government in programmes to strengthen state capacities for public finance management and the establishment of social protection floors.<sup>12</sup>

## When should civil society participate? Possible roles in each stage of the policy cycle

Figure 2 illustrates how CSOs can support and promote the establishment and consolidation of national social protection systems, by taking up different roles throughout the policy cycle: in the problem formulation stage (e.g. by supporting different groups to raise their voice); in agenda setting (e.g. through advocacy work); in policy formulation (e.g. by acting as innovators or advisors to governments); in policy implementation (e.g. by bringing in technical expertise and support on the ground); and in monitoring and evaluation (e.g. as watchdogs).<sup>1,11</sup>

Figure 2 Potential contributions of CSOs in building national social protection systems (adaptation<sup>11</sup>)



## Six strategies for promoting a structural, meaningful, and effective participation of civil society

The tripolar model calls for an *institutionalization* of meaningful and effective civil society participation, to ensure participation of a structural nature. Yet, in spite of important steps forward, many countries are still far removed from such an institutionalization at scale.

Recent academic and policy research points to six important strategies for fostering progress in this area towards more effective, inclusive, and sustainable social protection systems.<sup>1</sup>

### Protect and promote civic space and an environment respectful of human rights

A key precondition for the tripolar governance model is a policy environment that protects and promotes civil society's ability to access information, obtain financing, organise, cooperate, and mobilize citizens.<sup>13</sup> This also means protecting the space for civil society to take up the most appropriate role towards the state and other governance stakeholders in different contexts (e.g. strategic ally, watchdog, contestor).

Governments, cooperation agencies, and civil society actors from partner countries can support local civil society in their efforts to proactively increase civic space at large. One way to do so is through sustained policy dialogue with partner countries on the value of an independent civil society for maintaining or rebuilding the legitimacy of the state and the social contract in general, or of social protection policies in particular. Especially in contexts of narrow(ing) civic space or strenuous relations between the state and (certain groups of) civil society actors, various observers see potential in rights-based approaches.<sup>14</sup> This can involve supporting human rights actors such as national human rights institutions in pushing for favourable commitments and legislation, or advocating against harmful reforms and measures.<sup>15</sup>

It is useful, however, not to overlook the potential contributions of service delivery organizations without explicit political missions in this sense. Under certain conditions, service delivery CSOs can also contribute in important ways to advancing (social protection) rights, for instance by transferring information about rights and how to claim them, taking up obstacles to service delivery with the state, or stimulating debate about service delivery and social protection rights among target groups (see Box 1).<sup>16</sup>

Finally, advocating for rights-based approaches at a national or global scale, can support ongoing civil society efforts to build on (climate, social, economic) justice movements to develop innovative and synergetic social protection systems and financing models, such as socially just devolved climate financing or loss and damage compensation.

### Leverage shared interests of governance partners and opportunities for joint value creation

The active and vital role of civil society in providing or safeguarding social protection during the COVID-19 pandemic not only highlighted the potential for greater joint value creation, but also built important momentum for consolidating civil society's involvement and new types of partnerships with states in governance processes and frameworks.<sup>17</sup> For instance, civil society actors have at times (both historically and during the COVID-19 pandemic) consolidated a seat at the table in social protection governance after setting up a collaboration with the government to jointly develop emergency responses or structural reforms in times of crisis.

Partner countries can assist local civil society in identifying such 'win-wins' where strategic interests of the public, for-profit, and civil society sector overlap. They can also support civil society in taking up more extensive roles as a governance stakeholder beyond the delivery of services (e.g. through targeted financial support, knowledge sharing, or technical capacity strengthening).<sup>11</sup> For instance, civil society is likely well placed to contribute to a better understanding of and engagement with the political and socio-cultural dimensions of social protection, which can help public actors to move beyond overly technical and mechanistic approaches.<sup>18</sup> Such areas of potential joint value creation can help to highlight the legitimacy and relevance of including civil society as a governance partner.

### Promote the establishment of effective legal and regulatory frameworks that are sensitive to power relations

Advocating for, developing, and effectively implementing legal or regulatory frameworks for civil society participation is a key strategy towards structural participation.<sup>8</sup> However, not all participation is meaningful. Frameworks need to be critically reviewed on what power they actually convey to whom. Do the governance structures and processes in which civil society participates have a strong mandate? What is the relative power of civil society representatives vis-à-vis other players at the table? Is civil society present but side-lined in discussions or decision-making? Assessing this also demands us to look beyond national borders, and critically review how domestic policy making is embedded in, or influenced by, regional and international political and policy processes.

