

*Strengthening and Building Communities: The Social Economy in a Changing World*  
October 22-25, 207 in Victoria, BC, Canada

Global Civil Society: Architect and Agent of International Democracy and Sustainability

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### **Abstract**

*Global Civil Society (GCS) is galvanized by concerns regarding globalization, just social and economic policies, democratic governance and democratically guided markets. Theorists provide incontrovertible evidence of GCS's active force in historic progress on international regimes from human rights, international corruption, democracy, development and peace to environmental conservation. Yet, GCS is not accorded a legally and politically legitimated role in international governance. This structural deficit makes GCS vulnerable, exposing it to the capricious and powerful forces of governments and the market, and threatening to silence the people's voice.*

*GCS must be afforded an institutionally legitimated place at the table of international governance. Substantiation for these claims is provided herein. First, the case for international democratic governance is developed. Then, GCS's role as champion of democracy and sustainability is explored. Next, GCS's agency in influencing international governance is revealed. Finally, challenges GCS faces in its bid for international legitimacy are reviewed.*

Civil society is of paramount import to both democracy and sustainability. It is the foundation upon which democratic governance rests and without which democracy cannot survive. Civil society has toppled governments from the Philippines and Panama to South Africa and Czechoslovakia, and advocated democratic governance from the United States to Estonia (Mbogori & Chigudu, 1999). Civil society, moreover, is not bound by nation-states and geographic borders but transcends them to converge internationally as a force for democracy and sustainability. Civil society acting internationally has been variously referenced, e.g.,

international civil society, global social movements, global civil society and transnational civil society. The term Global Civil Society (GCS) is used herein.

The definition of GCS is a much-debated topic. GCS is an amorphous, rich and dynamic concept that raises questions of space and process, historical precedence and contemporary uniqueness, its constitution, and its relationship with the state and the market (Magis, 2007). Reducing GCS to a simplistic definition is dangerous as in its reduction there is a necessary loss of richness and complexity that are inherent to its character. Rather than attempt to describe it, some recommend that it be used as a heuristic devise to understand important matters of social life (Ehrenberg, 1999). Global Civil Society is used herein as an ideal type to describe and explain the endeavours of people engaged internationally to promote the public good. It includes agents acting outside both the state and the market and excludes agents of uncivil society.

GCS is recognized as one of the most spectacular developments in global governance of the 20<sup>th</sup> century (NGLS, 2003). It has always been active internationally. For example, the Geneva Conventions were initiated at the behest of Dr. Henri Dunant, founder of the Red Cross, in 1864. GCS, however, significantly increased its involvement during the last two decades of the 20<sup>th</sup> century. Described as a “global associational revolution” (Salamon, Sokolowski, & Associates, 2004), the number of non-governmental organizations (NGOs) active internationally exploded from 1,300 in 1960 to more than 40,000 at the turn of the century (Michael Edwards & Zadek, 2003). Its growing status is further portrayed through changes in language, for example, its designation as the “third pillar of modern society” (Galtung, 2000), Boutros Boutros-Ghali’s recognition of it as a full participant in international life (Weiss & Gordenker, 1996), and the

UN's reference to it as a social partner, signifying equality of status with governments (Willetts, 2000).

GCS in the 21<sup>st</sup> century is galvanized by concerns regarding globalization and demands for just and equitable social and economic policies, democratic governance and democratically guided markets. Theorists provide incontrovertible evidence of the active force of civil society in historic progress on international regimes from human rights, international corruption, democratic governance, development and peace to environmental conservation (A. Clark, 2001; Khagram, Rikker, & Sikkink, 2002; J Rosenau, 1990; Wapner & Ruiz, 2000). A global NGO alliance, the International Campaign to Ban Landmines, championed the Ottawa Treaty on Landmines. Civil society championed and led efforts to establish the International Criminal Court and the Kyoto Protocol on climate change and to stop the Multilateral Agreement on Investments (Paul, 2000). These are just a few of its many accomplishments. GCS is a world champion for democracy and sustainability. Yet, it is not accorded a legally and politically legitimated role in international governance. It must, rather, gain access through informal and backdoor strategies that are not protected by democratic rule of law. This structural deficit makes GCS vulnerable, exposing it to the capricious and powerful forces of governments and the market and threatening to silence the voice of the people. GCS must be afforded an institutionally legitimated place at the table of international governance.

In the ensuing sections of this chapter, substantiation is provided for this claim. First, the case for international democratic governance is substantiated via a description of the international democratic deficit. Then, GCS's role as champion of democracy and sustainability is explored via its relationships with nation-states and the market. Next, GCS's agency in influencing

international governance is revealed through examination of its role as champion and architect. Then, challenges GCS faces in its bid for international legitimacy are reviewed. The chapter concludes with the assertion that GCS must be afforded an institutionally legitimated place at the table of international governance.

### **Global Civil Society, Democracy and Sustainability: An Interrelated Whole**

Civil society, democracy and sustainability are interrelated and complementary. The Draft Outcome Document presented to the 2005 World summit states, “We reaffirm that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives” (United Nations, 2005, p. 27). Scholte operationalizes democracy to include self-determination, equal opportunity for participation in public decisions and freedom to debate (Scholte, 2002). Democracy is a political project, created through the active engagement of people to determine the course of their lives. Democratic politics hence must engage the people in dialogue, respect divergent interests and anticipate conflict. Through deliberation and civic education, private interests are informed, public interest is developed, conflict is transformed into cooperation toward mutual benefit and the voice of the people is integrated into policy discussions, leading to germane and effective policy. Civil society, hence, is indivisible from democracy.

