

Civil society in Southeast Asia during COVID-19:

Responding and evolving under pressure



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Welcome to the inaugural issue of *GovAsia*. Published quarterly, *GovAsia* provides a platform for The Asia Foundation and its partners to examine the critical social, economic and political problems facing citizens and governments across Asia, drawing on the Foundation's daily engagement with an array of politically-rooted development challenges. *GovAsia* aims to facilitate thoughtful debate and build consensus for solutions to the most pressing governance issues facing the region today.

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Introduction

As Malaysia recorded its first deaths from Covid-19 in mid-March 2020, media coverage drew attention to the approximately four million undocumented migrant workers and over 160,000 refugees excluded from state-provided basic support services, including healthcare. The spread of the virus across informal settlements and marginalized populations severely tested Malaysia's governance capabilities. It underscored the importance of accounting for and supporting all Malaysian residents in order to successfully respond to the pandemic.

The government's early response to the pandemic involved a lockdown and the provision of food and supplies to vulnerable communities via local distribution centres. Initially, these vital resources were delivered by the military because officials believed that the army was best

placed to effectively distribute essentials while containing the spread of the virus. Unfortunately, however, military control over distribution centres discouraged many undocumented migrants and refugees from going to the centres out of fear of being arrested and potentially detained or deported. This fear of accessing food and supplies compounded the already precarious situation of many thousands of residents who also lacked adequate access to healthcare or social welfare services. Fortunately, local authorities swiftly recognized this error and allowed local civil society organizations (CSOs) that had established trust with migrant and refugee communities to take charge of food distribution at the centers. Shortly afterwards around 120 local CSOs collaborated with the Malaysian Welfare Department to provide food, essential supplies, and medical services.¹



Variations on this story have repeated themselves across Southeast Asia in the months since, with vulnerable and marginalized groups whose access to essential basic services is already limited feeling the brunt of the impact of the pandemic. Throughout the pandemic, those best placed to provide that access or alternative forms of support are often local civil society.²

Across Southeast Asia, CSOs are supporting Covid-19 response efforts in a multitude of ways. In some contexts, they are providing healthcare, social protection and welfare-related services, often focused on those with little access or who need them most. In many cases – like the one that played out in Malaysia – CSOs responded to the crisis faster, more nimbly, and more effectively than governments. Elsewhere, CSOs address disinformation, share data, conduct research and analysis, reach out to remote,

We raised funds and made face shields and distributed them to checkpoints, hospitals, health centers, and other front-liners... The remaining money was used to buy groceries for senior citizens. These little things have a big impact because the government cannot reach these people quickly. But this cannot keep happening, the government should also do their part because they have the budget and it is their responsibility
CSO representative, Manila

Activities that have been originally slated as training activities have been refocused as relief response efforts.

*CSO representative,
Philippines*

isolated, and offline communities, and engage in local, national, and regional dialogue. This work allows CSOs to simultaneously engage in and contest government policies and policymaking, and to serve as two-way conduits between communities and governments. Through a plethora of localized actions of this kind, Southeast Asia's CSOs create civic spaces and provide an essential glue between citizens and states, preserving social cohesion in a challenging time.

Based on a series of interviews with 47 CSO representatives in Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Thailand and Timor-Leste in March and April 2020, this paper provides first-hand snapshots of civil society's role in and contributions to Covid-19 response efforts in Southeast Asia.³ It looks across the complex and diverse landscape of Southeast Asia and attempts to draw out some similarities in the experiences and observations of different civil society actors across that terrain. We look for the commonalities in these experiences at a particular point in time. While it therefore necessarily generalizes a great deal of that complexity, we hope to provide some insights into the shared challenges civil society actors are facing and how their energy and goals may be understood – and ultimately better supported – in light of the fluid parameters of civic spaces throughout the region.

A formidable backdrop

For decades, Southeast Asian civil society actors have contributed to local governance by providing basic services to the poorest and most marginalized communities. The civic spaces in which they operate are especially broad and complex. ‘Civic space’ may be understood as the environment that enables formal and informal collective action that contributes to the political, economic and social life of societies. Many parts of the region have active and vibrant spaces composed of CSOs, nongovernmental organizations (NGOs), advocacy organizations, watchdog groups, public policy and research institutes, cultural associations, issues-based movements and an enormous range of informal associations and groups. While the quality of civic spaces – and the activities that occur within them – vary enormously throughout the region, taken as a whole the region’s civic space has played a catalytic role in key political and social milestones and thereby secured a pivotal place in the region’s development for decades.

