5

Forging a Global Civil Society

The activist participation of individuals and NGOs (non-governmental organizations) in debates on global governance has put accountability on the global agenda, and efforts should be made to facilitate greater participation in global governance, particularly through transparency. (Grant and Keohan 2005, 41)

Objectives

Civil society groups have become a major force operating all over the world to advance causes in which they believe. They command billions of dollars and wield considerable power. This chapter will help you

- understand the similarities and differences between civil society and global civil society and important implications for their potential and peril;
- analyze the interactions among local, national, and international civil society organizations, and their engagement with governments, international governmental organizations, and other actors;

- explain the role of global culture in global civil society movements;
- assess effective strategies for NGO and international non-governmental organization (INGO) activity;
- critique the outcomes of NGO and INGO activity in their potential for democracy; and
- evaluate the role of civil society organizations in state and global governance.

BOX 5.1   A Closer Look: Everything Starts With One Person's Idea

In 1968, in Nigeria, a civil war raged as Biafra tried to gain independence. Bernard Kouchner, a doctor with the French Red Cross in Nigeria, witnessed the massacre and starvation of civilians by government forces. In his eyes, complying with the International Committee of the Red Cross's (ICRC) longstanding policy of neutrality was the same as complicity with the government's brutality (Kaldor 2003, 129). ICRC rules prevented medical personnel from delivering services desperately needed by the people of Biafra. Kouchner felt he was part of the war, rather than relief (Brauman and Tanguy 1998).

(Continued)

(Continued)

He founded the International Committee against Genocide in Biafra and called media attention to the horrors there. In 1971, Kouchner joined with a like-minded group of doctors frustrated with the inefficiencies delivering disaster relief in Pakistan. They founded Médecins sans Frontières (MSF/Doctors Without Borders). "By forming MSF, this core group of doctors intended to change the way humanitarian aid was delivered by providing more medical assistance more rapidly and by being less deterred by national borders at times of crisis. Their example changed more than the delivery of medical care. MSF is one of the first documented instances of global civil society action" (Kaldor 2003, 129).

In the early 1960s, Peter Benenson wrote *The Forgotten Prisoner*, condemning the oppression and torture of prisoners. He developed organizational tactics to address global causes. Independence from governments, letter writing, publicizing atrocities, and shaming the nations involved evolved into a powerful strategy, still used to good effect by Amnesty International, the non-governmental organization (NGO) he founded. It is a model for NGOs globally (Keane 2003, 58).

How does one person's vision become a global force? Doctors Without Borders, Amnesty International, and other NGOs begin with a person or small group and gain public attention, financial and moral support, and the attention of governments, international governmental organizations, and even industry. Together, they form a global civil society—people exerting pressure from outside of the economy and state systems and structures to change them. Not every person with a vision is successful, not every human cause represented. Whether or not a global civil society that serves all of humankind is possible is a critical issue on the global agenda.

Civil society, simply stated, is people organizing outside of government channels to meet social objectives. Whereas social movements of the past have focused on communities within nations, today's movements increasingly involve people from diverse parts of the globe to promote human welfare without concern for location and connecting local and global groups' activities.

The Individual Humanity Relationship

Individual differentiation has made us more aware of our humanity. Durkheim (1915/1965) wrote nearly a hundred years ago that increasing social differentiation would lead us to the realization that all we have left in common is our humanity. People would transcend their attachments to only national societies to develop concern for "collective life of an international nature" (474). Humanity is the collective life, the same people who from other perspectives are organized into societies, polities, economies, families, and so on (Simmel 1908/1971, 38).

It appears that Durkheim's prediction is coming to pass. Recognition of membership in humanity is the subjective dimension of globalization. With that recognition comes responsibility, the responsibility shouldered by people like Kouchner and Benenson, but also by those who sponsor a child with $22 a

month, donate blood to the International Red Cross, give money to support those in disaster areas, or participate in any number of activities and organizations in which people help other people, without regard to their class, race, ethnicity, or religion, but simply because they are people.

Recognition of humanity has occasioned a new urgency and paradigm shift, distinguished by the "personalization of commitment" (McDonald 2006, 74). Personalization, called *authenticity*, has two components. First, it means working directly with people on solving problems. Second, being authentic means recognizing that the helper and the victim are in the same boat. Those who help do not approach problems with a sense of pity, but with a sense of shared experience, recognizing that everyone is a victim of global problems and anyone can help. This is the new humanitarianism (73).

Media play an important role in helping people visualize the plight of others and identify with them. "Without television, the new humanitarianism would not exist" (Kouchner, quoted in McDonald 2006, 70). Television brought war, famine, and natural disasters into our living rooms in the 1960s. Today, the Internet and satellite-fed mobile communications intensify the immediacy of people's suffering. We watch one another online in real time and become engaged in one another's struggles anywhere in the world. Whether by donating money, sending

messages of support, or actively participating by relaying information around censorship blocks, we join struggles all over the world from our homes.

Globalization changed the relationship between the individual and humanity and the totality of the global field. The global system of societies has a new set of obligations to humanity, and so does each and every society. The global economy, global polity, and global culture all relate people to one another outside of their memberships in particular societies. Global civil society also exists outside of societal bounds, outside of government and the economy. It conjures the image of the global citizen. It conjures the image of humanity, organized differently than in the sum total of societies—an entity of fluid and shifting interactions, people who regardless of "tribal" differences in nationality, race, ethnicity, or gender, have common needs, common rights, and common obligations toward one another.

This chapter starts with a discussion of civil society. It is important to understand civil society before considering the prospects and perils of a global civil society. Next, the processes through which the practical concerns of humanity come into the forum of global civil society and are addressed by states, international organization of states, corporations, and other powerful actors are discussed. Finally, we analyze three case studies of successful global civil society movements: the movement to ban landmines, the environmental movement, and the human rights movement with particular attention to the Helsinki Accords.

Defining Civil Society

When Alexis de Tocqueville, the French political philosopher, visited the United States in 1831, he credited the vibrancy of American democracy to the vibrancy of its associational life.[1] When "several inhabitants of the United States have taken up an opinion or feeling they wish to promote in the world, they look for mutual assistance; and as soon as they have found one another out, they combine" (quoted in Kaldor 2003, 20). Since then, the importance of an active and vibrant civil society for a strong democracy has been taken for granted.

Defining civil society requires normative evaluations. It is first of all civilian. Although civil society organizations very often work with governments, they are not part of them. Everything that is governmental is excluded from civil society. Civil society as a concept repudiates the notion that the state is the society. Second, most theorists agree that civil society should be limited to voluntary associations. That eliminates family. Civil society is not particularistic, as is kinship.

Some early theorists noted that when economic relations differentiated from political and escaped the control of the state (with the advent of capitalism), it created a new dimension of social order based on entirely different principles. They used civil society to refer to these relations. In contemporary life, associational groups exist apart from both the state and the economy, and they protest and critique both. For that reason, this text takes up the position of many contemporary theorists that civil society should be considered distinct from the market. Civil society is the network of voluntary ties that differentiate a community from the state, the family, and the economy. Being an association of people apart from particular interests in the state, kinship, and economy, civil society is in the unique position to lay claim to moral authority from which to judge those institutions. This is the referent for the concept of civil disobedience.

BOX 5.2   Consider This: Competing Definitions

The concept of civil society has been very "glocalized." Its meaning varies not only among nations, but among academic disciplines as well. It has acquired the local flavor of similar concepts that describe non-state actors engaged in varieties of social and social welfare work. The range of definitions will not be reviewed here, but in some countries, being included in the "third sector" or "social economy" and variations of not-for-profit, non-profits, and redistribution of profits may qualify an organization for inclusion into civil society or may disqualify an organization, depending on who is doing the counting and the definitions being using (Roginsky and Shortall 2009).

There are also both more and less radical definitions of civil society. Conflict-oriented perspectives emphasize civil society as a check on the powers of the state. Cooperation-oriented perspectives emphasize civil society as a source of stability.

Can civil society do both? If so, how?

Cross-cutting memberships in civil society's religious, sporting, community, occupational, and other organizations join people from across social cleavages such as family background, class, and political party. It is "associations in which people's relations are driven by democratic discourse, solidarity, civility, honesty and mutual respect" (Roginsky and Shortall 2009, 474). This builds social capital and extends bonds of trust throughout a community. Civility is a "learned public behavior demonstrating respect for others while curtailing one's immediate self-interest when appropriate" (Anheier 2007, 11).

This brings us to the third characteristic. Most theorists limit civil society to relationships that are civil—non-coercive and non-violent (Keane 2003, 14). When states acquired the monopoly on violence, violence was expunged from the public life of societies. The rule of law and institutionalized means for settling conflicts ascended. Civil society is governed by rules and consent rather than coercion. In the 20th century, Western societies called the Soviet Union and Eastern bloc countries uncivil, coercive societies. They were not legitimated through consent (Kaldor 2003, 1). Their rapid demise after the fall of communism is evidence of their coercive foundation.

In contrast to coercion, civil society is based on trust; when "strangers act in a civilized way to one another . . . rational debate and discussion becomes possible" (Kaldor 2003, 13). This facilitates a society's collective efficacy, its capacity to accomplish its goals and those of the people within. It also provides a source of authority apart from the state that can speak back to the state as a counterweight to the powers of the state. While the stipulation that civil society rejects violence is not included in all definitions, it provides a sharp analytical divide between civil society and groups who claim moral justification for their violence. Use of violence or coercion is antithetical to discourse and respect.

This has been further elaborated by Jurgen Habermas, a contemporary German sociologist and philosopher, who stresses civil society as a check on power and coercion. The core of civil society is made of "those non-governmental and non-economic connections and voluntary associations that anchor the communication structures of the public sphere" (quoted in Kaldor 2003, 22). The communicative dimension of Habermas's definition is critical. Communication is the essence of society; every bond among people, every interaction, is a communication and the essence of civility.

Civil society is not just a Western concept (Anheier 2007, 11). Civility demands that if problems, issues, or conflicts arise, they are not settled by coercion or violence; they must be settled by communication. China, Japan, Iran, and Turkey, among other nations, have distinctive traditions associating public behavior and non-violence.

Combining these perspectives we come up with four propositions for civil society.

- Civil society is a network of voluntary associations.
- Civil society pursues interests that cut across the particularistic fault lines and fissures in society.
- Civil society emphasizes the importance of rational discourse and communication to solve problems.
- Civil society rejects the use of violence and coercion.

BOX 5.3   Consider This: Bowling Alone

Robert Putnam (1995), a political scientist, has proposed that civil society in the United States has diminished over the last few generations. We are less involved in community group activities and pursue more solitary pursuits. Community gatherings such as picnics and parades, organizations such as the Rotary, PTA, Boy and Girl Scouts and religious groups used to be plentiful with boundary-bursting memberships. People used to get together and build ties that built social capital in their communities and the country. Now, Putnam says, we engage in more solitary and fewer group activities. This, he maintains, is a danger to our democracy. Without cross-cutting group ties, trust erodes. Political participation erodes, and democracy erodes. Is this what has been happening? Is this why we do not have high voter turnout?

Has the economic crisis reignited political participation? Are the Tea Party and Occupy Wall Street movements signs that civil society is engaged once again in political life?

You can learn more about building social capital by visiting Putnam's websites, Better Together and the Saguaro Seminar.

http://www.bettertogether.org/150ways.htm
http://www.hks.harvard.edu/saguaro/

Civil society organizations may be not-for-profit groups such as Boy Scouts, Girl Scouts, religious organizations, and community clubs. They can be devoted to a particular cause such as March of Dimes, Race for the Cure, volunteer firefighters, or an environmental group. They can be any one of thousands of similar organizations that gather people together based on their interests—in chess, fishing, playing cards, or bowling. They include interest groups that lobby the government, such as the NRA (National Rifle Association), GASP (Group Against Smog and Pollution), or MADD (Mothers Against Drunk Driving). They can be organized to advocate for groups such as the disabled, the poor, or the imprisoned. Alternatively, they can act directly to alleviate living conditions of marginalized people by providing food banks, soup kitchens, warm winter coats, or Toys for Tots at the holidays. Their money comes from fundraising, foundations, government, or corporate grants. They exercise power through the money they spend and the causes they support.

Defining Global Civil Society

Global civil society is not just national civil society writ large. *Global civil society*

> is the most complex society in the history of the human species . . . a vast, interconnected and multi-layered non-governmental space that comprises many hundreds of thousands of self directing institutions and ways of life that generate global effects. (Keane 2003, 17–20)

Global civil society shares most characteristics with civil society; its fifth makes it fundamentally different. Global civil society is

- composed of only non-governmental, non-economic, non-familial local and global groups and organizations;
- conducted through interlinked social processes, sometimes tightly linked, some linked loosely;
- civil, encouraging non-violence, mutual respect, and compromise;
- pluralistic with strong conflict potential; and
- global, not confined to state boundaries or the interests of any particular nation (Keane 2003, 11–19).