Democracy can only be sustained through ongoing dialogue which generates commonly accepted rules and norms for society (Cardoso, nd). Further, that dialogue requires a public space wherein people can engage. GCS is an architect of public space. It is the public space, the civic process, an emergent social order, and the human agency arising from that space. As architect, GCS creates international public space and facilitates deliberation among peoples from around

the world via networking, media and communications technology. As public space, GCS is a realm of autonomous and free social life wherein people, not states or the market, are sovereign (Barber, 1984). As civic process, GCS debates social issues, articulates the public good and takes collective action toward shared visions. As emergent social order, GCS gives rise to agents that advocate specific causes. These agents include individuals, formal and informal groups, organizations, e.g., non-governmental organizations (NGOs) and networks of interested parties, e.g., coalitions and social movements.

The World Social Forum exemplifies the multiple manifestations of GCS. It is a social movement aligned by its common struggle against neoliberalism. It is an architect of civil society, enabling political action, engaging the media and consciously developing the movement and its political space. The movement functions as public space and civic process, encouraging expression, respecting difference and building common ground. It is an emergent social order from which rise all forms of human agency which actively engage in social and political advocacy, both nationally and internationally.

Civil society and sustainability are also tightly interwoven in a highly interdependent relationship, illustrating the dual nature of people as agents and beneficiaries of sustainable practice. Sustainability refers to consciously utilizing the earth's resources to maintain and enhance people's well-being without compromising the ability of future generations to meet their needs. Sustainability has gained international prominence as the paradigm through which to observe, interpret and make decisions regarding social, economic and environmental conditions. Social sustainability refers to sustenance of basic human needs such as nutrition and shelter (Streeten, Burki, Haq, Hicks, & Stewart, 1981); human freedoms including political rights,

economic facilities, social opportunities, transparency guarantees, and protective security (Sen, 1999); and human development, which expands social, economic, cultural, political choices and leads to equity, sustainability, productivity and empowerment (Haq, 1999). Civil society and democracy are recognized as essential for sustainable development (Boutros-Ghali, 1996).

Living sustainably requires that people continually monitor and improve social, economic and environmental conditions, and further that they make associated decisions regarding policy formulation and implementation. Hence, living sustainably requires access to information, full inclusion, participation and collaboration. Additionally, it requires government institutions that are open, transparent, accountable and supportive of community action (UNDP, 2002).

Democracy and GCS are indispensable constituents of sustainability. Democracy provides the structures and mechanisms through which to pursue policies that promote sustainability. Civil society is both the context for and the agent of democracy. Democracy cannot exist absent civil society and sustainability cannot be maintained without democracy or civil society. GCS, democracy and sustainability are intimately and intrinsically connected, hence linking their paths and future.

Global Civil Society, in its persistent bid to place the needs of people and the environment on the international policy agenda, has won many achievements. Its efforts, however, are consistently stymied by the extreme democratic deficit in global governance. The international democratic deficit is reflected in interstate relations and reified through international governmental organizations (IGOs). It is further compounded by the contemporary form of economic globalization, which is also regarded as highly undemocratic.

### **The Democratic Deficit in International Governance**

In the last two decades of the 20<sup>th</sup> century, 81 countries adopted principles of democratic governance. By 2002, 140 out of 200 countries held multiparty elections (UNDP, 2002). This movement was initiated and demanded by people, facilitated by the end of the cold war and increasing worldwide interdependencies, informed by international development projects, and promoted by the United Nations. This third wave of democratization affirmed the universality of democracy as an international value.

However, despite the democratic surge among states, decisions affecting states' vital interests increasingly are relocating to the global arena. This migration is a consequence of globalization - - a process wherein the geo-political boundaries of the Westphalian system of states are dissolved by an increasingly dynamic and global flow of markets, politics, culture and people (Nye & Donahue, 2000). In this progressively interdependent world, states are no longer the final arbiters of governance, either at the national or international level. Rather, they are enmeshed in various overlapping and highly dynamic policy networks. Actors in the networks have expanded beyond states to include business, civil society, mass media, international governmental organizations, global cities and regional governance organizations. In these multiple centers of power, regimes complete with systems of rules and operational institutions are negotiated which require the relinquishment of state power and sovereignty. Globalization thus mitigates states' ability to shape their own future (D. Held, 2004).

The state structure reified by the Westphalian system enabled the creation of state governments conducive to democracy and sustainability and accountable to citizens. The weakening of state sovereignty is of concern precisely because decision-making is migrating from states into a highly undemocratic realm populated by international government organizations (IGOs) and

markets that undermine the sovereignty of the people to govern the circumstances of their own lives (Cardoso, nd).

### **Interstate Relations & International Governance Organizations**

Democratic governance is characterized by its participatory, transparent, accountable and responsive actions (Helsinki Process, nd). Global governance lacks these characteristics, reinforcing the widespread perception that global governance is not democratic. This democratic deficit is reflected in interstate relations and reified through IGOs. It is further compounded by the contemporary form of economic globalization, which is also regarded as highly undemocratic.

The interstate system reifies the power relations evident after World War II, permanently locating states within a highly vertical and undemocratic international class system. In this system, neither state sovereignty nor state democracy equates to global democratic practice. Rather, the system creates structural impediments to international democracy, and functions on power, not democracy (Aksu, 2002). The US invasion and occupation of Iraq is a particularly salient example of undemocratic interstate relations. Despite world opinion expressed through the UN and by worldwide antiwar protests, the US, relying on its international power, made a unilateral decision to attack.