Within these spaces, through a combination of watchdog scrutiny, advocacy, public awareness, and other efforts to change values and institutions, civil society actors have secured hard-won, incremental changes with local, national, and transnational effects and benefits. Numerous actors, organizations, and networks have worked hard to improve basic services for citizens, protect human rights, inform public policy, address climate change, promote peace and reconciliation, and reduce poverty and inequality. They do so by undertaking one or a combination of the four key roles of civil society: (1) service delivery;



Photo : COVID19 Testing Shutterstock ©2020



(2) advocacy and policy dialogue with governments; (3) establishing and preserving civic spaces that enable debate, contestation, and collective action to influence policy; and (4) building social capital by linking people together, thereby also contributing to community cohesion. The impact of their work can be felt throughout the region.

Despite these efforts, in recent years civic spaces have often come under pressure from multiple directions.⁴ For example, in a number of areas CSOs have faced increased domestic pressure from governments that seek more control over the narrative within civic spaces and greater powers to monitor and prosecute journalists and social media content producers. While, in some cases, changes in the laws that regulate civil society have proven beneficial to CSOs, particularly when reforms bring

When it comes to freedom of assembly and association, this is largely curbed. Even freedom of speech and expression. People are mindful because the authorities are sensitive. To be fair, even the general public at the moment has no appetite for political criticism and politicking. There's silence now on this front as everyone is focused on Covid-19. The civic space is very constrained.
– NGO, Kuala Lumpur

much-needed improvements to CSO registration processes or clarify how CSOs can secure local government approval for activities, such cases tend to be the exception. Instead, governments more frequently perceive or portray civil society as a threat to economic progress, security, stability, and other public goods to which CSOs genuinely contribute. Too often, governments shore up their power by restricting internal and external criticism. They also manipulate civil society movements to meet elite goals and sponsor highly politicized or co-opted CSOs.

At the same time, as country development levels and economic indicators improve, the region's civic spaces and actors within them also face the challenge of reduced donor funding – often with few, if any, local resources to replace it. It is important to note that the often-referenced phenomenon of “shrinking civic space” in Southeast Asia is not only characterized by increasingly rigid or restrictive local laws and regulation but also by reductions in funding from bilateral donor governments.⁵

Where there was reliance on donor funding, reduced funding opportunities, and the tendency of donors to prioritize project-based funding over longer-term capacity development and continuity, has sometimes made organizational sustainability more difficult. Moreover, the goals of collaborative development efforts that involve civil society actors have tended to narrow in an era of neo-liberalism. Efforts to ‘strengthen governance’, when interpreted very narrowly to mean solely the better functioning of government, have contributed to a shift to more technocratic approaches to development programming that tend to be more palatable to both donor and partner

governments. Activities typically focus on functioning of bureaucratic institutions, with donors seeking to reform systems and develop administrative staff capacities. This technocratic pivot involves bringing external actors, often including civil society actors, in to contribute to technical capacity building of government institutions, such as through training and government system strengthening. In some cases, having morphed into technical support agencies for government, CSOs have found it more difficult to hold or maintain a viewpoint critical of government.⁶ Concomitantly, reductions in the scale of international donor support to civil society have been accompanied by a preference or expectation that CSOs play less contentious roles, such as service delivery, within specifically defined time limits.

In these circumstances, a variety of political pressures combined with growing economic pressure have limited and restricted civic spaces in Southeast Asia in many and more nuanced ways than is often recognized. The cumulative effect of strict activity limitations and stronger surveillance and oversight, on the one hand, together with these other challenges, has made for a difficult operating environment in which civic spaces can flourish. Against this backdrop, the Covid-19 crisis could not have come at a more difficult time for civil society in Southeast Asia. The generous funding, diverse activities, and bold agendas that characterized the heyday of civil society in the latter part of the 20th century and the early years of the 21st have passed. In their wake, organizations are downsizing and struggling to find funds, while concurrently facing the dramatic impact of the pandemic in their communities.

