

Getting Transition Right: A Rights-Based Approach to Diversity And Inclusivity

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BTI: A numbers game

The Bertelsmann Transformation Index (BTI) is published every two years, collecting and presenting empirical data on the political transitions of 129 countries, and “provides scholars and decision makers with a diverse range of examples of successful governance.” But what exactly does it show about the MENA region?

The latest BTI, to be published in 2014, covers up until January 31, 2013 – two years after the Arab Spring. But despite all of the four focus countries’ dictators having been toppled by then, the Index does not paint a much improved picture for the region.

One of the primary reasons for the MENA region remaining unchanged on average (it currently lags behind all other regions in the BTI, with a “score” of 4.17 out of a possible 10 on the BTI’s scale of autocracy to democracy) is the ongoing conflicts in Yemen and, of course, Syria.

According to the BTI, Tunisia has made the greatest improvement since the 2012 BTI; the birthplace of the Arab Spring has gone up by 1.95 points to 5.8. In fact, rated on the five criteria of “stateness” (general administration, use of force, influence of religious dogma, etc.), political participation, rule of law, stability of democratic institutions, and political and social integration, all four of the countries but Yemen have seen an increase of at least 1 point.

Yes, these gains might not be vast, and yes, they might have stalled or stumbled backwards in the past year, but as was pointed out: “Morsi [a democratically elected (and later ousted) president] has to be an improvement on Mubarak” in an assessment of Egypt’s progress towards democracy.

Ultimately questions have to be raised as to whether or not quantitative data of this nature can ever truly reflect the reality on the street, but as the presenters from Bertelsmann pointed out, the data can still have its uses, especially when offering comparisons between countries and regions at differing stages of their transitions to democracy.

But as was pointed out in another session: “Be careful that success stories don’t make you formulaic.” Context is vital.



Belabbes Benkredda’s organization, the Munathara Initiative, hosts debates on a variety of topics, including many diverse people, in an effort to rebuild the public sphere in the MENA region

Shifting Public Perceptions & Values Using arts, education, media and tech to help build positive & inclusive consensus

Despite the fact that cultural rights are usually the most overlooked in the push for human rights, culture is often the first determinant, the pulse or manifestation, the symptom, and the expression of what is brewing or spilling over in societies on a social level.

Culture, be that art, media, education or the public sphere in general, provides multiple important outlets through which opinions can be expressed, views exchanged and consensus built.

The media plays a particularly important role in this field. In fact it plays three positive, and potentially one negative role: as a watch dog of government and public institutions; a guard dog, defending citizens’ human rights; a guide dog, steering society’s values and views; but also unfortunately sometimes as a lap dog, pandering to the elites.

Education, too, is vital, but is all too often left out until late into the policy delivery stage. Given that education can influence whole generations’ attitudes and values, educators and curriculum implementation experts should be involved in diversity and

inclusion policy formulation process much earlier than end-stage implementation. After all, education is key to developing generational, long term change.

The public sphere – the social realm where public opinion can be formed – is currently ailing in the post-revolution countries, resulting in the revolutions themselves faltering and failing.

Social media, once held up as the tech of revolution is now enabling the customization of public sphere, allowing people to choose to listen only to those with whom they already agreed leading to a narrowing of views and radicalization.

People are not being forced to consider competing ideas and a respect for rational arguments is lacking. Many call for the right to freedom of speech, but often this means only their own right to speak, not everyone’s right to speak.

Broad civilian participation, including all marginalized and diverse groups of society, is needed in post-revolution discourse. Not only is this inclusive, but it also leads to a sense of shared ownership of ideas and thus greater legitimacy.



Dr Hauke Hartmann (center) walks and talks through the Schloss grounds with fellow session speakers Laith Kubba and Bertelsmann colleague Jan Voelkel

Interview: Hauke Hartmann “They are consciously shut out”

Oscar Tollast

Dr Hauke Hartmann, senior project manager at German think-tank Bertelsmann Stiftung, describes Salzburg Global’s latest session as eye-opening.

He returned to Schloss Leopoldskron for his second visit to speak as part of a seminar session entitled, ‘Getting Transition Right: A Rights-based Approach towards Diversity and Inclusivity’.

The session, supported by the Arab Human Rights Fund, focuses on four key countries in the midst of transitions that can pilot new approaches to diversity management: Egypt, Libya, Tunisia and Yemen.

Describing discussions that have taken place so far, Dr Hartmann said: “One very important eye opener for me was the sense of exclusion that civil society representatives felt when it came to established politics.

“They are consciously shut out. That is a very difficult thing to keep up a certain enthusiasm for and dedication to a reformist cause when you’re constantly overheard and consciously overheard.”

Dr Hartmann said participants’ views underlined his work directing the ‘Shaping Change: Strategies of Development and Transformation’ project, and the Bertelsmann Transformation Index (BTI).

