

# The Egyptian Civil Society Organisations Role in Public Policy-making Process: Lessons from the Brazilian Experience

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## Abstract

This paper looks at civil society organizations (CSOs) as an important tool to enable community participation needed for the public policy process. In addition to its importance as a means of developing both democratic practices and public policies, especially social policies, as well as its role in shaping the relationship between state and society, Utilizing qualitative methods, the paper focuses on the role of informal actors, and in particular civil society organizations, in the processes of public policy making in Egypt and Brazil, and especially in the formulation of policy. The authors also examined the nature of the relationship between the state and CSOs, and explored the question of whether or not there is a space for Egyptian and Brazilian CSOs to play an active role in the public policy making process, or whether they are primarily tools that government used to achieve its goals. This research observed the performance of CSOs in Egypt and Brazil in recent years and findings showed that, in comparison to Brazil, there are many obstacles that undermine the effective contribution of civil society organisations in the different stages of the process of policy-making which hinder its ability to influence public policies in Egypt.

**Keywords:** Civil Society – public Policy Making in Egypt and Brazil – Central State – Civil Institutions

## Introduction and Methodology

This paper will not address the concept of 'civil society' in the context of its history as well as its philosophical and political transformations as manifested and discussed in contemporary discourse.

The study which aims in general to assess the role of civil society in public policy making will attempt to provide a procedural definition to clarify and set the foundations on which it is based. The prevalence of this term, in particular, has increased confusion and disorder withholding the necessities of thinking in it theoretically and critically.

A Qualitative analysis of both the Egyptian and Brazilian model for the function of civil society in the process of public policy making will be provided. This entails the examination of a unified procedural definition that is used to analyse both relevant experiences.

The paper will be divided into three sections; the first tackles the role of civil society and its functions, the second introduces the Brazilian model and the third discusses the Egyptian experience in addition to conclusions and recommendations.

A 'civil society' is sometimes defined procedurally as the "political, economic, social and cultural institutions that operate in relative independence from the state power to achieve several purposes, including; Political purposes such as participation in decision-making at the national level, and for example, political parties; the purposes of a trade union, such as defense of the economic interests of the union members, development of the profession and the expression of the interests of its members; cultural purposes such as unions of writers and intellectuals and cultural associations which aim to raise awareness according to the agenda of the members of each association; social purposes such as the contribution in social work to achieve development. Thus, we can say that the salient elements of civil society institutions are: political parties, trade unions, professional associations, cultural and social associations.<sup>1</sup>

If we analyze the previous definition into its components, we can conclude that the essence of the civil society, according to this view, involves four key elements:-

1. **Voluntary participation:** - The idea of "volunteering" that characterizes the structures and organizations of the civil society aside from the rest of imposed or inherited social formations under any consideration.
2. **Institutionalism:** The overwhelming presence of the institutions -political, economic, social and cultural- and the absence of institutionalism as free contractual relations organized by law.
3. **Purpose:** - the "role" played by these organizations and the importance of their independence from

<sup>1</sup>Mary Kaldar, Civil Society and Accountability, Journal of Human Development Vol.4, No.1, 2003 pp6-7

the power and dominance of the state in terms of being social organizations working in a context and links which refer to either social solidarity and cohesion or conflict and competition.

4. **Conceptual framework:** -The last of these elements is the need to consider the concept of 'civil society' as part of a broader conceptual system which includes concepts such as "individualism, citizenship, human rights, political participation, constitutional legitimacy .... etc.

### **I:-The Role of Civil Society and its Functions**

What can be inferred from the aforementioned definition and our analysis of civil society is that the essence of the role of civil society is to organize and activate the participation of people in the attempt to determine their own destinies and face of policies that affect their livelihoods and increase their impoverishment, and its role in spreading the culture of self-initiative and institution-building as well as the emphasis on the will of the citizens in historical actions and attract them to participate in historical actions and major transformations so as not to be solely monopolized by the ruling elites.<sup>1</sup>

In this sense, the researcher proposes five functions carried out by the institutions of civil society:

- Aggregation of interests,
- Resolving conflicts,
- Increase of wealth and improvement of livelihood,
- Creating new leaderships,
- Promotion of democratic culture.