Global Civil Society and Global Regimes

Although global civil society organizations are not part of government, CSOs have to work with governments and international governmental organizations to accomplish their goals. Civil society groups participate in global governance working to establish international regimes devoted to their cause. A regime is a form of governance, an extensive set of "explicit rules, agreed upon by governments that pertain to particular sets of issues in international relations" (Keohane, quoted in Zelli 2008, 2). A regime will have declarations and treaties by governments or international governmental organizations that document their obligations and the monitoring or enforcement mechanisms that hold them to their promises. It is useful to see a regime as a combination of structure, process, and product. Civil society groups participate in all three.

BOX 5.4   A Closer Look: INGO and NGO UN Partnerships

Numbers of NGO partners in different areas of intervention
Number of NGOs
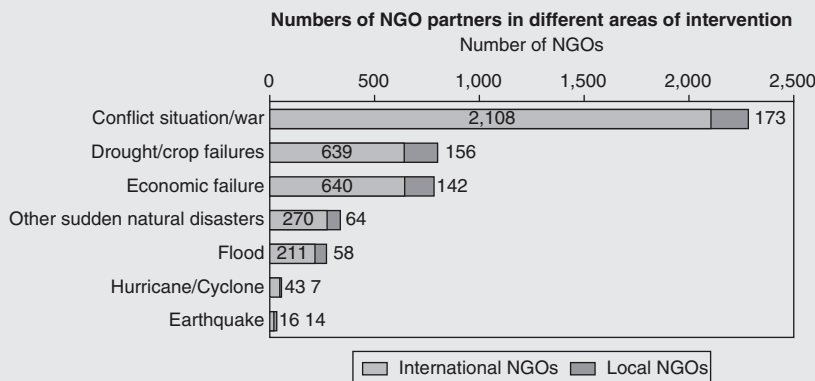
Partnerships are among the ways that national and international NGOs can maximize their effectiveness. This chart shows the areas in which they partner with the UN.

Source: 2009 Civil Society Yearbook: Poverty and Activism, by A. Kumar, J. A. Scholte, M. Kaldor, M. Glasius, and J. Seckinelgin, 2009, London, SAGE Publications. Copyright SAGE Ltd.

- Structure: networks of public, private, and governmental groups
- Process: the modes of discourse and strategies they use to deliberate, debate, and influence governance
- Product: policy, public information, regulation, treaties, laws and other things relevant to achieving their goals (Donnelly 2007, 127–129; Meyer et al. 1997, 623–625)

Whoever can control the cognitive and normative agendas on a particular issue has a good chance of winning the public over to their cause. Civil society groups work to get the public and policy makers to think about an issue as a problem—whether it is pollution, food shortages, or human rights. This is the cognitive dimension. Then they must get people to think about it in a certain way, to care about it. For example, civil society groups are competing to define pollution. Some are promoting it as a health problem and want more regulation. Some talk it about it as a jobs or money issue and want less regulation. This is the normative agenda (Rutherford 2000, 78).

Landmines had barely entered public consciousness before the landmine movement. If people thought about them at all, they saw them as military tools. Getting landmines perceived as a problem and then as a particular kind of humanitarian as opposed to military problem was the only way to get the public and key government officials to care about them. In the case of the landmine treaty, INGOs changed people's perception of landmines as weapon to landmines as a killer of innocents. They successfully established landmines as a humanitarian issue rather than as a military or arms control issue, thus setting the cognitive and normative agendas.

A regime is also practical. It includes strategies, solutions, treaties, and protocols that function locally, nationally, and globally. These can be summarized as their declaratory, promotional, implementation, and enforcement dimensions and activities.

- Declaratory activities are public statements that disseminate knowledge of a human condition.
- Promotional activities encourage support for particular policies and programs.
- Implementation activities coordinate national policies and international monitoring procedures.
- Enforcement activities secure binding international agreements and ensure strong international monitoring. (Donnelly 2007, 129)

Global civil society regimes include all of these dimensions. Global civil society organizations have important declaratory functions. In many cases civil society organizations have been among the first to articulate global norms and standards. Many groups issue regular reports. Amnesty International publicizes human rights reports every year. They educate global, national, and local publics on issues to create or sway opinion, often partnering with local organizations to create grassroots pressure from within countries. They establish model programs to implement norms and standards. These programs may be taken over by local or national governments as regimes move into the implementation stages.

Global civil society organizations are active watchdogs, monitoring, investigating, and publicizing the extent of problems from pollution to human trafficking, the progress of states toward fulfilling their obligations with respect to issues such as civil and human rights, and their progress in living up to global norms regarding state functions such as health care, education, and democratic elections. Civil society is strongest in monitoring. Enforcement is the most difficult issue for civil society and for global governance generally. Some civil society groups have imposed sanctions by withdrawing their services. This is difficult because withdrawing services may mean increasing harm to victims.

A measure of the success of civil society organizations is the extent to which a global regime develops that is devoted to their cause and in keeping with their objectives. This can be evaluated along three dimensions of effectiveness:

- The norms that are developed, for example, the various number of UN treaties and declarations on human rights (outcome)
- Changes in the behavior of the relevant actors, for example, the number of states that have signed and ratified a treaty or enacted relevant domestic policies, and their adherence to standards (impact)
- The ultimate effect on their actual objective, for example, the reduction achieved in carbon emissions, the restoration or granting of freedoms, such as freedom of the press, or assembly, or religion (Oberthür and Gehring, in Zelli, 2008, 4)

Global civil society organizations wield power when they take on a role in the name of global public interest. With power comes responsibility. This raises serious questions concerning the accountability of global civil society.

To whom is global civil society accountable, and how can it be held accountable?

Emergence of Global Civil Society

Waves of International Non-Governmental Organizations

A marginal or esoteric topic only 15 or 20 years ago, the potential of global civil society is now one of the most talked about concepts in global studies (Anheier 2007, 1). In one form or another, most of the contemporary definitions of civil society have a global goal or vision (Kaldor 2003, 11–12).
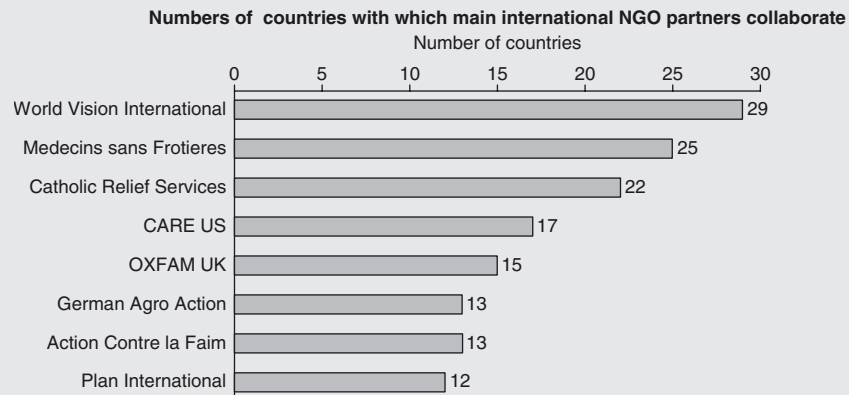
INGOs are the most visible agents in global civil society.[2] The number of INGOs has increased exponentially in the contemporary period of globalization, as has their membership and the flow of funding to them from governments and other nongovernmental organizations (Long 2008, 53). There were few INGOs prior to the 19th century, and only six as of 1854. This grew from 163 at the turn of the century to about 1,000 post-WWII, to over 60,000 by 2007 (Davies 2008, 4). There are now over 5,000 world congresses, where INGOs meet, that cover everything from families to sports, nearly every health care field and specialty, and every hobby. Nearly every academic discipline, profession, and social cause has a world congress. Most meet annually and collectively involve the participation of over 50,000 INGOs. Ninety percent of these international groups have formed since 1970 (Keane 2003, 4).

As with other dimensions of globalization, there are waves of growth in the number and expansion of INGOs. It has not been a steady upward trend. The years circa 1948, 1968, and 1989 stand out as periods of particularly intense activity (Davies 2008, 12). Five sets of factors brought on the waves: external political factors, internal political factors, technological, economic, and social factors.

BOX 5.5   A Closer Look: INGO Operations

INGOs have incredible reach. This is a list of the largest INGOs and the number of countries in which they operate.

Numbers of countries with which main international NGO partners collaborate

Number of countries

INGO	Number of countries
World Vision International	29
Medecins sans Frotieres	25
Catholic Relief Services	22
CARE US	17
OXFAM UK	15
German Agro Action	13
Action Contre la Faim	13
Plan International	12

Source: Global Civil Society Yearbook (2009, 299).

Establishing the UN was an important external political factor. The UN system provides a global organizational framework for addressing the issues and problems of humanity. This stimulated the formation of INGOs. Not originally designed to accommodate civil society, the UN increasingly includes INGOs in its deliberations and activities. The UN facilitated the environmental and human rights regimes and landmine treaty initiatives of global civil society, among others.

The social conditions of the mid to late 1960s also intensified the growth of INGOs. Social movements denouncing states that used violence or coercion toward other societies or to oppress their own

people arose all over the world. These movements differentiated global from national action. Their pursuit of global justice focused on human rights, democracy, peace, civil rights, tolerance, and the environment without regard for where or to whom violations occurred. This accomplished three things. It crystallized the notion of global values that all nations must respect. It established humanity as an entity deserving of rights. And it designated global civil society as humanity's (self-appointed) representative (Anheier 2007).

Advances in communication technology, alienation from state, and disillusionment with international governmental activity also promoted growth of INGOs (Anheier 2007, 5–6). The falling prices and ease of communication among societies facilitate the interdependence of civil society groups and individuals from all over the world. More people have access to information-sharing technologies that until very recently were only available in wealthier societies. People are able to participate in INGO activity, develop relationships among local NGOs, and coordinate spontaneous protests with ease (Keohane and Nye 2000, 117). They also share strategies and obtain support globally.

Last, global culture—forms of discourse and structure—facilitate global civil society. The objective nature of scientific evidence, the verification of arguments through statistics, and appeals for human rights have near-universal acceptance. They are models for discourse and provide a cross-cultural foundation for communication and dialog. Social movements have adopted formal organizational structures and legitimate rhetorical style to be included in UN and national-level deliberations (Kaldor 2003, 87–89).

Global civil society groups have significant successes but drawbacks as well. They have influenced international governmental organizations, such as the UN, World Bank, and IMF. They won important policy changes in areas relating to the environment, human rights, warfare, and so on. They raise billions of dollars in government and private money to implement programs for solving global problems. But the concept of global civil society raises questions and concerns that national civil society does not. The debate about the potential of global civil society poses three main questions. Can global civil society

- be a counterforce to global political and economic systems,
- serve as a global arena of democratic participation and governance, and
- represent the global public? (Berry and Gabay 2009)

BOX 5.6   A Closer Look: Money Is Power

Many INGOs are wealthy, and growing wealthier. Some of the major INGOs and their revenues for 2006 and 2010 (in $US millions) are listed below.

INGO	2006	2010	Cause
World Vision	2,100	2,600	Religious charity
Save the Children	836	1,400	Children's rights
CARE International	624	804	Poverty relief
Doctors Without Borders	568	1,300	Medicine
Oxfam International	528	1,200	Poverty relief

Source: 2006: Aldashev and Verdier (2009, 199); 2010: Slim (2011).

The Challenge of Democracy in Global Civil Society

Global civil society has many of the characteristics of a national society with one important difference. Not everyone is included in global civil society. Many people in national societies are marginalized and not fully included but, in such cases, it violates national or human rights laws. Ironically, there is no law that ensures everyone the rights of representation in global civil society.

Global civil society is often touted as the foundation on which global democracy will be built. These normative claims are not well supported in fact. Most studies of global civil society focus on highly successful cases. The origins and dynamics of their transnational support are neglected. For example, communication and transportation technologies make horizontal ties among NGOs and social movements across countries possible. Nevertheless, some people and groups continue to suffer out of the public eye. Why? There is a lot of competition for the global spotlight, and even if a group is successful, there may be costs associated with the competition for public acclaim and support that go along with it that undermine a group's original intent (Bob 2001, 312).

Global civil society is not always an uncompromised force for democracy, and whether or not a democratic civil society is possible is questionable. Global civil society skeptics claim that global civil society does not live up to its ideals and promises. Their critique assesses often overlooked factors that are important to evaluate the impact and potential of global civil society.

Serious questions arise concerning the degree to which NGOs and INGOs

- represent all marginalized groups by including them in the governance process,
- represent their own goals and objectives to global decision-making bodies rather than the goals and objectives of the people they claim to represent,
- serve powerful governmental organizations and corporations from which funding often flows, rather than be a force for democracy,
- shift the responsibility of governments and international governmental organizations for social welfare into the private realm, and
- engage in truly civil—not just non-violent but inclusive and open—discourse and debate.

Each of these concerns denotes a potential deficit of democratic legitimacy—in representation, goal displacement, interests served, conflict resolution, and accountability. They may influence any activity of INGOs—declaratory, promotional, implementation, and evaluative.

