

Senegal: The difficulty for NGOs to gain independence from the State*Sadio Ba Gning et Kelly Poulet* • Docteurs en sociologie

Taking the example of Congad, the Council of Non-Governmental Organisations for Development Support in Senegal, two young researchers help us to understand the difficulties that African NGOs encounter in trying to gain independence from the State.

In Senegal, since the end of the 1970s, the State has received significant international aid. Today, at the heart of a necessary humanitarian transition¹, it is increasingly expressing its will to exercise its sovereignty in terms of actions carried out on its territory². At the same time, achieving independence – as the capacity of governing oneself – seems to be central to the governance project for Senegalese civil society organisations, a horizon that is increasingly seen as a sustainable solution, shared by organisations from the West and developing countries. Finally, “local civil society”³, which is very diverse, is becoming increasingly demanding for participation in public affairs and the management of public goods. According to Jean-François Mattei, these tendencies are therefore indicators of the “measure” of humanitarian transition.

Given this observation, it seemed necessary for us to understand the “humanitarian transition” underway in Senegal in relation to the history, aspirations, practices and functioning of NGOs. Taking Congad, the Council of Non-Governmental Organisations for Development Support in Senegal, for our case study, our research aimed to understand the landscape in which NGOs in Senegal operate and evolve, through the prism of autonomy, from sponsors, international NGOs, and especially the State. It is this last point that we propose to develop in this article, by bringing elements of response to the question of how the social history of Congad reveals the difficulty for Senegalese NGOs to gain independence from the State.

The objective of the social history is to “measure” the dynamics of the organisation and to grasp the historical issues by placing them under the angle of governance. We proceeded to collect data from the archives of the organisation and carried out in-depth interviews with former presidents, executive secretaries and members of Congad, as well as with representatives of local communities⁴. This social history enabled us to enter the collective memory of the consortium by

¹ Jean-François Mattei, *L'humanitaire à l'épreuve de l'éthique*, Les liens qui libèrent, 2014.

² Jean-François Mattei and Virginie Troit, «La transition humanitaire», *Médecine/Sciences*, n° 2, vol. 32, 2016, p. 211-215, www.fondcrf.org/wp-content/uploads/2016/05/Transition-humanitaire-JF-Mattei-V-Troit-M%C3%A9decine-Sciences-2016.pdf

³ Jean-Noël Ferrié, «“Société civile”, autoritarisme et globalisation des normes. Une analyse des effets de la “solidarité sans consensus”», *Journal des anthropologues*, n° 94-95, p. 75-91, 2003, <https://jda.revues.org/1967>

⁴ The qualitative study was carried out between September 2015 and August 2016. We considered the humanitarian field as a space of governance which we studied ethnographically using data from 40 semi-directive interviews, *in situ* ethnographic observation, and informal discussions with members of the consortium office, associative heads of NGOs, elected officials, technical personnel, etc. More specifically, we carried out fieldwork amongst regional committees of the consortium, in three phases. The first, in the centre (Dakar-Thiès), concerned the social history of NGOs. The second took place in the south and south-east (Ziguinchor-Sédhiou-Kolda-Tambacounda). The third and last phase was carried out in the north (Saint-Louis and Louga). The study was carried out by Sadio Ba Gning, Kelly Poulet and Alfred Inis Ndiaye, and was part of a research programme financed by the French Red Cross Fund, supported by the Université Gaston Berger (UGB) and the Centre de recherche sur les politiques sociales (CREPOS) at the Université Cheikh Anta Diop (UCAD).

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confronting individual memories of current and former members of Congad and analysing the motives behind three main phases: creation and expansion (1980-1990), institutionalisation and legitimisation (1991-2003), and disillusionment (2004-2016). These are the three main stages which structure the present article.

Democratic transition and the creation of Congad

At the beginning of the 1980s, in parallel to democratisation and growing pluralism, programmes of structural adjustment emerged at the same time as the State's failed agricultural policies led to an increasing number of organisations wanting to work towards development in Senegal. It is also in this context that the first Senegalese NGOs appeared, for the most part led by left-wing intellectuals who were very critical of State projects: they were designed to become true opponents to the State.