#### **a) Components of Civil Society.**

According to this definition, any orderly communal identity based on regular membership depending on the general purpose or profession or voluntary work and not on genetic factors, blood ties or loyalties, such as the family, clan, caste, tribe, is therefore one of the institutions of the civil society. Accordingly, the most important components of the civil society are:

- NGOs
- Professional associations
- Informal groups
- Unions
- Social movements
- Staff members clubs at universities
- Cooperative societies

In this context, NGOs have gone through several generations in their development. The first generation represents 'relief generation' where many non-governmental organizations such as 'Save the Children' and others had been taking relief and social services to the poor. Relief efforts are done in response to emergency situations, whether by nature or humans, without working directly in development but with the symptoms of the problem through mitigation.<sup>2</sup> The second generation, the generation of self-reliance, has emerged from non-governmental organizations as a result of several factors, the most important of which is awareness of the futility of dealing with the symptoms of the problem without causes. This generation of non-governmental organizations (specifically in the Nordic countries) has done many projects that aimed at increasing capacity of local communities and controlling the resources required to achieve sustainable development. The activities of this generation of non-governmental organizations did not focus on the pressure for more aid as much as on the removal of restrictions that prevent third world development.

The third generation was a shift in how to deal with development and public policy-making. This generation realized that any development process based on self-reliance would be subject to breakdown and breakthrough without the institutional and political framework that encourages local initiatives. This generation of organizations realized the need to develop the context and motivating environment to achieve sustainable development, taking into account the most vulnerable groups in society.<sup>3</sup> Thus, the development strategy put forward by the third generation of non-governmental organizations requires democracy indecision-making and full participation by individuals in the formulation of their development needs. By this generation, the idea of the necessity of the participation of non-governmental organizations in policy-making was put forward. It was also understood that this success depends on the ability to build coalitions and networks rather than individual work. Finally this generation of non-governmental organizations believes that the official payment process for sustainable development by the United Nations, through international organizations, regional organizations and

<sup>1</sup>Eva G. Heidbreder, Civil Society Participation in EU Governance, Living Review in European Governance, Vol.7, No. 2, 2012, pp7-8

<sup>2</sup>David .C Korten, Getting to the 21<sup>st</sup> Century – Voluntary action and global agenda, Kumarian Press Library of Management for Development, 1990, pp 115-127

<sup>3</sup>William F. Fisher, Doing Good? The politics and Antipolitics of NGO Practices, Annual Review.Anthropol,Vol.26, 1997, pp 439-64

governments, will not have a real value without more participation by the society and its organizations.

#### **b) The Relationship between Civil Society and the State**

The relationship between the state and civil society is supposed to be based on integration, inter-dependence and the distribution of the roles not on contradiction or opposition. The civil society is only one manifestation of the modern state that allows for its presence through rationing a system of laws regulating the practices of all parties and groups within the society.<sup>1</sup>The society depends on the state to do the basic economic, social and educational functions by means of its regulations. The state and civil society go hand in hand, no state without a society or a society without a state. The civil society is the result of state power and for its power. Civil society did not evolve in the West to undermine the state. Both civil society and strong state were the outcome of parallel evolution. The state can contribute to the strengthening of civil society or in its development through the development of clear rules applicable to the work of this community, and also providing it with incentives. On the other hand, civil society organizations become more effective in participation in policy-making process, if the state has coherent powers capable of policy development and implementation.<sup>2</sup>

The civil society is the result of defining the powers of the state, because the state can exceed its powers, which is a product of the relationship between society and the state because there is a fear that the state might dominate the society entirely. The civil society is not a product of the demolition or destruction of the state, but it is a product of the relationship between them, as an area of power and monopoly power and the society which is supposed to be the source of its legitimacy.<sup>3</sup>The separation of state and civil society means the separation of the genetic trait that the political power had throughout the reigns of feudalism. The system of kinship and local regional solidarity participated in the transfer of power to become part of the legacy of some of individuals. Since the establishment of the liberal state, power has become the property of all, and it became the right of any citizen to be president of the republic if he has the necessary requirements for this position. Elections are a group practice that enables the civil society to be present in the state as its content and enables the state to be present in the civil society as a form of its political existence and identity. This relationship between the state and the civil society means that the modern elite in the state is responsible for a complex process involving three points:

First: the confirmation of people sovereignty or the issuance of any authority and decision-making about the community by its deputies or legitimate representatives or deputies.