Representation

For all of the good that global civil society has done, there are many groups, millions of people, facing injustices who are never read about in the papers or seen on television. For these groups, global civil society constitutes a "Darwinian marketplace" (Bob 2002, 37). Competition for international support is intense. Rather than radical transparency in which every injustice is illuminated, many groups struggle in obscurity "painfully aware" of the opportunities beyond their reach (37, 46). Securing the benefits of global civil society requires the savvy maneuvering and skillful navigation found in marketing and advertising agencies—not skills handily available to most disaffected and marginalized groups.

Breaking through to the global conscience—or consciousness—is difficult even for very deserving groups (Ayers 2003). How well they can pitch their cause and find the right match among potential donors are two factors that separate winners from losers (Bob 2001, 313). A lot of skill and luck goes into it. Groups who employ similar tactics to those whose attention they seek, who are in more open regimes where it is easier to raise awareness, and who have more resources to create awareness campaigns, have a charismatic spokesperson, a leader with contacts or stature within the global community, the "know how" to present themselves, and the most organizational and mobilization capacity are most likely to be winners (314–315). Those criteria are hard to meet. Groups who meet them and mount successful campaigns are not necessarily the most deserving causes based on need, and many worthy causes get left behind.

Getting notice is particularly difficult if a group is in a low-profile country, if its cause is narrowly defined, of only local interest, or not specifically related to one of the causes of the moment. A group needs to form itself for mass appeal. Framing a cause and universalizing an appeal by connecting it to an issue of importance to one of the large INGOs

is critical to success. For example, the Ogoni, one of the many ethnic groups in Nigeria, failed to attract Greenpeace, Amnesty International, and others when they went for help against Royal/Dutch Shell, which was siphoning oil profits from their lands. When they recast their claims as ecological warfare against an indigenous minority, they got support from Greenpeace, Friends of the Earth, and the Sierra Club, among many others. Environmental issues get attention. Indigenous rights also play well, as socialist leaning groups in Guatemala and Zapitista in Mexico discovered when they emphasized their indigenous identities rather than just their complaints (Bob 2002, 39).

Local enemies do not grab the attention of global civil society either. Connecting a cause to a well-known villain can garner recognition for obscure groups, whereas a local villain will not. This connection establishes an important link to broader social movements. Another important qualifier is capturing headlines. Enjoying headlines through protest calls attention to a group and its cause, but protests must be carefully calibrated. The Mexican Zapatista rebels used their indigenous status and anti–free trade standing to broaden and universalize their appeal. They seized a city in protest but were careful not to harm civilians. Although labeled terrorist by the Mexican government, they won the favor of the international community. Most INGOs shun controversial and violent tactics. This happened to Brazilian peasants and poor people's movements who seized land or used kidnapping strategies (Bob 2002, 40). For the most part, the global community favors the *civil* in civil society.

BOX 5.7   A Closer Look: Zapatista "Netwar"

The Zapatista (EZLN) named themselves after Emiliano Zapata, who fought in the Mexican Revolution along with Francisco (Pancho) Villa and Francisco Madero. The Zapatista emerged from an armed guerrilla group (FLN) that fought against the Diaz regime. Although they began with a hierarchical structure, they formed a flatter, network organization (EZLN) as they incorporated indigenous Mayan peasants and took up their causes, particularly land rights and fair trade.

In the1990s, the human rights, indigenous rights, and environmental networks grew globally. The network structure of the Zapatista facilitated aligning with local and global NGOs.

Their methods are not those of the traditional revolutionary. Although they still have an army, their tactics transformed from armed insurgence to netwar. A *netwar* is a mode of conflict using the organization, doctrines, strategies, and technologies of the information age. It is a network-based movement rather than a hierarchical structure. Netwar actors are typically non-state actors, although they may enlist other states in their conflict against their own. Their conflict is waged primarily in cyberspace. A primary tactic is to control the dissemination of information and how conflicts are perceived by their audiences—"who knows what when and where" (Ronfeldt et al. 1998).

Some entire countries are underserved in INGO activities, while in other places, local NGOs are overburdened by trying to manage and administer the largess of INGOs. In Ethiopia, there are five affiliates of World Vision, seven of Oxfam, six of Care International, and 21 of Save the Children. Some small countries, such as Guatemala, Sri Lanka, and Zimbabwe, have over 40 of the 60 largest INGOs, while the much larger Republic of Congo and Central African Republic have only a handful (Koch 2008, 2). Aid earmarked by donors for particular countries may restrict its use. Nevertheless, this is another way in which global civil society represents the interest of money and is not held accountable for the marginalized and neglected.

Global civil society actors engage in debate and influence policies that affect people's lives "without the need for a clear popular mandate" (Long 2008, 55). Only 6% of the board members on the largest development INGOs come from developing countries (Koch 2008, 2). These are all troubling points to many analysts. If global civil society is to achieve democratic ends, it must be inclusive and accountable. Given their power, whether global civil society is "anything more than a collection of advocacy NGOs and social movements with visions and axes

to grind on any number of particular topics" is a significant debate (Anderson and Reiff 2004, 29).

Displaced Goals and Objectives

Capturing public attention is often costly in time, energy, money, and even lives. In the case of the Marxist guerrilla insurgence of the 1980s, international support may have prolonged fighting. The support for guerillas among indigenous peoples and the poor was not as extensive as among international donors. Without international support, guerrillas might have been forced into negotiations years earlier, saving many lives (Bob 2002, 41). INGO success may sacrifice local objectives. Sometimes groups' original goals are subverted in order to achieve international support. Many Ogani, Bob reports, saw their objective of autonomy neglected in favor of the trendier goals of human rights and environmentalism (44).

The strategy of universalizing local concerns may be successful getting global attention but may weaken local channels of communication and rob locals of their voice. The appeals made by INGOs to universal values may not be actually universal. A clash between local and global movements sometimes exposes the particularistic nature of supposed universal values and goals. Seidman (2007) found that workplace complaints got little traction on the global stage in reforming labor laws. Framing the issues as violations of human rights did. "Racist oppression, exploitation of children, legacies of human rights violations and repression" infused the daily minutia of labor grievances with the moral weight of universal concerns" (134). However, the strategy overshadowed local concerns and local priorities were displaced. In South Africa, she found that local activists repudiated the Global Sullivan Principles of corporate social responsibility (developed by Leon Sullivan, an African American) for reflecting American racial concerns (135). Feminist movements in many developing nations were repeatedly stymied when their individualistically oriented approaches to helping indigenous women were not met with much gratitude. Not fully grasping the importance of collective life and family, including male spouses, they often violated local women's ethical and moral understanding of their role in the family and community. The account of the partnership between the Wisconsin Coordinating Council

on Nicaragua and local women's NGOs in Nicaragua poignantly recounts the difficulties, eventually overcome, in establishing global coalitions across cultural and economic divides (Weber 2002).

Some civil society groups' claims to represent the authentic concern of people must be viewed with some skepticism. Local–global coalitions can only be counted as successful if they accomplish local objectives. Strong relationships across borders have to be nurtured to establish a basis for trust and friendship. This can only come from consistent, sustained contact. Otherwise, there will not be open dialog. Local activists have to define the issues on the basis of their concerns and must be involved in interpreting and disseminating information (Seidman 2007, 135). All of this takes time and cannot be accomplished from afar. It requires frequent visits. In contrast, participation and consultation of local groups in global civil society activity is often negligible. Dialog between global civil society organizations and the people on whose behalf they advocate may be scant.

The claim that global civil society functions in a more deliberative way—by getting people's voice heard—than representative democracy does not guarantee its legitimacy in the global arena (Long 2008, 56). Domestic civil society organizations do not make claims of universal values and goals as INGOs do. They advocate for and advance their own particular goals. Their legitimacy is based on free expression and the ability to persuade others to adopt their views. Because they exist in democratic societies, they can ignore what everyone else thinks (Anderson and Rieff 2004, 30). Global civil society groups do not operate within a democratic framework. They do not have the luxury of representing only their interests if they make claims to enhancing global democracy.

Who Is Being Served?

The most obvious answer, the client, is not always correct. NGOs sometimes act as pacifiers, appropriated to legitimize state power or smooth over the roughest effects of transnational capitalism and its exploitation. Social welfare programs, many of which are administered through INGOs, may simply stave off people's dissatisfaction with exploitative economic and political arrangements. They may inadvertently obscure paths to achieving

genuine reform of the global political economy or make people more governable by satisfying a baseline of minimal need (Laxer and Halperin 2003).

INGOs may be unintentionally corrupted to buttress the very institutions they want to change. Aid coming through civil society groups (as well as governments) is a form of income and may be competed for among elites either to buy loyalty or for individual gain. In such cases, they contribute to corruption. This can be obscured in analysis of INGO activity. When advocacy is combined with empirical research, the research sometimes fails to critically analyze global civil society groups. When researchers share a normative agenda with the groups they study, perhaps aiding the development of global democracy or some other noble objective, unquestioned assumptions can lead to taking too much for granted. A liberal cosmopolitan perspective often informs both the INGO and its critique. When INGOs are accepted at face value without objective assessment and evaluation, research misses important empirical phenomena (Berry and Gabay 2009, 340). Some of the failings of global civil society, such as misalignment with goals of local groups and neglect of worthy causes in favor of the "cause of the moment," are neglected in many research studies. Uncritical acceptance does not benefit an INGO or the people it serves.

An assessment of an INGO might look quite different from a critical perspective. For example, analyses might question the relationships among INGOs and UN agencies. UN agencies are vehicles of states, and donor funding gets channeled from states through the UN to INGOs. This means that the INGOs are doing states' business. It is couched in the language of good will and development, but it is very clearly the work of the states' development programs (Berry and Gabay 2009, 345–346). In such a case, who are the real clients: the states or the people the INGOs represents? The same criticism may be levied against INGOs that are funded by corporations, including many that contribute to global malaise.

Violence, Power, and Conflict Resolution

Globalization creates diversity as much as it homogenizes; it is unrealistic to imagine a global civil society not riveted with conflict. Social life will never return, barring catastrophe, to an undifferentiated, non-pluralistic state of non-conflicting interests. This diversity poses a dilemma. Even with good motives, there is often disagreement and contradiction among the goals of diverse groups and the means chosen to achieve them. Legitimacy cannot be assumed when equal claims to moral legitimacy clash (Long 2008, 56). Since global clashes are not resolved in an overarching democratic framework, resolution depends on who marshals the most resources of power, money, or prestige.

Contradictory and competing objectives, not only among regimes but also within them, limit a regime's effectiveness. There are many sources of conflict in the legal terms of regime agreements and behavioral conflicts when states act on the basis of these conflicting norms or rules. An example of this is the contradiction between the principle of equal treatment of trading partners found in the Montreal Protocol and the General Agreement on Tariffs and Trade (GATT) division of countries into different groups that receive different benefits (Zelli 2008, 2).

There are many conflicts between trade and environmental regimes. The ozone regime has been stymied in trying to establish trade restrictions on ozone-depleting substances because it conflicts with the World Trade Organization (WTO) rules that prohibit "trade restrictions based on non-product related processes and production methods" (Zelli 2008, 8). Conflicts may arise as a regime is developing norms, after they have been institutionalized in documents, or as they develop over time (3). The conflicts within and across civil society regimes might prevent democratic results depending on the types of leverage that states, civil society organizations, and other relevant actors bring to the political process. The outcome of clashes between groups and regimes tends to be determined by which

- manages to have the conflict ceded to its domain of influence, say, to jobs rather than the environment;
- has more inclusive and stringent norms already in place; and
- has more authority to monitor and enforce their norms.

Power, not democracy, determines the outcome. Global conflict management within and among regimes must be a higher priority.

Global civil society advocates are not blind to the dangers of conflicting interests. Civility does not diminish conflict; civility is the commitment to

resolve conflict within the rule of law. Deliberation, debate, discourse, and dialog are non-violent ways to resolve conflict. While there is too little discourse and dialog in the conduct of global events and not all civil society members act civilly, there are global civil society networks that function across lines of conflict and contention. "Horizontal transnational global networks, both civil and uncivil, exist side by side in the same territorial space" (Kaldor 2003, 6).

Thorny Questions of Accountability

Global civil society actors have particularly thorny problems establishing legitimacy in terms of the public they represent. The legitimacy of power is the reasoned consent by those who are subject to the organization or actor exercising it (Long 2008). This does not necessarily apply in the activities of INGOs. For all the good they do, INGOs' capacity to operate democratically and be held accountable is a serious concern. Global civil society groups are in some ways pressure groups. Unlike democratically elected representatives, they are not formally approved of or chosen by all people for whom they advocate. Nor can they be removed from office. They do not operate within a democratic system of governance, as do national civil society groups.