Every two years, the Bertelsmann Foundation publishes the BTI, which analyzes the democratization processes, the processes of social and economic change, and the quality of governance in 129 developing and transition countries.

Reviewing the four key countries being analyzed in the session, he said: “Not surprisingly, after the Arab Spring, there is an increase in political participation possibilities in all of these countries.

“Their elections, rights, freedom of expression, assembly, association rights – they all increased. The scores for all increased.”

However, Dr Hartmann said this change wasn’t necessarily accompanied with increased civil rights, highlighting Libya and Yemen as examples.

“In Libya, you see infringements on civil rights to a magnitude that has not been there during autocratic rule.

“You might assume that civil rights are in a better situation than [they were] under Gaddafi, but no they are not.”

Dr Hartmann said conversations at the session reaffirmed how polarized societies in the region were, with governments using economic incentives to stay in power.

“This is not surprising but again it is very telling how clearly this is seen by civil society representatives here and clearly identified

as a point that needs to change before any meaningful dialogue on a national basis can actually take place.”

Dr Hartmann spoke to participants on Sunday morning about the preconditions and frameworks that define the scope and limitations of diversity management and governance achievements in the four countries.

Speaking to Salzburg Global beforehand, he described Egypt and Tunisia as “solid nation states”, whereas he considered Libya and Yemen “very fragile”. He said countries also differed in terms of their socioeconomic development and available resources.

“Those are all structural hurdles there in terms of the state, in terms of socioeconomic development, and in terms of educational levels that have an effect on the quality of governance.

“The governance focus needs to be on different aspects given the different situations that the countries are in.”

Dr Hartmann pointed to Bolivia, Ecuador, and Brazil as hugely successful examples of countries that have integrated different stakeholders in the political decision-making process.

He recognized, however, that whilst one policy might be effective for one country it might not be suitable for another.

“There are a lot of countries you could compare their situation with, but the situation is very different in each of these countries and requires different governance methods.”

Dr Hartmann believes the socioeconomic side of the Arab uprisings was initially overlooked in the West, which has since caused an estrangement of the rural young population.

“When we are talking about empowering people, it has to start with a socioeconomic side.

“There have to be targeted social measures and unfortunately this is something that is not taking place – definitely not in Libya, definitely not in Egypt, and in Yemen there has been hardly any change to the system at all.”

Whilst Dr Hartmann admits some advances have been made in Tunisia, he doesn't believe the changes have gone far enough.

He called for consensus to be built in the four countries where development goals could be set and met for the purpose of transformation. This is an “advanced stage” yet to be seen, according to Dr Hartmann.

“What we discovered in the BIT – and what is undermined in the discussions here – is that it is a win or lose, black or white situation. If you're in government, you're pushing your agenda through no matter what, and the opposition is being kept out of consultation, [and] so the society is kept out of consultation.

“It makes it very hard to develop any kind of consensus building or compromise culture that could then potentially lead to the formulation of common transformation goals.”

Dr Hartmann previously attended Salzburg Global Seminar in 1996 for a session entitled, ‘Human Rights: An International Legal Perspective.’ A fellow at the Yale Center for International and Area Studies, he takes particular interest in governance in Arab and Latin American countries.

“There is a kind of nascent cooperation that we're having with Salzburg Global Seminar and [we're] providing some additional input for the seminars that are running here.

“My role is to bring some expertise that we've collected using the Bertelsmann Transformation Index.”

He told Salzburg Global that before the session ends on November 6, he'd like to get a better understanding of what governance qualities are required by civil societies of the four countries being discussed.

“We have a large array of indicators that we are looking at, but that was out of focus on these four countries.

“I would like to get more specific questions directed back to the work that we're doing, in order to know more precisely what we can do as further research to support the process that has been initiated here.”

Interview: Amr Shalakany

“We still have time”

Dr Amr Shalakany, associate professor of law at the American University in Cairo (AUC), believes there is reason for new optimism in the Middle East and North Africa.

The founding director of the L.L.M degree program attended Salzburg Global for its session, ‘Getting Transition Right: A rights-based approach towards Diversity and Inclusivity’.

Whilst the view has been shared that the region has a long way ahead towards diversity and inclusivity, Dr Shalakany has been left feeling encouraged by discussions.

“It's very discouraging when you experience it on your own, in your own country, almost three years into the revolution that nothing has changed.

“But in the larger group it was strangely encouraging, the sense that we still have time.

“The group of people here is great and they're all pretty young. So, the sense is of energy and dynamism that is yet to come.”

Participants at the session have split up into country specific working groups. Dr Shalakany advised Fellows to stick to the main topic at hand.

“The legal framework to allow inclusion and diversity is a legal framework that's pretty wide. It's not just about constitutional articles.

“It's also about less interesting or sexy fields of law, and questions of policy.”

Dr Shalakany teaches comparative law, Islamic law, legal history, media, and art law. He previously served as Shimzu visiting professor at the London School of Economics, Agha Khan distinguished visiting professor of Islamic humanities at Brown University, and Jeremiah Smith junior visiting professor at Harvard Law School.