Second: changing the rules of power exercise and introducing principles of transparency, popular accountability, opposition and political pluralism.

Third: To achieve the principle of separation between the three major powers, the executive, legislative and judicial, in order to prevent the accumulation of all powers in the hands of an individual or a group or a single institution, to put an end to tyranny and dictatorship, and to redress the balance between these authorities.

The civil society is the best way used by individuals to put pressure on the decision-maker, and civil society is the alternative for the state to provide services and protect the rights of the individuals. A moral dimension can be added here. The civil society does not become active only because of the existence of structures independent from the state domination; these are worthless if not supported by a community culture which emphasizes the need to restrict the authorities of the state.

#### **c) Determinants of the Success of Civil Society Organizations to Influence the Process of Policy-making**

It is stable in comparative politics that any policy is the final output of pressure and reciprocal pressure processes. Civil Society Organizations affect the process of policy-making through various means and mechanisms such as the provision of technical advice and expertise, building coalitions and alliances to put pressure on policy makers, organizing campaigns to increase the awareness of the masses on an issue, claiming for demands and monitoring governments.

Recently, the idea of partnership between governments and Civil Society Organizations emerged. This partnership begins in the early stages of policy-making and before the government is committed to any obligations. It is interesting to observe the excessive interest in these countries by researchers and activists alike to develop principles and criteria of this partnership. The success of the partnership process requires many things including the establishment of networks and alliances between Civil Society Organizations in order to facilitate the exchange of information and experiences, taking into account the involvement of grassroots organizations in these networks. Application of democratic decision-making is required for the success of the network.

<sup>1</sup>Dorothee De Neve, *Civil Society and Governance: Pluralizing the State*, Friedrich Ebert Stiftung, 2012 pp 8,9

<sup>2</sup>Paul Jenkins, *Relationships Between the State and Civil Society and Their Importance for Sustainable Development*, in *Urban Development and Civil Society: The Role of Communities in Sustainable* edited by Michael Carley, Harry Smith, and Paul Jenkins, Taylor & Francis (UK), 2001, pp 175-191

<sup>3</sup>Volkhart Finn Heinrich, *Assessing & Strengthening Civil Society Worldwid*, CIVICUS Civil Society Index Paper Series, Vol.2, Issue 1, P15

On the other hand, successful partnership requires providing an institutional framework for principles of cooperation between the state and Civil Society Organizations, taking into account a constant review of this framework in the light of the ongoing changes in the society. This framework may take the form of an agreement between the government and Civil Society Organizations or a national development strategy involving the two parties, or any other form. In this agreement, as well as identifying the principles of cooperation, the government admits the importance of the role played by Civil Society Organizations and its obligation to respect their independence and their right to play any defensive roles, to criticize the government or even to refuse to cooperate with it. Successful partnership is based on mutual trust between the partners, respect of the independence of each party and provision of mechanisms for cooperation.

For the partnership to reach this level, the governments have to admit their ability to carry out the required tasks efficiently and effectively in the light of the unprecedented increase in these tasks. In Sweden, for example, there is recognition that Civil Society Organizations are part of the political and administrative system of the state. In France, Civil Society Organizations are involved in policy-making and implementation, the allocation of resources and in identifying target groups through the Commission for Development Cooperation which includes representatives from the government and Civil Society Organizations.

The ability of Civil Society Organizations to influence the policy-making process requires many things; the first is related to the state, the second is related to Civil Society Organizations, and the third is related to the relationship between the two parties.

As for what is related to the state, the success of Civil Society Organizations in influencing the process of policy-making is related to the legal framework put by the state to regulate the presence and activities of these organizations. In other words, it raises the question of is it a regulating or restricting legal framework? The same idea has to do with the response of the state and its various institutions to the demands and pressures of the society and its institutions.