Following this dynamic, Congad was created in 1982 to respond to the needs and expectations of a number of actors: international NGOs, community associations, the first national NGOs, but also the State. This new organisation specifically aimed to be a forum for dialogue between national and international NGOs which had been active in the humanitarian field since the 1970s, following multiple political crises stemming from the Independence of the region's countries – including Senegal – over the course of the preceding decade, and those linked to natural disasters. Beyond the necessity of implementing a space for dialogue in the face of the proliferation of international organisations, it was also a question of regulating NGO interventions, particularly those of foreign NGOs. As for national associations, some struggled to be recognised as NGOs by the State, which considered their leaders to be political opponents. The original ambivalence stemmed from the fact that if the State needed to group NGOs together in order to have an organised spokesperson for the sector, it was also no doubt in order to supervise their interventions. As one of the “elders” of Congad, D. C. explained:

“The only means of expression [at the time] was the associative movement, and the most capable people in these associative movements had more or less leftist leanings [...]. That was why the government told us that they were masked leftist politicians; but in 1982, the State needed to be better structured and organisations were beginning to proliferate everywhere, especially at the international level, NGOs wanting to establish themselves. It must be acknowledged: the State in some ways facilitated the creation of Congad”⁵.

Indeed, a convention was signed by the State and Congad in 1985. From then on, the initially conflicted relationship between the State and Congad began to evolve, especially during the professionalisation and legitimisation stage.

From NGO legitimisation to professionalisation: the implementation of a legal framework to address the State

The context of the 1990s was marked by the emergence of “global and international governance”⁶ in parallel to that of an “international civil society”⁷. As such, participation – as a

⁵ Discussion with D. C., member of the Congad bureau, Dakar, January 7th 2016.

⁶ Laëtitia Atlani-Duault, « Les ONG locales, vecteurs de “bonne gouvernance” dans le Second Monde ? Introduction à une étude de cas », *Journal des anthropologues*, n° 94-95, 2003, p. 183-190 ; Laëtitia Atlani-Duault, *Au bonheur des autres. Anthropologie de l'aide humanitaire*, Société d'Ethnologie, 2005; Laëtitia Atlani-Duault, « Les ONG à l'heure de la “bonne gouvernance” », *Autrepart*, n° 35, 2005, p. 3-18.

⁷ Jeanne Planche, *Société civile : un acteur historique de la gouvernance*, Éditions Charles Léopold Mayer, 2007.

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criteria of “good governance” – led the State to involve NGOs in the implementation of public policy. Congad, which saw in this international governance the opportunity to institutionalise, then negotiated to work on a 1996 decree, number 103, to regulate the intervention of NGOs in Senegal. According to A. K., a former executive secretary of the organisation:

“We came out of it with a consensual document, the president did not change a comma, he signed immediately. The decree mentioned the necessity for NGOs to belong to Congad and that of presenting a letter of technical execution to the State. Hence, in the face of NGOs coming and setting up every which way, the decree required acknowledgement from the country of origin and at least two years’ of existence before coming to Senegal”⁸.

By fixing the framework for NGO intervention in this way, the 1996/103 decree enabled Congad to consolidate its integration. It therefore became a privileged partner for dialogue with the ministry at the time – of Women, family and children – and thereby with the State.

To prove its management capacities, and therefore to avoid the curious eye of the State on NGO affairs, Congad multiplied its governance strategies. A code of ethics was put in place by the consortium, which then proceeded to an evaluation of NGOs which again contributed to justifying the skills of its members, but especially to legitimating itself. This work led to the revision of the 1996/103 decree at the very moment when the “second act” of decentralisation was put in place, which ratified regionalisation and the transfer of a significant number of skills to local authorities. According to D. C.:

“In 1996, there was a new decree which redefined the intervention methods of NGOs, but with two major innovations: first, for authorisation, there needed to be an inter-ministerial commission where NGOs are represented by Congad, and it was this commission which reviewed the cases. It gave its opinion before the competent authority took its decision.”⁹

In the context of decentralisation, which implies NGO participation in local initiatives, Congad created regional committees and thematic networks. The consortium could then expand and rely on its partners, such as international NGOs, to finance the committees. It gradually acquired recognition from the State, the associative movement, as well as from international NGOs, and joined transnational networks: it became a key player in the social and economic life of the country. The consortium positioned itself and especially adapted to all contexts and external constraints. It is present in working parties with the State, at the level of all government departments “with the exception of the ministry of defence”, as the present president likes to say and laugh about it¹⁰. This phase of legitimation and professionalisation of Congad was commensurate with the relationships of interdependence imposed by the international context: under pressure from sponsors, NGOs became State relays. Whilst decentralisation in 1996 drove NGOs to implement regional committees throughout the national territory, the disillusionment and crisis phase on the threshold of the 2000s, marked by political change in the country, was increasingly made up of clientelist relationships¹¹ between NGOs and the State.