On the frontlines

Despite these challenges, as Covid-19 upended lives and livelihoods across Southeast Asia in early 2020, all 47 organizations we spoke to were focused not only on how they could support response efforts but how they could do so by providing services to citizens. Most were focusing their efforts on emergency response activities, particularly supporting vulnerable and marginalized groups: the elderly, people in rural and isolated areas, low-income households, and the newly unemployed – those who were already falling through the cracks of government safety nets. In Timor-Leste, for instance, well-established organizational network – including the Women’s Network, the Environment Network, and the Transparency Network – are providing coordinated emergency support.

Some initially focused on the essentials: provision of hand sanitizer, hand-washing facilities, and masks and other personal protective equipment (PPE) supplies, often supplementing gaps in state services and resources. For example, a CSO in Malaysia raised money and in March donated 1,540 packs of PPE that included surgical masks, face shields, rubber boots, disposable gloves, and hand sanitizers to public hospitals and clinics. In Indonesia, one organization had developed multiple initiatives, such as organizing online health consultation services with local health practitioners, collecting donations of basic goods for the poor, and providing virtual training for local cadres that support persons with disabilities and the elderly. They complemented these activities with national-level policy dialogue through the National and Provincial Government Task-force for Covid-19. In countries where public health services lack the capacity to deal with a crisis of this scale, civil society is clearly trying to fill those gaps.

In local communities, they don't have internet services, they don't know the apps, don't know how to use those apps, those apps don't have the Khmer language. Many of them don't have smart phones and cannot access information through apps.
– CSO representative, Phnom Penh

We found that research and policy organizations had also joined emergency efforts in a variety of ways. Those we spoke to in March were busy disseminating up-to-date health information from official sources to local communities through all available channels, including Facebook, WhatsApp, and local radio, in order to reach isolated offline communities. Their aim was to counter disinformation as much as possible, particularly where that disinformation had the potential to increase community divisions by blaming specific groups or individuals for the spread of the virus. For example, a women’s coalition we spoke to in the Philippines that disseminates information on gender-based violence, adolescent sexual and reproductive health and maternal health to isolated rural communities was able to use its networks effectively to disseminate guidance on Covid-19 health and sanitation measures that was accurate and balanced.

Many of the groups we interviewed provide services to or advocate for the rights of vulnerable and marginalized groups, such as the elderly, ethnic minorities, and returnee migrants. In the

face of lockdowns and movement restrictions, these groups were finding it extremely difficult maintain their connection with their constituents, particularly those who have little or no access to mobile phones or the internet. Groups that are especially difficult to reach include indigenous communities, poor and isolated rural communities, undocumented residents, and refugees. Women stand out among all those groups, as they often have less access to mobile devices than their male family members.

While some organizations were exploring more traditional ways to maintain connections with vulnerable groups while supporting emergency efforts such as food delivery services and fundraising activities, others were focusing on the new forms of social exclusion occurring all around them. In many parts of the world, the pandemic is highlighting the 'digital divide': the existing inequalities between on- and off-line communities and their differential access to information have never been starker. Many of those we interviewed were focused on the new depths of that divide is reaching across the region, and were leveraging all available means to maintain information flows across it.

Some were focused on translation of information. Throughout Southeast Asia, official government information frequently requires multiple translations to reach whole populations — either literally into a language other than the official language or figuratively in terms of tailoring the content to each audience. That provided another entry point and several organizations had helped local governments translate national directives into local regulations. For example, an organization in Eastern Sabah, Malaysia, worked with the national Covid-19 task-force and the Ministry of Health to support a hotline service for non-Malay-speaking migrant communities living on the east coast. The service allows these communities to provide the central government with information, ask questions, and assist in the government's responses.

Others had increased online advocacy efforts to improve the quality and quantity of Covid-related information. One organization we interviewed was assessing smartphone and internet coverage in its constituent communities to better target messaging and to influence local government approaches to overcoming the digital divide. Another was looking at using text messaging applications to contact those in areas without internet access. In instances such as these, CSOs can provide an essential bridge between digitally marginalized groups and local authorities by enabling reciprocal communication channels.

When Covid-19 first hit, for the first time in Malaysia, the authorities were forced to recognize and see the migrant, stateless and undocumented communities as “humans” – the crisis has basically humanized them by way of extending assistance rather than looking at these communities as a nuisance or security threat. – CSO representative, Kuala Lumpur

Overall, our interviews suggested that despite the challenges faced by individual organizations within their operating environments, significant space for innovation and collective action had opened up within civic spaces across the region to contribute to relief efforts. These, in turn, are focusing attention of governments on many of the issues on which civil society advocates throughout the region. So while the bulk of the activities described to us tended to be within the realm of service delivery, the sheer size and scale of the problems facing communities, and CSO efforts to highlight them, are arguably helping to define them as more distinct priorities within public discourse across the region than before the pandemic.