During one of the sessions, a participant raised the argument whether a culture of respect for human rights should be prioritized ahead of rights implemented through law.

Dr Shalakany said: “I would argue if we just have implementation and observation of the laws that we have on the books, then that's a fair enough start for me. Then whether a culture grows out of it or not, that's debatable.

“That's the only thing that one can socially engineer or have some way of

accounting for is the enforcement of law.”

In a presentation given on Saturday, Dr Shalakany spoke about how international human rights intersected with Sharia law and the relationship between them.

He said: “The typical reaction is one of antagonism, one of tension, [and] one of conflict.

“What you'd argue for under the rubric of international law would be argued against as un-Islamic. That's the typical argument back and forth that would happen.”

Dr Shalakany said he aimed to approach the subject matter in a different manner in order to provide new thinking.

“The hope was to question the very meaning of Islamic law or Islam itself to begin with, and the environment today is very amenable to that.

“Three years into the revolution we've had at least in Egypt a government that was Islamic and was very much disliked specifically because it put itself in a situation where it was claiming to be far more Islamic than the rest of the population.”

Attending Salzburg Global for the first time, Dr Shalakany revealed he was stepping out of his usual comfort zone.

“I typically go to academic conferences and am used to that format of presenting and discussing.

“The idea of being out of Egypt with colleagues who are working as activists in various fields and [are] also from other Arab countries [such as] Libya, Tunisia, and Yemen is incredibly appealing.”

Another point of discussion during the session revolved around the future significance of Sharia law, when held against international pieces of legislation.

Dr Shalakany told Salzburg Global that he expects little to change in Egypt with that issue in mind.

“I think the article that we're going to have in the constitution is going to be the same article that we've had before for over 30 years.

“The general principles of Sharia are the primary source of legislation, and then there's a settled interpretation of that from the Supreme Constitutional Court and there's no reason to think that they are going to change it.”



45 Fellows from the four focus countries of Egypt, Libya, Tunisia and Yemen, as well as an additional 10 other countries, gather in Parker Hall to discuss the progress made in the region since the start of the revolutions, and how to overcome the still-present challenges to creating diverse and inclusive societies.

Diverse discriminations

“Discrimination and exclusion doesn’t just make people’s lives a hassle, it ends in bloodshed.”

Grim words opened the afternoon’s discussion on the different groups facing marginalization and discrimination in the MENA region.

Despite making up roughly half of each of the four countries’ populations, women are treated as poorly as many minorities.

Many are still denied access to education, jobs and opportunities, if not by the state then by society.

In fact, in some countries, such as Yemen, women’s position in society has reduced further. The new constitution states that although international laws (including on human rights) should be observed, women are subject only to Sharia, the same legal system that says a man who kills his unfaithful wife needs only serve one year in prison, yet a woman who kills her unfaithful husband must be put to death.

Islamism in primary education is furthering this undermining of women; as one Fellow pointed out: “Our alphabet now includes ‘H as in Hijab!’”

Also marginalized and often forgotten are migrant workers and stateless people.

Migrant workers in the region are afforded few rights. Although some countries in the region have signed international conventions on migrant

workers’ rights, these are all “sending” countries, rather than “receiving” countries. Many have their passports confiscated on entry to only be returned on their exit, making many of them little more than indentured servants.

Stateless people are inherently marginalized in society as their lack of official registration bars their access to such public services as education and health care, as well as excluding them from the new democratic processes introduced since the Arab Spring.

Increases in sectarianism and the resulting sectarian violence has been one of the greatest concerns since the revolutions. Coptic Christians have faced attacks from Muslims. Muslims have been attacked by secularists.

But we must be wary of making such sweeping generalizations and groupings, warned one Fellow. It is exactly such behavior that leads to the dehumanization, demonization and in a worryingly high number of cases the death of individuals.

Power has shifted quickly and multiple times since the fall of Mubarak, meaning those that were once the “majority” have quickly found themselves marginalized and treated like the minority once they’ve lost their earlier status.

How to map and overcome the divisions and hostilities will give the Fellows of the session much food for thought over the final two days.

Calling all bloggers!

We know many of you here are writers, journalists and bloggers and we welcome submissions to our website, SalzburgGlobal.org.

If you’re interested in writing either an op-ed style article or a personal reflection blog post whilst you’re here this week, please let Salzburg Global Editor, Louise Hallman know or email your submission directly to lhallman@salzburgglobal.org.

If you intend to write for your own publication either whilst you’re here or afterward the session, please make sure to observe the **Chatham House Rule** (information on which is in your Welcome Pack). If you’re in any doubt, do not hesitate to contact Louise.

You can also join in the conversation on Twitter with the hashtag [#SGSMena](https://twitter.com/SGSMena) and see all your fellow Fellows on Twitter via the list www.twitter.com/salzburgglobal/lists/SGS-508

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