The democratic deficit is further illustrated by decision-making regarding the global economy, which rests primarily with the G-7/8 countries (South Centre, 1997). For example, the quota regime utilized by the Brettonwoods organizations, i.e., WTO, IMF, World Bank, apportions 40% of the vote to just five states (Scholte, 2002). Furthermore, the Brettonwoods organizations have been kept autonomous from the UN, while UN functions related to international trade,

development finance and monetary issues have been restrained. These institutional structures have systematically abrogated the right of the world's nations to participate in the world's economic management. Under these highly undemocratic circumstances, the Brettonwoods organizations regularly impose the will of a privileged few on the world's people (Oxfam, 2002). The deficit is further illustrated by the UN Security Council, which represents only 8% of the UN member states, 1/3 of whom have never been elected and retain permanent veto powers. Despite its unrepresentative constitution, the Security Council makes decisions that have extensive affects on countries and people far from its locus of power and to whom it bears no accountability.

Democracy is built on the foundation of consent of the governed over decisions that influence their lives. However, interstate relations are based on power, not democratic practice and IGOs are not representative, absent the full range of the worlds' states, the direct voice of the people and the representative voice of their democratically elected parliaments. So, while matters of vital interest to people's lives have migrated, their ability to affect those interests is being systematically and structurally diminished (D. Held, 2004).

### **Economic Globalization**

Markets require governance to catalyze their valuable potential and to counteract their destructive forces. Markets rely, for example, on widely disbursed property ownership, fair competition and moral capital, all of which are facilitated through governance. Yet the market unintended, constricts, transferring property and wealth into the coffers of a few while robbing the capacity for wealth generation from the masses. This constriction leads necessarily to monopolies, unequal competition, and marginalization and exclusion of people from the market

(Galbraith, 1998). Markets also require governance to offset inevitable market failures. Markets externalize costs, e.g., pollution, forcing society to rectify the damage and absorb the costs. Markets also fail to provide for public goods, e.g., safety, requiring society to underwrite and ensure those services. Finally, markets do not facilitate justice and equity, but rather appropriate resources from people and countries, systematically depriving them of the ability to compete and for many, merely to survive. Markets without governance create social, ecological and economic maladies. Hence, it is only through governance that the benefits of the market are elicited and the self-destructive tendencies are averted (Korten, 1996).

The dangers of ungoverned markets were forewarned. Smith abhorred monopolies, which he condemned for suppression of market forces. His generation witnessed the likes of the British East India Company, notorious for its exploitation and impoverishment of India. In the name of the British crown, the company used force to extract natural resources, dominate ever-increasing lands, maintain monopolies over commodities, fix prices and abuse labor. Monopolies were, in Smith's mind, the antithesis of a free market. "It is to prevent this reduction of price, and consequently of wages and profit, by restraining that free competition which would most certainly occasion it, that all corporations, and the greater part of corporation laws, have been established." (Muller, 2002, p. 123)

Yet neither his words nor the warnings of his intellectual descendants have stopped the constriction of markets, the damage to humanity and the environment and the restriction of government to direct and guide the market. Korten (1996) states that economists consider an international market to be highly monopolistic when more than half the market is controlled by five firms. By 1993, they rated the international market as highly monopolized. Five firms

controlled nearly 70% of entire international market in consumer durables. Five firms controlled more than 50% of global market in automotive, airline, aerospace, electronic components, electrical and electronics and steel. And, five firms controlled more than 40% of global market in oil, personal computers and media (The Economist, 1993). These data, already thirteen years old, do not reflect the continued growth and consolidation within the international market.

The United Nations Development Program (UNDP) provides recent data on the social side of the economic equation. “The world’s richest 500 individuals have a combined income greater than that of the poorest 416 million” (UNDP, 2005, p. 4). 2.5 billion people live on less than \$2 a day. And, while 40% of the world’s population share only 5% of global income, a mere 10% retain a full 54% of that income. The report reveals a world of widening inequalities in income and life chances. “In the midst of an increasingly prosperous global economy, 10.7 million children every year do not live to see their fifth birthday, and more than 1 billion people survive in abject poverty on less than \$1 a day” (UNDP, 2005, p. 3).

The current form of economic globalization, tied to principles of neoliberalism and the Washington Consensus, has systematically eradicated democratic control of the market, both nationally and internationally (Cardoso, nd). The market is, hence, insulated from political influence (Levine, 1984), effectively checking its accountability to the people for whom it ostensibly works and from the direction and context made available through democratic processes and institutions. Polanyi presciently stated, “To allow the market mechanism to be sole director of the fate of human beings and their natural environment, indeed, even of the amount or use of purchasing power, would result in the demolition of society.” (Burawoy, 2003, pp. 78-79)

With 51 of the world's 100 largest economic entities being transnational corporations (TNCs), most of the world's states have little or no political or economic power (Mokhiber & Weissman, 1999). Even the most powerful -- the US and EU -- are challenged by the uncompromising force of concentrated globalized capital. It is not surprising then that governments are increasingly held captive to the precepts of neoliberal capitalism and corporate interests (NGLS, 2003). Neoliberal economic globalization is seriously confounding the international democratic deficit. In fact, unrestrained market forces and states' inability to protect their citizenry, are now perceived to be the most serious threats to democracy (Aksu, 2002).