These criticisms regarding lack of representation, goal orientation, who is being served, conflict resolution, and accountability have also been directed at the World Social Forum (WSF). Since 2001, WSF has met annually to promote an alternative globalization. Their motto is "A new world is possible." The forum is an arena for local and global civil society groups to meet and discuss strategies to counter powerful global and local actors (whether corporations, states, other civil society groups, etc.). By creating the opportunity for dialog, groups that seem radically disparate may find common ground in larger collective projects. The visibility of WSF, especially within academic circles, makes them particularly open to critique. Criticisms of the WSF, which may apply to many INGOs, are as follows:

- The diversity of interest represented at the WSF inhibits it from constructing an alternate globalization. Differences between radicals who want to abolish the institutions of power such as the IMF and World Bank conflict with those who want reform. Environmentalists who want to limit growth and consumption conflict with labor unions

who want jobs. The list of juxtapositions and conflict is endless. WSF has not found a way to transcend these differences to find common ground and concrete objectives from which to form a strategy (Worth and Buckley 2009, 650–653).
- The WSF is not representative of the people for whom it advocates. Rather than the forum being occupied with people working at grassroots levels to improve their own conditions, 30% of the people in attendance at the 2005 meeting had post-graduate educations, and 80% had Internet access—hardly representative of the disenfranchised global population. NGOs tend to be running the show, with many academic panels and discussion sessions based on interests of the organizing committees.
- The WSF has been used by states of the "center-left," such as Venezuela, to solicit support by making speeches and appeals at the meetings.
- Many attempts to make attending WSF affordable have failed, limiting participation.
- Funding comes from many foundations (e.g., Ford, Rockefeller, Carnegie) that are the "carriers of US globalization and foreign policy."
- New elites are created in global civil society as NGOs decide what is or is not progressive. European and Latin American NGOs are over represented at WSF, and only those with the most powerful voices are heard. This is also true of the European Forum held in London (655–656).

Despite INGO intentions, critics conclude that there is a wide, perhaps insurmountable, chasm between the radical, counter-hegemonic, transformative voice that the WSF would like to be and its current status. Addressing these issues is essential for INGOs to achieve their normative goals, whether their goal is to become a vehicle for democratization of global governance, a strong voice for oppressed peoples, or to alleviate global problems.

This critique of civil society does not mean that networks of NGOs and INGOs are not important parts of democratic systems, but they in and of themselves are not democratic. If the intent of civil society is ultimately social justice, how it is defined and by whom—the questions of representation and accountability—cannot be glossed over. Seidman's (2007) work on labor rights suggests that INGOs may be a more effective tool of democracy by working to strengthen weak states and institutions than by trying to effect change on their own. INGOs cannot be an effective regulatory regime by themselves. Voluntary regimes, Seidman argues, work only when backed by the power of a state. Local activists'

priorities, at least in labor movements, are to make states more responsible and effective in protecting them and the vulnerable. Strengthening states has broader national impact—and potentially global impact through social learning and other mechanisms of diffusion. Learning from the best practices of INGOs and NGOs in global civil society and reconciling them with responsible critique are necessary.

Global Civil Society: Interacting Layers of Governance

Civil society organizations operate in different structures of opportunity. Access and constraints within and among societies influence the pathways and strategies NGOs and INGOs employ to achieve their objectives, pressuring governments, organizations, and international governmental organizations to act.

Channels of opportunity for democratic participation in government and international governmental organizations vary in the degree to which they are open or closed. Institutional openness varies within the international community and within countries issue by issue as well. Civil society groups have to navigate these channels seizing each opportunity to open them. This explains, in part, the differences in tactics and effectiveness of social movements (Sikkink 2005, 154–157). Global civil society groups are critical in domestic reform when national civil society groups find channels blocked.

There are four situations that NGOs and INGOs confront determined by the logical possibilities of openness and closure.

- **Diminished chances of activism** (Sikkink 2005, 156): In this case, both domestic and international channels are closed. This is the situation faced in many countries where groups cannot attract the attention of international governmental organizations or NGOs (Bob 2002). This is not an impossible situation, but some external event or internal vulnerability has to happen to open channels sufficiently to initiate change. In the case of democratization in former Warsaw Pact countries, economic difficulties forced the countries to make concessions to European governments. This created a small opening that activists seized to enlist Western governments and other INGOs in pressuring their governments to democratize.

- **Boomerang effect** (Sikkink 2005, 163–163): Here, domestic channels are closed but international ones open; therefore, activists use international channels to publicize their situation, cultivating an international constituency to pressure their government from above. International organizations, other governments, corporations—any actor who can exert pressure can be used. The collapse of apartheid in South Africa was furthered by pressures on multinational corporations and transnational groups to withdraw from South Africa or risk their own reputation and profits.

- **Spiral effect** (163): This is a version of the boomerang effect but more complex and entailing a longer process. The spiral effect refers to cycles of pressure for change and eventual changes leading to greater pressure and more change. It captures how changes can have a synergistic effect instigating changes in other parts of the society to make way for further activism. Domestic groups may reach out at times or concentrate domestically at others depending on the specifics of the moment. Changes in civil rights in the United States demonstrate a spiral pattern, expanding both the groups covered by civil rights laws and the domains of life where protection is warranted.

- **Insider–outsider** coalitions (165): In this case, both domestic and international arenas are open. Activists work primarily for domestic change, using international coalitions for a secondary support. Change and reform in a number of governments may occur simultaneously in domestic and international arenas. These have been the tactics of the peace movement, landmine movement, as well as the environmental, and similar movements that have brought change to democratic societies.

Global and domestic civil society groups influence governmental bodies through these networks, moving across channels when they confront blockages. They contract with governments, form ad hoc partnerships, lobby them to change their policies, and work with one another. States that are poorly connected, such as North Korea, are hard to reach; there are few paths of opportunity into them at any level. Myanmar (Burma), impervious to international sanctions for decades, suddenly instituted democratic reforms with the new government in 2010. The government has asked for international assistance integrating into the global civil society, political, and economic systems. Channels are now open and pressures are being eased bit by bit with each reform.

Creating structures of opportunity is about building relationships. Myriad relationships are cultivated for global civil society groups to be effective in the multilayered system of global governance. They cultivate the relationships among diverse individuals who are their members, with their external environment which includes other civil society groups, local, national, and global, and with governmental representatives and organizations.

Civil Society Case Studies

Global regimes develop in many areas of social life, from the reduction of inequality, poverty, and hunger, to the frontiers of space and the ocean. The human rights regime and environmental regime were chosen as case studies because they represent two of humanity's common causes. Few regimes are as well developed as these two. The landmine ban treaty in and of itself is not a regime. It is an instructive case because as a global civil society movement, it defied the odds. Although many innocents have been killed and maimed by landmines, they are not planted the world over. They are primarily in the developing world. Nor were they perceived as a global problem when the movement began.

Although there are commonalities among these movements, each had a different trajectory in achieving success, and each case study emphasizes a different aspect of the relationship between civil society groups and the global system of societies. The presentation of the landmine treaty emphasizes the importance of partnerships, alliances, and the strategies that can bring success. The environmental movement emphasizes the importance of framing a cause in a universal rhetoric and making a universal appeal. It also demonstrates the evolution of a regime through early phases of uncoordinated activities, NGO and INGO growth, treaty development, and institutionalization in regulatory agencies. The study of the human rights regime illustrates how in the face of blocked channels, an opening widened them enough so that through the spiral effect groups gradually achieved changes to establish a human rights regime. Each case study illustrates the importance of controlling cognitive and normative agendas and the importance of strong networks to accomplish their objectives.

Case Study: Treaty to Ban Landmines

Landmines killed or maimed 30,000 people annually in Cambodia during the 1990s. In Afghanistan, there are an estimated 10 million mines, vestiges of the Soviet invasion and Taliban insurgency. There are millions of landmines in countries all over the world, concentrated in Africa, the Middle East, and Asia, but also in Latin America and Eastern Europe. In the early 1990s, conventional wisdom was that a treaty to ban landmines was an impossible dream. In 1997, it became reality. The success of the Treaty to Ban Landmines is the story of insider-outsider coalitions. The INGOs and NGOs had the advantage of working in states whose channels were open and through the UN. They took advantage of open opportunity structures, relying on global and domestic groups to influence states to change their policy toward landmines and subsequently use those states to influence others.

What mechanisms worked? Attributing them simply to power plays or states' interests is not sufficient. The United States, a leader in most of the landmine debates, was unsuccessful in seeking the exceptions it wanted in the treaty and did not sign it.[3] Many states that manufactured anti-personnel landmines destroyed their mines and signed. The pressures exerted on states came from changing global perceptions and changing global norms. Ultimately, the INGOs succeeded because they were able to control the ways that landmines were perceived. They were strategically smart. Specific tactics used by the INGOs are emphasized throughout the discussion.

This analysis of the landmine movement and its strategies draws from the case studies "The Landmine Ban: A Case Study in Humanitarian Advocacy" by Don Hubert (2000), including the preface by Neil MacFarlane (2000), and "The Evolving Arms Control Agenda: Implications of the Role of NGOs in Banning Antipersonnel Landmines" by Kenneth R. Rutherford (2000).

Early Momentum

Landmines were not on the agenda of arms control, the military, or governmental policy makers until the late 1980s to early 1990s (Rutherford 2000, 80). There was one relevant international treaty. The 1980 UN Convention on Certain Conventional Weapons (CCW) prohibited the indiscriminate use of landmines and put some restrictions on remotely deliverable (scatterable) mines, but did not ban landmines or impose stringent controls (Hubert 2000, 5).

In the eyes of those who had worked with landmine victims, the CCW did not go far enough. Doctors and de-miners working in the field tried calling attention to the devastation wrought by landmines a decade earlier. The ICRC field surgeons published articles in medical journals condemning the unnecessary suffering and injury caused by landmines. In 1979, a group of doctors working in Cambodia formed Handicap International (HI) to work with landmine victims. Seeing the problem of landmine death and destruction worsening, not only in Cambodia but in the 26 other countries where they worked as well, HI became proactive, writing and speaking out about landmines. The Coalition for Peace and Reconciliation (CPR) was also working in Cambodia in 1979. They became more active. The ICRC continued in its anti-landmine activity. These three groups were soon joined by others. The movement to ban landmines had begun, led by global civil society INGOs.

BOX 5.8   Consider This: Key People Framing the Issue

From the beginning of the campaign, key people involved were experts in the field who had been working with landmine victims and landmines (Hubert 2000; Rutheford 2000). They could speak with authority and credibility. They had credentials to frame the issue both in humanitarian and scientific discourse. These are the universalizing discourses of the global era.

What are other forms of discourse that might appeal to other audiences? In what circumstances might religious, emotional appeals to a higher loyalty, or other concerns, frame the debate or discussion of an issue? Do these ever apply in debate about global issues? What framing devices do you hear with respect to contemporary issues such as welfare, abortion, environmentalism, and others?

1991

The Vietnam Veterans of America Foundation (VVAF) and Medico International (MI) joined forces to combat landmines and enlist other NGOs to call for a global ban (Hubert 2000, 8; Rutherford 2000, 86). In October of 1992, they joined with Human Rights Watch, the ICRC, HI, and CPR to hold a conference at which they would enlist others to the cause. Building a coalition of NGOs and INGOs resulted in the core planning groups with experts from a variety of perspectives. This would broaden their appeal.

1992

Activities of the INGOs and UN agencies to educate the global public and combat landmine devastation intensified. The movement attracted the attention of the UN and its agencies, helping it to gather momentum.

- ICRC issued "Mines: A Perverse Use of Technology."
- Boutros Boutros-Ghali, secretary-general of the UN, spoke out against landmines in "An Agenda for Peace."
- The UN Department of Humanitarian Affairs (UNDHA) was given responsibility for mine-related activities.
- UNDHA and the Department of Peacekeeping hosted a series of meetings of UN departments and INGOs to share information.

The coalition built on partnerships with UN agencies. For example, from October 1992 to December 1993, UNICEF spent roughly $287,000 in mine awareness throughout El Salvador, engaging community groups, schools, and health clinics in educating the broader public about the dangers of mines (Landmine Monitor 1999). These activities extended their networks into intergovernmental governance through the UN to local NGOs and local governance. The INGOs also clarified their focus—a total ban on landmines and commitments to demining activity.

The U.S. Congress passed a one-year ban on the sale, transfer, and export of mines proposed by Senator Patrick Leahy and Representative Lane Evans in October 1992. The EU followed with a five-year moratorium on export of mines. The INGOs could already claim a measure of success. They had changed the perception of landmines. They were now seen as a humanitarian issue, not arms control. As it turned out, this would not be enough.

BOX 5.9   A Closer Look: Personalizing, Partnering, and Setting the Cognitive Agenda

The early steps awakening civil society to the issue of landmines contain the seeds of their eventual success. The committees used horrific victims' stories to personalize landmine statistics in their many reports, public speeches, meetings, and conferences. These were disseminated through the media, giving the issue extensive coverage and riveting the attention of the public and policy makers.