There are several ruling determinants of the ability of Civil Society Organizations to influence the process of policy-making. The first of these determinants is related to the administrative and institutional abilities of these organizations (building organizational structures - the development of the spirit of teamwork - Communication skills - Strategic Planning), or the so-called the process of capacity building. These skills are related to the third generation of CSOs. The second group of parameters is associated with the ability to achieve power and influence through the success in establishing alliances and networks within CSOs and with all the active partners in the development process, whether at the national or global level, and finally, the ability of Civil Society Organizations to identify the needs of their local communities which requires the involvement of these communities in project identification, planning, management of the funding, implementation and follow-up. This is not an easy task as it needs skills to build bridges of trust between these communities and Civil Society Organizations. It should be noted that the legitimacy of any non-governmental organization is based on popular support.

The third group of parameters is related to the nature of the relationship between state and Civil Society Organizations which is, in fact, associated with the aforementioned determinants. In any case, there is more than one scenario. This relationship could be cooperative and based on mutual dependence and the distribution of roles. In such case, the relationship between the state and Civil Society Organizations in the process of policy-making is expected to be a successful and effective partnership. In contrast, the second scenario occurs if the relationship between state and CSOs is governed by rivalry and conflict. In this case, any gain achieved by CSOs will be at the expense of the state and vice versa. Nevertheless, it is difficult in reality to assume the presence of any of the two relationships in absolute terms. The civil society, including non-governmental organizations, is not a harmonious society in visions and interests and therefore in its relationship with the state.

## **II: -Civil Society Organizations and public policy making in Brazil (CEBES as a Model)**

The "Brazilian Centre of Studies of Health" (or "Centro Brasileiro de Estudos de Saúde - CEBES") is a think tank organisation of the Brazilian civil society which was created in 1976 in order to promote what has been called the "Brazilian movement of sanitary reform". The CEBES was organised by intellectuals, researchers and other political actors (usually from diverse ideological frameworks of the left) to join, as much as possible, different social and political forces in favor of a sanitary reform movement to transform the national health system. This organisation emerged in a wider historical context of changes in the Brazilian society, which was moving from a military dictatorship to the democratisation of the country. For the members of the sanitary movement the idea of crisis became a central concept that could describe the Brazilian reality of that time. From their viewpoint, the country had fallen into serious crisis in different areas such as: a crisis of the national authoritarianism; a crisis of the expertise as well as the practice of the medical profession; a crisis of the health of the Brazilian population; and a crisis of the health system of the country.

The Brazilian sanitary reform was a kind of social project which intended to constitute a new area of expertise as well as a new political strategy for an effective institutional change in the health system of the

country<sup>1</sup>. Emerging from the struggle against the military dictatorship, the sanitary reform movement has already exceeded three decades, reaching some important of its targets such as: the establishment of the universal right to health of each citizen in the new democratic Brazilian Constitution of 1988 and the structuration of the Unified Health System (or Sistema Único de Saúde – SUS).

In the second half of the 1970s, the existing national insurance system<sup>2</sup>, which was responsible for delivering healthcare assistance to all insured people, but not really to every common citizen<sup>3</sup>, fell in a severe crisis. Simultaneously, new health professional groups and academic sectors of healthcare area arose with alternative ideas about health and healthcare, based in a particular combination of concepts from the social medicine, public health, preventive medicine and community medicine<sup>4</sup>. From these groups emerged new guidelines for the development of healthcare policies in Brazil. Their viewpoint about health services was divergent from the strategies of the existing national health system, which was based on the private sector and the traditional biomedical and pharmaceutical industry establishment.

In 1974, the Brazilian health policies were delivered in two different areas: the healthcare assistance, which was linked to the pension system; and the public health, upheld by the Ministry of Health. The health policy was essentially an individualised medical assistance, so that the public health was considered a less important area. Most part of the population had no health care assistance because they were outside of the pension system. The delivery of health services was made by contracts between the National Institute of Social Pension and the private sector. That system became a problematic policy area because of both the system was unequal in delivering health services and the corruption increased too much during the years. In order to change this problematic circumstance, the CEBES defended the creation of a unified health system with the prevalence of the State instead of the private sector in the organisation of that system<sup>5</sup>.