### **The Call for International Democratic Governance**

Globalization has made indelible changes to the Westphalian system of states (Held, 1995). It has made permeable the boundaries that demarcated the sovereign rights of states and the social contracts negotiated between citizens and their states. Issues such as environment, population, human rights and food security have gained global proportions and surpassed the ability of even the richest states to address unilaterally. Neoliberal economic globalization has disarmed states' capacity to ensure economic stability or to provide protection to vulnerable populations. And multiple and dynamic governance systems, some outside the ambit of states, have obligated states to regimes which sometimes have crippling social and economic effects. So while states are not passé, they can no longer operate unilaterally or as inimitable actors outside the international system.

Globalization poses a particular challenge to states committed to democratic governance. People are systematically being disenfranchised from sovereign control over their own governments.

Further, the locales of international power and decision-making that significantly affect people's lives are highly undemocratic. To counter these antidemocratic forces, states need to actively engage in international governance. Moreover, international governance needs be democratized and markets need to yield to democratic governance (Archibugi, Balduini, & Donati, 2000).

Rosenau defines governance as the process whereby a society rules itself through systems of rule born of intersubjective consensus and reified by law (J. Rosenau, 1995). To develop and preserve democracy, we are challenged to apply this basic notion at a global level.

Democratic international governance is also of critical importance to social sustainability (OECD, 2001). Social sustainability concerns the well-being of people, and is met through the fulfillment of basic needs as well as through political, economic and social freedoms. It requires equity within and between generations, adequate provision of social services, cultural integration, widespread democratic participation, community ownership, self-determination and political accountability (Krut, Howard, Howard, Gleckman, & Dannielle, 1997). As peoples' lives are so affected by global processes, democratic global governance is necessary. Without it, sustainable development is impossible.

Polanyi asserted that the expansion of capitalism is incompatible with democracy and is a threat to civil society. He predicted that when the market tended toward destruction of society, society would reconstitute itself as active society to defend itself. Civil society, he astutely asserted, would coalesce internationally and rise up against the socially destructive forces of self-regulated markets.

In fact, globalization has opened new public spaces wherein once geographically separated peoples are discovering common ground, creating communities of interest and joining forces to

make their voices heard. From GCS is emerging what has been called the biggest international social movement in decades. Driven by a common belief that neoliberal economic globalization is the root of many contemporary problems, this disparate collage of the world's people is questioning neoliberal policies, challenging undemocratic multilateral institutions, highlighting the dangers of global capital concentration, standing against socially and environmentally destructive corporate practices and articulating an alternative vision based on equity, sustainability, democracy and human rights. Their voices have been heard in Seattle, Cancun and in the remotest locales of the globe (M Edwards & Gaventa, 2001). GCS is not, however, merely the voice of growing antipathy toward undemocratic international governance.

### **Global Civil Society: Champion of Democracy and Sustainability**

Civil society, in its national and global forms, is a potent and unrelenting defender of democracy and sustainability. Civil society is rooted in societies bounded by nation states. Society is comprised of civil society, the state and the market, all intertwined in highly interdependent, complex and symbiotic relationships. Civil society is both shaped by and constitutive of the state and market. The dynamic and evolutionary workings of this interdependent society create the social context out of which agents of civil society emerge. They, further, generate the issues to which civil society responds.

Governments establish a country's legal, fiscal and regulatory framework. That framework dictates the conditions under which civil society can emerge, encourages certain kinds of civic actors and influences the effect civil society can have on society at large (Mbogori & Chigudu,

1999). Governments can give rise to associations that exert significant social and political pressure for the public good, e.g., Amnesty International, or those that threaten the very fabric of society, e.g., the Hitler Youth and the Klu Klux Klan (Ehrenberg, 1999). Civil society, however, is not entirely dictated by governments. It has the capacity, even in the most oppressive situations, to develop into a formidable force, as illustrated in Central Europe under Soviet occupation, South Africa under Apartheid and Latin America under autocratic dictatorships (M. Kaldor, 2003).

Moreover, civil society plays a generative role in the creation and preservation of states. For example, prior to the formal casting of the United States via its constitution, civil society created the public space and produced agents to deliberate and discern the intent and role of the government in relation to its people. The principle *of the people, by the people, for the people* has been fought for throughout the nation's history by citizens intent on shaping the polity toward their image of a democratic republic, e.g., women's suffrage, civil rights movement, environmental movement, peace movement, etc.

Civil society, similarly, shares a complex relationship with the market. Through the market, people are able to provide for their own sustenance. Moreover, civil society relies on the market to resource its civic actions. In fact, the growth of civil society nationally and internationally has been financed in part by the wealth generated through economic growth, e.g. Ford, Mott, Carnegie (Iriye, 2004). Civil society struggles absent a healthy market (Keane, 2003). Markets, likewise, require civil society for their existence and continued viability. Polanyi wrote that markets are a particular form of socially mediated interaction (Burawoy, 2003). In fact, civil

society creates markets, provides the relationships necessary to enable market transactions and dictates the social norms and rules that guide the market's functioning.

The history of these intricate relationships reveals the inherent proclivity of each to undermine democracy and threaten sustainability. Moreover, it illustrates the unwavering propensity of civil society to counterbalance forces that threaten the sovereignty of people over their own destiny, whether that be anarchical social forces within civil society, oppressive states, or undemocratic globalized markets.