In this way, the INGOs successfully set the cognitive agenda establishing landmines as a serious problem (Rutheford 2000, 91–92).

By couching the statistical appeals as a legal and moral issue within the humanitarian frame, rather than in an arms control frame, the INGOs were able to establish the normative agenda as well (Rutheford 2000, 94–95).

Extensive partnering with other NGOs and UN agencies was an early strategy used throughout the campaign. As the campaign expanded, the expertise of key personnel and the scientific-humanitarian nature of the discourse did not change but was complemented.

Joining Forces and Enlisting Governments

1993

The original five INGOs collaborating on the landmine ban and HRW formed The International Campaign to Ban Landmines (ICBL) at a meeting in London. Fifty representatives from 40 NGOs also attended. Buttressed by the activity of its member groups and Western governments, the NGO membership of the ICBL grew very quickly to over 350 within two years (Hubert 2000, 8).

BOX 5.10   A Closer Look: Landmine Casualties

This chart shows casualties due to landmines and unexploded ordnance in countries with over 100 casualties. Children accounted for about one third of the casualties where age was known. In recent years, there have been over 5,000 casualties annually. This has decreased from the 1990s. There were over 75,000 recorded casualties from 1999 to 2008. Many are unrecorded.

Country	Number of Casualties
Afghanistan	859
Colombia	674
Pakistan	421
Myanmar	262
Cambodia	244
Lao PDR	134
Somalia	126

Source: International Campaign to Ban Landmines (2010).

The ICRC held the Montreux Symposium to bring NGOs, governments, militaries, manufacturers, mine clearance personnel, and victims into deliberations to share facts and ideas. The expertise of the movement grew as it gained better understanding of anti-ban objectors. National campaigns in Cambodia, Sweden, Germany, Britain, the United States, New Zealand, Australia, Italy, Belgium, Ireland, Canada, South Africa, and Afghanistan lobbied political leaders, met with government officials, conducted educational campaigns, and collected signatures in support of the ban. This pressure upward on states was significant in helping to sway public opinion in favor of the ban (Hubert 2000, 9).

- Senator Patrick Leahy continued to push the landmine ban agenda in the United States and internationally. In November, he introduced a resolution to the General Assembly of the UN urging states to put a moratorium on exports of landmines.
- The U.S. Senate extended the previous year's moratorium for three years (Rutherford 2000, 77).
- The U.S. State Department issued "Hidden Killers: The Global Problem With Uncleared Mines." This pressure from peers was effective. Fifteen countries established moratoriums within two years. In

BOX 5.11   A Closer Look: Landmine Victims

Rehabilitation programs for landmine victims are critical component of the emerging regime on landmines and other unexploded ordnance.

1994, Leahy went back to the UN, asking not only for more states to join the moratorium on exports, but also to work toward "the eventual elimination of landmines" (Hubert 2000, 12).

- The French government declared that it would formally request a review of the 1980 UN Convention on Certain Conventional Weapons (CCW). Sweden called for a complete ban, and the Netherlands destroyed its stockpile.

1994

U.S. President Bill Clinton was the first head of state to address the UN on the need for a landmine ban. Clinton recognized the humanitarian dimension of the problem—he increased funding for de-mining and for victims—but he continued to support military and political arguments to retain a landmine option. This support for exceptions to the ban cost the United States its leadership role on the issue.

ICBL strategy to refrain from attacking the military utility of landmines and maintain focus on illegality of weapons that posed an indiscriminate threat to civilians was successful. No state was able to attack the humanitarian frame. The moral argument stigmatized the mines and any state that continued to use them (Rutherford 2000, 105). The movement pointed out that the mines had only limited utility. This was uncontroversial and allowed them to stick to a straightforward message. Even the states that opposed the ban, such as the United States and the United Kingdom (until Princess Diana assumed a leadership role and the Labor Party came into power) could not ignore the humanitarian argument. They had to address and sympathize with the plight of victims. The result was that their anti-ban arguments seemed incoherent (105). The anti-ban countries ceded the public debate to landmine ban advocates.

The UN General Assembly called for four meetings to prepare for treaty talks. They began in 1994 before the landmine review conference. That is when things started to unravel, a bit. First, China restricted observation status for both the preparatory meetings and the actual conference to the ICRC and UN agencies. People in the ICBL who had the greatest experience were not able to participate. Not easily deterred, 100

representatives from 70 agencies lobbied in the corridors where the meeting rooms were and closely monitored the negotiations to compensate for lack of formal participation.

U.S. Senator Leahy and the VVAF, along with other allies, held a conference, "The Global Landmine Crisis." In the meantime, despite their relentless efforts and leadership roles, the Clinton administration continued to pursue landmines as a national security issue.

Spiral Effects

1995 was a definitive year. Coalitions among INGOs, NGOs, UN agencies, and states were growing; more government representatives and organizations attended each conference and meeting. In many ways, everything was falling into place for the ban to be successful. NGO lobbying and educational efforts were effective. By using expert military testimony on the limited military utility of landmines and the unreliable nature of the self-destroying mines, the ICBL and ICRC were making their point. Public opinion was swaying states. Belgium banned the production, purchase, sale, or transfer of anti-personnel mines. By 1994, about 30 countries supported a total ban.

Despite this, little progress was made on landmines in the CCW review negotiations. Even though Sweden called for a total ban on landmines, the first CCW session focused primarily on their military utility and ended early and in deadlock.

- The ICRC ramped up its campaign to stigmatize use of mines. It launched a worldwide campaign working through national and regional levels to pressure states. The ICRC called for a total, immediate, and definitive ban on landmines. An ICRC report, written by a British combat engineer and demining expert, stated unequivocally that landmines were not just ineffective, but counterproductive.
- The VVFA sponsored an open letter to President Clinton in the *New York Times* signed by retired military—including the much admired and distinguished U.S. commander in the Gulf War General Norman Schwartzkopf—denying the argument of the military need for landmines.
- Raising the ante in the United States, Leahy proposed a moratorium on the use of landmines by U.S. troops to begin in 1999. Congress passed it unanimously.
- The day before the review conference opened in September 1995, the ICRC released the VVAF report that issued from the Montreux Symposium, *After the Guns Fall Silent: The Enduring Legacy of Landmines* (Roberts and Williams 1995).

The campaigns were by any measure a success. By then, 40 countries supported a ban. At least that many had declared a moratorium on exports and others were destroying their stockpiles. Little was accomplished in the January or April sessions of the review conference with respect to landmines. But in meeting rooms outside of the convention rooms, eight *pro-ban states*—Austria, Belgium, Canada, Denmark, Ireland, Mexico, Norway, and Switzerland—met quietly with the ICBL to discuss a potential future strategy (Hubert 2000, 14–16).

BOX 5.12   A Closer Look: Policy Diffusion

Enlisting sympathetic experts from every relevant interest group including the military broadened and legitimized the appeal. Policy innovations tend to diffuse from one government to others. One government's policy change can break logjams and change can spread quickly. When countries jump on board after a few make the switch and a policy diffuses quickly, as in the case here, it is called a *bandwagon effect*.

The Ottawa Process Begins

The alliance of eight states forged at the CCW meetings planned an alternative strategy. It was decided that Canada would host a meeting of pro-ban states and grant the ICBL a seat at the table as a full partner. Non-ban states could observe. With

this alliance, the insider–outsider pattern of NGO activity solidified. Fifty-six states attended the October 1996 conference as full participants—meaning that they had committed to the ban; 24 states observed. After two days, some participants thought there was little concrete accomplished and considered handing the process over to the upcoming Conference on Disarmament. This would have reversed one of the ICRC and ICBL's most important accomplishments—framing the debate as a humanitarian issue—and put the ban directly into the military arena.

The alliance had a back-up plan. On the third day, the Canadian host, Lloyd Axworthy, surprised the participants by inviting them to return to Ottawa in one year for a treaty-signing conference. Using the fast-track process, the ICBL bypassed the time-consuming UN treaty process. They justified this by the perceived urgency of the landmine problem. After negotiating with Canada, the United States sponsored its annual UN Resolution 51/45/S, "An International Agreement to Ban Antipersonnel Landmines." The final text welcomed the conclusions of the recent Ottawa Conference and called on states to "pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of antipersonnel mines with a view to completing negotiations as soon as possible." The resolution passed 156–0 with ten abstentions (Hubert 2000, 22).

BOX 5.13   A Closer Look: Controlling the Agenda

Moving the landmine ban from a consensus-seeking forum to a negotiating forum allowed the INGOs more control over the agenda (Rutherford 2000, 113) Consensus forums make every participant a "veto player" empowered to block provisions. That is one of the reasons why the minimum becomes the maximum achieved in some conventions, such as with the landmine provisions of the CCW Convention.

Over the next year, a core group of 11 states—the original eight plus South Africa, Mexico, and the Philippines—prepared for the Ottawa meeting. Much had to be accomplished in a short time. They divided the labor. They planned two major meetings—each with over 100 countries represented—and rounds of smaller conferences, lobbying efforts, and campaigning all over the world. They concentrated activities that ordinarily could have taken years into months. States, INGOs, NGOs, and international governmental agencies all played a role. They also held a series of intense regional meetings. Making use of neighborhood effects, regional meetings were used to build political will among countries and secure commitments (Hubert 2000, 22). By late May, 70 countries had committed to the Ottawa process. New governments in the United Kingdom and France reversed their countries' positions and pledged support for a comprehensive ban.

The last major meeting before the treaty was to be signed was an international conference in Brussels in June. Ninety-seven countries signed the Brussels Declaration. There had been no progress on landmines in the Convention on Disarmament. If something on landmines was to be accomplished, the Ottawa process would have to succeed. States that had been holding out began to convert. In August, the United States signed the Brussels Declaration. The United States signed to be allowed to participate in the Oslo meetings, where the convention would be concluded before it was opened for signatures in Ottawa. This was the first of the Ottawa series meetings attended by the United States. The United States wanted to add amendments to the agreement, including the right to use mines along borders and in the demilitarized zone in Korea, to use mixed system anti-tank mines, and accomplish a nine-year deferral for some of the provisions (Hubert 2000, 25).

Ironically, discussion of the amendments dominated the meetings to such an extent that disagreements over other issues were not addressed. Having no success, the United States finally withdrew its proposals, and the text passed and was signed by 122 states at the Convention in Ottawa. It entered it into force in September 1998, after achieving 40 ratifications. The United States,

Russia, China, and Israel are among the countries that have yet to sign.

The success of the treaty is a success of global governance. An obscure interest of battlefield doctors and soldiers, passage of the treaty was far from guaranteed. Originally, specific interests of particular states overrode interests in the common good. States that used more sophisticated landmines wanted to preserve the right to use them—at least in some circumstances—and restrict the use of less-sophisticated landmines that did not self-destruct. States that had stockpiles of cheap landmines wanted to preserve the right to use theirs and restrict the more expensive and technologically advanced ones (Hubert 2000, 4).

BOX 5.14   Check It Out Yourself: NGO and INGO Publicity

In 1997, the Vietnam Veterans Association took out an advertisement in the *New York Times*. In a child's printing, it read
  "Dear Mr. President,
  Why can't we sign the treaty to ban land mines?"
  The only picture was a stick figure image of the child, missing the bottom of her left leg.
  Have you seen appeals from NGOs or INGOs in your local paper or a national paper? For at least a week, keep an eye out for them. NGOs have become very sophisticated in their pubic appeals.
  Have you seen TV appeals or heard radio announcements for global causes supported by NGOs or INGOs?
  Which appeals did you find most effective and why?

The landmine ban owes it success both to the geopolitical context of the 1990s and to the strategic maneuvers of the pro-ban leaders. The end of the Cold War changed the perspective of the world on matters of national security. Whereas the superpower rivalry had been a global national security focus, wars within nations had increased dramatically in the years immediately following the fall of the iron curtain. NATO and the Warsaw Pact were no longer at a standoff. Bringing peace to countries devastated by civil wars and ethnic rivalries was a major objective of the global political community. Light weapons were causing much of the destruction (Hubert 2000, 29–30).

While there is no global regime for security, securing the treaty involved multiple layers of governance: INGOs, NGOs, states, international governmental organizations, and the UN. They worked in different combinations at different times to achieve a turnaround, from disinterest and objection to the treaty expressed by nearly every state in the UN to eventual acceptance and ratification by nearly all of them. The ICBL Committee and Jody Williams won the Nobel Prize for Peace for their work securing the Treaty to Ban Landmines. In 2010, the United States announced it would review its policy on landmines.

Case Study: The Environmental Regime

The environmental regime impacts all aspects of societal function, from the methods and resources that people use to acquire the means of survival to disposing of the waste that they generate in producing and consuming it. It is "a partially integrated collection of world-level organizations, understandings, and assumptions that specify the relationship of human society to nature" (Meyer et al. 1997, 623). Its development highlights the interdependence of issues facing the globe and how interacting layers of governance draw organizations not directly related to an issue into its governance regime.