In the breakdown of the Brazilian military dictatorship, those social groups in favor of a new health system developed important alliances with other social and political groups of the country who was fighting for a new democracy. These alliances were important to create a positive political environment to construct an especial organization to promote their ideas and interests. The organization of CEBES was the result of that political effort. It became one of the most important civil society organisations that influencing the Brazilian political arena in order to change the national health system. The CEBES was not the only relevant political actor or civil society organisation involved in the Brazilian sanitary movement<sup>6</sup> & <sup>7</sup>, but played a key role in that historical context of social changes.

The connections between the democratisation, the sanitary reform movement and the CEBES emerged since a specific concept of democratic participation based on the development of institutional arrangements which could encourage the political participation of ordinary citizens and civil society organisations in the decision-making of the health policy process. All the dynamism of the sanitary movement echoed in the National Constituent Assembly (1987-1988) culminating in the creation of the new Unified Health System (the SUS) with the promulgation of the new Federal Constitution of 1988. The SUS emerged upon legal principles such as:

- i. Universalization of the equal right of everyone to access healthcare services;
- ii. the constitutional responsibility of the State to warrant the health of its citizens since strategies like regulation of the healthcare area and the delivery of public healthcare services, organised hierarchically and regionally according to specific needs of the population;
- iii. the prevalence of the power of the State in the organisation of a decentralised health system with an

<sup>1</sup>Fleury Reforma Sanitária Brasileira: dilemas entre o instituinte e o instituído”. In: *Ciência e Saúde Coletiva*, 14 (3), 2009, pp 743-752.

<sup>2</sup>The first legal arrangement that structured the Brazilian health insurance system dates back to 1923, with the famous “Eloi Chaves Law”. Since that initial development, other legal improvements increased the system, especially after 1930 (Oliveira & Teixeira, 1985). However, after years of crisis, in 1988 the insurance system was overtaken by the new national health system, the Unified Health System – the SUS, as it is called in Brazil.

<sup>3</sup>There were people who could not access the health services of the insurance system because only who was employed or had a legal registration as a worker could access the system and receive treatment.

<sup>4</sup>Paim, Jairnilson Silva. “Bases conceituais da reforma sanitária brasileira”. In: Fleury, Sonia (org.) *Saúde e Democracia: a luta do CEBES*. São Paulo, Lemos Editorial, 1997.

\_\_\_\_\_. “A reforma sanitária brasileira e o Sistema Único de Saúde: dialogando com hipóteses concorrentes”. In: *PHYSIS: Revista de Saúde Coletiva*. Rio de Janeiro, 18 (4), 2008, pp. 625-644.

<sup>5</sup>Sophia, Daniela Carvalho. *O Cebes e o movimento de reforma sanitária: história, política e saúde pública* (Rio de Janeiro, 1970-1980). Tese de Doutorado em História das Ciências e da Saúde - Casa de Oswaldo Cruz/Fundação Oswaldo Cruz – Fiocruz, Rio de Janeiro, 2012.

<sup>6</sup>Popular social movements, as well as other civil society organisations, academic sectors, some liberal professionals and political party sectors have influenced that process either.

<sup>7</sup>Cordeiro, Hésio. “O Instituto de Medicina Social e a luta pela Reforma Sanitária: contribuição à história do SUS”. In: *Physis: Revista Saúde Coletiva*, 14 (2), pp. 343-362.

- unified command in each sphere of the Brazilian political system (which included the localities, the states and the federal government), although private services could be delivered in a supplementary form;
- iv. a comprehensive treatment of everyone who accesses the health system, prioritizing the preventive activities, but also delivering healthcare assistance;
  - v. the improvement of the community participation in the decision making process of the SUS, with an equal participation of both the State and the civil society in the local, regional/state and national/federal conferences of health (“Conferências de Saúde”) and committees of health (“Conselhos de Saúde”), in which the health problems are discussed (conferences) and the decisions about the problems are deliberated (committees).