### **Anarchical Social Forces**

Civil society includes pockets of incivility within its ambit (Mary Kaldor, Anheier, & Glasius, 2005). Regarding these uncivil forces, Keane states, "The birth or rebirth of civil society is always riddled with dangers, for it gives freedom to despots and democrats alike" (Keane, 1998, p. 45). Indeed, some forms of civil society are disingenuous and devious in their self-ascription of the public good. Others commit acts of terror, like the mafia, war criminals, arms traders and terrorists. Still others discriminate, undermine civility and erode democracy, e.g., the Klu Klux Klan or the Hitler Youth. Uncivil groups engage strategies such as blood imagery and violence with the intent and consequence of destroying the bonds between people, as well as between people and their governments. Ehrenberg provides a chilling reminder that "People bowled, played soccer, and sang in choral groups in Jim Crow Mississippi" (Ehrenberg, 1999, p. 239). However, while there indeed are pockets of incivility in civil society, Keane asserts that they are marginalized and opposed within the predominantly non-violent sector (Keane, 1998). The norm of civility, characterized by principles of mutual respect, compromise and physical restraint, distinguish civil society. Civil society, recognizing the danger imposed by these uncivil groups,

negotiates social contracts in which people willingly cede part of their independence and authority to socially determined rules of law and the state in return for protection, security and peace (M. Kaldor, 2003).

### **The Oppressive State**

Oppressive governments also have roused the antipathy of civil society. In the eighteenth century, for example, the institution of feudalism gave way to the idea of individual liberty, opportunity and freedom from age-old oppression. Smith conceived a brilliant vision, based on the assumption that economic wealth leads to freedom. He proposed a radical concept, i.e., that equal access to democracy and economic opportunity could and should be available to all. His vision embraced free choice, a system of equal balances, and voluntary exchange between knowledgeable individuals. Central to his thesis were the requisites that property ownership be widely dispersed, monopolies be avoided and that an environment be created to enable the market's viability. Smith believed that a market thus designed would raise the standard of living for those outside the privileged minority and hence expand individual freedom and equality (Muller, 2002). In this iteration of people's quest for self-determination, now from repressive governments, civil society pursued the promise of the market and differentiated itself from the state.

In the 20<sup>th</sup> century, civil society again rose against tyrannical states around the world (M. Kaldor, 2003). In Central Europe, civil society fought to create an autonomous space separate from the ubiquitous state wherein people could organize as they wished. In Latin America, civil society arose in reaction to authoritarian military regimes. In South Africa, it rebelled against Apartheid.

### **Undemocratic Global Market**

By the 20<sup>th</sup> century, the market had transformed from a network of community-based businesses to a small constellation of rapidly growing transnational corporations (Korten, 1996). Following dictates of neoliberalism advocated by the Washington Consensus (Williamson, 1994), the world's states systematically created and institutionalized a world economic regime with the primary objective of freeing the market from constraints imposed by states. As a direct result, states' rights and ability to govern have been severely undermined. The subsequent collapse of the Soviet Union and advances in computer technology facilitated the liberation of business from the strictures of geographical and political boundaries.

In many significant ways, the global market escaped the social and political forces that would govern its actions and mediate its affects. Global economic forces have become hegemonic in that they operate outside the ability of states and citizens to exert direction and control, or to provide vital social contracts and safety nets. Consequently, ever more people have been made permanently superfluous to the world's economy, adding to the growing mass of extremely poor and malnourished. Extreme and concentrated wealth is now accompanied by widespread and abject poverty (Galbraith, 1998).

Civil society has reacted to the damaging effects of capitalist development in many ways, from national workers' movements in Mexico and Canada to the Living Democracy Movement in India (Piven & Cloward, 1979). Civil society, however, was also released from geographical and political constraints in the late 20<sup>th</sup> century, rendering itself as Global Civil Society. It experienced explosive growth in the form of national and international non-governmental organizations (INGOs). INGOs regularly join forces to fight the injustices of neoliberal economic policies, e.g., the international coalitions inspired by Action Canada Network to

oppose the North American Free Trade Agreement (Lujan, 2002) and World Campaign for Indepth Reform of the System of International Institutions.<sup>1</sup> By the end of the 20<sup>th</sup> century, the global anti-capitalism movement was born to counter the human and environmental degradation caused by neoliberal economic policies and globalized capital (Krut et al., 1997).

The term democracy includes two concepts, demos and kratos. Demos refers to the people within a polity while kratos refers to power. These concepts imply first, that a polity is to be ruled by the people, not an elite, and second, that all people must have equal access to decision-making. Civil society, in its enduring bid for self-determination, has been a consistent champion of both demos and kratos, and hence a critical force in democracy within nation states. In its global form, it is relentless in its pursuit of both democratic and sustainability objectives. However, the global environment is much different than that of sovereign nation-states. It is defined by anarchy, power plays between nation states, international governance organizations deficient in democratic practices, and the domination of transnational corporations over the global market (Mearsheimer, 2001).

GCS wields neither the sword of states, the resources of the market nor the structures of the bureaucracy, yet its strength and accomplishments as an active agent in international affairs are irrefutable. It is a significant force internationally, exemplified by its sheer size, its infiltration into international governance organizations, its ability to generate global public opinion and its proven success transforming policy issues into international regimes.