Constricted spaces

Our interviews suggest that the operating environment for organizations working on democratization and human rights in Southeast Asia is more constrained. Throughout the region, governments have passed a raft of new legislation aimed at containing the spread of the virus that bolsters their ability to control and restrict the movement of residents and citizens – often in nuanced ways. Some new laws and regulations have raised concern over the breadth of the powers bestowed on governments or lack of a defined end point. Many observers see the potential for abuses of power, particularly where such laws or regulations further restrict free speech and actions critical of a serving government.⁷

Over the past two decades, civil society in Southeast Asia has played an important role in encouraging greater transparency of – and citizen participation in – government decision-making. Despite those efforts, many parts of the region have been experiencing a ‘democratic regression’ for some years now.⁸ The pandemic tends to exacerbate and accelerate already latent or nascent trends, including the phenomenon of shrinking civic space. Many of the organizations interviewed shared their concerns that governments will take advantage of the Covid-19 emergency to silence dissent or remove basic freedoms. For example, some have questioned the timing of emergency laws or laws on disinformation that provide governments with broad powers to define what is and is not so-called ‘fake news’. This consistent concern

These more democratic spaces have been shrinking for some time, since well before the pandemic, in what is commonly referred to as the region’s ‘democratic regression’.

across our interviews relates to the longer-term integrity of Southeast Asia’s civic spaces. Interviewees from countries where online, pro-government trolling is common noted the dangers of critiquing government, even in civil society forums.

In the face of the enormous challenges to be met to contain the pandemic, a level of resignation seemed to have set in among many of those with whom we spoke. That perhaps bodes ill for civil society’s ability to engage with governments on inequalities or injustices that result from Covid-19 management. We did find some exceptions and there are likely to be more as some CSOs continue their efforts to hold governments accountable. An organization in Thailand, for instance, is monitoring the impact of the government’s emergency decree because of the wide powers it bestows. Similarly, organizations in Timor-Leste are monitoring state of domestic emergency regulations. Yet, many noted that these are extremely difficult times in which to operate on an accountability agenda. Pandemic responses, they explained, have restricted criticism of government in formal terms in some places and in informal ways in others.

New opportunities

Even in a crisis, unexpected opportunities arise. A group we spoke to in the Philippines that advocates for greater transparency in government procurement processes was surprised to be contacted by government officials for advice on public procurement. They were asked for and provided advice on how to better balance transparency and due process with speed and efficiency in emergency procurement. Similarly, an organization in Malaysia noted that, while the space for criticizing government was quite restricted, some topics resonate strongly with the public and provide openings for greater public discourse. Examples included the use of the pandemic by politicians for self-promotion (for example, putting their pictures on bottles of hand-sanitizer) or police using excessive force when enforcing social distancing measures.

Other interviewees noted greater opportunity to work closely with local governments than before the pandemic. In a crisis situation, local governments were seeking greater support from non-government actors creating a range of opportunities for policy dialogue. A CSO in Malaysia noted higher levels of collaboration between local governments and civil society, particularly in early pandemic responses to the needs of rural communities and vulnerable groups. In Indonesia, the website *Indonesia Bergerak* (Indonesia Move), for example, was established through a collaboration between government and

civil society to monitor and report Covid-19 cases throughout the country. Where governments were overwhelmed and in need of information from members of communities with whom they less frequently engage, officials more readily recognized the value of CSO engagement. Not surprisingly, such acknowledgment is much more likely to occur at local-government levels, where the pressure of the pandemic is the most intense, the need to respond the greatest and the proximity to local organizations closer. Many organizations suggested that, compared with local-level efforts, it was much more difficult to engage in national-level planning or pandemic response, particularly national task-force operations.