Disillusionment and crisis: client-oriented relationships and the confinement of NGOs

⁸ Discussion with A. K., former executive secretary of Congad, Dakar, January 7th 2016.

⁹ Discussion with D. C., former executive secretary of Congad, Dakar, January 7th 2016.

¹⁰ Discussion with the president of Congad, Dakar, October 26th 2015.

¹¹ Tarik Dahou, « Clientélisme et ONG », *Journal des anthropologues*, n° 94-95, 2003, p. 145-163.

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The relationship between NGOs and the State took a decisive turn in the 2000s. For some years until then, under the finishing presidency of Abdou Diouf (President of the Republic of Senegal from 1981 to 2000), the relationship had been one of mutual mistrust, distrust or avoidance, if not of open conflict. From 2000 onwards, there came a change in State governance of civil society organisations. The first regime following the political change (Abdoulaye Wade, Diouf's successor) demonstrated a strong will to sovereignty. This approach was quickly perceived by Congad as a weakening strategy. The State's approach consisted in "dividing in order to rule"¹², in the words of the Congad president at the time, B. D. (between 1999 and 2005). Janus-like, the State applied itself to widening the persistent gap between national and international NGOs. To face this threat, Congad politicised its leadership, electing unionists and left-wing activists with clearly-defined political leanings.

Paradoxically, at least in appearance, Congad's politicisation, and therefore the politicisation of certain civil society actors, brought them closer to the State. The nomination of certain emblematic Congad figures to the Social and Economic Council, or their integration into different ministerial commissions, led to increasing confusion amongst the NGOs which represented Congad in these State institutions. The story of the president of Congad until 2016 is rather revealing:

"Yes, I am a member of the Economic and Social Council, with a Congad mandate; I belong to the Council of Regulation of Public Calls for Tender, with mandate from Congad. There are my colleagues who are at the level of other similar structures in the other sector ministries but I am a member of the National Anti-fraud and Anti-corruption Bureau (OFNAC), not thanks to Congad but to the President of the Republic (laughter)¹³."

This instrumentalisation of the Congad by the politicisation of its leaders and the client-oriented relationship between NGOs and the State resulted in Congad's members being ousted from the production of social public policies, in spite of the initiatives undertaken, like the implementation of the platform for non-State actors (NSA, or ANE in French)¹⁴. This was supposed to be a forum for dialogue and reflection between civil society actors and public authorities on directions for the Poverty Reduction Strategy. The participation of NGOs at the local level is mentioned in the third act of decentralisation in 2013, which led to communalisation. The Senegalese president's decision to entrust the Emergency and Community Development Programme (PUDC) to the United Nations Development Programme (UNDP)¹⁵ in 2015 crystallised the avoidance relationship between the State and NGOs. According to us, this decision revealed the authorities' perception of the role of NGOs: that of mere agents for the implementation of public policy. Whilst their influence was particularly recognised in rural areas, their participation in the direction of the Poverty Reduction Strategy was limited to the policy of "outsourcing"¹⁶, or execution. NGOs certainly had a real role to play in the implementation of the PUDC, which

¹² Discussion with B. D., president of Congad, 1999-2005, Dakar, March 14th 2016.

¹³ Discussion with the president of Congad, Dakar, October 26th 2015.

¹⁴ ANE is the official acronym used in the 2000 Cotonou Agreement to designate a large array of actors who participate in development. They may come from the private sector, grassroots organisations, women's groups, human rights defence associations, non-governmental organisations, religious organisations, farmers' associations, unions, universities and research institutes, the media, associations from the informal sector, etc.