### **Influence Outside Power and Wealth**

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<sup>1</sup> a campaign of the World Forum of Civil Society Networks (UBUNTU),  
[www.reformcampaign.net/index.php?pg=81&lg=eng](http://www.reformcampaign.net/index.php?pg=81&lg=eng)

As the world's people come into closer contact via technology and travel, the awareness of difference increases and leads to contention (Barber, 1984). GCS reflects that complexity and diversity. It is populated with a multiplicity of divergent perspectives and opinions. Some claim that the inconsistencies inherent in such diversity corroborate the accusation that GCS cannot present a united front and hence is not a legitimate voice in governance (Rooy, 2004). Others, however, state that the diversity is in fact a strength of GCS. They contend that democracy itself is a contested space, that diversity is crucial for democracy, that GCS reflects the pluralism and that the interactions within GCS create cultural understanding and promote multilateralism (Cardoso, nd).

In fact, a recurrent message has emerged from this diversity and is echoed through its many endeavours. That message concerns justice, equity, democratic governance, peace, human rights and environmental conservation. These themes have been sustained over time, through wars and across the nations, inspiring the question of how unity is found amidst the cacophonic and seeming disorder of GCS. The answer lies in civil society's twin propensities to network and to generate intersubjective meaning.

Global Civil Society is coordinating itself via networks (Hall, 2000). The tendency toward networking in GCS is located within broader global evolutionary trends. First, in the age of interdependence and communication, "Networks constitute the new social morphology of our societies" (Castells, 1996, p. 469). Networking is occurring in all realms, from business to government to civil society. Second, Wallerstein asserts that the world is in a period of vast change, wherein conventional knowledge is challenged but not yet replaced by new paradigms. In this period of searching and reflection, he states, experimentation, purposeful learning and

ongoing exchange are critical (Wallerstein, 2004). Networks facilitate that exchange and learning.

A network is a loose, de-centered and informal structure that links independent local actors to each other across time and space, and facilitates their co-operation (Hall, 2000). GCS networks variously form as coalitions, federations, alliances, consortiums and associations. Tandon characterizes GCS networks as open to varied experience and ideas, energized by shared responsibility and capable of rapid mobilization (Tandon, 1991). The minimal reliance on hierarchies and bureaucratic regulations, the vast linkages across multiple sources of competence, knowledge and experience, and the access to numerous power centers and resources make networks uniquely suited to coordination of complex tasks and rapid learning. Through the connections, GCS is finding common voice among its immense diversity (Magis, 2007).

Earthwatch, Association for the Taxation of Financial Transactions for the Aid of Citizens, World Movement for Democracy, Global Call to Action Against Poverty, Women's Environment & Development Organization are examples of networks that have championed issues from women's rights to global climate change, debt relief and anti-capitalism.

Global Civil Society is not vested with power, nor does it have a legally legitimated place in international governance. It, however, can claim multiple and significant accomplishments influencing international policy and practice. A portion of its success can be explained by its increasing sophistication as a global political force, its organizational development, and the opportunities created for it within the United Nations. These explanations, however, do not fully account for GCS's success.

Rather GCS's puissance is more fully appreciated through the conception of the world as an international society determined by the international distribution of ideas (Klandermans, 1992). Ideas are comprised of shared interests, values, expectations and beliefs about appropriate behaviour. They create structure, order and stability in society and galvanize evolution of individual societal members and the entire system. Ideas are the basis for norms and regimes, which provide further structure for international society.

Norms are expectations regarding notions of right, wrong and appropriate behaviour. Norms can be categorized as regulative, i.e., ordering and constraining behaviour, constitutive, i.e., creating new actors, interests, or actions, or prescriptive, i.e., stipulating standards of appropriate behaviour. Norms are intersubjective and collective as their meaning is derived through negotiation between members of the community (Finnemore & Sikkink, 1998). Norms proceed through life cycles, from emergence, wherein the norm is introduced to society, to threshold, wherein a critical mass of society's members accept and assimilate them, to cascade and internalization, wherein they are accorded regulative, constitutive and prescriptive properties and integrated into legal regimes (Khagram et al., 2002).

International society is created via the iterative construction and institutionalization of norms. States' identities are constructed via the process of defining, acknowledging, accepting and acting on norms (Finnemore, 1996, Spring). Further, their identities, interests and behaviours are continually shaped to align with those of international society. When states endorse a norm, they are formally and publicly endorsing a set of beliefs, thus reifying the states' membership standing within the community. Norms produce social order and stability by encouraging behavioural conformity and constraining choice (Katzenstein, 1996). Norms then, take on the

power to make behavioural claims on the states, especially when integrated into international regimes.

Regimes are formally constituted directives around which states' expectations converge. They include principles, norms, rules and decision-making procedures (Krasner, 1983). State sovereignty is a regime, as are nonproliferation and human rights. Because regimes are institutionalized and accorded legal status, they exert a constitutive force on states, creating identities, informing preferences and socializing behaviour (Wendt, 1992).

Given the salience of regimes to states' wellbeing, regimes such as state sovereignty and nonproliferation are understandable. However, states are ratifying and abiding by regimes, e.g., human rights that fundamentally contradict their interests and undermine their sovereignty. The human rights regime is part of a subset of regimes that promotes neither the economic or political coordination of states, nor the stability of states. Rather they are based on norms that promote human rights, democratic governance, development, peace and environmental conservation and fight international corruption (Khagram et al., 2002). Yet, despite the detrimental implications for state sovereignty, states continue to voluntarily acquiesce to these norms and regimes.