Conclusions

Throughout Southeast Asia, like so many other parts of public life, civil society is struggling to function effectively under lockdowns, movement restrictions, and the impacts of multiple crises – health, economic, employment and education. To date, the impact on civil society’s ability to function has received less attention, yet civil society actors face the same suite of operational challenges occasioned by movement restrictions and the need to work from home as do many other enterprises. For those whose organizational mission is to support individuals and groups who are poor, vulnerable to poverty, marginalized, or subject to prejudice, movement restrictions present an unusual hurdle when face-to-face engagement with communities is crucial to trust and communication, and access to digital technology and the internet is often limited or non-existent. Many Southeast Asian CSOs also operate in local political economies in which informal, face-to-face engagement with power holders and decisionmakers is an essential component of efforts to maintain momentum towards organizational missions and program goals. Where possible, CSOs have found novel means of overcoming these hurdles and continued to facilitate dialogue between their constituencies and local governments.

While the Covid-19 crisis highlights the crucial role that civil society plays in governance throughout Southeast Asia, this limelight is a double-edged sword. Civil society is clearly making an important contribution to delivering basic supplies, essential services, and vital information to citizens but often that is when governments fail to do so. Where civil society delivers essential services, its role often involves substituting for rather than complementing government efforts – for example, when CSOs

There is also more collaboration now between the authorities and CSOs. – NGO representative, Sabah, Malaysia

swiftly responded to communities’ immediate needs, particularly food security. It is no surprise that the role of civil society as service deliverer is the one that governments tend to find the least threatening and, in the context of addressing a global pandemic, have often thoroughly appreciated.

At the same time, it is easy to allow those achievements to obscure the arguably more challenging roles civil society has tried to play in Southeast Asia over the past 30 years, acting to raise the volume on diverse citizen voices and interests and to strengthen the quality of governance through evidence, skills-building, and a focus on transparency and accountability. Ultimately, these efforts support a better policy- and decision-making environment where policies gain legitimacy and effectiveness, and the relationship between governments and citizens grows stronger. These more challenging roles are as important as essential services delivery, if not more so.

Over the next 12 to 18 months, as immediate pandemic response needs ease and the longer-term fallout and future priorities are better understood, healthy civic spaces will be essential to the post-pandemic recovery effort. As concerns over rising poverty and inequality in the region increase, the full diversity of roles that civil society actors play within the region’s civic spaces will become more important than ever before.

Endnotes

1. Natalie Shobana Ambrose, 'COVID-19 reveals cracks in Malaysia's access to marginalised communities', DevPolicy Blog, May 6, 2020, available at www.devpolicy.org
2. United Nations, 'Policy Brief: The Impact of COVID-19 on South-East Asia', July 2020, available at <https://www.unescap.org/sites/default/d8files/2020-07/SG-Policy-brief-COVID-19-and-South-East-Asia-30-July-2020.pdf>
3. This research was part of an 18-month research project on civic spaces in Southeast Asia, designed and conducted by The Asia Foundation, and funded by the Government of Australia's Department of Foreign Affairs and Trade (DFAT). It involved a desk review and interviews and focus groups with 420 CSO and government representatives in seven countries: Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Thailand, and Timor-Leste. It was completed in February 2020. As the pandemic began to take hold across the region, we reinterviewed 47 of those original interviewees with questions relating directly to the impact of the pandemic on their work, communities and constituencies. The views represented in this report are the author's own and do not represent those of the Australian Government. We are exceedingly grateful to interviewees for their time and interest in the research.
4. See their pivotal study: Thomas Carothers and Saskia Brechenmacher, "Closing Space: Democracy and Human Rights Support Under Fire", Carnegie Endowment for International Peace, February 20, 2014
5. Here we refer mainly to members of the Organisation for Economic Cooperation and Development's Development Assistance Committee (OECD-DAC) rather than new or emerging donors with whom that trend is less clear.
6. Nicola Nixon, Sandra Hamid, Mochamad Mustafa, "Navigating intolerance and nationalism: Trends in Indonesian civic space", Southeast Asia Civil Society Scoping Study (Australian Department of Foreign Affairs and Trade), December 2019 [unpublished]
7. See for example, the Civic Freedom Tracker, maintained by the International Center for Not-for-profit Law, <https://www.icnl.org/>
8. On Indonesia's experience see, for example, Eve Warburton and Edward Aspinall, "Explaining Indonesia's Democratic Regression: Structure, Agency and Popular Opinion" in *Contemporary Southeast Asia* 41(2):255-285, September 2019. Or on the region, more broadly, Tom Carothers and Andrew Donoghue, *Political Polarization in South and Southeast Asia: Old Divisions, New Dangers*, Carnegie Endowment for International Peace, August 2020.

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