In the present, the CEBES still plays an important role as a civil society organization in the Brazilian healthcare area participating of different political discussions and decision-making processes in public health and healthcare assistance. Some of its members integrate committees and conferences of health of the country. Since the beginning, the organization produces and publishes studies and analysis regarding the Brazilian health system, such as analytical books and articles in a periodical journal called “Saúdeem Debate”. All these efforts intend to influence the public policy process in healthcare. In doing so, CEBES preserves important connections with universities and research institutions as well as other civil society organisations and different political party groups of Brazil<sup>1</sup>.

### III: -Civil Society in Egypt

The total number of NGOs assisted working in the field of social welfare and the number of participating members and the number of employees and annual wages in governorates as shown in table (1):- this table

**Number of NGOs in Egypt** (Value thousands of pounds)

Governorates	The number of associations	The number of participating members	The total number of workers	Total cash wages and benefits in kind and social insurance
Cairo	208	73 401	6314	22452
Alexandria	132	26125	4478	16496
Port Said	68	18 287	1868	3697
Suez	27	8571	682	1121
Damietta	99	15701	1697	2249
Dakahlia	187	33 153	3744	6632
Sharkia	124	18946	2216	3444
Qalubia	146	20091	3137	8004
Kafr El-Sheikh	126	16 843	2179	4090
Gharbia	196	37 472	3515	4036
Menofia	186	16 751	3843	11527
Behera	130	22006	2563	3135
Ismailia	79	13942	1597	3264
Giza	115	35 750	4193	20 614
BeniSuef	151	27 471	3649	8267
Fayoum	123	18341	3392	7782
Minya	144	16196	2974	6457
Assiut	106	20469	3127	5298
Sohag	212	27 512	3155	5043
Qena	87	14475	2066	2434
Aswan	139	24410	2222	2070
Luxor	39	13519	804	842
Red Sea	40	7630	939	1765
New Valley	86	17288	1510	2066
Matrouh	38	3258	664	1287
North Sinai	50	10641	987	1604
South Sinai	17	3665	380	393
Total	3055	561 914	67 895	156 069

<sup>1</sup> According to information from the website of CEBES, which was verified in February 16<sup>th</sup>, 2015 in the following:  
[http://cebes.org.br/;](http://cebes.org.br/)  
[http://cebes.org.br/o-cebes/articulacoes-e-parcerias/;](http://cebes.org.br/o-cebes/articulacoes-e-parcerias/)and[http://cebes.org.br/o-cebes/representacoes-do-cebes/.](http://cebes.org.br/o-cebes/representacoes-do-cebes/)

Source of data supplied in table (1) <sup>1</sup>

**a) The Attempts by the ECWR in influencing public policy in Egypt**

The Egyptian Center for Women's Rights is an independent, non-partisan and non-governmental organization. The Center is dedicated to supporting women in their struggle to research her full rights and establish gender equality. ECWR works on eliminating all forms of discrimination against women and urging legislative authorities to reconsider all legislations opposing women-related international agreements, at the top of which CEDAW. In this framework, ECWR, via its programs, is concerned with raising women's awareness, emphasizing the necessity of women's participation in public life – as an elector and nominee – and improving women legal knowledge. Such knowledge could be achieved through simplifying legal concepts so as to be capable of handling daily life issues and problems or filing lawsuits defending women and demanding their rights.<sup>2</sup>

In light of the growing the sexual harassment phenomenon in Egypt, the Egyptian Center for Women's Rights in April 2014 using a combination of legal experts to make a bill for a sexual harassment and its explanatory memorandum in order to eliminate the sexual harassment in Egypt.<sup>3</sup> It should be noted that, this bill was presented to the former President Hosni Mubarak and, the Supreme Council of the Armed Forces, and former President Morsi, it did not find any reaction from them all. The Council of Ministers in April 2014 has approved a draft of presidential decree with amending some provisions of the Penal Code issued No. 58 of 1937, fortighten the sanctions of sexual harassment.<sup>4</sup>

In the beginning of June 2014, the Egyptian President enhanced the penalties for crimes of sexual harassment and sexual assault. Presidential Decree No. 50 of 2014 modifies articles 306(bis)(a) and 306(bis)(b) of the Penal Code by creating new penalties against the act of sexual harassment and increasing existing penalties against sexual assault<sup>5</sup>.