GCS is an active force behind this apparent incongruity, fashioning nothing less than a global community. GCS, locating itself directly in the center of the socialization of international society, is generating global public opinion and constructing cosmopolitan norms, i.e., norms regarding international affairs that surpass the claims of states (D. Held, 2004). The Battle for Seattle is one powerful exemplar as traditionally oppositional groups, e.g., environment and labor, stood together against globalized capital and the express interests of very powerful states to demand a new world economic order (Broad, 2002).

GCS acts to facilitate and guide the socialization process. It employs persuasion, communication and moral authority to change international meaning structures and institutionalize norms. How though does GCS, distinguished by its rich diversity, find common ground much less create international norms? The answer lies in understanding GCS as a process, specifically a transformative and generative process.

The process is that of dialogue which accommodates and incorporates diversity to generate new and more comprehensive understanding (Amnesty International, 2004). Through dialogue, people listen to understand different viewpoints. In the process, their ideas and values are reframed within a larger context and links are discovered that supersede differences and bond people to a common cause. This new intersubjective meaning then exerts a constitutive force, creating and redefining identities, informing preferences and socializing behaviour (Lipschutz, 1992). The World Social Forum highlights GCS's ability to transcend its multiple particularities, to transform and create identities, and to create webs of normative meaning and shared understanding.

GCS endeavours are found throughout the norm life cycle, from norm emergence to norm threshold to norms cascade and norm internalization (Finnemore & Sikkink, 1998). Their work does not end with the institutionalization of norms, however. Monitoring state behaviour for norm compliance presents an ongoing challenge as evidenced by the current endeavours of Amnesty International, the International Red Cross and the Center for Constitutional Rights to hold the Bush administration accountable for alleged human rights abuses and war crimes in Iraq (Amnesty International, 2004). GCS's active engagement in the international socialization process is the source of its power. Moreover, it is central to building global community and

promoting the regimes related to democracy and sustainability that states are ratifying and for which states are volunteering to be held accountable.

### **Global Civil Society: Challenges to Legitimization**

Global Civil Society is engaged internationally, regarded as an important player in global governance and vying to further develop its partnership with the UN. Yet, it faces significant challenges in its bid to institutionalize its legitimate presence in global governance. It is challenged by issues within the UN, by a backlash of governments against its growing power and by its own internal developmental requirements.

#### **United Nations**

The UN is questioning the accountability and transparency of NGOs, requiring greater self-discipline and calling for NGOs to engage in self-regulation. Moreover, since the late 1990s, the UN has curtailed and challenged GCS's access to its quarters. Accreditation is widely perceived to be politicized, with states weighing in on decisions when civil society groups are alleged to be a threat to their interests (United Nations, 2003). Increasingly restrictive and inconsistent security rules to UN buildings, the lack of space for NGOs to congregate and the application of fees for access to UN documents have exceeded the capacity of many civil society groups to gain access to the UN (Krut et al., 1997). Civil society's access to meetings has also been restricted. The Secretariat is accused of failing to engage civil society, even in matters critical to civil society. And, ESOSOC has considered the restriction of NGOs accredited to particular meetings. The lack of access to meetings has gained prominence as the global conferences, which catapulted GCS onto the international scene, were ended. Issues formally considered at the conferences

have been transferred to the General Assembly and other UN venues in which civil society has little to no access (Global Policy Forum, 1999).

The question of the genesis for the increasing restrictions of access by GCS to the UN has several answers. First, the UN has been struggling for years with a burgeoning financial crisis. The explosive growth in NGOs, requests for accreditation and demands for access have overwhelmed the UN's limited capacity. Strategies such as the application of fees to UN services can be explained by the organization's severe resource constraints. The challenge to GCS's access to international governance is, however, far from simply a logistical issue. As if accommodating Newton's third law of motion, the growing force of GCS is being met with an equal and opposite force, that of states.

### **State Backlash**

Global Civil Society claims its place in international society despite the fact that it sits outside the Westphalian polity. Designed by and for states, the Westphalian system designated states as the sole world powers and created the regime of sovereignty to enable their peaceful coexistence. Paramount in the sovereignty regime were the principles of sovereignty, wherein states were accorded full rights to reign over the people and resources within their territories, and non-intervention, wherein states agreed to stay out of each other's internal business (Deudney, 1996). GCS represents a significant threat to the Westphalian system (A. M. Clark, 2001). The establishment of internationally accepted human rights, for example, challenges state sovereignty, as state actions against their citizens can be contested by actors outside the particular state (Ruggie, Autumn, 1998). Advancing and protecting human rights is one of the oldest endeavours of GCS. GCS has taken a leading role in monitoring government actions with

regard to internationally negotiated regimes such as human rights, earning for itself the title of the “new world police force” (Spirio, 1995, pp. 45-46). Organizations such as Amnesty International, World Conservation Union, Third World Network and Transparency International research, disseminate information and mobilize public opinion to increase government transparency and hold governments accountable. Their reports regularly trigger UN special investigations and focus worldwide attention on the offending country.

The arrest of General Augusto Pinochet in 1998, the Guatemalan truth commissions of 1997, and Suharto’s forced abdication in Indonesia in 1998 are indisputable substantiation of the erosion of state sovereignty resulting from application of international human rights principles (Risse, 1999). GCS exerts this pressure equally in other policy areas, exposing governments’ lack of follow-through on international obligations and pushing for additional extension of government responsibility to humanity. This incursion into state sovereignty is prompting a reactionary force against GCS (Willetts, 2000).