(Continued)

(Continued)

Environmental ethics extend beyond traditional ethics in transcending time and space in ways critical to globalization generally. Environmental issues demand that people engage across borders as ecosystems do not respect political boundaries. Because environmental resources are subject to depletion and destruction, environmental issues demand that people engage the quality of life for future generations as well as their present concerns. One view of environmental ethics stipulates that they

- encompass not only intra-human obligation among contemporaries, but all people everywhere, animals, and all of nature as well;
- are interdisciplinary, encompassing economics, politics, the natural and social sciences, as well as some religious concerns;
- have competing ideas and perspectives; and
- are revolutionary, challenging anthropocentrism, materialism, consumerism, and capitalism. (Yang 2006, 24)

World society theorists' analysis of the environmental regime illustrates the importance of world polity and culture. According to these theorists, the environmental regime grew from discussions within civil society organizations to more formal articulation in international governmental and economic contexts without being driven by a dominant nation. States in the West that dominated the adoption of international regimes in security and other areas have been not been willing lead the way or even participate in environmental policy and structures (Meyers et al. 1997, 627).

The environmental regime grew without strong domestic programs of environmentalism to diffuse through regions or to other groups of states. States did not create ministries or departments of the environment until the regime was well on its way. The development of the environmental regime demonstrates the importance of global culture, of "a world-level frame within which interaction and discourse about environmental issues could expand rapidly" (Meyer et al. 1997, 629). The growth of the environmental regime was a global civil society success. Global civil society groups worked the connections across governance levels and groups. Emulation, social learning, coercion, and nearly every other mechanism of diffusion played a role in extending policies and practices.

Phases of Environmental Regime

Take-Off Phase: Late 19th and Early 20th Centuries

There are three generations of environmental organizations (Trzyna 2008). *Early environmental groups were primarily* conservation organizations whose goals were to protect wildlife and natural areas. Among the international civil society groups engaged in conservation activities were International Friends of Nature (1895), the International Bureau of Antivivisection Societies (1925), the International Union of Forestry Research Organizations (1891), and the Commonwealth Forestry Association (1921) (Meyer et al. 1997, 635). The number of international environmental organizations increased gradually from 1870 on, reaching 50 in the 1950s (625). Although a number of multilateral agreements were signed during this phase, they were generally limited to the protection of a particular species or habitat. These treaties tended to be motivated more by sentiment than purpose and thus did not extend the environmental discussion beyond the particularities of specific species or treaties (637).

BOX 5.15   A Closer Look: Early Voices of Environmental Science

Many environmentalists recognize Rachel Carson as a, if not the, major figure, stimulating the global environmental movement. The publication of *Silent Spring* in 1962 captured the public's imagination as well as ire. Although the book was scrupulously researched, it was viciously attacked by the chemical and agricultural industries, for its dire

warnings of the consequences of DDT (dichlorodiphenyltrichloroethane) use as pesticide in farming. Carson documented death and destruction by water pollution, linking cases nationwide with DDT use. She used science to critically examine the unquestioning use of scientific products. Science, at the time, was seen as only beneficial and benevolent. In 1963, a presidential scientific commission established by John F. Kennedy in the United States supported Carson's findings.

Limits to Growth was published by the Club of Rome in 1972, a "small international group of professionals from the fields of diplomacy, industry, academia and civil society." Its first report elaborated the theme that has become the Club of Rome's fundamental and recurring premise: "unlimited consumption and growth on a planet with limited resources cannot go on forever and is indeed dangerous" (Club of Rome 2009).

The environmental regime began in global civil society, not with states. A number of factors elevated environmental concerns from the realm of sentimentality to a global movement of life and death rhetoric. Increasing pollution from coal-fired plants as industrialization revved up following WWII, the smell of industrial waste discharged into bodies of water, water clouded with algae grown from farm fertilizer run-off, scorched earth, and treeless forests impacted people's sense of something gone awry. But concern for the health of the planet was not enough to effectuate an environmental regime. Two macro-level developments cleared the path for civil society groups to advance international discourse and action on the environment:

- Rational-scientific discourse
- The UN (Meyer et al. 1997)

Rational discourse is accepted near universally as legitimate and authoritative. International norms concerning the application of science to policy decisions influenced development in many areas of international relations. The environmental movement had little traction when its appeals were sentimental (save the teddy bear) or involved competing international interests over resources, as in the early movements to save the whales. When environmental arguments were cast in the universal language of science, they were legitimized by the assumed objectivity and disinterested nature of science. The apolitical language of science stressed the unity of the earth as an ecosystem. Environmentalism advanced through this lofty appeal attracting more media and public attention with much greater currency in influential political circles than sentimentality ever had.

The UN is a global vehicle for dialog and coordination. Before the UN, international governmental agencies were limited in scope and function.

Although bilateral and multilateral treaties were plentiful, they addressed particularistic needs of partner nations. The UN's broad mission provides a platform from which all types of global movements can launch. Its forum facilitated bringing environmental matters to world attention, coordinating global policy and action, and using peer pressure among nations to develop treaties (Meyer et al. 1997, 647).

The timeline of the environmental regime development illustrates how it emerged in global civil society and then moved to domestic governmental levels. Armed with a global discourse and global vehicle, the activity of global and CSOs intensified. INGOs were more numerous and arose earlier than treaties. The number of governmental and intergovernmental organizations relating to the environment lagged behind both INGOs and treaty development.

The pace of international environmental law quickened after WWII, but it was not until the "late 1960s and early 1970s that the extent and intensity of international environmental regulation began to increase significantly, and a nascent international regime emerged" (Held 2004, 133; Biermann, Siebenhüner, and Schreyögg 2009; Tryzna 2008).

The Contemporary Era

Science is a foundation of global discourse, facilitating communication among nations. Science is presumed to be objective and universal, not influenced by nationality, race, class, or any other particularistic interest and relevant to nearly any set of problems. The number of international scientific organizations increased rapidly following WWII. Global environmental organizations were among them. They relied on science to draw international attention to the state of the environment,

portraying the earth as a single ecosystem in delicate balance and highlighting the interdependence of every nation's well-being. Global nongovernmental environmental organizations parlayed scientific knowledge and discourse into pressure for domestic and international governmental organization and regulation (Meyer et al. 1997, 635–637).

NGOs grew first in number and then expanded their membership and missions as new environmental concerns came to light. The early organizations' histories mirror the evolution of the regime itself. For example, the World Wildlife Fund was founded in 1961 in London and expanded quickly in mission, membership, and across countries. It has continuously reinvented itself as environmental concerns spread from the realm of scientists to more segments of the general public, growing in membership, developing partnerships, and expanding its mission as new environmental concerns emerge. During the 1960s, it concentrated on conservation of wild species. In the 1970s, it included habitat destruction. In 1986, the World Wildlife Fund changed its name to the World Wide Fund for Nature to reflect its expanded mission. In the 1990s, it expanded further along with the environmental movements concern for the effects of human activity and sustainable development (Hails 2013). During the 1990s, its again-revised mission included biodiversity, sustainable development, pollution, and wasteful consumption (WWF 2012, "1990"). At the turn of the century, it self-reportedly has "vastly upscale(d) its ambition, aiming for transformational changes that lead to lasting conservation, sustainable development and sustainable lifestyles" (WWF 2013a). In 2001, it dropped the words from its name to better translate to its global membership and vastly expanded mission and adopted the acronym as its new name, now simply WWF International (WWF 2013a, 2013b).

BOX 5.16   A Closer Look: The Progression of the Environmental Regime

This graph shows the evolution of the environmental regime. INGOs developed first. That was followed by international treaties, then international governmental organizations. National environmental ministries were the last to emerge.
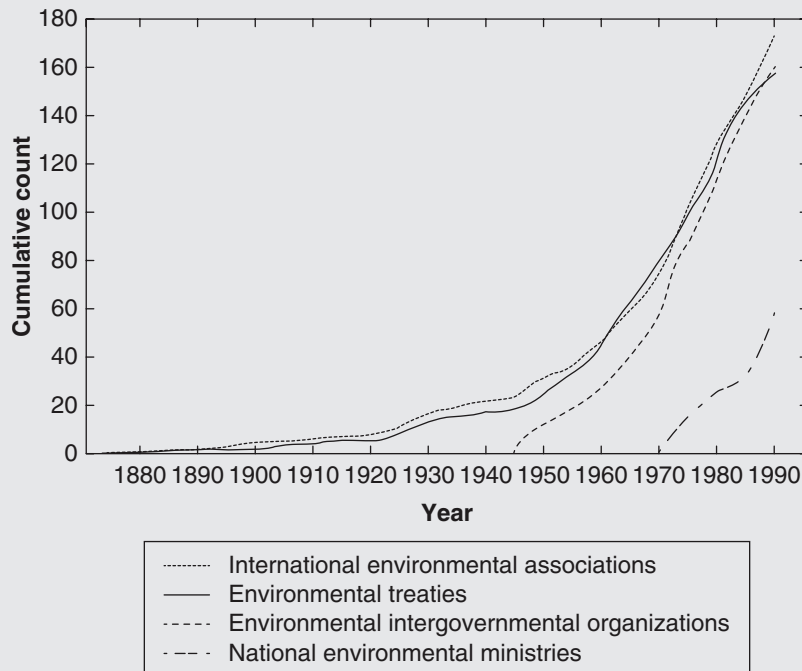
Source: The Structuring of a World Environmental Regime, 1870–1990 by John W. Meyer, David John Frank, Ann Hironaka, Evan Schofer and Nancy Brandon Tuma. *International Organization*, Vol. 51, No. 4 (1997) pp. 623-651 Copyright © 1997 The IO Foundation and the Massachusetts Institute of Technology.

Global environmental organizations pressured for environmental treaties. Rather than the narrow treaties such as the 1911 Fur Seal Convention or sentimental such as the 1933 Convention Relative to the Preservation of Fauna and Flora in their Natural State, treaties after WWII reflected the scientific discourse of the NGOs (Meyer et al. 1997, 637). Once treaties were signed, international governmental organizations multiplied. As they increased in number and expanded their scope to regulation, the need for treaties diminished, and the rate of treaty development slowed. As more environmental issues arose, international governmental organizations expanded the scope of their missions. New concerns were added to existing agencies, rather than developing a new agency for every new issue or concern. International governmental organization growth then slowed.

The UN Environmental Programme (UNEP) is a good example of the growth and mission expansion of international governmental organizations. UNESCO held an international conference in 1969 to stimulate global cooperation on environmental issues. UNEP opened for business in 1972. It now has offices all over the world; some are regional headquarters, and some are issue specific (UNEP n.d.-b, 36–40). UNEP oversees the global environmental regime, recommending policy, monitoring the environment, coordinating among governments, civil society, and the private sector, developing regional programs, providing expertise in developing countries, formulating environmental policies and programs, and helping to develop international laws (18). It also administers a number of environmental conventions (21).

As international governmental agencies expanded their missions, the rate of INGO formation slowed. Another interesting development was that from the late 1960s to early 1970s, even international organizations without an environmental mission, such as the International Maritime Organization, Organization for Economic Co-operation and Development (OECD), World Trade Organization (WTO), World Bank, and North American Free Trade Agreement (NAFTA) expanded their functions to consider environmental impacts in their policies (Biermann at al. 2009, 5). Last came national ministries, departments, and cabinets in the 1970s.

The environmental regime remains vibrant at local, national, and global levels. Local NGOs have grown in number and size. 1,400 civil society organizations participated in the 1992 Earth Summit in Rio de Janeiro. In 2002, in Johannesburg, there were over 15,000 registered. These included business organizations (Biermann et al. 2009, 10). The *World Directory of Environmental Organizations* (discontinued in 2008) estimated that there were about 100,000 NGOs engaged in environmental issues at local, national, and global levels (Traer 2009, 173).

The environmental regime consists of thousands of NGOs and INGOs at every level, international governmental agencies, treaties, and national and local laws on everything from industrial emissions to curbside recycling, and plans for monitoring and implementing them. **How was it accomplished?**

Strategies of Diffusion and Growth

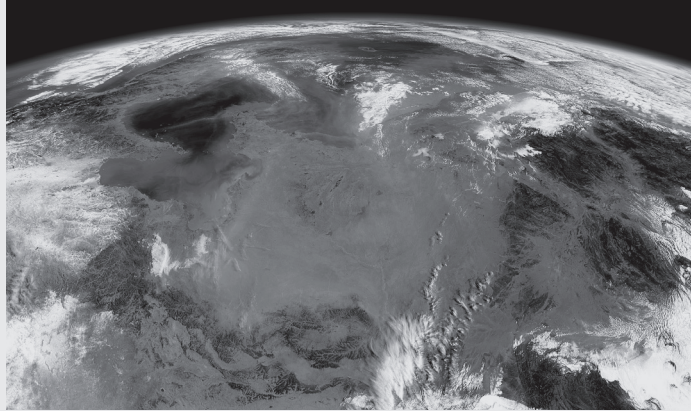### Governmental and Non-Governmental Organization Links

By the 1980s, developed countries were addressing environmental problems, but the environmental crisis was spreading. As developing nations industrialized and raised their standards of living, their energy use, their industrial waste, and use of fresh water and other resources increased dramatically. So did pollution. Using many cheap, highly polluting energy sources, such as soft coals and few clean modern technologies, the pollution and environmental devastation in the developing world caught up to and in some instances surpassed the pollution of wealthier nations. Although they have improved since, dark clouds of pollution shrouded satellite photographs of Mexico City and Beijing.