- i. provides that individuals who carry out sexual or obscene gestures in any manner, including by modern means of communication, will be punished with a term of imprisonment of not less than six months or a fine of EGP3,000 (about US\$419). Article 306(bis)(a) states that if the act of sexual harassment is repeated by the same individual, the punishment of imprisonment will be increased to one year and the fine to EGP 5,000-10,000 (aboutUS\$700-1,400).
- ii. states that if the harassment is done with the intent of receiving sexual gratification from the victim, the punishment will be a term of imprisonment of not less than one year and a fine of EGP10,000-20,000. Moreover, any individual who uses duress to receive sexual gratification will be punished with a term of imprisonment of between two and five years and a fine of EGP20, 000-50,000.<sup>6</sup>

The authors believe that, the motivation of the Council of Ministers and the presidential institution to issue this decree due to the prevalence of the sexual harassment phenomenon, and it cannot be accepted in the Egyptian society and Egypt became the second in the world after Afghanistan in sexual harassment, it has become a threat not only to women but to every Egyptian family members In light of the absence of deterrent law to harasser and activated in order to reach a safe street for all, the Egyptian Center for Women's Rights did not shorten in displaying this phenomenon, but its influence in public policy-making process was weak.

### Conclusions and recommendations

The main feature of the relationship between the state and civil society in Egypt, is the fragility and lack of confidence between the two parties reflected in the legislations governing the institutions of the civil society, especially after the July 1952 revolution, as well as in how the State deals with some sectors of civil society in Egypt, which have been active in the framework of the call for reform in general, using security procedures.

There is a contrast to the reality of the relationship between the state and civil society in many Arab countries, including Egypt. Many Arab regimes have allowed these institutions to act freely and cooperate with the state in the provision of services that the state might not be able to provide with the state having the same authorities and privileges that allow it to often undermine the activities of these institutions, and even prevent these activities, if necessary.

The Brazilian case of CEBES is relative different. The connections between CEBES, the democratisation process in Brazil, the relative decentralisation in the decision-making process and the political

<sup>1</sup>[www.capmas.gov.eg/](http://www.capmas.gov.eg/)

<sup>2</sup><http://ecwronline.org/arabic>

<sup>3</sup>Saharsalah&Nehad Abo Elkomsan, the sexual harassment in the work, paper work, The Egyptian Center for Women's Rights, p7

<sup>4</sup>Ahram Online, Wednesday 9 Apr 2014, on <http://english.ahram.org.eg/NewsContent>

<sup>5</sup>Presidential Decree No. 50 of 2014.

<sup>6</sup>Egypt: Take Concrete Action to Stop Sexual Harassment, Assault , on <http://www.hrw.org/news/> June 13, 2014

participation of civil society in health, warranted by law, contrasts to the Egyptian reality.

In Egypt, the paper finds that there are many obstacles that undermine the effective contribution of civil society organisations in the different stages of the process of policy-making at the state level such as the central state culture and legal restrictions on the work of these organizations as well as at the level of civil society organisations themselves such as funding, issues of transparency and participation, non-clear identity, lack of understanding of the political process, and inability to use methodical evidence to influence the entire public policy.

The main recommendation of this paper is grounded on the fact that the Egyptian society has been significantly affected by the nature of the Egyptian central state, and this is a general trend in the historical development of the civil society. As well as the fact that 'Central State' strongly represents the idea of "patriarchy" and its concentration in the hands of political decision-makers and then in their bureaucratic institutions which played a role in the formulation of the civil society. Thus perhaps a review of the geographical distribution of NGOs is the solution for until this moment, there is a severe lack of balance in the distribution of associations to the provinces of the republic and sometimes these associations are completely absent in some of the villages and cities of Egypt(civil institutions have historically been concentrated in Cairo -the heart of the central state-and Alexandria).