Actions resulting in the separation of GCS from the seat of power within the UN must be considered in light of this reactionary force. Paul asserts that there has been a growing movement within the member states to diminish NGO rights. States are challenging NGO’s legitimacy, representativeness, sources of funding and tactics (Paul, 1999). For example, global conferences were halted primarily at the behest of the United States, whose representatives claimed they were an unnecessary financial burden and a waste of time. In the same period, environmental NGOs’ status was undermined and funding for women’s programs was cut. NGOs were barred from traditional forms of access to the General Assembly and subjected to unprecedeted and

unpredictable search procedures. Moreover, NGOs attempts to gain formal access to the General Assembly and the Security Council have been actively prohibited.

## **Developmental Challenges**

The backlash against GCS, however, is not entirely driven by political antipathy. It also represents a legitimate demand of any actor that claims to speak for the people. GCS is being challenged to justify its new status and influence (Panel of Eminent Persons on UN-Civil Society Relations, 2004). Furthermore, it must address its own developmental challenges. GCS, as with government or business, cannot be assumed to be democratic (Scholte, 2002). The democratic challenges it faces include its representativeness and its potential to undermine democracy, to reinforce structural deficiencies in aid recipient communities and to reify the disparity in power and voice already extant across GCS.

Global Civil Society is challenged with regard to its representativeness. Kaldor distinguishes between mutual benefit and solidarity NGOs (M. Kaldor, 2003). Mutual benefit NGOs are comprised of people who work to improve the conditions of their own lives, e.g., the Macedonian Center for International Cooperation and the Bangladesh Rural Advancement Committee. Solidarity NGOs are comprised of people who may not be affected by the problems they are trying to resolve but who, nonetheless, are committed to the wellbeing of others, e.g., Amnesty International and Oxfam. Solidarity NGOs that claim to represent ‘the people’ defy one of the basic tenets of representative democracy, i.e., that of legitimacy gained through popular elections. Such NGOs can’t look to their beneficiary constituency for guidance and hence can’t make claims on their behalf without having their legitimacy effectively challenged. Moreover,

when different solidarity NGOs make divergent claims on behalf of the same constituency, there is no mechanism to discern which one truly represents the people (Krut et al., 1997).

The relationship between southern and northern NGOs highlights other serious democratic challenges. Northern NGOs dominate internationally, being the primary recipients of donor funding and playing the most prominent political and operational roles. Eight northern NGOs currently receive half the US\$8 billion funding for NGOs, i.e., CARE, World Vision International, Oxfam, Medecins Sans Frontieres, Save the Children Federation, Cooperation Internationale pour le Developpement et la Solidarite, Coalition of Catholic NGOs, Association of Protestant Development Organization in Europe and Eurostep. The funding is then channelled to many southern mutual benefit NGOs along with dictums regarding mission, required outcomes and allowable expenditures.

Southern dependence on northern NGOs and donors for resources creates many problems. First, it jeopardizes southern NGOs' ability to respond appropriately to local needs. Southern NGOs tend to organize holistically around a community's needs, addressing issues from the environment to employment and nutrition (Rooy, 2004). Many northern NGOs on the other hand, are focused on single issues, so directives and purposes between funders and operational NGOs can be ill fit with funder penchants taking precedence. Further, the method by which aid is delivered can have debilitating effects on the community, its government and local NGOs. It can create dependencies, supplant government operations, reinforce structural deficiencies and undermine democratic policy and practice. Finally, the predominance of northern NGOs engaged with IGOs further obscures the voice of southern citizens and reinforces the disparity in power and voice between northern and southern civil society (Hudock, 1999).

While these democratic challenges within civil society remain unresolved, the legitimacy of GCS remains vulnerable to question and political subversion. These issues are at the heart of many governments attacks on GCS. These challenges, however, are not unlike those faced by states or businesses. States, for example, are accorded equal status in the United Nations regardless of their practices with regard to human rights or democracy. Transnational corporations also are notoriously undemocratic in their operations. They operate outside the authority of the nations in which they do business, making them in essence nation-less (Multistate Tax Commission, 2003). They are not compelled to abide by the states' laws, regulations or tax obligations, so are free to extend their authoritarian rule without constraint. Both states and businesses have undermined people's capacity to sustain themselves, degraded states' ability to govern, obscured peoples' voice, and reinforced disparities in power.

The democratic challenges faced by GCS are very real. However, to impugn GCS and deny its legitimacy in global governance is problematic and suspect when uttered from the mouths of those equally challenged. Rather, the question might be reframed within the context of democratic governance. In a system of democratic governance, laws, institutions and systems are designed to counter the inherent undemocratic tendencies of organizations and people. These enable the full participation of all members of society, the state, business and civil society.

### **Conclusion**

GCS, although extant for many years, exploded onto the international scene in the 1990s as a powerful force for norms related to democracy and sustainability. It has been a primary architect and champion of virtually all international regimes related to human and environmental

protection and has promoted democratic governance at all levels. Its agency is formidable and its achievements irrefutable.

Yet, it has no formal or institutionally protected venue through which to project its voice and parlay its intent into international governance. Rather, it is vulnerable to the vagaries of the international system. While this situation remains, the efforts of GCS to advocate for people will continue to be hindered by hostile and unreceptive political and economic forces that are accorded with legal legitimacy and guaranteed access to international policymaking venues. As a result, the democratic deficit so pervasive in international governance will continue or worsen, as one of its natural counterbalances is systematically foiled. Global Civil Society makes a unique and important contribution to the world and its people. It serves vital purposes in the development of democracy and sustainability. It needs be accorded a legally legitimated voice in international governance.

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