Establishing, safeguarding, and strengthening social dialogue mechanisms for instance is a key avenue for structurally including the voices of workers' and employers' organizations in social protection governance. In other forms of institutionalized dialogue,

such as the ILO assessment-based national dialogue approach, a broader set of civil society actors is structurally included as a key stakeholder.<sup>19</sup>

### Facilitate a greater diversity within and better representativeness of 'participating civil society'

A crucial question is who gets to be included as a legitimate representative of 'civil society'. Participatory policy processes often favour highly professionalized and highly formalized CSOs, which do not always represent well the voices of all groups in civil society. In particular, there are calls to actively create more space for the plethora of organizations that are less visible, less professionalized, or more informal – including community-based organizations and grassroots social movements.<sup>20</sup> This can strengthen representation and inclusiveness, but also makes it possible for governance processes to leverage the complementary strengths of different types of organizations (e.g. from high-level technical expertise or strong mobilizing power, to close feedback loops with constituencies and access to socially isolated groups).

To create more space for diversity, definitions of what civil society is, funding mechanisms, and transparency and accountability requirements need to strike a good balance between the need to assess legitimacy and representativeness, and the need to accommodate the wide variety in characteristics and capacities across civil society actors.<sup>13</sup>

### Invest in targeted and context-appropriate strengthening of civil society capacities at different levels

Taking up different roles in (social protection) governance effectively, and having meaningful influence in different stages of the policy cycle, requires a diverse set of capacities. Some core capacities are essential to a good internal functioning of any CSO (e.g. financing; good internal governance); others are more specific to the different roles that civil society can take up in the policy cycle (e.g. developing policy proposals; negotiation skills; use of (social) media).

Not every civil society actor is able to, or needs to, develop the whole set of capacities for policy influence. However, today we still see important structural capacity gaps in the civil society landscape at different levels. In particular, there has been insufficient attention for targeted capacity strengthening of different types of workers' organisations in low- and middle-income countries.<sup>13</sup>

Depending on the context, public actors and civil society networks need to invest in critical capacity strengthening efforts for civil society to take up its different roles fully (see Box 1). For instance, fostering the capacities of civil society actors to use participatory research and

decision-making tools (such as (digital) consultations of constituencies or the REFLECT approach)<sup>21</sup> can help to establish its position as a legitimate stakeholder in social protection governance at different levels. Importantly, capacity strengthening of local civil society may need to be accompanied by efforts to strengthen the financial, administrative, and technical capacities of national and local governments to engage with civil society and build relationships of trust.

### Support the development of multi-level civil society coalitions and networks that are sufficiently diverse

Network and coalition building at the local, national, and international level can promote the ability of civil society to obtain a seat at the table at all policy levels, and to have meaningful influence in different ways (see Box 1).

First, it promotes mutual learning and capacity strengthening as well as the pooling of resources, mobilizing power, and complementary strengths. It can also contribute to a stronger representation of the interests of constituencies, and a stronger political and negotiating position of civil society towards the state and other stakeholders (including political and economic elites). Third, networks and coalitions can stimulate the legitimacy, representativeness, and inclusiveness of civil society participation, for instance by creating space for multiple perspectives. Fourth, network and coalition building is well aligned with the rise of more hybrid civil society actors that surpass traditional distinctions of workers' organizations, social movements, NGOs, human rights organisations, or the social and solidarity economy.

#### Box 1 The Poorest Areas Civil Society (PACS) program

The Poorest Areas Civil Society (PACS) program is an example of an internationally funded rights-based program that successfully operationalized several strategies to strengthen civil society in highly marginalized areas in India. Among its success factors was the program's strong investment in targeted and locally tailored capacity strengthening of CSOs at different levels. Focus areas were the capacities of community-based and grassroots CSOs to support members in claiming their social protection benefits, and lobbying local governments for reforms. This was complemented by coalition and network building at the national level – both among participating CSOs and with other relevant civil society players and campaigns beyond the program – to influence higher-level policy making.<sup>22,23</sup>

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## Endnotes

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