¹⁵ The PUDC is a programme estimated at 422 billion CFA francs. It aims to improve access to basic social services for rural populations. In the official arguments put forward by the President of the Republic, the most important thing is speed, possible thanks to the international expertise of the UNDP, a means of bypassing bureaucratic norms caused by contracting.

¹⁶ Abdou Salam Fall, « La gouvernance multidimensionnelle et la reconfiguration des interactions entre les États et les mouvements citoyens en Afrique de l'Ouest et du Centre (Essai) », *Anthropologie et Sociétés*, n° 293, 2005, p. 123-138.

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aimed to develop grassroots socio-economic structures, improve rural productivity and agricultural and farming production, as well as reinforce the institutional capacities of local actors and, finally, develop a geo-referenced information system. Yet the political reasons behind this programme compromised any possibility of NGOs participating autonomously. The PUDC was essentially seen by the regime of the second political change as a tool for local governance to enable elected officials to present positive results for their mandate (rural paths, drilling sites and water towers, electrification and rural infrastructures). More specifically, NGO participation in territorial development was perceived by the State solely through their “involvement in grassroots initiatives for a greater engagement of actors and beneficiaries in the formulation of local development strategies and their implementation”¹⁷.

In its strategy of avoiding civil society, the State organised the calls for competition between NGOs and technical development partners. Faced with the demand for participation from NGOs to co-produce public policy, the State took distance from civil society and reacted with a rhetoric of assertion on participation, whilst remaining wary of electoral issues. As Abdou Salam Fall mentioned, “multi-dimensional governance now seems to be a varnish to domesticate the rhetoric of radical change”¹⁸. Who then benefits from this fool’s game? This question led us to consider the constraints weighing on the State and civil society in the new governance configurations for public action implied by humanitarian transition.

The future of the fool’s game between the State and NGOs in humanitarian transition

The evolutions of the relationship between the State and Congad NGOs shows the trajectory of two actors who share the same fate: that of being dependent for the first, on the international context, and for the others, on the national consequences of this dependency. Both engage in a fool’s game where each believes they are instrumentalising the other. What of the will for autonomy and sovereignty expressed by Congad NGOs and the State?

The results of the social history reveal the ambivalent relationship between the State and Congad, between avoidance and client-oriented rapprochement, sometimes going as far as confining NGOs to local executive functions, marked by a mutual mistrust. We have shown that the implementation of tools for governance throughout the three main stages of Congad development obeyed to a logic of institutional survival to escape State control: Congad constantly adjusted on the institutional level according to the needs expressed by the State in the field.

The difficulty which Congad NGOs have in gaining independence from the State and existing as a counterforce, inherent to international governance demands, translates at the national level into a State will to frame NGO interventions, and the difficulty faced by the latter in existing beyond being mere implementation bodies for social public policy, or development programmes initiated by international NGOs or institutions. On the one hand, international calls for the Senegalese State to include civil society in general and monitor NGO intervention in particular, leave it little room for manoeuvre to govern in a sovereign way: in other words, the State organises the regulatory framework for NGOs, hoping to exert its control over these civil society organisations. On the other hand, the survival logic, which drives Congad NGOs to search for the means of their interventions through their participation in public policy, calls into question any possibility of an autonomous partnership with the State. All things considered, neither the

¹⁷ The head of State’s speech is quoted in this article : « Macky Sall confie un programme de 422 milliards au PNUD pour se passer de la bureaucratie », *Dakar.Echo.com*, July 8th 2015, www.dakar-echo.com/macky-sall-confie-un-programme-de-422-milliards-au-pnud-pour-se-passer-de-la-bureaucratie/

¹⁸ Abdou Salam Fall, « La gouvernance multidimensionnelle... », art. cit., p. 132.

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State nor civil society organisations have gained in autonomy, despite an apparent will to achieve this. By entrusting its functions to a United Nations agency, the UNDP, the State has lost its sovereignty, just as national NGOs have failed to gain independence in the absence of self-funding.

This situation calls for the beginning of a new era of governance, in which the autonomy of civil society, and of NGOs in particular, can only be imagined taking into account the interdependence of relations between actors. This implies a strong capacity on behalf of institutions to reflect on their *raison d'être* by taking a reflexive approach, so that each party can fully play its role.

Translated from the French by Juliet Powys

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