#### References:-

- 1- Ahram Online, Wednesday 9 Apr 2014, on <http://english.ahram.org.eg/NewsContent>.
- 2- <http://cebes.org.br/o-cebes/articulacoes-e-parcerias/>; and <http://cebes.org.br/o-cebes/representacoes-do-cebes/>.
- 3- [www.capmas.gov.eg/](http://www.capmas.gov.eg/)
- 4- Cordeiro, Hésio. "O Instituto de Medicina Social e a luta pela Reforma Sanitária: contribuição à história do SUS". In: *Physis: Revista de Saúde Coletiva*, 14 (2), pp. 343-362.
- 5- David .C Korten, *Getting to the 21<sup>st</sup> Century – Voluntary action and global agenda*, Kumarian Press Library of Management for Development, 1990, pp 115-127
- 6- Dorothee De Neve, *Civil Society and Governance: Pluralizing the State*, Friedrich , Ebert & Stiftung, 2012 pp 8,9.
- 7- <http://ecwronline.org/arabic>
- 8- Egypt: Take Concrete Action to Stop Sexual Harassment, Assault , on <http://www.hrw.org/news/> June 13, 2014
- 9- Eva G. Heidbreder, *Civil Society Participation in EU Governance*, Living Review in European Governance, Vol.7, No. 2, 2012, pp7-8
- 10- Fleury *Reforma Sanitária Brasileira: dilemas entre o instituinte e o instituído*". In: *Ciência e Saúde Coletiva*, 14 (3), 2009, pp 743-752.
- 11- Mary Kaldar, *Civil Society and Accountability*, *Journal of Human Development* Vol.4, No.1, 2003 pp 6-7
- 12- Paim, Jairnilson Silva. "Bases conceituais da reforma sanitária brasileira". In: Fleury, Sonia (org.) *Saúde e Democracia: a luta do CEBES*. São Paulo, Lemos Editorial, 1997.
- 13- \_\_\_\_\_. "A reforma sanitária brasileira e o Sistema Único de Saúde: dialogando com hipóteses concorrentes". In: *PHYSIS: Revista de Saúde Coletiva*. Rio de Janeiro, 18 (4), 2008, pp. 625-644.
- 14- Paul Jenkins, *Relationships Between the State and Civil Society and Their Importance for Sustainable Development* , in *Urban Development and Civil Society: The Role of Communities in Sustainable* edited by Michael Carley, Harry Smith, and Paul Jenkins, Taylor & Francis (UK), 2001, pp 175-191
- 15- Presidential Decree No. 50 of 2014.
- 16- Saharsalah & Nehad Abo Elkomsan, *the sexual harassment in the work, paper work*, The Egyptian Center for Women's Rights, p7
- 17- Sophia, Daniela Carvalho. *O Cebes e o movimento de reforma sanitária: história, política e saúde pública (Rio de Janeiro, 1970-1980)*. Tese de Doutorado em História das Ciências e da Saúde - Casa de Oswaldo Cruz/Fundação Oswaldo Cruz – Fiocruz, Rio de Janeiro, 2012.
- 18- Volkhart Finn Heinrich, *Assessing & Strengthening Civil Society Worldwid*, CIVICUS Civil Society Index Paper Series, Vol.2, Issue 1, P15
- 19- William F. Fisher, *Doing Good? The politics and Antipolitics of NGO Practices*, *Annual Review Anthropol*, Vol.26, 1997, pp 439-64

#### Notes:-

- 1- The first legal arrangement that structured the Brazilian health insurance system dates back to 1923, with the famous "Eloi Chaves Law". Since that initial development, other legal improvements increased the system, especially after 1930 (Oliveira & Teixeira, 1985). However, after years of crisis, in 1988 the



insurance system was overtaken by the new national health system, the Unified Health System – the SUS, as it is called in Brazil.

- 2- There were people who could not access the health services of the insurance system because only those who were employed or had a legal registration as a worker could access the system and receive treatment.
- 3- Popular social movements, as well as other civil society organizations, academic sectors, some liberal professionals and political party sectors have influenced that process either.