Tension between development and environmental depletion and degradation inspired the sustainability movement, which began around the 1980s. Sustainability describes an ideal relationship between the lifestyle of humankind and its use of nature; a symbiotic relationship that can be maintained indefinitely, improving the quality of people's lives without straining the capacity of the ecosystem.

The WWF expanded its mission to develop a holistic approach to conservation. It also adopted

BOX 5.17   A Closer Look: Smog Visible From Space

This NASA satellite photo shows smog over Eastern China. Similar photographs of smog could be taken over nearly any global or mega city.

the strategy of partnering with international governmental organizations. In conjunction with UNEP, it published *World Conservation Strategy*. Thirty-four nations adopted suggestions from the strategies when they were launched, and there are now 50 nations that use them in their national conservation plans (WWF 2012, "1980"). Other civil society organizations lent their expertise to international governmental agencies, jointly developing plans and programs. *Our Common Future* (WCED 1987), *Caring for the Earth* (IUCN et al. 1991), the 1992 Rio Earth Summit Conference, and the blueprint of action that came from it, *Agenda 21* (UN 1994), were among the partnerships that highlighted a successful wave of environmental protection campaigns (Andonova 2009).

International organizations positioned themselves to become the "managing core of environmental regimes" (Andonova 2009, 198). One of the largest partnerships to evolve from this wave of environmentalism is the Global Environmental Facility (GEF), created by the World Bank in 1991. It has 182 member governments, as well as partnerships with other international governmental organizations, NGOs, development banks, and business. It provides funds to governments and civil society organizations for projects with a broad mandate to "address global environmental issues while supporting national sustainable development initiatives" (GEF 2013).

Since about 1997, international governmental organizations and civil society organizations have been forming public–private partnerships (Andonova 2009, 206). Agencies are more likely to pursue partnerships with private organizations when under pressure from financial constraints or from the public for greater effectiveness. The partnerships benefit from being very flexible. They are small and non-bureaucratic, and often take a "let's see what works" approach. Unlike the international organizations themselves, which are dedicated to broad areas such as climate change or desertification, partnerships generally focus on a very specific issue or problem, such as carbon financing or technology transfers. They may undertake any governance function from providing financing, to lobbying, or simply giving advice.

International organizations do not have absolute control over the type and extent of partnerships they develop. Those that are more technically

oriented and those with more "agency slack" have greater capacity for innovation. When an agency's mandates are more tightly drawn—such as with the international treaty secretariats—there is less room for innovation (Andonova 2009, 201–204). Treaty constraints also restrict the capacity of many agencies to innovate using private–public partnerships. But they make INGOs more responsive and prevent the goals and objectives of international governmental organizations from being driven away from a project's stated goals and mission (204).

This public–private partnership brings civil society and business organizations squarely into governance roles (Andonova 2009, 196–197). It forces civil society organizations to be more accountable than if acting only on their own accord, responsible only to their funders. Accountability is an important

if civil society organizations are to play an increasing role in global governance.

The Human Rights Regime

Defining Human Rights

To study human rights with analytical rigor, it is necessary to adopt a definition that distinguishes human rights from other concerns such as justice, equality, civil rights, or human dignity. Human rights, first of all, are equal rights; every human has the same ones or none at all. Second, they are inalienable in that a person cannot stop being a human, no matter how badly they behave. Third, they are universal, in that all members of the species hold them (Donnelly 2003, 10).

BOX 5.18 Consider This: Are There Levels of Being Human?

A 19th century issue of the *British Medical Journal* offered a spirited defense of "dum dum" bullets: While accepting that the bullets should not be used in European wars, an article argued that "civilized man is much more susceptible to injury than savages . . . the savage, like the tiger, is not so impressionable, and will go on fighting even when desperately wounded" (Hubert 2000, 2).

How did this British author view human rights? Did his definition of *human* put people from colonized lands on the same plain and the British and other Europeans?

Human rights do not include everything that is good, nor are they simply abstract values; human rights are social practices. They represent the claim of highest resort when other claims to various levels of legal rights fail. Human rights are a standard of legitimacy for nation-states. States that protect human rights are legitimate, although no state lives up to all of the standards of human rights. That is why they are so important. They demand the political and social changes "required to realize the underlying moral vision of human nature" (Donnelly 2003, 12–15). Although all societies acknowledge the concept of human rights, there is disagreement on the specific elements of what constitutes a human right.

Conceptions of rights that preceded those of the modern West do not qualify as human rights. Rights in Islam, China, India, and the pre-modern West fail to meet the three criteria that distinguish human

rights from others. Early statements of rights did not grant rights to every human. Most were based on a particular role or legal status. In most cases, rights were stated as general values, often a version of fairness or distributive justice. For instance, when *fairness* is defined as giving "everyone his due," as in the Indian caste system, what is due varies dramatically by caste (Donnelly 2003, 79).

Conceptions of specific human rights usually evolve from an affront to human dignity, although not every affront becomes a human right. That is a political affair (Donnelley 2003, 58). Colonialism did not arouse sufficient outrage as to awaken sentiments of human rights. Even following the atrocities of WWI, the League of Nations did not mention human rights. It took the inhumanity of WWII to set the stage for human rights by conceptualizing "crimes against humanity"—crimes committed by states against individuals including, but not limited

to, their own citizens in the Nuremberg and Tokyo trials. The umbrella of crimes against humanity has continued to expand and evolve.

The South Africa Example

Struggles for freedoms have engaged dissidents against repressive regimes for centuries in Europe, Latin America, Asia, and Africa. Apartheid in South Africa ended only after decades of struggle as people fought for rights and were rebuked and massacred by their own government. Decades of constructive engagement from the 1960s through the 1980s by the United States and Great Britain, during which minimal negative sanctions were applied and rewards to South Africa were often plentiful, strengthened apartheid.

NGOs had been involved in South Africa at least since 1912 (Donnelly 2003, 131). South African NGOs were able to use INGOs to exert pressure on states and corporations. In the late 1970s and 1980s, both NGOs and INGOs increased indirect pressure on South Africa by lobbying their own governments to apply meaningful sanctions and lobbying multinational corporations to divest. Corporations responded. In the end of 1982, direct U.S. investment in South Africa was $2.8 billion; by the end of 1986, it had diminished to $1.3 billion (Mangaliso 1997, 225).

NGOs and INGOs offered financial support to the African National Congress. The South African government was condemned by religious leaders. The credit for ending apartheid belongs in the end to Nelson Mandela and William DeKlerk. South Africa had resisted external pressures for decades. Each realized that apartheid's time was over. Together, they led the country through a peaceful transition in power and reconstruction of its institutions. Ironically, but understandably, some of the same activists who once pressured multinationals to leave are courting them to return. Although they think that divestment was necessary to force the South African government to concede, they also recognize the need for investment if South Africa is to thrive (Thurow 2000).

Case Study: The Helsinki Effect

Unraveling the impact of civil society groups within the emerging layers of global governance is difficult. It requires discerning the relevant players, tracing the historical threads of interaction among them, and weighing their influence on one another to determine which produced real effect and which dead-ended. Daniel Thomas's (2001) intensive study of how the Communist states in Eastern Europe and the former Soviet Union were forced to abide by the human rights provisions in the Helsinki Accords is an impressively thorough analysis of national and global civil society at work. Through extensive interviewing and analysis of hundreds of documents, Thomas captures the myriad roles and interactions of individuals, governments, intergovernmental organizations, and civil society groups in achieving this world-changing breakthrough.

His conclusion: International norms matter, but only if they are made to matter. It was "the persistent shaming and lobbying efforts of a transnational network combining dissidents and human rights groups in the East, sympathetic private groups in the West, and the specialized agency within the U.S. Congress that they helped create" that ultimately forced the world to pay attention to human rights in Eastern Europe and the Soviet Union (Thomas 2001, 155). The Helsinki Accords alone would not have had that effect. Against all odds and despite the resistance of the two superpowers, an international human rights regime emerged in the mid-1970s. This was among the most powerful factors establishing the global human rights regime and effecting the disintegration of Communist rule that just a few years earlier seemed invincible, protected as it was by the powerful iron curtain.

The Helsinki Accords

The Helsinki Accords themselves were an accomplishment of international governmental endeavors. They began with a proposal in the 1950s by the Soviet Union for a Conference on Security and Cooperation in Europe (CSCE). The Soviet Union wanted to solidify their sphere of dominance in Eastern Europe, gain recognition of East Germany as a sovereign state, and reduce the influence of the United States in Europe (Thomas 2001, 29).

It took decades of intense negotiations before the conference actually took place. By the time the preparatory talks began in 1972, the interests of all the parties to the talks had shifted. The European Commission (EC) wanted to expand and strengthen their union by showing a united front in foreign policy matters and establishing their collective identity on the forefront of human rights, both domestic and international (Thomas 2001, 40). A multilateral meeting on European security could satisfy their domestic audiences and establish the legitimacy of their voice in world affairs. The Warsaw Pact and Soviet Union needed to stimulate their economies through scientific, economic, and technological relations with the West. Economic progress would legitimize their taking greater political control. Ironically, the opposite occurred.

No party, other than the EC, wanted to include human rights in the meetings. Every country's agenda was determined solely by its interests, in keeping with realist political theory. The United States, brought into the meetings at the insistence of NATO, resisted including human rights. The United States had already refused to ratify a UN treaty on human rights. Some U.S. allies and NATO members had poor human rights records; human rights treaties would bring pressure and potentially sanctions to bear on these allies. Throughout the meeting process, the Soviet Union and Eastern bloc countries repeatedly dismissed human rights appeals by issuing vicious and violent reprisals on dissidents in their countries. Despite the resistance of the Warsaw Pact countries and both superpowers, the Europeans prevailed.

The Helsinki Accords were signed on August 1, 1975. Consideration of human rights was the most contentious issue. Basket III, which addressed human rights, and the seventh principle that called for "respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief," required 761 negotiating sessions (Thomas 2001, 86). By signing the Accords, the world was on its way to creating global norms for states' obligations to their people. The relationships among and between states became contingent on how well states fulfilled human rights obligations. This was a major development in establishing the globe as a single place, with a common normative boundary. However, the Warsaw Pact countries had no intention of abiding by the human rights norms. No country that signed the Accords even expected them to try.

Reaction of Civil Society

Writing human rights into a treaty as a contingency in international relations, although symbolic, does not have real meaning if it is not enforced. No one, not even EC delegates who fought so hard to include human rights, thought the socialist states would grant rights to their citizens. The Warsaw Pact countries heralded the Helsinki Accords with great fanfare—a resounding victory for the Eastern bloc, they proclaimed. Eastern bloc officials emphasized the economic, technological, and scientific benefits, and the promises of sovereignty, equality, and non-interference by the West in their affairs. The human rights provisions were not mentioned in their celebratory remarks.

The well-oiled propaganda machines of the Eastern bloc managed to define the Helsinki Accords for the whole world. The *New York Times* and the *Economist* in Great Britain both condemned the Act. They accused the Western powers of handing Eastern Europe over to the Soviets, betraying the dissidents who were fighting for rights and depending on the West to alleviate their persecution (Thomas 2001, 97).

The dissidents themselves were not disappointed. This was their opening. They seized upon the Accords, determined to force the agreements on human rights to the forefront of international diplomacy. The dissidents adopted an "as if" strategy. They acted "as if" the Accords were a sincere expression of intent on the part of Soviet bloc governments. They acted "as if" Western governments would hold the socialist states accountable if they did not enforce human rights. They exerted pressure upward on the Soviets and outward to the West any way that they could (Thomas 2001, 99). They convinced the world to expect and respect human rights in the Eastern bloc.

In Czechoslovakia, Poland, and the USSR, dissident groups mobilized quickly.[4] They formed an international network, a global civil society. In Moscow, Norway, Poland, Great Britain, and the United States, Helsinki watch groups formed to help them. Dissidents in the Eastern bloc countries monitored and reported human rights violations to the Western groups. They made direct appeals to Western government officials and anyone who would carry their cause to back to their governments. They formed bonds laterally across the bloc countries and out to groups and individuals in the West who seemed sympathetic (Thomas 2001, 218).

The vitality of the dissenters and their burgeoning international support made it impossible for the Western governments to ignore their pleas and petitions. The wave of dissident activity changed the course of Western governments. The United States was the first to change its view and use the Helsinki Accords as an instrument of change. After pressure from the public and from Congress, the Carter administration pursued vigorous enforcement of human rights norms at the CSCE meetings in 1978. Ironically, the EC and NATO did not engage the enforcement issues and protested the United States' action. Warsaw Pact countries refused to be held accountable and NATO refused to cooperate.

The meeting ended in a non-negotiable standoff and led to a severe crackdown on dissent from 1978 to the mid-1980s. Across the Warsaw Pact countries, governments increased repression in attempts to squelch the movement. The dissidents were persistent. Helsinki watch groups kept records of abuses and reported out to the West. Underground dissident groups continued to grow, to inform their public, and gain domestic and international legitimacy. Western governments continued to condemn human rights abuses within the Eastern bloc. The global human rights agenda continued to grow and adherence to it became a central feature of the legitimacy of a government.

For the next decade, dissidents participated in an intense and personally costly game of cat and mouse with their countries. The protest and watchdog groups tested governments on both sides, East and West, of the issue. Years of peaceful protest by Charter 77[5] in Czechoslovakia gradually strengthened civil society there and established guidelines for human rights implementation. People increasingly identified rights that they should, but did not, have. Eastern bloc nations were under severe pressure from an increasingly restive public within and international opinion and potential sanctions externally. The spiral effect—dissidents reaching out to international actors who pressured their own governments to pressure the Eastern bloc nations over and over again, making bits of progress at a time—weakened the stature and resolve of some Eastern bloc countries.

The Demise of the Eastern Bloc

Although the Brezhnev regime had little respect for human rights, the Helsinki Accords set two dynamics in motion. A robust civil society network developed within the Eastern bloc that was well integrated into the global human rights regime. Human rights performance became a critical criterion of East–West diplomacy (Thomas 2001, 221). When Gorbachev took office as General Secretary in the USSR in 1985, he commanded "a powerful army, a vast network of secret police, and the levers of economic policy" (222). No visible sign suggested that the Warsaw Pact had weakened its political monopoly or considered human rights norms relevant to its self-interest or its internal or external legitimacy (220). Nevertheless, the Soviet Union and Warsaw Pact disintegrated within five years.

Gorbachev was elected to reform the economy, but he proceeded on a trajectory of political, rather than economic, revolution. Eduard Shevardnadze, a very complicated political figure and Gorbachev's foreign minister, wrote to Gorbachev in 1984, "'Everything's rotten. It has to be changed'" (quoted in Thomas 2001, 228). And so it was. Gorbachev's governmental appointments included many who shared sympathies with the dissidents and protestors. He brought Len Karpinsky and Roy Medvedev to Moscow, both of whom had been expelled from the Communist party and had become part of the activist network. Zdenek Mlynar, a signatory of Charter 77 in Czechoslovakia and law school friend of Gorbachev; Aleksandr Yakovlev, ambassador to Canada; and Anatoly Chernyaev, a dissident sympathizer took government posts in Moscow. Gorbachev surrounded himself with advisors with a dissident streak who questioned the repression of the Brezhnev era rather than bring in loyalists, who could buttress his position in the party. With this change in direction, others in the Gorbachev government who had cooperated with Brezhnev found a need to compensate, at least partially, for their complicity in repression.

The continued pressure of civil society groups—including a demonstration of 15,000 workers in Poland six weeks after Gorbachev's election—convinced the party leadership that political repression was not sustainable. The 1986 Vienna meetings of the CSCE reinforced this, the West wanted concrete action. Gorbachev began a program of liberalization throughout the bloc, framing it as compliance with Helsinki and "universal human values." The United States called it "Westernization" (Thomas 2001, 251).

Over the next few years, Gorbachev released hundreds of political prisoners, including Andrei Sakharov. The Eastern bloc opened to foreign judges, prosecutors, psychiatrists, and NGOs

specializing in human rights. Moscow television broadcast Ronald Reagan's criticism of Soviet human rights violations. Dissidents—emboldened by swelling ranks of activist groups, increasing concessions of the bloc, and ongoing CSCE talks—intensified protests and political party organization throughout the bloc (Thomas 2001, 246). Although there were violent reprisals, they were for the most part the last gasps of a dying regime. One by one, governments in the Eastern bloc sat down to negotiate with opposition parties and legalize them. In the spring of 1989, Solidarity, the Polish labor union, was reauthorized. In June 1989, it won landslide electoral victories (247). In June 1989, Hungary commenced roundtable talks with the opposition. Presidential elections were held in November, and parliamentary elections followed in 90 days (249).

The government of East Germany held out. In June, thousands of East Germans headed to Hungary and did not return. Because Hungary opened its border in keeping with Helsinki, many East Germans moved through Hungary to Austria. On November 9, 1989, in an attempt to quell unrest, East Germany declared that East Germans could travel freely. The wall that had divided Berlin since the beginning of the Cold War came down that night.

The Communist leadership in Czechoslovakia resisted for a month after the Berlin Wall fell. On November 17, they ordered police to beat protestors. Rather than backing down, the opposition organized strikes and created a political party to replace the loose network of Charter 77 dissidents. The party began negotiations on November 21. Although still considering escalating force, the Czech government recognized that further violent reprisal could be disastrous. More violence would escalate protest and would delegitimize the government domestically and internationally. International human rights treaties could no longer be taken lightly. In exchange for assurances against reprisals by a new government, the Communist leadership relinquished power on December 10 to a transition coalition headed by the new Civic Forum Party. Václav Havel, former Charter 77 leader, was elected president by the end of the year.

Protests forced the Bulgarian Party to relinquish exclusivity on January 15, 1990. They agreed to hold free elections in six months. Romania was the sole exception to non-violent revolutions. Second-tier government and military leadership led a week of violent protests, ending with the execution of Nicolae Ceauşescu and his wife in December 1989. Warfare-level violence continued. Altogether, over 1,000 were killed in that month.

BOX 5.19   A Closer Look: Helsinki Echos

It would be great to report that human rights abuses in the former USSR and Eastern bloc nations had ended. In Georgia, public discontent swept the government of Eduard Shevardnadze from power in the Rose Revolution of 2003. In 2007, opposition protesters took to the streets accusing the government of corruption and political oppression (left), forcing early elections. In 2008 Russian troops invaded Georgia to reassert domination, ostensibly to protect citizens of two Georgian breakaway regions, South Ossetia and Abkhazia, who want unification with Russia. Although establishing their democracy has been difficult, Georgians seem unwilling to settle for less.

Summary: The Helsinki Effect

Any course of human events has a variety of contributing factors. Change any one of these and the course of events could change. This said, Thomas's analysis establishes the importance of linkages and interaction among national and global civil society groups. Dissident groups within oppressive regimes can enlist global and other national groups who have access to open channels. They, in turn, can pressure their governments to push other governments for reform. At the same time, dissident groups continue to pressure from within by educating their publics, despite frequent reprisal. This spiraling effect democratized Eastern Europe.

Domestic forces alone could not have accomplished this (Thomas 2001, 111–114). Although they contributed to the vulnerability of state socialism throughout the Eastern bloc, they did not suffice as explanations for the dramatic mobilization of human rights activity (Thomas 2001, 118). Similarly, domestic events cannot explain how states in the West, particularly the United States, adopted human rights as key elements of their foreign policy. Although the EC was influenced by its own identity work to include human rights in Helsinki, they did not expect that the accord would have much effect. Human rights language had appeared in the Universal Declaration in 1949 but had been dormant for nearly 40 years. The example and pressure of activists in Eastern Europe and their interaction with NGOs and government officials in the West elevated human rights to global discourse. The protests throughout the Arab world that began in January 2011 are eerily reminiscent of the protests that brought down the Iron Curtain.

Summary: The Global Field

This chapter has focused on one global system—civil society. Global civil society is, in limited respects, a social structural crystallization of humanity. It unites people apart from their membership in any particular country. It is not antithetical to or opposed to national civil societies. It often complements and partners with them. Although comprised of organizations and groups, it is not an organization or a group. It is a network; thus, it is not a global society as such.

The activity of global civil society demonstrates the connections between and among the elements of the global field. Each element was implicated in the pathways to success for each of these movements. The passions and work of individuals, forming various levels of association—apart from any particularistic interest based on nationality, race, class, or religion, and on behalf of humanity—outside of state or intergovernmental activity exerted pressure on societies and their states, as well as international governmental organizations to achieve CSOs' objectives. The dependence of states on one another for economic, political, and social benefit, and their reputational and identity concerns, determined their responses, opening and closing opportunities for CSOs in consideration of their interests. The global system of societies through the work of the UN and its agencies facilitated the coalitions of states and intergovernmental and non-governmental organizations—domestic and international—necessary to accomplish goals on a global scale.

Global civil society is a very fluid web of associations among individuals and organizations formed on the basis of their activity. Global CSOs claim their activities are in the interests of humanity—although, as we have seen, all of humanity is not included. Simmel defined humanity as the elements of all of the societies in the world but in a different combination. Global civil society is also a different combination of the same elements, but not all of them. However, considerations of what it means to be human and of the rights and obligations that accrue to individuals as members of humanity, generate the core of global civil society arguments on behalf of the various CSOs and their activities.

This is not to say that there is or ever will be agreement among civil society groups on the specific rights or obligations that are in the interests of all of humanity. This remains a contested field. Global civil society represents the interests of humanity to the global systems, to individuals, and to individual societies. As long as humanity is diverse and unequal, its interests may be as well. Global civil societal groups are not assured to have complementary interests. In complex associations,

conflicting interests are likely. One assumption of the most ardent global civil society promoters, is that through genuine deliberation common interests of humanity can be discerned.

Global civil society is not, and may never be, a perfect representation of humanity. The limits of its capacity to be wholly inclusive and truly democratic are problematic. As global norms develop and global law clarifies, a broad level of consensus may emerge. It is not likely that consensus will be complete, but may attain a sufficient level to serve as the basis for a tolerable level of social order. Who is included in global civil society and who has a voice loud enough to be heard are important determinants of accountability. Without concerted effort on the part of INGOs and NGOs to be more inclusive and less influenced by factors other than global norms of justice, global civil society is not likely to be representative of humankind.

Questions, Investigations, and Resources

Questions

1. Debate: Can civil society organizations represent the global populace democratically?

2. What role should civil society organizations have in global governance?

   • Consider both domestic and global civil society organizations.

3. Compare and contrast the power and influence wielded by civil society organizations with economic organizations such as corporations. What types of power and authority are exercised by each? How can civil society organizations leverage their power and authority to better achieve their objectives?

Investigations

1. Investigate a global civil society network, such as a labor movement, health-related movement, or development-related movement. Generate a network diagram of local and global connections. What governmental and international governmental organizations do the groups try to influence? How successful have they been?

The UN and World Bank have directories online that are good resources to help you get started.

There is a *Directory of Development Organizations* organized by region.

The *Global Civil Society Yearbook 2009* has an interesting chronology that provides information on civil society activities throughout the world.

2. Most cities, towns, counties, or provinces have directories of civil service organizations. Are there local affiliates of global civil society groups in your town or in the town where you attend school?

   • Judging by the array of civil society organizations, which problems or issues seem most important to people in your area?
   • Are there groups that tackle the problems that you think are most important?

3. Investigate a local or global civil society organization.

   • How are they funded? Does their funding seem adequate?
   • How effective are they at helping people at the individual level?
   • Do they partner with any governmental or other non-governmental (domestic or global) agencies or organizations?
   • Do they work strictly at the individual level, or do they work also for systemic change at the local, national, or global level?

4. There are many investigations of civil society that can be completed using the World Values Survey. You can look at one country over time, compare variables within a country, or compare and contrast two or more countries. There are questions concerning people's membership and activity in organizations in the category "Perceptions of Life." There are questions concerning their political activity and confidence in various dimensions of government in "Politics and Society." Below are some suggestions to get you thinking.

   • Choose a country for investigation. Determine the relationship between voluntary activities and demographic factors such as age, education, and gender.
   • Which demographic factors do you think are related to attitudes about the environment? Test your hypotheses.
   • Compare the political or voluntary activity of people in two or more countries that vary by their level of freedom.
   • Compare countries on their level of voluntary activity. Are those that are high in voluntary activities also high in political activity?

Resources

UN: New Online Directory of Civil Society Organizations http://social.un.org/index/CivilSociety/tabid/62/news/42/Default.aspx

UN: Directory of NGOs Engaged in Partnership With the Division for Social Policy and Development http://social.un.org/ngodirectory/ngosdirectory_list.asp

World Bank: Civil Society Organizations http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,contentMDK:20127718~menuPK:288622~pagePK:220503~piPK:220476~theSitePK:228717,00.html

Directory of Development Organizations http://www.devdir.org/index.html

London School of Economic: The Global Civil Society 2009 http://www2.lse.ac.uk/internationalDevelopment/research/CSHS/civilSociety/yearBook/contentsPages/2009.aspx

The Patrick J. Leahy War Victims Fund: Portfolio Synopsis http://pdf.usaid.gov/pdf_docs/PDABW491.pdf